



**Haringey** Council

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## Special Planning Sub Committee

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WEDNESDAY, 20TH JULY, 2011 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

**MEMBERS:** Councillors Basu, Beacham, Demirci (Chair), Peacock (Vice-Chair), Reece, Rice, Schmitz, Scott and Waters

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### **AGENDA**

- 1. ELECTION OF CHAIR FOR PROCEEDINGS**
- 2. APOLOGIES**
- 3. URGENT BUSINESS**

It being a special meeting of the Committee, under Part 4, Section B, Paragraph 17 of the Council's Constitution, no other business shall be considered at the meeting.

#### 4. DECLARATIONS OF INTEREST

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

#### 5. WARDS CORNER SITE, HIGH ROAD, N15 (PAGES 1 - 306)

Demolition of existing buildings and erection of mixed use development comprising Class 3 residential and Class A1/A2/A3/A4 with access, parking and associated landscaping and public realm improvements.

RECOMMENDATION: Grant permission subject to conditions and subject to s106/s178 Legal Agreement and direction of the GLA.

**Please note, it being a special meeting of the Sub Committee, under the Council's Constitution, Part 4, Section B, Paragraph 17, no other business shall be considered at this meeting.**

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Tuesday, 12 July 2011



Haringey Council

Agenda item:

<b>Planning Sub - Committee</b>	<b>On 20<sup>th</sup> July 2011</b>
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Report Title: <b>Planning application report for determination</b>
Report of: <b>Lyn Garner Director of Place &amp; Sustainability</b>
Wards(s) affected: <b>All</b>   Report for: <b>Planning Sub - Committee</b>
<b>1. Purpose</b> Planning applications submitted to the above Committee for determination by Members.
<b>2. Summary</b> The application present on the following agenda consist of sections comprising a consultation summary, an officers report entitled planning considerations and a recommendation to Members regarding the grant or refusal of planning permission.
<b>3. Recommendations</b> See following report.
Report Authorised by:  .....
 <b>Marc Dorfman</b> <b>Assistant Director Planning &amp; Regeneration</b>
Contact officer: <b>Ahmet Altinsoy</b> <b>Development Management Support Team Leader</b>   <b>Tel: 0208 489 5114</b>
<b>4. Local Government (Access to Information) Act 1985</b> Planning staff and application case files are located at 639 High Road, London N17 8BD. Applications can be inspected at those offices 9.00am – 5.00pm, Monday – Friday. Case Officers will not be available without appointment. In addition application case files are available to view print and download free of charge via the Haringey Council website: <a href="http://WWW.haringey.gov.uk">WWW.haringey.gov.uk</a> . From the homepage follow the links to 'planning' and 'view planning applications' to find the application search facility. Enter the application reference number or site address to retrieve the case details.
The Development Management Support Team can give further advice and can be contacted on 0208 489 5508, 9.00am – 5.00pm, Monday – Friday.

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Planning Committee

Item No.

**REPORT FOR CONSIDERATION AT PLANNING COMMITTEE**

<b>Reference No:</b> HGY/2008/0303	<b>Ward:</b> Tottenham Green
<b>Address:</b> Wards Corner Site, High Road N15	
<b>Proposal:</b> Demolition of existing buildings and erection of mixed use development comprising Class C3 residential and Class A1/A2/A3/A4 with access, parking and associated landscaping and public realm improvements.	
<b>Existing Use:</b> Retail and Residential	<b>Proposed Use:</b> Mixed Use
<b>Applicant:</b> Grainger (Seven Sisters) Ltd	
<b>Ownership:</b> Private/Public	
<b>Date received:</b> 06/02/2008 <b>Last amended date:</b> 12/07/2011	
Drawing number of plans: P (00) 00, P (00) 01C, P (00) 02, P (00) 03, P (00) 04, P (00) 05, P (00) 06, P (00) 07A, P (00) 08A, P (00) 09, P (00) 10, P (00) 20, P (00) 21, P (00) 100B, P (00) 101A, P (00) 102A, P (00) 103A, P (00) 110A, P (00) 111A. Design and Access Statement: Wards Corner Seven Sisters Design and Access Statement and accompanying statements by Pollard Thames Edwards Architects January 2008.	
Case Officer Contact: Jeffrey Holt	
<b>PLANNING DESIGNATIONS:</b>	
Tube Lines Conservation Area Road Network: C Road	
<b>RECOMMENDATION</b>	
GRANT PERMISSION subject to conditions and subject to s106/s278 Legal Agreement and direction of the GLA.	

**SUMMARY OF REPORT:**

The application proposes the demolition of all buildings on site and the erection of a modern mixed use development with retail on the ground floor of the Seven Sisters, High Road and West Green Road frontages and flats on the upper floors. Development on Suffield Road will be completely residential. In total 197 private market dwellings are proposed.

Prior to and during the life of the application, the council and the applicants have engaged with key stake holders to develop a scheme which addresses local issues while delivering major regeneration.

The application was originally approved in December 2008 however the planning consent was quashed in June 2010 by the Court of Appeal. The Court of Appeal considered that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act, 1976. Following this decision the application is now being re-determined. Physically, the scheme is mostly unchanged however a modified s106 agreement is proposed.

In re-determining the application, officers had regard to the Council's obligations under the Equality Act 2010. An independent Equalities Impact Assessment was undertaken by URS Scott Wilson and it was found that the proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the s106 agreement are honoured in full and in a timely manner

The development is considered to deliver regeneration through new quality retail space, including new accommodation for the Seven Sisters Market (following their temporary relocation facilitated by the developer); quality family housing; quality amenity space and children's play space; and improvements to the public realm. The development is a high quality modern design suitable for a distinctive site and it will not cause significant harm to public and private transport networks or neighbouring amenity.

The provision of affordable housing was found to be unviable and this has been verified independently by District Valuer Services (DVS).

The development will involve the loss of identified Heritage Assets through the demolition of buildings in a Conservation Area, some of which are locally listed. The harm caused by the loss of these Heritage Assets is considered to be outweighed by the public benefits delivered by the scheme.

The applicant has engaged directly with existing residents and business on site, particularly the market traders, and has proposed a package of measures to compensate for their inevitable displacement. These measures were proposed following input from the affected residents and traders as well as the recommendations in the Equalities Impact Assessment and those from the GLA. Implementation of these measures will be secured through a s106 agreement.

On balance it is the officers' view that the scheme is consistent with planning policy and that subject to appropriate conditions and s106 contributions the application should be approved subject to direction of the GLA.

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## **APPENDICES**

- Appendix 1:** Consultation responses
- Appendix 2:** Planning Policies
- Appendix 3:** Summary of Equalities Impacts and Recommendations by URS  
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- Appendix 4:** Equalities Impact Assessment prepared by URS Scott Wilson
- Appendix 5:** Executive Summary of Toolkit Analysis by DVS
- Appendix 6:** Development Management Forum Minutes
- Appendix 7:** Summary of GLA reports
- Appendix 8:** GLA reports
- Appendix 9:** Court of Appeal judgement
- Appendix 10:** Wards Corner/Seven Sisters Underground Development Brief

## **1. SITE AND SURROUNDINGS**

- 1.1 The Wards Corner site is a prominent site located on the Western side of Tottenham High Road comprises 227 to 259 High Road 709 – 723 Seven Sisters Road 1a – 11 West Green Road and 8 – 30 Suffield Road which are 2/3 storey Victorian properties. The net site area is 0.65 of a hectare. The site contains the former Wards Corner Department Store and is situated above the Seven Sisters Victoria Line Underground Station and tunnels.
- 1.2 The site comprises retail and commercial floorspace on the ground and first floors on the High Road footage with retail commercial on the ground floor with residential above on the other two main frontages. Suffield Road is different in character being a relatively quiet residential street. There are currently 33 residential units falling within the boundary of the site.
- 1.3 The front part of the site falls within the West Green Road/Seven Sisters Conservation Area. The Tottenham High Road Regeneration Strategy (2002) and Tottenham High Road Historic Corridor Policy AC3 identifies Wards Corner as a key Regeneration site. The site falls within the Bridge New Deal for Communities Area. The site is the subject of the Wards Corner/Seven Sisters Underground Development Brief dated January 2004.
- 1.4 West Green Road/Seven Sisters shopping area is classified as a District Centre in the Unitary Development Plan. The total retail floorspace on site is currently 3,182sq metres. The existing buildings currently incorporate an indoor market comprising 36 separate units. Currently a number of the traders are Colombian or Spanish speaking. The site has a public transport accessibility level of 6 (where 1 is low and 6 is high).

## **2. PLANNING HISTORY**

- 2.1 This report to Planning Committee is for the re-determination of application ref: HGY/2008/0303, which was approved in December 2008. In June 2010 the decision was quashed by the Court of Appeal (see Appendix 9). Further information relating to the background of the current application is set out in section 6.2 Application Background.
- 2.2 Previous to this application, there is no significant planning history in relation to the application site. There have been many small applications in relation to each of the individual buildings, these are not recorded here in the interests of brevity but can be found on the Council's website and in appendix 1 of the applicant's initial planning statement of January 2007.
- 2.3 HGY/2008/0177 – NOT DETERMINED – The applicant was the Wards Corner Coalition - Erection of first floor rear extensions, alterations to rear elevation. Alterations to front elevation, including new bays at first floor level and dormer windows to front roof slope, installation of new shopfront, alterations to 3 storey

corner block, internal alterations to create new shops/workshops/offices/cafe (A3) use on ground / first floors and creation of 8 x one bed flats at second floor.

- 2.4 The above application was not determined by Haringey Council and the applicants submitted an appeal to the Planning Inspectorate (PINS) on grounds of non-determination. The appeal was lodged 15 May 2010 but it was not accepted by PINS as the appeal was submitted more than 6 months after the expiry date of the application. However, once an appeal is made to PINS the Local Planning Authority is unable to determine the application.
- 2.5 HGY/2008/0322 – GRANTED 17/11/2008-Conservation Area Consent for demolition of existing buildings 227 – 259 High Road 1a,1b and 1 West Green Road N15.

### 3. **PROPOSAL DESCRIPTION**

- 3.1 The proposed development comprises retail on the ground floor of the Seven Sisters Road, High Road and West Green Road frontages. A variety of unit sizes, including provision for an indoor market is proposed amounting in a total 3700 sq metres of floorspace with access via a secure service road with gated entrance onto Suffield Road. A cafe-bar/restaurant is proposed at first floor level on the High Road frontage. The residential development comprises 197 new flats at first floor level and above and apart from 18 family units with direct access onto Suffield Road situated around a communal garden square at first floor level accessed via a main foyer with access from the High Road frontage. The proposed development would include improvements to the public realm on the High Road and other frontages. The proposal includes the provision of 44 car parking spaces, including 3 disabled spaces in the basement car park.

### 4. **RELEVANT PLANNING POLICY**

- 4.1 The scheme is assessed against planning policy at a National, regional and local level, including relevant:
- National Planning Policy Guidance;
  - National Planning Policy Statements;
  - The London Plan 2008 (consolidated with changes since 2004);
  - Haringey's adopted Unitary Development Plan 2006; and
  - Supplementary Planning Guidance and Documents.

#### Planning For Growth

- 4.2 In March 2011, the Minister for Decentralisation made a statement calling for local planning authorities to support enterprise and facilitate housing, economic and other forms of sustainable development with appropriate weight given to the need to support economic recovery.

#### Draft Replacement London Plan

- 4.3 After a consultation in 2008, the Mayor decided to create a replacement Plan rather than amend the previous London Plan. Public consultation on the Draft Replacement London Plan took place until January 2010 and its Examination in Public closed on 8 December 2010. The panel report is expected in March 2011, with a final adoption due in late 2011.

Haringey LDF Core Strategy

- 4.4 Haringey's draft Core Strategy has been submitted to the Secretary of State for an Examination in Public (EiP). This EiP commenced in 28<sup>th</sup> June with the binding Inspector's report expected in October/November 2011. As a matter of law, some weight should be attached to the Core Strategy policies which have been submitted for EiP however they cannot in themselves override the Haringey's adopted Unitary Development Plan (2006) unless material considerations indicate otherwise.

Haringey Development Management DPD

- 4.5 The consultation draft of the Development Management DPD (DM DPD) was issued in May 2010 Following the responses received a proposed submission draft will be published in Spring 2012. The DM DPD is at an earlier stage to the Core Strategy and can only be accorded limited weight.
- 4.6 A full list of relevant planning policy can be found in Appendix 2.

**5. CONSULTATION**

- 5.1 The council undertook wide consultation with both statutory consultees and local residents. A table of all consultees can be found below.

<b><i>Statutory</i></b>	<b><i>Internal</i></b>	<b><i>External</i></b>
Greater London Authority (GLA) English Heritage Commission for Architecture and the Built Environment (CABE) Met Police Government Office for London (GoL) London Fire Brigade Environmental Agency	Transportation Group Cleansing Building Control Conservation Design Regeneration Policy Design Panel	Amenity Groups Wards Corner Community Coalition Tottenham Civic Society Tottenham Conservation Area Advisory Committee (CAAC) The Bridge NDC LB Hackney LB Waltham Forest  Local Residents Total No of Residents Consulted: 2,754

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- 5.2 The application has been put out to consultation twice. The first consultation occurred in February 2008 when the application was first validated. This first consultation generated 365 objections and 27 expressions of support from local residents as well as 11 neutral comments or responses from groups and statutory consultees.
- 5.3 Following the Judicial Review the application was put out to consultation a second time in January 2011. To date, this second consultation generated 487 objections, of which 426 are in the form of a standard letter. 13 responses were supportive of the plans and there were 7 responses from groups and statutory consultees. The Planning service has a policy of accepting comments right up to the Committee hearing and in view of this the figure is likely to rise further before the planning application is determined.
- 5.4 The scheme was presented to the Haringey Design Panel in October 2007 and feedback was broadly positive. As there have been no significant design changes in the scheme it was felt unnecessary to re-consult the Design Panel.
- 5.5 Two Development management Forums were held on the 20<sup>th</sup> March 2008 and 1<sup>st</sup> February 2011. Approximately 200 residents attended each forum. The minutes are attached as Appendix 6 of this report.
- 5.6 Officers have considered all consultation responses and have commented on these in Appendix 1. It is considered that the scheme is acceptable in the context of these consultation responses.

#### ICM Poll

- 5.7 M&N PR consultants have submitted a poll carried out by ICM from the 2<sup>nd</sup> to 13<sup>th</sup> of May 2008 on the instruction of the applicant in relation to the proposed development stating that a significant number of poll respondents had not visited the market and only 19% shop there regularly. The poll went on to find that the respondents felt unsafe in the area at night. That many people thought that investment in the area was a good idea. That many favoured the provision of high street shops and local traders. Retaining period buildings was not seen as a priority. Tackling crime was the most important issue. The methodology and results of which are shown in summary below:

#### Methodology

- Interviewed 500 residents in post code areas N15 4, N15 5 and N15 6
- Aged over 18+
- Over the telephone
- Between 1 – 12 May 2008 Weighted by age and area i.e. approximately the same number of people were polled in each age range and area

#### Key Statistics

- 57% of respondents had never visited Seven Sisters market, and only 19% of respondents shop at the market once a month or more often
- 55% feel unsafe visiting the area at night (including 68% of people aged 18 – 24). This rose to 62% amongst women
- 81% think substantial investment in the wards Corner area is a good idea
- 63% favoured the option of providing retail units for use by both high street shops and local traders, compared to only 30% who wanted retail focused around the existing and local traders
- When asked “what would you say is the most important issue that needs to be addressed at the wards Corner site?”, only 4% actually specified that architecture/retaining period buildings was a priority
- less than those who suggested better street lighting
- Only 3% (17 people out of 500) specified that keeping the market was important – the same amount who asked for more green areas to be included
- Tackling crime was the overwhelming main priority for respondents, with 42% specifying this option. Providing a better range of shops and making the area more attractive were joint second with 18%each.

## **6. ANALYSIS / ASSESSMENT OF THE APPLICATION**

6.1 The main issues in respect of this application are considered to be:

- 1) Application background
- 2) Regeneration Policy Context
- 3) Development Brief
- 4) Regeneration Benefits
- 5) Retail Uses
- 6) Seven Sisters Market
- 7) Residential
- 8) Density
- 9) Affordable Housing
- 10) Dwelling Mix
- 11) Lifetime Homes and Wheelchair Access
- 12) Conservation
- 13) Design
- 14) Public Art
- 15) Amenity space
- 16) Children’s Play space
- 17) Contamination
- 18) Archaeology
- 19) Sustainability Energy
- 20) Traffic and Parking
- 21) Air Quality
- 22) Community Safety
- 23) Drainage
- 24) Noise and Vibration

- 25) Daylight and Sunlight
- 26) Environmental Impact Assessment
- 27) Equalities Impact Assessment
- 28) Planning Obligations/s106 Agreement

### **Application Background**

6.2 This is a re-determination of the planning application ref: HGY/2008/0303. A timeline of key events relating to this application is provided below:

- 06/02/2008** Planning and associated Conservation Area Consent applications received
- 12/02/2008** Planning Application validated under ref: HGY/2008/0303 and consultation letters sent to statutory consultees, third parties and local residents
- 14/02/2008** Conservation Area Consent application validated under ref: HGY/2008/0322 and consultation letters sent to statutory consultees, third parties and local residents
- 20/03/2008** Development Management Forum held
- 17/11/2008** Planning Committee resolve to approve planning application and Conservation Area Consent application.
- 24/12/2008** Planning decision to approve scheme issued
- 16/06/2009** Judicial Review hearing held
- 14/07/2009** Judicial Review Dismissed
- 05/05/2010** Judicial Review Appeal Hearing
- 22/06/2010** Judicial Review Appeal Allowed: Planning consent quashed

In reaching its decision the Court of Appeal considered that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act, 1976 in that it did not have due regard to “the need to promote equality of opportunity and good relations between persons of different of different racial groups”.

- 22/12/2010** Following discussion with Haringey officers, supplementary planning information is submitted by Grainger seeking re-determination of the application.

- 19/01/2011** Consultation letters sent to statutory consultees, third parties and local residents based
- 01/02/2011** Development Management Forum held
- 20/07/2011** Application taken to Planning Committee with recommendation to approve

### **Regeneration Policy Context**

- 6.3 PPS 1: Delivering Sustainable Communities sets out the Government's position in relation to achieving identified planning objectives including providing urban regeneration through mixed-use development, reducing the need to travel and promoting efficient use of land through higher density and use of previously developed land and buildings.
- 6.4 PPS4: Planning for Sustainable Economic Growth states that the Government's overarching objective is sustainable economic growth. Policy EC4.1 states that Local planning authorities should proactively plan to promote competitive town centre environments and provide consumer choice. Policy EC10.1 states that local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably. Furthermore, Policy EC10.2 requires local planning authorities to assess the impact of schemes in terms of their climate change impact, transport accessibility, design, impact on economic and physical regeneration including impact on deprived areas and social inclusion and impact on local employment.
- 6.5 The Minister for Decentralisation's statement "Planning For Growth" calls for local planning authorities to support enterprise and facilitate housing, economic and other forms of sustainable development with appropriate weight given to the need to support economic recovery. It is considered that the regeneration of Wards Corner is consistent with the Minister's statement.
- 6.6 Policy AC3 'Tottenham High Road Regeneration Corridor' of the UDP 2006 seeks to promote regeneration through development along the Tottenham High Road corridor. The corridor is considered to be an area where redevelopment will act as a catalyst for regeneration of the High Road. Seven Sisters underground/Wards Corner is identified as being capable of being developed as a landmark mixed use development.
- 6.7 Policy AC4 'The Bridge – New Deal for Communities' UDP 2006 states that the Bridge New Deal for Communities (NDC) aims to improve the quality of life for residents by seeking to change the area so that it becomes a better place to live. The policy identifies Seven Sisters underground station/Wards Corner as an important site for redevelopment in the area and states that a development brief advocating mixed use development of the site has been prepared. The Bridge NDC programme closed in 2011 however its regeneration aims have



been incorporated into policies within the emerging Core Strategy.

- 6.8 Policy SP1 'Managing Growth' of the Core Strategy aims to manage growth by focusing Haringey's growth in the most suitable locations and manage it to make sure that the Council delivers the opportunities and benefits and achieve strong, healthy and sustainable communities for the whole of the borough. The application site is identified in Fig 2.1 Key Diagram and Fig 3.5 Seven Sisters Area of Change.
- 6.9 A number of changes were agreed at the Core Strategy's recent Examination in Public. In particular, the aspirations for the Seven Sisters Corridor under Policy SP1 were amended to state there is an "opportunity for ensuring that the Seven Sisters area and the tube and train station provides land marks/gateways to aid legibility through redevelopment and/or renewal" and that "Wards Corner regeneration should deliver new houses, shops and public realm improvements through redevelopment and/or renewal". It is therefore clear that Policy SP1 seeks to promote development within this location.

### **Development Brief**

- 6.10 The Bridge NDC was a regeneration programme funded by the Department of Communities and Local Government (DCLG) as part of a national programme of renewal and regeneration in the most deprived wards in England. The programme began in 2001 and closed in early 2011.
- 6.11 The activities of the bridge NDC were led by the Communities Partnership Board. The Board was made up of twenty three members, 12 of whom were local residents. The Partnership Board was involved in promoting the redevelopment of Wards Corner for five years. The Community Conference day on 1st February 2003 informed residents of plans for the Wards Corner Project.
- 6.12 The NDC sponsored Atis Weatherall study in 2003 was a baseline report and evidence base which then led to the adoption of the Wards Corner Development Brief (See Appendix 10) which was approved in draft for public consultation by the Planning Applications Sub Committee on 7th July 2003. 12,000 households were circulated a summary leaflet, and the Development Brief was adopted in January 2004 by the Executive of the Council. Subsequently the NDC funded a selection competition to find a lead developer on the basis of the brief. Grainger PLC the current applicants were competitively selected in that process.
- 6.13 The Council formally adopted the brief in January 2004. The land covered by the brief included Apex House, however the brief focused on the Wards Corner site which is the one which was thought to be most likely to come forward for development. The brief states that the east of Haringey is recognised as a deprived area and that the area around the station is perceived as unsafe and suffers from a high degree of crime.
- 6.14 The brief states that the Council is taking a coordinated approach towards development along Tottenham High Road where there has been an overall lack

of investment in the building stock. The brief states that the Seven Sisters/Bridge NDC is responsible for the regeneration of the area and the brief site falls within their boundary. The brief also refers to the Boroughs Haringey Retail Capacity assessment (Sept 2003) which also identifies Wards Corner as a focus for development to improve the District Centres shopping environment.

- 6.15 The vision as stated in the brief is to “Create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and a safer underground station access”.
- 6.16 The brief sets out a number of development principles. The first is a reiteration of the vision granted above. A series of urban objectives follow including new development should regenerate and improve the living and working environment and make the best use of the opportunities presented by the site. Development must enhance the Conservation Area. New buildings shall be of distinctive and modern design. Development should reflect the diversity of the community and improve the public realm and include public art. Development should be designed to reduce the opportunities for crime and improve pedestrian access and safety. Development should be mixed use and the houses lost in Suffield Road should be replaced as part of the scheme. The current application for the redevelopment of the wards Corner site has been submitted in the context of the planning brief. The application must be judged on its merits in relation to National, London and local planning policy and any other relevant material considerations including the criteria set out in the development brief.
- 6.17 The brief has been incorporated into the UDP 2006 and is consistent with the emerging Core Strategy. The development brief remains in force and is a material consideration when determining applications for development at Wards Corner.
- 6.18 It is considered that the proposal is consistent with the Development Brief.

### **Regeneration Benefits**

- 6.19 The proposed development would result in the expansion and redesigning of the public pavement area in front of the High Road frontage. Existing street clutter would be removed. The mature plane tree will be retained. The entrance stairs to the Underground Station will be retained and reclad and covered by glass canopies. Two new retail kiosks will be located next to the existing entrance stairs. The public space is enlarged by recessing the proposed development in the centre of the High Road frontage. A large paved circle will be created shielded by an arc of trees. The space will be provided with high quality parking, street lighting, signage, bus stops, benches and other street furniture.
- 6.20 The proposed development would result in the provision of new shops, including trader’s market, café bar and restaurant including premises and kiosks for smaller independent retailers and incorporate space for community use. The proposed development would result in the provision of 197 homes on the site in

a mix of dwelling types to appropriate standards of design and layout arranged around a shared roof garden with seating, planting and play space. The proposed development would result in the physical regeneration of the site through comprehensive redevelopment which would represent investment in the area and would lead to further physical and social economic regeneration in line with Council Planning Policy.

- 6.21 The above analysis by the Council was carried out in 2008 but officers have carefully considered whether these conclusions still hold good. Their view remains that the need for regeneration remains the same, if not stronger.
- 6.22 According to the Office for National Statistics, the Wards Corner 'Lower Super Output Area 025D' or Wards Corner LSOA is the smallest statistical area covering Wards Corner. According to the Indices of Deprivation 2010, the Wards Corner LSOA is among the 5-10% most deprived neighbourhoods in England and Wales. While it is has fallen consistently within this band since 2004, since 2007, the area's index of deprivation has fallen from 2,846 to 1,805 where a lower number indicates a greater level of deprivation.
- 6.23 Since the application was first considered in 2008, a number of regeneration schemes have been approved elsewhere in the east of the Borough. These include the Tottenham Hotspur stadium redevelopment, Tottenham Town Hall and Hale Village at Tottenham Hale. These developments indicate there is a general trend of regeneration in the east of the Borough to which the Wards Corner scheme will play a complementary role.
- 6.24 The Bridge NDC have previously commissioned reports which assessed the likely impacts the proposal would have on the area.
- 6.25 In March 2006 the Bridge NDC commissioned a report by Cushman and Wakefield to assess the likely effect of the commercial floor space in the proposed development on the existing Seven Sisters Centre. (It does not deal with the residential proposals or the design). In summary the report states that the problems identified in the development brief appear to persist, and other issues are coming to the fore e.g. competition from other locations. In terms of national policy (Planning Policy Statement 6) the report concludes that the application represents a potentially beneficial development solution that will address many of these problems, and would conform with local planning policy and should significantly enhance the viability of the Seven Sisters Centre
- 6.26 In March 2008 the Bridge NDC commissioned a report by Shared Intelligence Report which assessed the proposed development in relation to the economic social and environmental well-being of the local area. In summary the report states that in comparison with the existing conditions the proposed development is likely to have positive benefits on all the aspects of social wellbeing assessed, housing, crime and the fear of crime, public transport services, public realm and training and employment.
- 6.27 Although these reports were commissioned prior to and during the initial consideration of the application in 2008, it is considered that their conclusions

still hold. This is because the factors identified in the reports are still present.

- 6.28 In the GLA Stage 1 report of July 2008, The London Development Agency comments on the scheme were as follows. The LDA supported the principle of development as this is recognised as a gateway location into the Borough, the LDA welcomes the incorporation of retail frontages onto Tottenham High Road, Seven Sisters Road and West Green Road. In addition, the provision of a range of retail accommodation of a size suitable for large national high street retailers, smaller local independent shops as well as a range of complementary facilities is welcomed as it will help to ensure an appropriate balance and mix of retailers is achieved.
- 6.29 The LDA welcomed the provision of small retail space suitable for start up businesses in order to support and promote a diverse retail offer on Tottenham High Road. This will support the Economic Development Strategy (EDS) objective to “address barriers to enterprise start – up growth and competitiveness”. The promotion of small retailers can also assist the needs of local business, small and medium sized enterprises (SME’s) and black and minority ethnic businesses which in turn can support the needs of the local community.
- 6.30 The GLA’s updated Stage 1 report issued 22nd June 2011 states that the GLA continues to welcome the regeneration of the site, particularly the significant improvements to the public realm and the improved quality of retail provision.

### **Retail Uses**

- 6.31 The site lies within the West Green Road/Seven Sisters District Centre. The West Green Road and Tottenham High Road frontages are identified as primary frontages in the UDP. Seven Sisters Road is within a secondary frontage. The size and layout of the shops has been designed so that the large units intended for multiples are on the High Road frontage and the smaller units are on the West Green Road and Seven Sisters Road frontages where it is considered that they better match the type of shop and trading at these locations.
- 6.32 The proposed development will provide 3,792m<sup>2</sup> of new retail floor space, a net increase of 610m<sup>2</sup> above the existing provision on the site.
- 6.33 In the original proposed scheme the retail floor space was provided in the form of 19 units ranging in size from 319m<sup>2</sup> to the smallest being 41m<sup>2</sup>. The larger units were and still are on the High Road frontage the smaller units are proposed to be on the West Green Road and Seven Sisters Road frontages. There is a small ground floor restaurant of 33m<sup>2</sup> and a first floor restaurant of 320m<sup>2</sup>. Following consultation with local residents, community groups and the GLA, 5 proposed retail units on the Seven Sisters Road frontage were converted into an 876 sqm market area to accommodate the existing Seven Sisters Market. The replacement market is slightly smaller than the existing as it has a more efficient layout. It will be large enough to accommodate the same number of stalls as the existing market.

### **Seven Sisters Market**

- 6.34 Policy 3D.3 of the London Plan, maintaining and improving retail facilities together with Policy TCR 1 Development in Town and Local Shopping Centres of the Haringey UDP sets out that boroughs should work with retailers and others to prevent the loss of retail facilities, including street and farmers' markets, that provide essential convenience and specialist shopping and to encourage mixed use development. Following discussions with the GLA in 2008, the applicant has agreed to re-provide the existing Seven Sisters Indoor Market in the space formerly allocated to retail units 2 to 6 incl. This has been identified as shown on drawing no P(00)01 including an illustrative layout for the market, subject to agreement with the market operator.
- 6.35 The market consists of numerous small retail units arranged in groups allowing visitors to circulate. There are 60 units however many of these have been combined into larger units. Currently there are approximately 40 separate traders. Those units which abut the pavement on the High Road also open out onto the street. The units are occupied by small businesses which trade mostly in retail goods such as clothing, household goods and music. There are also hair salons, travel agents, money transfer services and a number of cafes. There is a strong Latin American presence noticeable by the names of businesses and goods sold. The retail units are not set up on a daily basis as is usual in a stall-based market. As such, the market is considered to be more a retail hall made up of a series of small shops.
- 6.36 The market has been operating in this way since at least 2008 when the Bridge NDC commissioned Urban Space Management to assess the possibility of incorporating the market into the new development. The report considered the market to be a retail hall rather than a day-to-day stall-based market.
- 6.37 The re-provision of the indoor market is subject to reasonable conditions to ensure that the market is provided for the benefit of the current traders and that it will be successful in the long term.
- 6.38 The s106 agreement signed in 2008 required the proposed market operator to demonstrate that no less than 60% of the market traders that previously occupied the Seven Sisters market showed a formal interest in taking accommodation within the new market. This was to ensure that the new market closely followed the nature of the existing market. However, concerns have been expressed that, should a lower percentage of the market traders show a formal interest in returning, the market could be lost altogether.
- 6.39 Consequently, it is now proposed that the above requirement be replaced by one requiring the Market Operator to offer a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area, on reasonable A1 open market terms. This replacement requirement is designed to offer greater confidence to the existing traders that they will be able to relocate to the site once the development is completed. The replacement market is large enough to accommodate all existing traders.

- 6.40 In addition the s106 will include obligations requiring that the market must be run by an experienced indoor market operator; this arrangement is to be in place not less than 12 months prior to the due practical completion date of the proposed development; a Market Lease must be in place not less than 6 months prior to the due practical completion date of the proposed development; and the rent will be for open market A1 use.
- 6.41 In order to assist with a number of practical issues identified relating to the temporary relocation of the market during the redevelopment of the site, the s106 will require Grainger and the Council to work together:
- to facilitate or fund a specialist facilitator to engage with the traders in order to find and provide temporary accommodation;
  - to liaise with those existing Spanish-speaking traders to promote their interests in the temporary accommodation; and
  - to engage with and provide appropriate business support and advice to all traders to secure the maximum number of expressions of interest to return to the site.
- 6.42 The above package will be funded by TfL from the land receipt that it will receive from the sale of part of the site to the applicant. Although this sale will not take place until two years from planning consent the applicant will fund the first two years of the package and will be refunded by TfL at a later date. This will occur through a s106 agreement. This package is identified in the independent equalities impact assessment as being key to the acceptability of the proposal in equalities terms.
- 6.43 The above package (“Market Facilitator Package”) is intended to assist the market to find a temporary location and to continue functioning. This package will run for five years from the granting of consent. This package includes a ‘market facilitator’ to work with traders to identify a temporary location, to work with the Spanish speaking traders to promote their interests in the temporary location and to provide appropriate business support and advice to all traders to secure the maximum number of expressions of interest to return to the site as well funding towards relocation costs and a three month rent free period in the temporary location. The Market Facilitator will also signpost existing businesses and employees towards existing appropriate bodies to assist business to continue trading or individuals to find suitable alternative employment.
- 6.44 Via the market facilitator, the market traders will be offered a reasonable opportunity to temporarily relocate to a suitable location for the duration of the construction period at Wards Corner. A ‘suitable location’ is defined as a single unit within or in close proximity to a defined town or district centre in a London Borough that provides the same space per trader, for those traders that wish to be relocated. Until timescales of construction emerge, it is not possible to give an indication of a possible location.

- 6.45 The applicant has also agreed to provide a minimum notice period of six months to market traders for vacant possession and is offering a compensation payment to assist with relocation expenses. This payment is in the form of £144,000 contribution to a “Trader’s Financial Assistance Sum” (an increase on the sum of £96,650 agreed in 2008). The traders do not have any tenancy rights, therefore this payment is voluntary.
- 6.46 The provision of retail and restaurant uses is in accordance with the Council’s retail planning policy. It is considered that this provision will enhance the vitality and viability of the District Centre by attracting new retailers to invest in a wider range of new shops both national and local resulting in more choice and a wider range of goods for sale in the local area.

### **Residential**

- 6.47 It is well established that there is a need in Haringey and in London as a whole to provide new housing for a growing population. PPS 3 Housing states that local Planning Authorities should provide sufficient land but give priority to reusing previously developed land within urban areas.
- 6.48 Planning Policy HSG 1 New Housing Developments states that new housing developments will be permitted on sites with high accessibility to public transport facilities, and where a mix of house types tenure and sizes is provided where there is access to local services educational and community facilities and where an appropriate contribution towards ancillary community facilities or open space is made.
- 6.49 The site is identified in the UDP in planning policies AC3 ‘Tottenham High Road Corridor’, AC4 ‘The Bridge NDC’ as a development site for mixed use, and emerging Core Strategy Policy SP1 ‘Managing Growth’. The site is referred to directly as a site specific proposal SSP21 in the UDP. There is therefore no objection in principle to residential use on the site.
- 6.50 Core Strategy Policies SP1 and SP2 continue this approach.

### **Density**

- 6.51 Table 3A.2 of the London Plan sets out ranges of acceptable densities for development according to the accessibility of the site and the scale of local development. This table confirms that higher density development, up to 1,100 habitable rooms per hectare may be acceptable where the proposal site is located within a central area with good public transport accessibility and predominantly comprises flats. The application site is within a defined town centre and has excellent public transport links by train, underground and bus. The proposed residential development is provided in the form of duplexes and flats. Table 3A.2 proposes a residential density of between 650 and 1,100 hrph for this type of site.
- 6.52 The proposed development proposes a total of 570 habitable rooms on a site with a gross area of 0.717 hectare. This results in a density of 795hrph, which is

consistent with the provisions of the London Plan.

- 6.53 The proposed density is also in accordance with Core Strategy Policy SP2 'Housing' as this policy is also based on Table 3A.2 of the London Plan.

### **Affordable Housing**

- 6.54 UDP Policy HSG 4 Affordable Housing states that developments of 10 or more units will be required to include provision of affordable housing to meet an overall borough target of 50%. This target is consistent with Policy 3A.9 of the London Plan. Policy 3A.10 of the London Plan states that Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements. In addition, Planning Policy Statement 3 Housing states that a reduced provision of affordable housing can be agreed if full provision would have implications for the scheme's viability. This approach is continued in the Core Strategy.
- 6.55 In the case of the development of this site the applicants have stated that the costs of bringing the site forward for development are such that it is not possible to develop the site and provide affordable housing. The proposed development is receiving grant funding to allow the regeneration of the site and provision of affordable housing would make the scheme unviable. Further information can be found in the section 'Viability' below.
- 6.56 It should be noted that a number of nearby housing developments which include affordable housing are under construction or have been granted consent recently. These include 542 units at Hale Village, 109 units at Tottenham Town Hall, 22 at Stainby Road, N15, 17 at 596-606 High Road, N17 and 13 at 658 High Road, N17.

### **Viability**

- 6.57 In accordance with national, London and local policy, the applicants have submitted an affordable housing 'toolkit' appraisal to support their case. The applicants submitted a toolkit appraisal when the application was first considered in 2008. This appraisal was submitted by the GLA to DVS, an arm of the Valuation Office Agency (VOA), for independent assessment. DVS agreed with the figures of the appraisal, which remains a confidential document, and concluded that the provision of affordable housing would make the scheme unviable.
- 6.58 As the application is now being re-determined, the applicants have submitted an updated appraisal. The Council has submitted the applicant's appraisal to DVS for independent assessment. DVS have reported that the appraisal is reasonably based but there are some disagreements on the build cost, finance rates and development programme. Accordingly DVS have undertaken their own appraisal which concluded that the scheme is viable but only without affordable housing. Although there was some disagreement between the applicant and DVS, both parties have come to the same conclusion that the



scheme is not viable if it included affordable housing.

- 6.59 The Council has entered into a development agreement with Grainger Trust to redevelop the application site (see section 'Development Agreement'). Grainger Seven Sisters Ltd are also bound by this agreement. The agreement requires the Council to provide any affordable housing required to be part of the development to be provided offsite with Apex House as a possible location for such provision. Officers are satisfied that due to the expense of developing the site and the associated implications for viability which have been independently confirmed as set out above, the scheme would not be viable if it included affordable housing. Therefore the provision of affordable Housing at Apex House and/or another suitable site or sites within the Borough is not required.

### **Dwelling Mix**

- 6.60 Policy HSG 10 – Dwelling Mix of the Haringey UDP and Haringey Housing Supplementary Planning Document (SPD) provide advice in relation to new residential development and the dwelling mix that should be provided. The proposed mix of dwellings to be provided is:

5 x studio (2.5%)  
48 x 1bed (24%)  
107 x 2bed (54.5%)  
37 x 3bed (19%)

- 6.61 For private housing, Figure 7.1 of the Housing SPD gives a mix of 1 bed 37%, 2 bed 30%, 3 bed 22% and 4 bed 11%. The residential element of the proposed development is predominantly 2 and 3 bed units. The one bed units are below the recommended mix and no four bed units are provided.
- 6.62 Due to the Town Centre location of the proposed development and the commercial nature of the three main frontages it is not considered a suitable location for larger family units. Therefore there are no 4 bed units proposed within the development and the majority of the larger family units are proposed on the Suffield Road frontage which is a relatively quiet residential location.

### **Lifetime Homes and Wheelchair Access**

- 6.63 The applicant states that all the homes provided will be of Lifetime Homes standard with the exception of the 18 duplex within Suffield Road and 4 flats and two other duplex units which could be adapted in the future to include a small entry-level living room and ground floor WC with shower which would enable the Lifetime Homes criteria to be fulfilled.
- 6.64 In accordance with the Council's Housing SPD, 20 flats, 10% of the total, will be Wheelchair accessible or easily adapted for wheelchair use.

### **Conservation**

- 6.65 The application proposes the demolition of all buildings on site. The eastern half of the site is covered by the Tottenham High Road Corridor/Seven Sisters/Page Green Conservation Area.
- 6.66 Conservation Area Consent (CAC) for the demolition of all buildings on site was granted 17 November 2008 and this permission remains extant. As such, the principle of demolition has been accepted and the applicant currently has consent to clear the site. However, in accordance with the re-determination of the application, the impact of the proposal in term of urban conservation is discussed here.
- 6.67 Several consultees and a significant number of local residents have objected to the demolition of all buildings on the site. These objections were received following the initial consultation of the scheme and the second consultation undertaken during its current re-determination. Responses in relation to conservation issues made by a number of key groups are briefly summarised below:

English Heritage (EH)

- English Heritage objected to the application following the initial consultation and maintain that objection in the letter in response to the second consultation. Both responses are summarised here
- English Heritage does not consider the criteria for their demolition, as set out in PPS5, to have been met. Additionally, they believe that the proposed new development, by virtue of its design, would cause harm to the character and appearance of the conservation area.
- Whilst they accept that all of these buildings require some degree of repair there is no evidence to assume they could not be repaired or refurbished.
- The proposal in effect removes any historic significance or local character from a large section of the conservation area and must therefore be considered to cause significant harm to the designated heritage asset.
- Unless the heritage assets are demonstrably beyond repair, have no longer term viability or their loss is outweighed by public benefits, there is presumption that they should be retained.
- Whilst English Heritage accepts the scheme itself would not be viable if the buildings were to be retained, there is little public benefit which could not be delivered through a conservation based scheme of repair and refurbishment of the existing buildings and public realm.

Tottenham Conservation Area Advisory Committee (CAAC)

- The CAAC objected to the application following the initial consultation and maintain that objection in the letter in response to the second consultation. Both responses are summarised here

- There is no substantial community benefit that would result from the total or substantial demolition of these buildings so as to allow demolition as an exceptional case
- The proposed development will not enhance the Seven Sisters/Page Green Conservation Area;
- It does not create a sense of place, being bland and lacking individual character;
- Its height, bulk and mass are too great for the area and will overpower other buildings and will destroy the character of the Conservation Area.

#### Tottenham Civic Society

- The Tottenham Civic Society objected to the application following the initial consultation and maintain that objection in the letter in response to the second consultation. Both responses are summarised here
- The design of the building is out of keeping and scale with the Conservation Area and therefore fails Policy CSV1 of the Unitary Development Plan 2006.
- Regeneration must be heritage-led in order to be successful and to minimise the risk posed by unsustainable overdevelopment.
- the Wards Corner building at 227 High Road (1909) is unique to Haringey and is an interesting example of an early 20th C steel framed building. It contributes to the conservation area, local history and culture
- the costs of retaining the building stated by the applicant are not realistic

#### Wards Corner Coalition

- The Wards Corner Coalition objected to the application following the initial consultation and objected with the assistance of Planning Aid following the second consultation.
- The Wards Corner store building has local historical resonance, is locally listed, in a Conservation Area and referred to in the Development Brief and Character Appraisal as being of architectural interest
- PPS5 states that justification has to be made for the loss of the heritage asset to show substantial benefits of a scheme to outweigh its loss
- The re-provision of the Seven Sisters market is not a “substantial benefit”
- No consideration was given for alternative uses for the building as required by the other main test of PPS5

6.68 Local resident objections to demolition were on similar grounds to those objections made by the above groups

- 6.69 The application site is partially within a conservation area. Conservation Areas are 'Designated Heritage Assets' as defined in Annex 2 of PPS5. Policy HE6.1 of PPS5 requires all heritage assets to be assessed in terms of their 'significance' and the impact the development would have on them. The Heritage Assets are identified in the table below:

Building	Heritage Interest	Significance
227 High road (Locally listed)	Architectural	Low to moderate
229-245 (odd) High Road	Architectural	Low
247-249 High Road	Architectural	Low
251-253 High Road	Architectural	Low
255-259 (odd) High Road	Architectural	Low to moderate
1a-1b West Green Road (Locally listed)	Architectural	Low to moderate
1 West Green Road	Architectural	Low

- 6.70 The Tottenham High Road Conservation Area Character Appraisal identifies 227 High Road (Wards Corner Store), 255-259 (odd numbers) High Road and 1a-1b West Green Road as making positive contributions to the Conservation Area with the other buildings on site only making a neutral contribution. English Heritage have indicated in their representation that they consider the Appraisals assessment to be accurate.
- 6.71 The applicant's assessment is broadly in agreement with that of the Council's Character Appraisal in that it identifies 227 High Road, 255-259 High Road and 1a-1b West Green Road as making positive contributions to the Conservation Area.
- 6.72 The site located directly above Seven Sisters Underground Station which was constructed in the 1960s. The major construction works that were undertaken at that time are considered to have removed any potential for archaeological interest.
- 6.73 The scheme will involve the loss of all buildings on site, including those identified as making a positive contribution to the conservation area. This equates to a loss of heritage assets. PPS5 emphasises the desirability of conserving or enhancing heritage assets, the need to consider significance and extent of harm to heritage assets. The loss of these buildings is considered to constitute "substantial harm".
- 6.74 Where a development causes "substantial harm" it must meet the test in Policy HE9.2 of PPS5. Consent should be refused unless it can be demonstrated that:
- (i) the substantial harm to or loss of significance is necessary in order to deliver substantial public benefits that outweigh that harm or loss; or

- (ii) (a) the nature of the heritage asset prevents all reasonable uses of the site; and
- (b) no viable use of the heritage asset itself can be found in the medium term that will enable its conservation; and
- (c) conservation through grant-funding or some form of charitable or public ownership is not possible; and
- (d) the harm to or loss of the heritage asset is outweighed by the benefits of bringing the site back into use

- 6.75 The policy requires development proposals to meet either criteria (i) or criteria (ii). The application is considered to meet criteria (i) in that the significant loss of significance is outweighed by the substantial public benefit of the development. The development will result in the creation of a public square and regeneration of the public realm around Seven Sisters Station, economic regeneration through the provision of high quality shops and the high quality re-provision of the Seven Sisters Market, and housing regeneration through the creation of 197 quality homes.
- 6.76 Although the development is only required to meet one of the criteria, the applicants have given some consideration to the requirements of criteria (ii). The applicant have considered variations of the scheme which retain one or more of the existing locally listed buildings on the site and have produced and financially appraised various options. None of these options were found to be financially viable or deliverable meaning that it would not be possible to deliver the public benefits which the current scheme provides. These financial appraisals were undertaken in 2008, however given the current economic climate, it is considered that their conclusions still hold good.
- 6.77 English Heritage have commented that “Unless the heritage assets are demonstrably beyond repair, have no longer term viability or their loss is outweighed by public benefits, their (sic) is presumption that they should be retained”. However, they do accept that the scheme itself would not be viable if the buildings were to be retained but go on to say there is little public benefit which could not be delivered through a conservation based scheme of repair and refurbishment. Following the applicants’ consideration of various conservation based schemes, officers consider that the loss of the heritage assets does bring public benefit which could not otherwise be delivered if the buildings were retained.
- 6.78 Although existing buildings are proposed to be demolished, proposed development has been designed with sensitivity to its location and the character of the Conservation Area. This is discussed in more detail in the sections under ‘Design’ below.
- 6.79 The setting of the Grade II listed former Barclays Bank at 220-224 High Road is considered to be unaffected by the scheme. It is separated from the site by the expansive High Road/West Green Road/Broad Lane junction and located approximately 70m away. No harm to the significance of this Heritage Asset would arise.

## Design

- 6.80 Policies UD3 'General Principles' and UD4 'Quality Design' set out the Councils general design principles for new development in the Borough. Policy CSV1 'Development in Conservation Areas' also sets out the Councils planning policy requirements for development proposals in Conservation area, primarily that any new development should preserve or enhance the historic character and qualities of the buildings and/or the Conservation Area.
- 6.81 Policies UD3 'General Principles' and UD4 'Quality Design' set out the Councils general design principles for new development in the Borough. Policy CSV1 'Development in Conservation Areas' also sets out the Councils planning policy requirements for development proposals in Conservation Areas, primarily that any new development should preserve or enhance the historic character and qualities of the buildings and/or the Conservation Area.
- 6.82 In addition to the above policy, the Development Brief seeks a development which would provide an attractive and high quality landmark and gateway to the Seven Sisters/Tottenham High Road area; regenerate and improve the living and working environment and make best use of the opportunities presented by the site; enhance the conservation area; be of a distinctive and imaginative modern design; include active frontages, and visual variety and interest, onto the West Green Road, High Road and Seven Sisters Road frontages; take its cue from the richness and diversity of the communities and small shops in the West Green Road area; include significant and co-ordinated improvement to the public realm and incorporate the principles of sustainable design.
- 6.83 The applicants have submitted a detailed Design and Access Statement as part of their application submissions. The design statement documents the process of determining the current design up to submission in detail and deals with the way in which the physical and structural constraints have affected the outcome of the design.
- 6.84 The amount of development possible on the site is constrained by Seven Sisters Underground Station and associated tube lines. This limits the height of buildings in the middle of the site.
- 6.85 The close proximity of neighbouring buildings places limits on the height of development due to the impact on rights to light (see section 'Daylight and 'Sunlight'). The impacts of noise, vibration and air quality from surrounding road traffic and underground trains was also considered (see section 'Noise and Vibration').
- 6.86 Following consideration of these technical constraints, the applicants considered the context of urban form. The application site consists of an entire block bounded by Tottenham High Road, Seven Sisters Road, Suffield Road and West Green Road. Apart from the frontage to Suffield Road, which contains 2-storey Victorian terrace houses, the site is characterised by 2- and 3-storey Victorian and Edwardian buildings containing small shops with residential accommodation above.

- 6.87 Surrounding development varies. West Green Road is a busy street characterised by 3-storey mixed-use Victorian and Edwardian development. Seven Sisters Road is similar but is contrasted by Apex House, a modern 4 storey development. The High Road frontage benefits from a large pavement area which accommodates a bus stop and the entrances to the Underground station. The buildings opposite are modern with the exception of the Listed former Barclays Bank building adjacent to the large Tesco Supermarket.
- 6.88 The width of High Road and its spacious junctions with Seven Sisters Road and West Green Road/Broad Lane results in a large open area in front of the site. This area makes the site highly visible as there are wide vistas towards the site from various locations on the High Road. This situation gives the site a focus as a central and key location within the urban form.
- 6.89 The applicant's Design and Access Statement shows how the applicants have arrived at their design through careful consideration of the site's physical constraints and urban context. The proposed development takes the form of a comprehensive redevelopment in a style which comprises a modern interpretation of the architecture of Tottenham High Road using modern methods of construction. The design, whilst being modern, reflect the traditional elements of the existing buildings in the High Road through the appropriate proportions and sub-divisions of the facades and the dominant use of brick.
- 6.90 The building is taller than surrounding development however the integrity of the site as a single block coupled with the large open space created by High Road and nearby junctions means that the site is most appropriate for a taller development. The height of neighbouring Apex House and the verticality of the large mature trees leading up from the south along High Road, act as transitional elements which could point toward a taller building. The result is a design which realises the distinct character of the site as a focus for more intense development.
- 6.91 The tallest elements of the building are restricted to the north-east corner and southern edge of the site. This is in response to the presence of the Underground tunnels but also keeps the tallest elements to those parts of the site which benefit from the spacious settings provided by the junctions and the precedent for taller development provided by Apex House. The gap also emphasises and brings focus to the enlarged public realm on High Road.
- 6.92 The frontages of the development are designed in response to the character of each bordering street. A continuous frontage consisting of glazed shop fronts is proposed on the three commercial frontages of the site. The Seven Sisters Road frontage is designed to emphasise the presence of the market and make it a prominent feature of the streetscene. This contrasts with its currently less obvious presence on the High Road. The Suffield Road frontage is of a different scale and character reflecting the residential character of the area in which it is situated.

- 6.93 Above the shops is residential accommodation with the central part of the site providing amenity and play space with servicing underneath. The arrangement of forms around this central amenity space reproduces traditional courtyard development at a larger scale using modern design and modern methods of construction.
- 6.94 The building has a flat roof and it is proposed that the space afforded will be used for photovoltaic (solar panels) equipment in accordance with the energy strategy of the development (see section 'Sustainability and Energy').
- 6.95 The proportions and detail are designed in response to the various street contexts. The flats and shop fronts are designed as terraces of adjoining buildings. The residential storeys are brick faced with stone copings and cills. Window openings reflect the different rooms they light. Projecting oriel windows enhance the modulation of the facades and provide views up and down the street while allowing sunlight into rooms facing north onto West Green Road. Shop fronts are glazed and framed with dark pointed or coated steel sections. Set back upper storeys are proposed to be clad in coated Zinc with glass panels.
- 6.96 The design of the Suffield Road frontage is different in scale and character to the other frontages and comprises a row of family duplex flats with private front doors at street level and two floors of flats above. The design of the facade is modern, as it is not situated in the Conservation Area, with white residential screen walls framing a parapet at the upper level and enclosing a continuous series of private balconies
- 6.97 Contrasting with the verticality and brick emphasis of the three commercial frontages is a frameless glass curved façade which brings focus to the circular public area at the centre of the High Road frontage and relates to the improved entrances proposed for the Underground Station.
- 6.98 Although the design introduces modern elements to the site, it is based on the dominant design characteristics of the area including individual terraces, vertical rhythm of house design, shop fronts and windows, varying window framing and dominant use of brick.
- 6.99 It should be noted that materials proposed at this stage are only indicative and will be subject to further approval through condition should permission be granted. Officers will ensure that materials will be of a quality appropriate to the design and context of the development.
- 6.100 The Design and Access statement sets out the pre-application consultations and exhibitions which took place in July 2007. The applicants also held a series of meetings with interested bodies including the Haringey Council's Design Panel, Community Groups and statutory consultees including English Heritage, the Greater London Authority (GLA) and the Commission for Architecture and the built Environment (CABE).



- 6.101 Following these meetings and the first and second planning consultations, local residents and community groups have objected to the design. Objectors have argued that the design is inappropriate for a conservation area, too high and overbearing, not distinctive and out of keeping with surrounding Victorian and Edwardian development.
- 6.102 In October 2007, the Haringey Design Panel expressed support for the concept of the scheme in plan. However, Panel members also felt that given the site's location within a Conservation Area it was essential to provide a high – quality landmark building for this prominent site. They recommended that the scheme be revisited, and that more positive approach be taken towards an imaginative, high quality, contemporary scheme for the site, with special regard given to the treatment of the junction of the High Road and Seven Sisters Road.
- 6.103 Following meetings and the initial consultation in 2008, CABE commented that they recognise that Wards Corner is a part of the regeneration area and that they are supportive of mixed use development and that they recognise the challenging constraints of the site. They consider that the proposed development has been carefully designed to respond to its specific context and that the design concept is sound.
- 6.104 CABE stated that the lower element on the High Road has been well designed and the proposed design will have a civic presence in relation to public space in front of it. They stated that they appreciated the creation of the public space, which will be well used, and the improvements to the system of tube entrances. They state that they are happy with the single entrance to the raised courtyard, the individual residential entrance covers and the raised garden and circulation systems.
- 6.105 They stated that the Seven Sisters Road buildings have been articulated in an elegant way but consider that the northern block would benefit from a similar simpler treatment. In conclusion they stated “We think that the design has the making of a good scheme and we support this planning application.”
- 6.106 CABE's comments were made in 2008 prior to its dissolution however their comments are still considered relevant and material.
- 6.107 Following discussions in 2008 with GLA Officers and Sir Simon Milton, the GLA design officers agreed that on the basis of further information, clarification and discussion, that the design for the cover building between the High Road frontage and Seven Sisters Road is satisfactory.
- 6.108 Following further discussions the detailed material and treatment of the set-back upper storeys on the Seven Sisters Road frontage was changed. The original proposal showed windows set into a multi-storey metal cladding system reaching the roof. This element of the proposed development was then changed to show alternative windows set flush with opaque glass cladding panels in a regular rhythm of wide and slim panels. This treatment continues up to the roof level and is design to give a contemporary appearance to the duplexes.

- 6.109 This treatment is also used at the same level on the corner of the High Road and West Green Road. This is in response to the comment from CABE which stated that the design of this part of the development should be made simpler and more similar to the Seven Sisters Road frontage of the proposed development
- 6.110 The GLA's updated report makes no further comments the scheme's design however following discussions in 2008 with GLA Officers and Sir Simon Milton and subsequent changes, it is considered that the proposed design has resulted from careful study of the character of the area and the challenging constraints of the site within the context of the terms of the development brief.
- 6.111 Overall it is considered that the proposed design responds to the distinctiveness of the site, the central location and integrity of the street block, the verticality and rhythm of local architecture and predominantly traditional materials in way that uses modern design and modern methods of construction. The design is considered to enhance the conservation area by bringing a landmark development and creating a gateway to Tottenham. The objections from local residents and community groups are noted however it is the opinion of officers that the design meets the requirements of relevant planning policy.
- 6.112 Since 2008 there have been schemes which have been approved by planning committee which proposed modern development along the High Road Conservation Area. These include for example The Tottenham Hotspurs Stadium, 691-693 High Road, 658 High Road, 344 High Road and Tottenham Town Hall. It is considered that the proposed Wards Corner development is consistent with the progress of regeneration through modern development which is occurring on other sites on the High Road.

### **Public Art**

- 6.113 The proposed development contains proposals for improvement of the public realm specifically in relation to existing and extended public areas in front of the proposed new buildings in the High Road. It was originally proposed that a work of public art will be placed at the centre of the proposed pavement circle.
- 6.114 However it is now proposed that a work or works of public art will be incorporated into the fabric of the buildings. The final design features a curved corner block matching the parapet height of its neighbours. On this block is a façade framed in stone with a cast sculpture frieze celebrating the history of the site. Delivery of the public art will be secured through the s106 agreement.

### **Amenity space**

- 6.115 The Council's Housing SPD sets the standard for amenity space under the UDP and the emerging Core Strategy. The SPD would require this development to provide 1010m<sup>2</sup> of amenity space to meet its standard. The proposed development provides some 1538m<sup>2</sup> of amenity space within a central courtyard at first floor level overlooked by the surrounding residential units. The

amenity space is laid out as a landscape area on two levels and includes ornamental trees and good cover planting, lawn areas seating and timber decking ramped access to lower gardens and lighting to the main footways. The area also incorporates a children's play space (see section below).

### **Children's Play Space**

- 6.116 The Mayor's London Plan SPG "Providing for Children and Young People's Play and Informal Recreation" provides minimum standards for the provision of children's play space. Using the formulae set out in that SPG the scheme would have a child yield of 36, requiring 360sqm of play space in association with the development. The development includes a dedicated under 5s play space as part of a "Local Playable Area", designed to meet the needs of children aged 0-11. In addition, Brunswick Road playground is within 400m of the application site and provides play space for older children. This level of provision is considered to be in full compliance with the Mayor's play space guidance.
- 6.117 The Council's Open Space and Recreation Standards SPD sets out Haringey's own play space standards under the current UDP and the emerging Core Strategy. Using the formula in that SPD, the expected child yield would be just under 28 children, 8 fewer than that under the GLA's guidance. Haringey's SPD requires 3sqm of play space. Table 1.1 of the SPD states that children's play provision should be provided at 3sqm per child, equal to 84sqm for the whole development, and that Doorstep Playable Space should be at least 100sqm in size within 100m, Local Playable Space should be at least 300sqm within 400m and Neighbourhood Playable space should be at least 500sqm, within 1000m of home.
- 6.118 The scheme is designed to comply with the more onerous standards in the London Plan SPG and exceeds the standards in Haringey's SPD. The site benefits from good access to public open space and sports pitches and meets all the criteria in Table 1.1 of the SPD, apart from being within 500m of an accessible Site of Importance for Nature Conservation, which is the case for the majority of the east of the borough.

### **Contamination**

- 6.119 The applicants have submitted a contamination survey in relation to the proposed development. The survey has identified the possibility of historical sources of ground contamination on the site associated with the present day storage yard and former clothing works. The survey recommends that investigation should be conducted to focus on testing the underlying ground conditions in the south eastern corner of the site. A planning condition concerning this matter has been attached to the recommendation.

### **Archaeology**

- 6.120 The site does not lie in an archaeological priority area. Due to the extent of post ground disturbance it is considered that the proposed development will not have any impact upon any archaeological deposits.

## **Sustainability and Energy**

- 6.121 The London Plan, Draft Replacement London Plan (DRLP) and the Haringey Unitary Development plan require major new development to seek to mitigate and be able to adapt to climate change. Planning policy states that this should be achieved through applying carbon reduction targets to new development and that new development be capable of adapting to climate change through the use of sustainable design and construction e.g. minimising energy use and avoiding overheating and excessive heat generation within the building.
- 6.122 Since the application was originally submitted, Planning Policy regarding energy has changed. Policy 4A.4 Energy Assessment of the London Plan 2008 and Policy 5.2 of the emerging DRLP require development proposals demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development. The assessment should show how these savings were arrived at, having regard to the Mayor's energy hierarchy of:
- Using less energy
  - Using renewable energy; and
  - Supplying energy efficiently

The applicant's submitted energy statement and addendum provide an energy demand assessment for the proposed development in use. The assessment calculates a figure for CO<sub>2</sub> emissions based on a development compliant with Part L Building Regulations 2006. From this baseline figure, the expected energy savings resulting from various measures are compared to give an overall indicator of energy savings and performance.

- 6.123 The development includes reduced U values for external walls, ground floors, roof and windows to reduce heat loss and improved air-tightness. The applicant has demonstrated that these improvements result in all apartments, bar the very worst performing, being likely to pass Part L Building Regulations 2010 through energy efficiency measures alone. In addition, the scheme includes a Combined Heat and Power (CHP) system and photovoltaics (PV). The scheme originally included a dual-fuel boiler system but this was removed following concerns raised by the GLA over its efficiency and air quality impacts.
- 6.124 The proposed energy efficiency measures and renewable energy technology result in a reduction in CO<sub>2</sub> from a Part L 2006 equivalent baseline of 53%. This exceeds the Mayor's carbon reduction target of 44% in the DRLP. The GLA are therefore satisfied with this element of the scheme.
- 6.125 The development will also achieve Code for Sustainable Homes Level 4 instead of Level 3, as was originally proposed in 2008.

## **Traffic and Parking**

- 6.126 National Planning Policy seeks to reduce the dependence on the private car in urban areas such as Haringey. The advice in both PPS3 Housing and PPG13 Transport made clear recommendations to this effect. This advice is also reflected in the London Plan. The transport impact of the proposed development has been assessed by the Councils Transport and Highways Group. Policies M2 Public Transport and M3 locating New Development and accessibility of the Unitary Development Plan require that the proposals put forward take into account the needs of public transport users. It is considered that the proposed development is well located in relation to public transport where there is a good level of provision which will result in reduced need for car-use and where travel by other sustainable travel modes can be encouraged.
- 6.127 Policy M4 Pedestrian and Cyclists stated that new development should have a design layout that encourages walking and cycling to the site. In response the proposed development proposes upgrading the public realm on Suffield Road, West Green Road, Seven Sisters Road and the High Road frontages comprising paving, improved lighting and the creation of a new public space which would cater for the increased pedestrian activities expected at this location and ultimately with other schemes in place create a pedestrian friendly environment in this area. In relation to Policy M9 car free developments, Policy M10 Parking for Development and Appendix 1 of the UDP car and cycle parking standards it is considered that the car and cycle provision can be assessed in the context of the criteria for a car free development. This is because the level of public transport accessibility is high in this location and a controlled parking zone exists or will be provided in the future.
- 6.128 Although it is not normal to provide any car parking spaces in a car free development it is considered that the 44 car parking spaces proposed in the basement would compensate for the loss of the existing 48 car parking spaces on the site and would limit the car parking impact upon nearby roads. Future occupiers of the residential development, with the exception of 12 of the houses to be built in Suffield Road, will not be issued with car parking permits for the CPZ.
- 6.129 It is considered 38 cycle spaces (2 per retail unit plus 10 for the market) should be provided for the commercial units. It is considered that the proposed development would not have any significant impact in relation to trip generation over and above existing.
- 6.130 It is considered that the existing public transport infrastructure has sufficient capacity to deal with extra demand created by the proposed development.
- 6.131 The applicants have agreed to submit two travel plans, one for the residential and one for the commercial use. This will be subject of a planning condition should planning permission be granted.
- 6.132 The measures to be included will be the appointment of a travel plan co-ordinator, provision of a welcome induction pack containing public transport, cycling walking information, operation of an on site car club scheme. Adequate cycle provision, travel card/discounted season tickets to first occupiers, travel

information terminals. Where necessary the implementation of the measures discussed will be achieved through the section 106 and section 278 agreements in which case there is no objection to the proposed development by the highway and transportation section of the Council.

- 6.133 The GLA have made no further comments on transport since their initial report of 2008 but have recommended that 20% of parking spaces on-site should have electric charging points and a further 20% should have passive provision for the future. This can be achieved through a condition.

### **Air Quality**

- 6.134 The applicants have submitted an air quality assessment associated with the construction and extra traffic associated within completed development in relation to air quality as requested in PPS 23 Planning and Pollution Control.
- 6.135 The assessment concludes that the extra traffic associated with the development will not significantly affect air quality.
- 6.136 The assessment also concludes that subject to the implementation of a site specific Environmental Management Plan the residential construction air quality impacts will be of limited significance. A condition concerning the submission of an Environmental Management Plan is attached to the recommendation.
- 6.137 The overall traffic increase is not considered significant in terms of air quality. The impact of the development taking into account the improvements in vehicular technology would only be of minor significance.

### **Community Safety**

- 6.138 Crime and fear of crime were identified in the ICM poll as a significant concern for local residents and tackling crime was identified as a priority for many of those surveyed. The Metropolitan Police stated in 2003 when the scheme was first being developed that the site and surrounds suffers from a run-down or unkempt appearance and that this is a factor in attracting crime. Today, the site still suffers from this and it is still considered a contributing factor for local crime and anti-social behaviour.
- 6.139 Since inception, the applicant's have been working with Eric Childs of the Metropolitan Police on the scheme's design. Continuing consultation will occur with the Metropolitan Police in order to achieve 'Secure by Design' certification.
- 6.140 In their consultation response of dated 25 February 2008. The Metropolitan Police stated that they have no objection to the scheme and "look forward to the regeneration of this key gateway into Haringey".
- 6.141 In a letter to the Bridge NDC dated 19 April 2008, the Metropolitan Police confirmed that the development stands up well against principles set out in the Home Office's document "Safer Places: The Planning System and Crime Prevention" and in their view will contribute to the ongoing process of reducing

crime around the site.

- 6.142 The scheme was designed with due regard to “Secure by Design” principles. The public square and podium landscaped spaces will be overlooked benefiting from passive surveillance. There will be 24 hour portage / security. An Estate Management Company will be established whose responsibility will be to provide maintenance, refuse collection and control of access and car parking. Residential access to the proposed development will be via the controlled entrance on the High Road with access to each residential block from the podium landscaped area. Vehicle access will be restricted to the gated mews with access from Suffield Road. Access to the residential car park will be limited by a barrier operated by a key given to those entitled to use those spaces.
- 6.143 Regeneration of the site is considered positive as it will counteract the run-down and unkempt appearance identified by the Metropolitan Police, thereby reducing the contribution of this factor to local crime and anti-social behaviour. The scheme is considered to increase community safety.
- 6.144 A condition will be applied requiring compliance with BS 8220 (1986) Part 1, 'Security Of Residential Buildings' and with the aims and objectives of 'Secured By Design' and 'Designing Out Crime'.

### **Drainage**

- 6.145 The majority of the site comprising hard landscaping and therefore the majority of surface water run off will drain into the main water system. The proposed development will use the existing mains drain and sewer system. The capacity of the system will be reviewed and upgraded where necessary.

### **Noise and Vibration**

- 6.146 In accordance with PPG 24: Planning and Noise 1994 the applicants have submitted an Environmental Noise and Vibration assessment for the proposed development including on assessment of the underground train vibration at the site to assess the suitability of the site for residential use. The noise impact of the proposed service road is also assessed. The assessment concludes that provided a suitable glazing specification is adopted for all the properties in the developments, the site is considered suitable for residential and commercial use.
- 6.147 The report concludes that the measured level of train vibration is within acceptable limits and that the predicted noise impact from the service road is acceptable provided the ventilation plant emissions are in accordance with the limited sound pressure level given in the relevant section of the assessment.

### **Daylight and Sunlight**

- 6.148 The applicants have submitted a day light and sunlight assessment in relation to the proposed development based upon Building Research Establishment (BRE) guidelines Site Layout and Planning for Daylight and Sunlight which

provides the criteria and methodology for calculation in connection with daylight and sunlight.

- 6.149 The report assesses all properties for compliance with the BRE guidelines in relation to daylight, and all relevant properties for sunlight ( which is a smaller number because only of those properties with elevations which face with 90 degrees of due South receive sunlight in the UK).
- 6.150 The assessment concludes that retained levels of daylight and sunlight are good and in compliance with the BRE guidelines. The assessment also concludes that there are some sunlight losses in excess of the BRE guidelines to the houses in Suffield Road these are small amounts in real terms and are mainly concentrated on winter sunlight where the existing levels are already below BRE guideline amounts.

### **Environmental Impact Assessment (EIA)**

- 6.151 The Local Planning Authority issued a screening opinion on the need for an Environmental Impact Assessment on the 20<sup>th</sup> June 2007.
- 6.152 The proposed development is “schedule 2 development” within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999, being an urban development project where the area of development exceeds 0.5 hectares. The Local Planning Authority assessed the potential environmental impact of the above development having regard to the selection criteria for screening specified in schedule 3 of the Regulations and the guidance to these regulations set out in Circular 02/99.
- 6.153 Following assessment, the Local Planning Authority determined that the proposed development is not likely to have a significant effect on the environment and that an Environmental Impact Assessment is therefore not required.
- 6.154 Following the Court of Appeal ruling the Local Planning Authority have reconsidered the need for an EIA and have concluded that again an EIA is not required. This is due to the fact that apart from the inclusion of photovoltaic equipment and removal of biomass boiler, the scheme has not changed in any physical way.

### **Equalities Impact Assessment (EqIA)**

- 6.155 In determining this application the Committee is required to have regard to its obligations under the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:-
- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act;
  - advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;



- foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 6.156 The Council commissioned URS Scott Wilson to conduct an independent Equalities Impact Assessment. Their report dated June 2011 assessed the likely impacts the development would have on the key equalities protected characteristics, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.157 Following an initial screening opinion, race, disability, sex, religion or belief, age and sexual orientation were identified as the protected characteristics which were most likely to be affected. A full assessment was made on this basis and the report is attached at Appendix 4.
- 6.158 The appraisal considered the potential impacts for affected people sharing these protected characteristics arising from the planning application. These impacts are grouped under a number of key inter-related themes identified from the review of policy, the screening findings and the review of baseline evidence and consultation evidence. These themes, their associated recommendations for mitigation and the relevant conditions/s106 responses are summarised in Appendix 3.
- 6.159 The report concludes that overall, the planning application proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the S106 agreement are honoured in full and in a timely manner. The assessment recognises concerns expressed by objectors concerning potential impacts, particularly in relation to Latin American people and members of other black and minority ethnic groups. In addition to measures previously set out in the S106 agreement and voluntary financial contributions by the developers, the assessment has set out additional recommendations to strengthen previously identified mitigation measures and to address residual negative impacts.
- 6.160 Whilst the non re-provision of affordable housing on the site is considered to give rise to some negative equality impact, the Valuation Office judgment that the development cannot afford affordable housing is considered to justify this negative impact.
- 6.161 The planning application proposal is identified as giving rise to positive equality impacts in relation to safety and crime, accessible public realm and provision of family housing.
- 6.162 In their Stage I report (see Appendix 8), the GLA have referred to the EqIA stating that the provision of the market facilitator and associated package of measures, the re-provision of the market and the provision of local retail in the scheme discharges the obligations of the Council and the GLA under the Equalities Act 2010 provided that the application is conditioned such that the current market cannot be closed until a temporary facility is secured.

- 6.163 The objection from Planning Aid for London on behalf of the Wards Corner Coalition states that the development will result in increased land rents in the surrounding area. This is said to harm small and micro-businesses, which are more than usually made up of ethnic groups most reliant on incomes from these business, and which make the particular character of West Green Road Town Centre. However, it should be noted that the scheme includes retention of the market, retail units on West Green Road specifically for independent retailers. Furthermore, officers consider that the scheme will bring much needed physical and economic regeneration to the area which will have a positive longer term impact.

### **Planning Obligations/s106 Agreement**

- 6.164 Under Section 106 of the Town and Country Planning Act, the Community Infrastructure Levy Regulations 2010 (as amended), the terms of Circular 05/2005 Planning Obligations, and in line with Policy UD8 and Supplementary Planning Guidance 10a 'The Negotiation, management and Monitoring of Planning Obligations' the Local Planning Authority (LPA) will seek financial contributions towards a range of associated improvements immediately outside the boundary of the site.

#### *Indoor Market*

- 6.165 The indoor market is to be re-provided as shown on the proposed development drawings. On the basis that the applicants undertake to provide a minimum 6 months notice period to the traders for vacant possession and that compensation will be paid to the traders at a rate equivalent to the maximum of that payable under the Landlord and Tenant Act 1954 and that Urban Space Management and Union Land be employed to assess the opportunities for temporary location for the market as a whole or within an existing market. This re-provision will be subject to four conditions to be contained within the s106 agreements. These conditions are as follows:

- the market must be run by an experienced indoor market operator
- this arrangement must be in place not less than 12 months prior to the practical completion date of the proposed development
- A market lease must be in place not less than 6 months prior to the due practical completion date of the proposed market;
- the rent will be open market rent for A1 use class;

- 6.166 The Market Operator will also be required to have offered a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area, on reasonable A1 open market terms.

- 6.167 The applicant has agreed to provide a minimum notice period of six months to market traders for vacant possession and is offering a compensation payment to assist with relocation expenses. This payment is in the form of £144,000 contribution to a "Trader's Financial Assistance Sum" (an increase on the sum of £96,650 agreed in 2008). The traders do not have any tenancy rights,

therefore this payment is voluntary.

- 6.168 The applicant provides a package (“Market Facilitator Package”) to assist the market to find a temporary location and to continue functioning. This package will run for five years from the granting of consent. This package includes a ‘market facilitator’ to work with traders to identify a temporary location, to work with the Spanish speaking traders to promote their interests in the temporary location and to provide appropriate business support and advice to all traders and businesses to secure the maximum number of expressions of interest to return to the site as well funding towards relocation costs and a three month rent free period in the temporary location. The Market Facilitator will also signpost existing businesses and employees towards existing appropriate bodies to assist business to continue trading or individuals to find suitable alternative employment.

#### *Community Engagement*

- 6.169 To further monitor the impact of the scheme and to provide further opportunity for mitigations measures to be considered, the applicant, before development can commence, is to submit to LBH a Community Engagement Strategy for our approval dealing with diversity monitoring and participation measures and seeking further inputs concerning potential impacts of the scheme and suggested additional mitigation measures from different sections of the community. The Strategy should include regular monitoring and reports on the engagement process and how representations received have been taken into account.

#### *Improvements to West Green Road*

- 6.170 The applicant offers to contribute £250,000 to a West Green Road Environmental Improvement Fund which will provide:

- shop/building frontage improvements
- street decoration and enhancements
- improvements to vehicle servicing
- Improvement Strategy for business/markets, open space and parking

#### *Affordable Housing*

- 6.171 Planning Policy Statement 3 Housing states that a reduced provision of affordable housing can be agreed if full provision would have implications for the scheme’s viability. The Council has commissioned DVS to undertake an assessment of the applicant’s financial appraisal and it was found that the scheme would not be viable if it included affordable housing.

#### *Existing residents and businesses*

- 6.172 The Council as Housing Authority shall engage in direct dialogue with secure and non-secure council tenants residing on the site regarding their needs and

choices for re-housing within the local area, where this is their preference.

- 6.173 The Council as Housing Authority shall offer appropriate assistance to shorthold (i.e. private tenants) and owner occupiers to locate to alternative suitable properties
- 6.174 Haringey council shall brief the housing association regarding the scheme's progress to ensure adequate time for them to identify suitable alternative provision for affected tenants.
- 6.175 The developer is to undertake a further round of leaseholder and freeholder engagement prior to a Compulsory Purchase Order (CPO) Resolution being considered by Haringey Cabinet (or such other timeframe as may be agreed by the Council).
- 6.176 The developer shall undertake a baseline study and subsequent ongoing monitoring of the business owners and market holders at key points in the progression of the planning application and construction of the development

*Education contribution*

- 6.177 In line with Supplementary Planning Guidance SPG10c 'Educational Needs Generated by New Housing'. It is appropriate for Local Planning Authorities to seek a financial contribution towards the cost associated with the provision of facilities and services arising from additional demand generated for school places.
- 6.178 In this case the Local Planning Authority recognises that the costs of bringing the scheme forward are exceptional and that the financial appraisal undertaken by DVS demonstrates that the cost of the development is a very high proportion of its value, much greater than would normally be expected for a development to take place. A sum of £200,000 was set aside at the outset in the calculations for Section 106 contributions. The Local Planning Authority accepts that there can be a degree of flexibility in the calculation of the education contribution. As stated in this SPG "each application will be considered on its merits on a case by case basis". The Local Planning Authority therefore accepts a contribution of £200,000 to be reasonable in this case. The NDC had requested that this sum of money be spent on schools within the NDC area.

*Public Art*

- 6.179 A work or works of public art shall be incorporated into the fabric of the building. The method of selecting an artist to be agreed following the submission of a Public Art Brief.

*Public Realm*

- 6.180 Proposed works for the Public Realm including enhancement to transport/station entrance improvements will be undertaken and the applicants will enter into a section 278 of the Highways Act Agreement in connection with

the works. Agreement will be reached with the relevant statutory parties and owners in order to carry out the works.

*Other elements*

6.181 The section 106 agreement will also include provisions for the following:

- Implementation of Travel Plans for key land uses
- Provision of a central energy centre and reduction of CO2 emissions of up to 11% (over Part L 2010)
- Achievement of at least Level 4 under the Code for Sustainable Homes
- Establishment of a management company that will have responsibility (in perpetuity) for the ongoing site management and security.
- Establishment of CCTV system and central monitoring suite
- Procurement of goods and services from local businesses and recruitment of local people
- Construction Training and Local Labour Agreement including a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g. the Disability Two Ticks scheme
- Provision of Podium Gardens and Open Space
- Provision and maintenance of Podium Garden and Play space
- No entitlement for occupiers to residents parking permits (except for 12 permits for houses in Suffield Road)
- Contribution of £1000 towards the amendment of the Traffic Management Order (TMO)
- Implementation of Lifetime Homes Standards and 10% wheelchair access (20 flats)
- Letting/marketing strategy for residential units
- Waste Management and Recycling
- A cost recovery charge of 3% of the total value of the s106

6.182 Following the Community Infrastructure Levy 2010 Regulations (as amended) coming into force 06 April 2010, the three tests on the use of planning obligations in Circular 05/2005 Planning Obligations were placed into law. The three tests are that planning obligations must be:

- necessary to make the development acceptable in planning terms
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

It is considered that the above s106 contributions are necessary, directly related and fairly and reasonably related in scale and kind to the development therefore meeting the above three tests.

## **7. HUMAN RIGHTS**

- 7.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 there is a requirement to give reasons for the grant of planning permission. Reasons always have to be given where planning permission is refused. These reasons are always set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

## **8. DEVELOPMENT AGREEMENT**

- 8.1 Following the adoption of the Wards Corner Development Brief in January 2004 (see section 'Development Brief'), Grainger Trust was selected as a development partner to deliver regeneration for the area covered by the brief. In November 2005 the Council entered into a development agreement with Grainger. The objective of the agreement is to secure a quality redevelopment of the site which promotes the regeneration objectives for the area.
- 8.2 Part of the agreement states that all affordable housing referable (whether by public policy or otherwise) to the development is to be discharged by off-site provision procured by and at the cost of the Council or a third party. It also states that the Council will make available its site at Apex House (and/or another suitable site or sites within the Borough) for the provision of all affordable housing referable to the development and will satisfy any requirement to procure affordable housing referable to the development at its own cost so as to enable the Development to be implemented in accordance with the agreement.
- 8.3 Officers are satisfied that due to the expense of developing the site and the associated implications for viability (see section 'Viability'), there is no affordable housing referable to the development by planning policy. Therefore the provision of affordable Housing at Apex House and/or another suitable site or sites within the Borough is not required.
- 8.4 Notwithstanding the above, the lack of affordable housing provision at Apex House and other matters relating to the development agreement are matters external to the planning application currently under consideration.

## **9. PREDETERMINATION**

- 9.1 The Council is in a development agreement (see preceding section 'Development Agreement') and owns part of the application site. These facts are not planning considerations and Members must not consider the Council as development partner or land owner when reaching their decision.

## 10. SUMMARY AND CONCLUSION

- 10.1 The detailed assessments outlined in this report demonstrate that there is strong planning policy support for the development embodied in the Local Development Plan and supported by National Planning Guidance.
- 10.2 Prior to and during the life of the application, the council and the applicants have engaged with key stake holders (local businesses, residents, community groups including the WCC, members and statutory agencies) to develop a scheme which addresses local issues while delivering major regeneration.
- 10.3 The application was originally approved in December 2008 however the planning consent was quashed in June 2010 by the Court of Appeal. The Court of Appeal considered that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act, 1976 in that it did not have due regard to “the need to promote equality of opportunity and good relations between persons of different of different racial groups”. Following this decision the application is now being re-determined. Physically, the scheme is mostly unchanged however a modified s106 agreement is proposed.
- 10.4 In re-determining the application, officers had regard to the Council’s obligations under the Equality Act 2010. An independent Equalities Impact Assessment was undertaken by URS Scott Wilson and it was found that the proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the s106 agreement are honoured in full and in a timely manner.
- 10.5 The application site is located on the west side of Tottenham High Road and comprises 227 to 259 High Road, 709 – 723 Seven Sisters Road, 1a – 11 West Green Road and 8 – 30 Suffield Road. It is a prominent site containing the former Wards Corner Department Store and is located above Seven Sisters Underground Station and tunnels. The site currently occupied by retail and commercial uses with residential above in some parts. Suffield Road is entirely residential. The site is identified in planning policy and the planning brief as a key regeneration site.
- 10.6 The application proposes the demolition of all buildings on site and the erection of a modern mixed use development with retail on the ground floor of the Seven Sisters, High Road and West Green Road frontages and flats on the upper floors. Development on Suffield Road will be completely residential with each dwelling having separate street access.
- 10.7 The development is considered to deliver regeneration sought by planning policy and the development brief. It will deliver new quality retail space, including new accommodation for the Seven Sisters Market (following their temporary relocation facilitated by the developer); a large number of new dwellings built to modern standards including the provision of family housing; quality amenity space and children’s play space; improvements to the public realm including a new public square and improvements to West Green Road.

- 10.8 The development is a high quality modern design which takes cues from the surrounding Victorian and Edwardian Development but also capitalises on the distinctiveness of the location to create a landmark gateway development. It will be built to high environmental performance standards with the inclusion of CHP and solar panel technology. The site's excellent access to public transport allows for a high density development with no harm to public and private transport networks. Redevelopment of the area will improve community safety by improving the public realm and overcoming negative perceptions.
- 10.9 The applicant has robustly demonstrated that the provision of affordable housing would make the scheme unviable. This same conclusion was reached by DVS following their own independent financial appraisal of the scheme. Although no affordable housing is proposed, a significant number of affordable housing units are proposed elsewhere in the east of the borough.
- 10.10 The development will involve the loss of identified Heritage Assets through the demolition of buildings in a Conservation Area, some of which are locally listed. The applicant has demonstrated that retaining these buildings while delivering the benefits of the proposed scheme would not be viable. The harm caused by the loss of these Heritage Assets is considered to be outweighed by the public benefits delivered by the scheme.
- 10.11 The applicant has engaged directly with existing residents and business on site, particularly the market traders, and has proposed a package of measures to compensate for their inevitable displacement. These measures were proposed following input from the affected residents and traders as well as the recommendations in the Equalities Impact Assessment and those from the GLA. Implementation of these measures will be secured through a s106 agreement.
- 10.12 On balance it is the officers' view that the scheme is largely consistent with planning policy and that subject to appropriate conditions and s106 contributions the application should be approved.

## **11. RECOMMENDATION 1**

That planning permission be granted in accordance with planning application reference number HGY/2008/0303 subject to a pre-condition that the applicant shall first have entered into an agreement or agreements with Council (under Section 106 of the Town and Country Planning Act 1990(as amended) in order to secure:

### *Indoor Market*

A space suitable for the re provision of the indoor market shall be provided in the development as shown on the approved drawings subject to the following conditions:



- The market is replaced , almost like for like in space terms on the Seven Sisters Road frontage;
- The market is run by an experienced indoor market operator;
- This arrangement must be in place not less than 12 months prior to the practical completion date of the proposed development;
- A market lease must be in place not less than 6 months prior to the due practical completion date of the proposed market;
- The rent must be reasonable open market rent for A1 use class;
- Compensation will be paid to traders at a rate equivalent to the maximum of that payable under the Landlord and Tenant Act 1954;
- A first right-to-occupy shall be offered to all existing traders on an exclusive and non-assignable license of an equivalent stall in the new market area, on reasonable a1 open market terms;

### *Temporary Market Relocation*

- The applicant provides a package (“Market Facilitator Package”) to assist the market to find a temporary location and to continue functioning. This package will run for five years from the granting of consent. This package includes a ‘market facilitator’ to work with traders to identify a temporary location, to work with the Spanish speaking traders to promote their interests in the temporary location and to provide appropriate business support and advice to all traders to secure the maximum number of expressions of interest to return to the site as well funding towards relocation costs and a three month rent free period in the temporary location. The Market Facilitator will also signpost existing businesses and employees towards existing appropriate bodies to assist business to continue trading or individuals to find suitable alternative employment.
- The applicant provides a minimum notice period of six months to market traders for vacant possession and is offering a compensation payment to assist with relocation expenses. This payment is in the form of £144,000 contribution to a “Trader’s Financial Assistance Sum” (an increase on the sum of £96,650 agreed in 2008). The traders do not have any tenancy rights, therefore this payment is voluntary

### *Existing residents and businesses*

- The Council as Housing Authority shall engage in direct dialogue with secure and non-secure council tenants residing on the site regarding their needs and choices for re-housing within the local area, where this is their preference.
- The Council as Housing Authority shall offer appropriate assistance to shorthold (i.e. private tenants) and owner occupiers to locate to alternative suitable

properties

- Haringey council shall brief the housing association regarding the scheme's progress to ensure adequate time for them to identify suitable alternative provision for affected tenants.
- The developer is to undertake a further round of leaseholder and freeholder engagement prior to a Compulsory Purchase Order (CPO) Resolution being considered by Haringey Cabinet (or such other timeframe as may be agreed by the Council)
- The developer shall undertake a baseline study and subsequent ongoing monitoring of the business owners and market holders at key points in the progression of the planning application and construction of the development

### *Community Engagement*

To further monitor the impact of the scheme and to provide further opportunity for mitigations measures to be considered, the applicant, before development can commence, is to submit to LBH a Community Engagement Strategy for our approval dealing with diversity monitoring and participation measures and seeking further inputs concerning potential impacts of the scheme and suggested additional mitigation measures from different sections of the community. The Strategy should include regular monitoring and reports on the engagement process and how representations received have been taken into account.

### *West Green Road Improvement Fund*

A contribution of £250,000 shall be made to a West Green Road Environmental Improvement Fund which will provide:

- shop/building frontage improvements
- street decoration and enhancements
- improvements to vehicle servicing
- Improvement Strategy for business/markets, open space and parking

### *Education Contribution*

- The Local Planning Authority requires a contribution of £200,000.

### *Public Art*

- A work or works of public art shall be incorporated into the fabric of the building. The method of selecting an artist to be agreed following the submission of a Public Art Brief.

*Public Realm*

- The proposed works for the Public Realm including enhancement to transport/station entrance improvements shall be undertaken and the applicants will enter into a section 278 of the Highways Act Agreement in connection with the works. Agreement shall be reached with the relevant statutory parties and owners in order to carry out the works.

*Other elements*

- Implementation of Travel Plans for key land uses
- Provision of a central energy centre and reduction of CO2 emissions of up to 6%
- Achievement of at least Level 4 under the Code for Sustainable Homes
- Establishment of a management company that will have responsibility (in perpetuity) for the ongoing site management and security.
- Establishment of CCTV system and central monitoring suite
- Procurement of goods and services from local businesses and recruitment of local people
- Construction Training and Local Labour Agreement including a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g. the Disability Two Ticks scheme
- Provision of Podium Gardens and Open Space
- Provision and maintenance of Podium Garden and Play space
- No entitlement for occupiers to residents parking permits (except for 12 permits for houses in Suffield Road)
- Contribution of £1000 towards the amendment of the Traffic Management Order (TMO)
- Implementation of Lifetime Homes Standards and 10% wheelchair access (20 flats)
- Letting/marketing strategy for residential units
- Waste Management and Recycling
- A cost recovery charge of 3% of the total value of the s106

**12. RECOMMENDATION 2**

- (1) That, following completion of the agreement referred to in resolution
- (2) Planning permission be granted in accordance with the planning application subject to direction of the GLA.

GRANT PERMISSION  
Registered No. HGY/2008/0303

Applicant's drawing No.(s) P (00) 00, P (00) 01C, P (00) 02, P (00) 03, P (00) 04, P (00) 05, P (00) 06, P (00) 07A, P (00) 08A, P (00) 09, P (00) 10, P (00) 20, P (00) 21, P (00) 100B, P (00) 101A, P (00) 102A, P (00) 103A, P (00) 110A, P (00) 111A.

Design and Access Statement: Wards Corner Seven Sisters Design and Access Statement and accompanying statements, including statement addenda.

Pollard Thames Edwards Architects January 2008.

Former Wards Corner Store – 227 -229 Tottenham High Road – appraisal of options for retention or redevelopment

### **13. REASONS FOR APPROVAL**

13.1 The proposed development of the site for a mixed use development comprising retail shops, restaurants and residential accommodation with servicing, parking and amenity space has been assessed against and found on balance to comply with all the relevant Governmental, National, Regional, Sub Regional and Local Planning Policies which within considered constraints support the regeneration of the Wards Corner site.

#### **13.2 Conditions**

##### Implementation

1. The development hereby authorised must be begun not later than the expiration of 5 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

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

##### Materials

3. Notwithstanding the description of the materials in the application, no development of the relevant part shall be commenced until precise details of the materials to be used in connection with the development hereby permitted have been submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority.

Reason: In order to retain control over the external appearance of the development in the interest of the visual amenity of the area

4. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local

Planning Authority before any of the relevant part of the development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

#### Hours of Construction

5. The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1200 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

#### Waste storage and recycling

6. That a detailed scheme for the provision of refuse, waste storage and recycling within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality.

#### Disabled Access

7. In order to ensure that the shops are accessible to people with disabilities and people pushing double buggies, the door must have a minimum width of 900mm, and a maximum threshold of 25mm.

Reason: In order to ensure that the shop unit is accessible to all those people who can be expected to use it in accordance with Policy RIM 2.1 'Access For All' of the Haringey Unitary Development Plan.

#### Shopfront Design

8. Detailed plans of the design and external appearance of the shopfronts, including details of the fascias, shall be submitted to and approved in writing by the Local Planning Authority before any shopfront is installed.

Reason: In the interest of visual amenity of the area.

#### Secured by Design

9. The development hereby authorised shall comply with BS 8220 (1986) Part 1, 'Security Of Residential Buildings' and comply with the aims and objectives of

the Police requirement of 'Secured By Design' and 'Designing Out Crime' principles.

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

#### Parking and Loading/unloading

10. That the accommodation for car parking and/or loading and unloading facilities be specifically submitted to, approved in writing by and implemented in accordance with the requirements of the Local Planning Authority before the occupation of the building and commencement of the use; that accommodation to be permanently retained for the accommodation of vehicles of the occupiers, users of, or persons calling at the premises and shall not be used for any other purposes.

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

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

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

#### Satellite Aerials

12. Notwithstanding the provisions of Article 4 (1) and Part 25 of Schedule 2 of the General Permitted Development Order 1995, no satellite antenna shall be erected or installed on any building hereby approved. The proposed development shall have a central dish / ariel system for receiving all broadcasts for the residential units created: details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property, and the approved scheme shall be implemented and permanently retained thereafter.

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

#### Drainage

13. The authorised development shall not begin until drainage works have been carried out in accordance with details to be submitted to and approved by

the Local Planning Authority.

Reason: In order to ensure a satisfactory provision for drainage on site and ensure suitable drainage provision for the authorised development.

#### Landscape/playspace Management

14. That details of a management plan for the management and maintenance of the first floor gardens play space and roof gardens shall be submitted to and approved by the Local Planning Authority prior to the occupation of the residential units such agreed details to be implemented and maintained thereafter to the satisfaction of the Local Planning Authority.

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

#### Environmental Management Plan/Air Quality Assessment

15. That details of a site specific Environmental Management Plan as referred to in the Air Quality Assessment shall be submitted to and approved by the Local Planning Authority prior to the commencement of the works. Such agreed plan shall be implemented to the satisfaction of the Local planning Authority during the period of construction.

Reason: In order to ensure that the effects of the construction upon air quality is minimised.

#### Lifetime Homes

16. That all the residential units with the proposed development with the exception of these referred to directly in the Design and Access Statement as not being able to be compliant shall be designed to Lifetime Homes Standard.

Reason: To ensure that the proposed development meets the Councils Standards in relation to the provision of Lifetime Homes.

17. That at least 20 flats within the proposed development shall be wheelchair accessible or easily adaptable for wheelchair use.

Reason: To ensure that the proposed development meets the Council's Standards for the provision of wheelchair accessible dwellings.

#### Noise

18. That details of the specification of the glazing to be used in connection with the proposed development in relation to reducing noise levels within the residential units shall be submitted to and approved by the Local Planning Authority prior to the commencement of the relevant part of the works. Such

agreed specification to be implemented and maintained to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of occupiers of the residential units

19. That the service road ventilation plant noise emissions shall be in accordance with the limiting sound pressure level referred to in the Noise and Vibration Assessment.

Reason: In order to protect the amenity of the occupiers of the proposed development.

#### Cycle Parking

20. That the proposed development shall provide service covered storage for 197 cycle racks for the residential units and 38 cycle racks for the commercial units, a total of 235 cycle racks to be provided.

Reason: In order to promote a sustainable mode of travel and improve conditions for cyclists at this location.

#### Commercial Opening Hours

21. That the commercial uses shall not be operational before 0700 or after 0100 hours on any day.

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

#### Travel Plans

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

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

#### Construction Traffic

23. That details of the routing of the associated construction traffic and networks of delivering of goods to the retail/commercial uses of the proposed development be submitted to and approved by the Local Planning Authority prior to the commencement of the works. Such agreed details shall be implemented and where appropriate permanently maintained to the satisfaction of the local Planning Authority

Reason: In order to ensure that the proposed development does not disrupt the movement of vehicles and pedestrians doing the adjoining roads and footways.



### Climate Change Mitigation

24. Prior to the commencement of development, the applicant shall provide details to be agreed in writing by the Local Planning Authority of measures to reduce CO2 emissions from renewable energy technologies by 6%.

Reason: To be consistent with London Plan Policies 4A.1 and 4A.7 and UDP Policy UD2 Sustainable Design and Construction.

25. The applicant shall implement energy efficiency measures for the residential to comply with Part L of 2010 Building Regulations.

Reason: To be consistent with London Plan Policies 4A.1 and 4A.7 and UDP Policy UD2 Sustainable Design and Construction.

### Public Realm Improvements

26. Notwithstanding the information shown on the approved drawings the detailed design and materials of the following elements shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that part of the development:

- Replacement bus stops
- Alterations to Seven Sisters underground station entrances (above ground)
- Footway alterations and improvements to High Road, West Green Road, Suffield Road and Seven Sisters Road and Seven Sisters Road.

Reason: To ensure that the proposed development results in improvements to the safety and safe access of pedestrians on the public highway and users of public transport.

### Energy Modelling

27. Energy models for the commercial units based on NCM compliant methods shall be submitted to the Local Planning Authority and approved prior to commencement of works to those units.

Reason: To be consistent with London Plan Policies 4A.1 and 4A.7 and UDP Policy UD2 Sustainable Design and Construction.

### Demolition Management Plan

28. Prior to the commencement of the development hereby approved, a demolition management plan detailing the method of demolition, all construction vehicle activity related to demolition works, noise, dust and vibration mitigation measures and suitable measures to enhance the external appearance of the site, including appropriate additional lighting, associated with the development hereby approved shall be submitted to, and approved in writing by the Local Planning Authority

Reason: To protect the existing amenity of the surrounding area.

Photovoltaics

29. Notwithstanding the drawings submitted with the application, details and drawings of the proposed photovoltaic equipment shall be submitted to the Local Planning Authority and approved prior to commencement of works. Such approved scheme shall be implemented and permanently retained to the satisfaction of the Local Planning Authority.

Reason: In order to ensure the development meets the appropriate design and sustainability standards as required by London Plan Policies 4A.1 and 4A.7 and UDP Policy UD2 Sustainable Design and Construction.

INFORMATIVE: No residents within the proposed developments, with the exception of up to 12 of the proposed houses on Suffield Road will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One Thousand pounds) towards the amendment of the TMO for this purpose.

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

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

## **APPENDICES**

- Appendix 1: Consultation responses
- Appendix 2: Planning Policies
- Appendix 3: Summary of Equalities Impacts and Recommendations by URS Scott Wilson and conditions/s106 provisions in response
- Appendix 4: Equalities Impact Assessment prepared by URS Scott Wilson
- Appendix 5: Executive Summary of Toolkit Analysis by DVS
- Appendix 6: Development Management Forum Minutes
- Appendix 7: Summary of GLA reports
- Appendix 8: GLA reports
- Appendix 9: Court of Appeal judgement
- Appendix 10: Wards Corner/Seven Sisters Underground Development Brief

# APPENDIX 1 CONSULTATION RESPONSES

No.	Stakeholder	Question/Comment	Response
1	Wards Corner Coalition (WCC)	<p><i>Letter dated 20 June 2011</i></p> <ol style="list-style-type: none"> <li>1. The Grainger plan would displace many people and business. The market will not be saved but priced out</li> <li>2. The surrounding independent business have not been considered in the Grainger plan</li> <li>3. The scheme does not provide 'affordable housing'</li> <li>4. The much loved, locally listed and iconic Edwardian building would be demolished.</li> <li>5. There would be massive piling works over the Victoria line and escalators</li> <li>6. It is remit of councillors to protect the electorate from this sort of development</li> <li>7. It is well documented that such developments take money out of an area and harm small local business</li> <li>8. It is important to restore what remains of our heritage</li> <li>9. We do not want new building replacing treasured iconic old buildings</li> <li>10. We would like a high-end restoration of the main Wards</li> </ol>	<p>Conditions and s106 obligations will be in place to ensure support for the Latin American Market and appropriate support for displaced residential and commercial occupiers</p> <p>West Green Town Centre is a wholly independent centre. The scheme provides s106 contributions for Town Centre improvement and will compliment the centre with new multiples and market space</p> <p>The scheme will provide a substantial number of new homes (197 total) to replace the existing affordable and private housing. The viability assessment demonstrates that provision of affordable housing is not viable. The overall regeneration of site outweighs need for affordable housing.</p> <p>The building has been assessed for statutory listing and has not been approved. The design of the new scheme provides a new landmark building and opportunity for a purpose built market</p> <p>This is a Building Control issue</p> <p>The 2006 UDP and Development Brief were all consulted on and they support in principle a scheme as proposed</p> <p>See answer to 2 above</p> <p>The design of the scheme is addressed in the report</p> <p>See answer to 4 above</p> <p>The council has met with and supports the WCC to submit their</p>

No.	Stakeholder	Question/Comment	Response
		<p>Corner building with a more modest, phased, imaginative restoration of the rest of the site. The Prince's Trust is in support of this approach and has already offered suggestions for its funding, which have been ignored by the council.</p> <p>11. There needs to be shift from a centrally devised plan to more organic growth. There are vibrant businesses on site despite Council neglect</p> <p><i>Letter dated May 2011 by Planning Aid for London on behalf of WCC</i></p> <p>12. Although previously approved at committee, this committee is not bound by this decision.</p> <p>13. There still remains a likelihood that the scheme could lead to permanent loss of the market. This is due to lack of clarity market and lease particulars</p> <p>14. There will be insufficient provision made for the 12 independent traders and small businesses in the proposed shops</p> <p>15. The market will disappear and the retention of the market in the new scheme is not enforceable. Development should reflect neighbourhood function of the town centre.</p> <p>16. The Wards Corner building has historical resonance and should be retained. The scheme fails the tests of PPS5.</p> <p>17. The report should mention the impact on rising land rents for small and micro-businesses in the area. This will increase the cost of business more than usually made up ethnic groups</p>	<p>own application. The Council is open to approaches from any organisation.</p> <p>See answer to 6. The scheme does not preclude such uses being developed and provided.</p> <p>Agreed.</p> <p>All reasonable endeavours will be undertaken to ensure a temporary location for the market is found prior to its closure at Wards Corner. The market will be managed by a experienced market operator. Further details are provided in the report.</p> <p>The units on West Green Road are for small independent retailers. Those who move elsewhere will receive business advice if doing so.</p> <p>The conditions and s106 will help to ensure survival of the market. Any subsequent change to the market would require consent. The scheme includes space market traders and small retailers to facilitate neighbourhood retail function</p> <p>The report shows that the scheme passes PPS5 and provides a quality designed replacement building.</p> <p>This is addressed in the report see para. 6.163</p>

No.	Stakeholder	Question/Comment	Response
		<p>18. The proposal conflicts with policies supporting inclusive communities and vitality of town centres.</p> <p><i>Email dated 09 November 2008</i></p>	<p>The scheme is consistent with relevant UDP and London Plan Policy (3A.17, 3A.18, 3D.1, 3D.2, 3D.3, 4B.5, 4B.8 of London Plan and G5, AC3, AC4, TCR1, TCR3 of UDP)</p>
		<p>19. Plans are unpopular with local traders and residents</p>	<p>Scheme has been designed following extensive consultation but it must be assessed against planning and regeneration policy and the Planning Brief.</p>
		<p>20. Despite received substantial funds, the scheme will not bring public benefit</p>	<p>Scheme will provide extensive public benefits. Please see report para. 6.19-6.30</p>
		<p>21. Scheme will result in fewer jobs</p>	<p>The scheme will provide more retail space and associated increase in employment potential. Construction will use local labour according to s106 agreement</p>
		<p>22. No evidence that developers can bring new or different retail/restaurants</p>	<p>Scheme has variety of retail units. There will be a letting strategy focussing on independent retailers</p>
		<p>23. Does not brief requirement for vital, mixed use, taking its cue from local diversity</p>	<p>See answer to 22</p>
		<p>24. Will attract a transient population. Does not meet social housing need</p>	<p>See answer to 3</p>
		<p>25. Design is out keeping and scale with area</p>	<p>Design is addressed in the report para. 6.80-6.112</p>
		<p>26. The plan involves the demolition of well-loved and well-regarded heritage buildings in a conservation area</p>	<p>Conservation is addressed in the report para. 6.65-6.79</p>
		<p>27. The plan will prevent the development of a proposed vibrant multicultural and Iberian and Latin quarter</p>	<p>The scheme does not preclude the creation of a Iberian and Latin quarter</p>
		<p>28. The scheme is not deliverable</p>	<p>The District Valuer Services (DVS) appraisal concludes the scheme is deliverable</p>
		<p>29. There is a viable and locally supported alternative proposal led by local people and the Wards Corner</p>	<p>See answer to 10</p>

No.	Stakeholder	Question/Comment	Response
		<p>Community Coalition</p> <p><i>Letter dated 03 March 2008</i></p> <p>30. The scheme is not consistent with the Brief</p> <p>31. Destruction of Tottenham's built heritage and detriment to conservation area</p> <p>32. Misrepresentative and partial publicity by Grainger and their communications company M&amp;N</p> <p>33. Negative impact on diverse ethnic communities</p> <p>34. Destruction of market</p> <p>35. External retail development will distort local economy and character away from sustainability</p> <p>36. Negative impact on risk of crime and perception of crime</p> <p>37. Destruction of existing business, homes and the market</p> <p>38. Unacceptable housing density, tenure and design</p> <p>39. Unethical subsidy of private profit with public funds through NDC</p> <p>A letter and DVD were received on behalf of the Wards Corner Community Coalition dated 8th July 2008 proposing deferral of planning applications and the establishment of a steering committee.</p> <p><i>Further objection received 11 July 2011</i></p>	<p>The scheme is considered consistent, see all of report.</p> <p>Conservation and Design addressed in report para. 6.65-6.112</p> <p>Not a planning issue. The council has engaged widely and openly</p> <p>See Equalities section in report para. 6.155-6.163</p> <p>See answer to 13</p> <p>Improved variety of retail and accommodation of market and small retailers will provide sustainable retail</p> <p>See Community Safety section in report para. 6.138-6.144</p> <p>Those displaced will receive appropriate assistance. The market will be relocated temporarily and re-provided in the new scheme. See report para. 6.165-6.168.</p> <p>Density and design in compliance with policy. Affordable housing is not viable. See report para. 6.51-6.53, 6.80-6.112, 6.54-6.56</p> <p>Not a planning matter</p> <p>The council have and continue to support community members in the preparation and submission of a refurbishment scheme</p>



No.	Stakeholder	Question/Comment	Response
		<p>40. Equalities and discriminatory destruction of ethnic minority businesses and social amenity</p> <p>41. Place making and heritage – scheme is contrary to PPS5. The Princes Regeneration Trust are prepared to find funding for preservation and refurbishment. Public opinion is against the development.</p> <p>42. Failure to meet housing obligations. No provision of affordable housing at Apex House.</p> <p>43. Deficits in sustainable environment obligations</p> <p>44. Destruction of jobs and local economic activity – the scheme is contrary to PPS4</p> <p>45. Crime myths</p>	<p>See answer 33</p> <p>See Conservation section in report 6.80-6.112 and following sections on local residents consultations</p> <p>See para 6.60</p> <p>See para 6.122 to 6.126</p> <p>The scheme will provide a variety of retail units. See para 6.20-6.47</p> <p>See para 6.139-6.145</p>
2	<p>Local Residents - First consultation beginning Feb 2008</p> <p>365 responses (incl 23 duplicates) in objection</p> <p>27 responses in support</p>	<p>Residents and traders will lose homes and livelihoods.</p> <ol style="list-style-type: none"> <li>1. The market would be lost.</li> <li>2. The iconic Wards Corner building and other Edwardian buildings would be lost. These building should be restored.</li> <li>3. The development proposed by Grainger has not benefited from widespread and meaningful consultation with the Community.</li> <li>4. Flats and shopping mall does not constitute imaginative landmark gateway</li> <li>5. Development is of a mechanical nature rather than human nature thus not one for which it's users or</li> </ol>	<p>Conditions and s106 obligations will be in place to ensure support and re-provision of the Latin American Market and appropriate support for displaced residential and commercial occupiers</p> <p>See answer 1</p> <p>Design and conservation issues addressed in report para 6.65-6.112</p> <p>Both Grainger and the Council have consulted widely and openly prior and during the life of the application</p> <p>The building is a quality landmark design, see report para. 6.80-6.112.</p> <p>See answer 5</p>

No.	Stakeholder	Question/Comment	Response
		<p>inhabitants are likely to feel a sense of ownership</p> <p>6. It would constitute a gated private community which will be severed from and have no sense of identity or involvement with the rest of the Seven Sisters Area</p> <p>7. Seven story blocks will not be in harmony with the adjacent Page Green Conservation Area,</p> <p>8. The health, Education, Recreation and Transport infrastructure is not sufficient to cater for the new inhabitants,</p> <p>9. The development will displace local businesses in favour of branches of chain stores</p> <p>10. The development offers no new open space for public recreation and relaxation</p> <p>11. The proposal has been drawn up without involvement from the public and without consultation with local businesses and the people who will be affected by it.</p>	<p>The development is integrated into the public realm and will provide spaces for local business to operate</p> <p>The building varies in height and is sensitive to local development, see report.</p> <p>See relevant sections in report para. 6.177-6.178, 6.115-6.118, 6.126-6.133</p> <p>Scheme has variety of retail units. There will be a letting strategy focussing on independent retailers</p> <p>The scheme introduces a new public square</p> <p>See answer 4</p>
3	<p>Local Residents - Second consultation beginning Jan 2011</p> <p>624 responses (549 in standard letter form)</p> <p>11 responses in support</p>	<p>The objector's comments were along similar lines as those raised in the previous consultation period however the following points are new or were further emphasised:</p> <p>1. Inadequate consultation, second round of consultation was not clear, images should have been included, comment button on website did not work</p> <p>2. Loss of existing diverse and vibrant shops would be harmful to the local community and business. Following requirements of Equalities legislation, mitigation measures should be included to minimise impact on traders, including temporary accommodation and affordable rents</p>	<p>Both Grainger and the Council have consulted widely and openly prior and during the life of the application</p> <p>Conditions and s106 obligations will mitigate equalities impacts</p>

No.	Stakeholder	Question/Comment	Response
		<p>3. The new market is not adequate to re-house the existing market in its entirety</p> <p>4. Essential surrounding local businesses will be lost. Current economic conditions make it unlikely that the scheme will be successful. The retail units will fail and displaced business will be unable to carry on elsewhere</p> <p>5. The design is inferior, does not enhance conservation area and does create a sense of place</p> <p>6. Existing heritage buildings should be restored. They are friendly to small business</p> <p>7. The development is not capable of sustainable use.</p> <p>8. The Grainger development has not benefited from widespread and meaningful consultation</p> <p>9. The development will not create a sustainable town centre</p> <p>10. The applicant's Equalities Impact Assessment is questionable. It is a desktop study that does not contain primary research. The council is required to undertake a EqIA</p> <p>11. The new market will not be suitable for all traders to return, particularly food retailers and provides no provision for temporary relocation</p> <p>12. Crime and fear of crime are overstated in an effort to exaggerate the benefits of the scheme</p>	<p>The market is large enough to accommodate all existing traders</p> <p>The variety of retail units, including the market, and particular dedicated units on West Green Road will promote independent retailers. A Letting Strategy will support this</p> <p>Design and conservation is addressed in the report para. 6.65-6.112</p> <p>Conservation is addressed in the report. Proposed retail provision will accommodate small business</p> <p>The development is environmentally, socially and economically sustainable due to low energy use, re-provision of local market and creation of jobs for example</p> <p>Regeneration of Wards Corner has been subject to consultation since inception. The Grainger scheme is product of this process</p> <p>See answer 7</p> <p>The Council has commissioned an independent Equalities Impact Assessment. See appendix 5.</p> <p>The market will accommodate existing uses. Conditions and s106 will provide a temporary relocation for the market.</p> <p>Crime and fear of crime is identified issue and the scheme will improve community safety but will have other benefits as well.</p>

No.	Stakeholder	Question/Comment	Response
		13. The scheme provides no community benefit or public open space to Tottenham	The scheme provides a new public square, improved public realm, new quality housing and retail
		14. The Toolkit assessment should be made public	An executive summary is publicly available
		15. If consent is granted, conditions should be applied requiring rapid development, restrictions on sale of the land and permission	Not a planning matter but the development agreement in place requires Grainger to development the site to completion in a timely manner and restricts their ability assign or dispose of their rights or obligations under the DA without consent from the Council
		16. The benefits of dual fuel boilers using biofuels are overstated The development will not achieve 20% renewable energy. Photovoltaics are viable with feed-in tariffs.	Agreed. The scheme will now include photovoltaics rather than a dual-fuel boiler.
		17. The LED artwork is energy intensive. No comparison has been made between the embedded carbon emissions of the scheme and refurbishment proposal	The scheme has been subjected to an energy assessment and meets London Plan Climate change mitigation policies
		18. The development and development process go against the spirit of the emerging Localism bill	Local stakeholders have been involved since inception of development brief.
		19. The scheme is even less viable today and the site will remain undeveloped for longer, causing blight	The independent financial appraisal concludes the scheme is deliverable
		20. There is a more appropriate community-led alternative scheme	Approval of this scheme does not preclude other schemes coming forward
		21. Haringey council should back the community, not private interests. The community proposals have been ignored.	The council have supported and continue to support community members in the preparation and submission of a scheme for the refurbishment of Wards Corner.
		22. The scheme still does not help solve the housing shortage	It has been demonstrated that affordable housing is not viable on this site
		23. No guarantee that new retail facilities will be what local	The variety of retail units, including the market, and particular

No.	Stakeholder	Question/Comment	Response
		<p>people want.</p> <p>24. Will be destructive to community relations and cohesiveness</p> <p>25. Redevelopment should be sympathetic to the locality and not driven by profit</p> <p>26. Preserving local character will lead to longer term regeneration</p> <p>27. The applicants and council have not responded to the judgement of the Court of Appeal</p> <p>28. New notices has not been given to landowners</p>	<p>those on West Green Road will promote independent retailers. A Letting Strategy will support this</p> <p>Conditions and s106 obligations will help to minimise impacts of disruption and displacement for residents and retailers and encourage retailers to return to the site</p> <p>The scheme is designed sympathetically to local architecture. The scheme is driven by a desire to regenerate the Seven Sisters area</p> <p>The development makes use of the site to transform and bring investment into the are while retaining the market, independent retail and sympathetic design</p> <p>The council have paid close attention to equalities duties and have commissioned and independent equalities impact assessment</p> <p>Same scheme with same reference number is being reassessed. No need to serve new notices</p>
4	Cllr David Schmitz	<p>Cllr Schmitz's objection refers to legal points regarding the conduct of the committee. However, those which relate to the planning merits of the scheme are summarised here</p> <p>1. The site is not a major town centre location. The market and wards corner building provides the attraction of this small town centre in a way a modern development would not. The market and small independent shops are more resilient to economic conditions</p> <p>2. The applicant's heritage assessment is self-serving</p>	<p>The development will provide a variety of retail spaces to provide a varied and robust retail offer complementing the existing town centre.</p> <p>See conservation section in the report para. 6.80-6.112</p>

No.	Stakeholder	Question/Comment	Response
		<p>3. The applicant's planning statement addendum misquotes the brief, downplaying the importance of retaining the Wards Corner building.</p> <p>4. The proposed wording to the market lease clause does not compel the developer and market operator to agree anything</p> <p>5. The replacement market will command higher rents than the existing market and will price out existing traders</p> <p>6. The EqlA on the Council's website was undertaken by the applicant. It should have had a wider geographic scope. It does not account for the impact on people who use the market.</p> <p>7. The loss of the market and shops will deprive a substantial community of their way up out of deprivation.</p> <p>8. The suggestion that the development will reduce the fear of crime is unfounded</p> <p>9. The applicant has not justified why high rise development is so beneficial to justify demolition of Ward Corner</p> <p>10. There is no evidence that the Wards Corner building must be demolished because there is no tenancy demand. The Council or NDC have made no attempt to attract a tenant</p>	<p>The scheme is considered to be consistent with the development brief</p> <p>The s106 wording has not been finalised but it will be drafted to ensure that recommendations of the EqlA and GLA are honoured.</p> <p>Improvement of market premises and associated increase in rent would also occur with a refurbishment scheme. The difference in rent with a demolition and rebuild is not considered to be significant</p> <p>The Council has commissioned URS Scott Wilson to prepare an independent EqlA and this is publicly available. The 'Wards Corner LSOA' is used to create an equality profile for an area most closely associated to the site. Section 7.4 of the URS Scott Wilson EqlA addresses the impact on those use the market.</p> <p>The market will be offered a temporary location to continue operating. Shops will received business advice.</p> <p>The Met Police have confirmed that improvements to the appearance of an area reduce crime and fear of crime</p> <p>High rise development is appropriate to the site and allows for the delivery of a substantial number of new housing units. See design and regenerations sections of the report para. 6.80-6.112, 6.19-6.30.</p> <p>The Wards Corner building is owned by Transport for London. Tenancy is out of the Council's or Grainger's control.</p>
5	David Lammy MP	<p>Letter received during initial consideration of application.</p> <p>1. Concern expressed over poor initial consultation, lack of early resident and business involvement, design, mix of retail, concerns of market traders.</p>	<p>Scheme has been subject open and wide consultation. Other issues mention are addressed in the report.</p>

No.	Stakeholder	Question/Comment	Response
		<p>2. Doubts remain over deliverability of WCC plans.</p> <p>3. Fear is that any regeneration will be stalled, leaving the area blighted.</p>	<p>The council have and continue to support the WCC to prepare and submit their plan</p> <p>Regeneration of Wards Corner is a Council priority</p>
6	Tottenham Civic Society Contact: Matthew Bradby	<p>1. The structures proposed do not represent an integrated approach to design that takes account of their historic, social or cultural context. The architects claim that the blocks will 'reference the past' through their large windows and terracotta panels, but this would not alter the essential fact that they are little more than blocks of high density flats that represent a radical departure from the three storey brick built shops and homes that characterise the area at present and which are the main reason that it is a conservation area.</p> <p>2. The main tower blocks are described as being of up to seven storeys but as they sit on a two storey base, I think this makes them nine storeys tall. This will fundamentally and irrevocably disrupt the scale and character of the conservation area in which Ward's Corner stands and the adjacent Page Green Conservation Area. As the blocks do not have any setting or ground around them, they appear crowded and far too large for the space available according to normal ideas of scale.</p> <p>3. The proposals fail on CSV1: 'the Council will require that developments in conservation areas preserve or enhance the historic character and qualities of the buildings and/or the conservation area'. I think that the main blocks succeed in embodying the worst failings of early twentieth century architecture in that they are simultaneously hugely out of scale and fiddly and fussy at the same time. The quality of the architecture and ideas is simply not strong enough to justify demolishing what</p>	<p>Design is addressed in the report para. 6.80-6.112</p> <p>Buildings are maximum 7 storeys tall. See answer 1</p> <p>Conservation, heritage and design is addressed in report para. 6.65-6.112.</p>

No.	Stakeholder	Question/Comment	Response
		<p>we have in place. There are a few things that I do like, but they are mainly to do with landscaping around the large plane tree and station entrance which do not require demolition of the existing buildings.</p> <p>Residential concerns</p> <p>4. We are not confident in the argument that the residential units will attract more affluent people to the area. We think it is questionable whether these affluent people will wish to buy homes with balconies overlooking a very busy intersection where according to the application twelve bus routes converge on a road 'disfigured by heavy traffic'. The level of noise, as well as exhaust fumes, will be such that nobody will be able to use those balconies. The design simply won't work. It seems more likely that the flats will be acquired by investors and used as buy-to-let properties, resulting in more transient residents with little sense of belonging or connection with the area.</p> <p>5. We are very concerned that if the proposed development does not incorporate some affordable housing, it will fail to meet the Council's own published targets on providing integrated housing solutions that combine private and shared ownership schemes. It seems to us that this type of development is the most desirable in preventing social exclusion and social barriers between residents.</p> <p>6. Looking at the local map, the closest real open space is Markfield Park, some ten minutes walk away on the other side of a busy junction in this, the densest and most built up part of the whole of Tottenham. There could be a large number of children in 200 flats, and this seems a very constrained environment for them. I know that road improvements are planned for the area, but I doubt whether the volume of traffic passing the development will really be reduced.</p>	<p>The new homes are designed and will be built to high quality standards to attract owner occupiers</p> <p>It has been robustly demonstrated that affordable housing is not viable on this site</p> <p>Child playspace is addressed in the report para. 6.116-6.118.</p>



No.	Stakeholder	Question/Comment	Response
		<p>Retail concerns</p> <p>7. We believe that the level of rents likely to be demanded by the developer in order to meet their profit targets will result in a very undesirable mix of retail outlets, likely to be characterised by low cost licensed premises, betting, money transfer/lending shops and fast food. These are exactly the types of highly profitable chains which have moved into new developments at Wood Green station - e.g. Wetherspoons, McDonalds, Yates Wine Lodge, Shout, and at Turnpike Lane, and it seems likely that similar chains would want to site themselves at Seven Sisters, particularly given match day trade.</p> <p>8. There seems to be confusion about how the development may or may not affect crime in the area but I think the proposed development carries major risks in this respect. Given the presence of Tesco across the road, some people's hopes that we will see a Sainsbury's Local, Costa Coffee, M&amp;S, Next, etc, are overconfident and unjustified. I think given the high likelihood of the arrival of licensed premises to the development, we could well see a very negative effect on crime. It would be very difficult for the Council to block licensed premises from taking leases in a new development and all hopes for what shops might be attracted are purely speculative.</p> <p>9. Whether or not the units are let, the removal of the independent and popular cafes that colonise the pavement at present may lead to the area reverting to being a crime hotspot. If this were to happen, the negative effect on the retail premises and surrounding area would be contrary to the whole spirit and aspiration of the redevelopment. It would be far better to create more small retail spaces in the tradition of the existing vibrant Latin market, which will generate more self-employment. This is the kind of regeneration that has worked very well, in Camden for example, which has</p>	<p>The variety of retail units, including the market, and particular those on West Green Road will promote independent retailers. A Letting Strategy will support this</p> <p>Community Safety is addressed in the report para 6.138-6.144.</p> <p>The scheme will include space for small independent retailers and market traders</p>



No.	Stakeholder	Question/Comment	Response
		<p>the building. The alterations to the windows are minor and do not affect their quality. The clock is apparently in storage somewhere and though I have yet to determine exactly where, enquiries are being made. I totally disagree that the building is in a 'poor state of repair'. I think we would all agree that it wears is hundred years very well indeed as recent internal and external photographs show. Detail on interior pillars, skylights and ceiling plaster work is all intact. The developer's view that its contribution to the Area is 'only neutral' is an absolute nonsense, and it is not for the developer, with a serious conflict of interest, to make such a determination in the first place. The measure of a building's worth is what the local community attaches to it, and the evidence is that Wards Corner has a very strong pull on local affection and cultural memory.</p> <p>13. I also think the developer's assessment of 1a-1b West Green Road is to seriously underestimate this building, which should also be retained. It is also early 20th C and of high quality, part of Tottenham's Edwardian shopping heritage. They are ideal for restoration. Likewise the homes on Suffield Road - this is good quality family housing with private gardens for children to play in and providing green space in this built up area. I think the developer's historical description of the site contains factual inaccuracies which further undermines my confidence in their overall submission.</p> <p><i>Costs</i></p> <p>14. I have looked at the developer's estimates of the costs associated with retaining existing buildings and even a layman can see that these costs are not realistic. I do not intend to go through them line by line but to say that the market value of 227 High Road is £350,000 is nonsense - such a building would command a seven figure price tag. £350k is the price of a three bedroom terrace in N15. Likewise the cost of refurbishing</p>	<p>See answer 11</p> <p>See answer 11</p> <p>The demonstration of viability of retention is considered robust.</p>

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		<p>it as £717,000 is a gross overestimate. I believe the building could be brought back into general use for a tenth of that cost. The developer's costs need to be submitted to an independent, impartial review and scrutiny, otherwise we are not serving the best interests of the community, we are simply accepting things on the nod and serving the interests of the developer. Overall I think the developer's cost and value analysis of 227 High Road situation is particularly flawed. The fact is that this building has a cultural, social and heritage value that is far more durable than the buildings that are proposed in its place.</p> <p><i>Local context</i></p> <p>15. On a general note, other large new blocks of flats currently appearing in the High Road seem vast and cumbersome in their context. It does not appear as if the will of developers to maximise profit in our area is being successfully controlled and we risk a permanent transformation of the historic High Road corridor into a canyon of high rises shoe-horned into small spaces and towering over their surviving neighbours. The agenda of development in the High Road is being set by developers and therefore it's no surprise that all the new buildings are gigantic and out of character.</p> <p>16. There is a massive block of flats going up opposite the Swan PH and the other major block on Tottenham Green East. If this development at Seven Sisters is approved we will move a further significant step away from the historic, quality neighbourhood that we know and towards something resembling Euston Road, Elephant and Castle, central Slough or Basildon. As of today's date, over 250 people had signed our online petition in favour of restoring Wards Stores (<a href="http://www.gopetition.co.uk/online/14551.html">http://www.gopetition.co.uk/online/14551.html</a>) and there are an equivalent number of signatures on paper in my possession.</p>	<p>See answer 1</p> <p>See answer 1</p>

No.	Stakeholder	Question/Comment	Response
		<p>17. I do not think that the Council when it prepared the development brief for Wards Corner envisaged something being proposed on this gargantuan scale. Tottenham will not be improved by continued unsustainable overdevelopment. I strongly believe that this application, which is after all only the developer's opening gambit, should be rejected, and the developer asked to use some imagination and compromise with community interests to achieve a more acceptable and sustainable solution.</p> <p><i>Further to their original objection received 18 March 2008, the Tottenham Civic Society has made a further objection:</i></p> <p>18. The flat roofline is unattractive and incongruous with other buildings in the area; indeed the north-eastern tower block has the air of an municipal incinerator about it. The mass of the building is totally out of keeping with its surroundings; at seven storeys it is more than double the height of existing streetscape; It will cast an extremely large and unwelcome shadow on this part of the High Road, making it cold and sunless.</p> <p>19. The proposals cannot be said to enhance the Conservation Area. It is noted that CA consent for demolition has been granted, but this does not alter the fact that the Conservation Area WILL be damaged by any objective definition. Indeed, it throws the whole existence of the CA at this point of the road into doubt.</p> <p>20. The over-use of glass is out of keeping with the more traditional brick and other material in the conservation area; the areas of brick façade appear artificial and contrived in design. The corner area which aims to evoke the original corner is unfortunately a very insipid, watered-down and characterless attempt.</p>	<p>The scheme is considered consistent with the brief</p> <p>See answer 1</p> <p>See answer 11</p> <p>See answer 1</p>

No.	Stakeholder	Question/Comment	Response
		<p>21. There will be extremely serious noise pollution considerations for new intended residents, 24 hours a day. We have concerns about the placing of the pedestrian entrance to the flats so close to the entrance of the Tube station. This appears to compromise privacy of the proposed residents.</p> <p>22. Appeal Court Ruling. We are very concerned that to renew the planning permission for the Grainger development without undertaking the required equality assessment would therefore be directly contrary to the Court ruling and to the requirements of the Equality Act.</p> <p>23. The application does not comply with the DRLP. Specifically, it would not comply with the Mayor's Objective 3 for (I quote) "neighbourhoods to which Londoners feel attached, which provide all of its residents, workers, visitors and students -- whatever their origin, background, age or status -- with opportunities to realise and express their potential and a high quality environment for individuals to enjoy, live together and thrive", nor his Objective 4 for "making the most of London's built heritage". The Grainger redevelopment application also appears to fail to comply with the DRLP's Town Centre Policy 2.15 for sustainable neighbourhoods, nor does it comply with Policies 7.1, 7.4 and 7.8.</p>	<p>Noise is addressed in the report. Street access will lead to a private podium entrance</p> <p>An independent Equality Impact Assessment has been commissioned</p> <p>The GLA are satisfied that the scheme is consistent with emerging London Plan Policy</p>
7	Tottenham CAAC Contact: Matthew Bradby	<p>1. There is no substantial community benefit that would result from the total or substantial demolition of these buildings so as to allow demolition as an exceptional case:-</p> <p>2. The proposed development is not in keeping with the Development Brief for the Wards Corner site nor in keeping with the policies for creating a New Town Centre; The proposal will not create a high quality gateway; It is not an attractive design and does not provide a high quality, imaginative development looked for under PPG</p>	<p>Conservation and heritage addressed in report para 6.65-6.79</p> <p>Design is addressed in the report para. 6.80-6.112</p>

No.	Stakeholder	Question/Comment	Response
		<p>15 and will not enhance the Seven Sisters/Page Green Conservation Area; It does not create a sense of place, being bland and lacking individual character; Its height, bulk and mass are too great for the area and will overpower other buildings and will destroy the character of the Conservation Area. The Tottenham CAAC object to the application for consent for demolition in a Conservation Area for all the reasons given above.</p> <p><i>Further comments following second consultation</i></p> <p>3. CAAC are aware that Conservation Area consent has been granted but position remains the same. Most appropriate development would be to restore existing buildings</p>	Noted
8	Federation of Small Businesses Chairman Steve Warwick	<ol style="list-style-type: none"> <li>1. Does not comply with GLA stage 1 report and London Plan policies</li> <li>2. No social housing</li> <li>3. Developer may not be able to fund the development but may just sell the site</li> <li>4. Lengthy lead in time for development</li> <li>5. Heritage buildings are capable of re-use</li> <li>6. No apparent s106</li> <li>7. New builds will destroy, not regenerate</li> <li>8. Community will be lost</li> </ol>	<p>GLA are satisfied that the scheme is consistent with London Plan policy.</p> <p>It has been demonstrated that affordable housing is not viable</p> <p>Not a planning matter but the development agreement in place requires Grainger to development the site to completion in a timely manner and restricts their ability assign or dispose of their rights or obligations under the DA without consent from the Council</p> <p>Development delayed due to Judicial Review. If permission granted development can proceed</p> <p>Conservation and heritage addressed in report</p> <p>There is an extensive s106 agreement proposed</p> <p>Scheme will bring quality modern development to area</p> <p>Community of retailers will be supported. Market will be provided</p>

No.	Stakeholder	Question/Comment	Response
		<p><i>Further consultation response received following second consultation</i></p> <p>9. Destruction of market, shops and surrounding businesses</p> <p>10. Loss through eviction of tenants from the site</p> <p>11. Members are concerned they could be priced out of area or forced into bankruptcy</p> <p>12. Apparent lack of engagement with local small businesses</p>	<p>temporary location and encouraged to occupy new market</p> <p>Market will be relocated temporarily and re-provided in new development. Shops will be compensated and new scheme will encourage independent retail</p> <p>The s106 will ensure appropriate compensation is given to those affected</p> <p>The scheme will include small retail units for small businesses</p> <p>Local stakeholders have been involved since inception of development brief. Council and Grainger have engaged with business on site</p>
9	Haringey Federation of Residents Associations	<p>1. Not in keeping with planning brief</p> <p>2. Not a landmark gateway development</p> <p>3. Bland building design</p> <p>4. Too tall, it's overdevelopment and not in keeping with Conservation Area</p> <p>5. No affordable housing</p> <p>6. It will be private gated development</p> <p>7. The heritage value of the site will be lost</p> <p>8. Health, education and infrastructure inadequate to support development</p>	<p>The scheme is consistent with the planning brief</p> <p>Design addressed in the report para. 6.80-6.112</p> <p>See answer 2</p> <p>See answer 2</p> <p>It has been demonstrated that affordable housing is not viable</p> <p>The scheme will include improvements to public</p> <p>Conservation and heritage addressed in the report</p> <p>Local infrastructure and services considered adequate. Education and contribution will be made.</p>



No.	Stakeholder	Question/Comment	Response
		<p>9. No community facilities or local amenities, no new open space</p> <p>10. Will displace local business in favour of chain stores</p> <p>11. Fails to demonstrate environmental sustainability</p> <p>12. Lack of involvement and engagement of local community</p> <p><i>Further consultation response received following second consultation. New points raised below:</i></p> <p>13. In statements and discussions during the Examination in Public on the Draft Replacement London Plan (DRLP) Chapter 2's policies for 'London's Places' it was clear that borough LDF content and decision making should take account of the social and race equality impacts of proposed developments. For the Ward's Corner site, the judge's decision of 22 June 2010 on the Judicial Review for the proposed development was quite clear and we do not consider that anything has changed since then.</p> <p>14. The current market at the site, the businesses of its operators and the availability of its goods for the communities must be preserved in its entirety in accordance with chapter 7 of the DRLP. The local businesses are an essential part of the neighbourhood and the Council has no valid reason for destroying them by allowing the proposed development.</p> <p>15. The Localism Bill emphasises the right of communities to decide what development they want in their neighbourhood and Haringey Council should respect the wishes of residents and businesses in the area. There should be widespread consultation with the local</p>	<p>New public square provided and community market re-provided</p> <p>High street multiples will be complemented by independent retail and market</p> <p>Energy and sustainability addressed in the report</p> <p>Regeneration of Wards Corner has been subject to consultation since inception. The Grainger scheme is product of this process</p> <p>An independent equalities impact assessment has been undertaken</p> <p>The market will be temporarily located and re-provided. The variety of retail units, including the market, and particular dedicated units on West Green Road will promote independent retailers. A Letting Strategy will support this</p> <p>Regeneration of Wards Corner has been subject to consultation since inception. The Grainger scheme is product of this process</p>

No.	Stakeholder	Question/Comment	Response
		<p>communities on the development of Wards Corner.</p> <p>16. The current proposal would not be context sensitive and would fail to meet the policies in chapter 7 of the DRLP. It would deprive the residents in the area of goods, services and work opportunities in a way that is contrary to the Government's and the Mayor's policies for sustainable neighbourhoods and multicultural integration.</p> <p>17. Should Haringey Council be mindful to support the Grainger proposal, we would seek that the Mayor directs planning refusal.</p>	<p>GLA are satisfied that the scheme is consistent with London Plan Policy</p> <p>Noted.</p>
10	London Forum	<p>The London Forum is a charity established 22 years to support community groups in the capital.</p> <p>1. In statements and discussions during the Examination in Public on the Draft Replacement London Plan (DRLP) Chapter 2's policies for 'London's Places' it was clear that borough LDF content and decision making should take account of the social and race equality impacts of proposed developments. For the Ward's Corner site, the judge's decision of 22 June 2010 on the Judicial Review for the proposed development was quite clear and London Forum does not consider that anything has changed since then.</p> <p>2. The current market at the site, the businesses of its operators and the availability of its goods for the communities must be preserved in its entirety in accordance with chapter 7 of the DRLP. The local businesses are an essential part of the neighbourhood and the Council has no valid reason for destroying them by allowing the proposed development.</p> <p>3. The Localism Bill emphasises the right of communities to decide what development they want in their</p>	<p>An independent equalities impact assessment has been undertaken</p> <p>The market will be temporarily located and re-provided. The variety of retail units, including the market, and particular dedicated units on West Green Road will promote independent retailers. A Letting Strategy will support this</p> <p>Regeneration of Wards Corner has been subject to consultation since inception. The Grainger scheme is product of this process</p>

No.	Stakeholder	Question/Comment	Response
		<p>neighbourhood and Haringey Council should respect the wishes of residents and businesses in the area. There should be widespread consultation with the local communities on the development of Wards Corner.</p> <p>4. The current proposal would not be context sensitive and would fail to meet the policies in chapter 7 of the DRLP. It would deprive the residents in the area of goods, services and work opportunities in a way that is contrary to the Government's and the Mayor's policies for sustainable neighbourhoods and multicultural integration.</p> <p>5. Should Haringey Council be mindful to support the Grainger proposal, London Forum would seek that the Mayor directs planning refusal.</p>	<p>GLA are satisfied that the scheme is consistent with London Plan Policy</p> <p>Noted.</p>
11	North London Business	1. Support the creation of a landmark gateway development and additional housing growth	Noted.
12	Bridge NDC	1. The proposed development will bring significant benefits to the locality which would include a positive effect upon the vitality and viability of the Severs Seven Sisters Centre. The provision of new housing, improvements in public transport and the public realm reduction in crime and the perception of crime, and improved employment opportunities and skills training	Noted.
13	English Heritage Contact: Richard Parish	1. Following the introduction of PPS5, and rejection by the Court of Appeal, the development proposals have been resubmitted with additional information. The scheme of redevelopment remains largely as submitted in March 2008. The proposal includes the demolition of the unlisted former Ward's Corner department store, Nos. 255-259 High Road, and the locally listed 1a-1b West Green Road, all of which are identified as making a positive contribution to the character and appearance of the conservation area. As such there is a strong presumption in favour of their retention. English Heritage	Conservation and Heritage addressed in the report para. 6.65-6.79

No.	Stakeholder	Question/Comment	Response
		<p>does not consider the criteria for their demolition, as set out in PPS5, to have been met. Additionally, we believe that the proposed new development, by virtue of its design, would cause harm to the character and appearance of the conservation area.</p> <p><b>Recommendation</b> English Heritage's view remains that as set out in our letter 10 January 2010. We would urge the council seek a more sensitive scheme which retains those buildings identified as making a positive contribution to the conservation area and which seeks to enhance the character and distinctiveness of the conservation area in accordance with government and local guidance.</p>	
14	Environment Agency Contact: Kai Mitchell	1. We have no objection to the proposed development providing conditions requiring a site contamination risk assessment and foul and surface water disposal management are applied to any permission granted.	Noted
15	Metropolitan Police Contact: Eric Childs	1. With reference to the proposed development at Wards Corner, High Road and West Green Road N15. The Crime Prevention Department has no objection to the scheme and looks forward to the regeneration of this key gateway into Haringey. We have already been consulted on the scheme by the architect with a view to achieving full Secured by Design certification.	Noted
16	GLA Contact: Emma Williamson	GLA comments are summarised in appendix 8.	The GLA are supportive of the scheme.
17	Transport for London. Contact: Anthony Bickmore	1. Our infrastructure teams have reviewed their suggestions and in concept find them acceptable; the subsequent detailed operational interface will be agreed as the project moves forward.	Noted.
18	LBH Transportation	Albeit some transport infrastructure improvement and travel	Noted. These conditions will be applied.

No.	Stakeholder	Question/Comment	Response
	<p>Team Contact: Maurice Richards</p>	<p>plan measures geared towards minimising car-dependency are critical to this development proposal, it is deemed that these can be achieved through a S.106/S.278 agreement with the applicant to make some contributions towards walking/cycling/public transport enhancement and implement agreed travel plan measures. Consequently, the highway and transportation authority would not object to this application, subject to the conditions that the applicant:</p> <ol style="list-style-type: none"> <li>1. provides 235 (two hundred and thirty-five) bicycle racks, which shall be enclosed within a secure shelter.</li> </ol> <p>Reason: To improve the conditions for cyclists at this location.</p> <ol style="list-style-type: none"> <li>2. submits two satisfactory Travel Plans for the residential and commercial/retail parts of the development to the transportation planning section for approval.</li> </ol> <p>Reason: To minimise the traffic impact of this development on the adjoining roads.</p> <ol style="list-style-type: none"> <li>3. submits the details of the hours and frequencies of delivery to this site by the lorries servicing the retail units.</li> </ol> <p>Reason: To ensure that the delivery activities associated with this development will not cause unacceptable level of obstruction to the movement of vehicles on the surrounding roads.</p> <ol style="list-style-type: none"> <li>4. enters into a S.106 agreement that: "Except for the twelve (12) houses fronting onto Suffield Road, the residential units are defined as 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One thousand pounds) towards the amendment of the TMO for this purpose.</li> </ol>	

No.	Stakeholder	Question/Comment	Response
		<p>Reason: To encourage the use of sustainable travel modes at this location.</p> <p>5. submits the details of the routing of the associated construction traffic and methods of delivery of goods to the retail/commercial aspect of the development, to the Council and TfL prior to construction, for approval.</p> <p>Reason: To minimise the disruption to the movements of vehicles and pedestrians along the adjoining roads and footways.</p> <p>Informatives</p> <p>1. "Except for the twelve (12) houses fronting onto Suffield Road, the residential units are defined as 'car free' and therefore no residents therein will be entitled to apply for a residents parking permit under the terms of the relevant Traffic Management Order (TMO) controlling on-street parking in the vicinity of the development." The applicant must contribute a sum of £1000 (One thousand pounds) towards the amendment of the TMO for this purpose.</p> <p>2. The new development will require naming/numbering. The applicant should contact the transportation Group at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.</p>	
19	LBH Building Control	1. Access for Fire brigade satisfactory. Means of escape considered under formal BC application.	Noted.
20	CABE Contact: Menaka Sehai	<p>In their letter of 22 May 2008, CABE stated that they were generally supportive of the principle of mixed use development and associated public realm enhancement work.</p> <p>Satisfied with many of the basic propositions underpinning this</p>	Noted.

No.	Stakeholder	Question/Comment	Response
		<p>design.</p> <p>The Wards Corner site is one part of a wider regeneration area as identified by Haringey Borough Council and it is considered to have the potential to kick start a regenerative process for the wider neighbourhood. Whilst there are a few concerns regarding some aspects of massing and the delivery and maintenance of the public realm enhancement work, we are confident that the design team will be able to address these issues satisfactorily.</p> <p>Recommendation: Subject to good quality detailing and materials, we think that this scheme could potentially achieve the main aim to change perception, and ultimately transform the area. Overall, we think that the design has the markings of a good scheme and we support this planning application.</p>	<p>Noted.</p> <p>Design is addressed in the report para. 6.80-6.112</p> <p>Noted. Materials will be subject to a condition 4.</p>

# APPENDIX 2 PLANNING POLICIES



Minister's Statement: Planning for Growth

NATIONAL POLICY

PPS 1	Delivering Sustainable Development (2005)
PPS 3	Housing (2010)
PPS 4	Planning for Sustainable Economic Growth (2009)
PPS 5	Planning for the Historic Environment (2010)
PPS 6	Planning for Town Centres (2005)
PPS 10	Planning for Sustainable Waste Management (2005)
PPS 12	Local Spatial Planning (2008)
PPG 13	Transport (2011)
PPG17	Planning for Open space, Sport and Recreation, July 2002
PPS 22	Renewable Energy (2004)
PPS 23	Planning and Pollution Control (2004)
PPG 24	Planning and Noise (1994)

REGIONAL PLANNING POLICY

**The Sustainable Communities Plan (February 2003)**

Established growth areas including the London-Stansted-Cambridge-Peterborough Corridor, which includes the Tottenham Hale Area.

**The Mayor's London Plan Consolidated with alterations since 2004 dated February 2008**

Policy 2A.1	Sustainability Criteria
Policy 2A.7	Areas for Regeneration
Policy 2A.8	Town centres
Policy 2A.9	The Suburbs: Supporting Sustainable Communities
Policy 3A.1	Increasing London Supply of housing
Policy 3A.2	Borough Housing Targets
Policy 3A.3	Maximising the Potential of Sites
Policy 3A.5	Housing Choice
Policy 3A.7	Large Residential Developments
Policy 3A.8	Definition of Affordable Housing
Policy 3A.9	Affordable Housing Targets
Policy 3A.10	Negotiating Affordable Housing in Individual Private Residential and Mixed Use Scheme
Policy 3A.17	Addressing the needs of London's diverse population
Policy 3A.18	Protection and enhancement of social infrastructure and community facilities
Policy 3A.24	Education facilities
Policy 3A.28	Social and Economic Impact Assessment
Policy 3B.3	Mixed Use Development
Policy 3B 1	Developing London's Economy
Policy 3B 11	Improving Employment Opportunities
Policy 3B.11	Improving Employment Opportunities for Londoners

- Policy 3C.1 Integrating Transport and Development
- Policy 3C.3 Sustainable Transport for London
- Policy 3C.21 Improving Conditions for Walking
- Policy 3C.22 Improving Conditions for Cycling
- Policy 3C.23 Parking Strategy
- Policy 3C.24 Parking in Town Centres
- Policy 3D.1 Supporting town centres
- Policy 3D.2 Town centre development
- Policy 3D.3 Maintaining and improving retail facilities
- Policy 4A.1 Tackling Climate Change
- Policy 4A.2 Mitigating Climate Change
- Policy 4A.3 Sustainable Design and Construction
- Policy 4A.4 Energy assessment
- Policy 4A5 Provision of heating and cooling networks
- Policy 4A6 Decentralised Energy: heating, Cooling and Power
- Policy 4A.7 Renewable energy
- Policy 4A.9 Adaptation to Climate change
- Policy 4A.10 Overheating
- Policy 4A.18 Water and sewerage infrastructure
- Policy 4A.19 Improving Air Quality
- Policy 4A.20 Reducing noise and enhancing Sounds cape
- Policy 4A .21 Waste Strategic Policy and Targets
- Policy 4A.33 Bringing contaminated land into beneficial use
- Policy 4B.1 Design Principles for a Compact City
- Policy 4B.3 Enhancing the quality of the public realm
- Policy 4B.5 Creating an inclusive environment
- Policy 4B.6 Safety, Security and Fire Prevention and Protection
- Policy 4B.8 Respect local context and communities
- Policy 4B.9 Tall Buildings – Locations
- Policy 4B.10 Large – Scale Buildings – Design and Impact
- Policy 4B.11 London’s Built Heritage
- Policy 4B.15 Archaeology
- Policy 5A.1 Sub-Regional Frameworks
- Policy 5B.1 The Strategic priorities for North London
- Policy 5B.2 Opportunity Areas in North London
- Policy 6A.4 Priorities in Planning Obligations
- Policy 6A.5 Planning Obligations

### **Draft Replacement London Plan, 2010**

Adoption is due late 2011

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people’s play and informal recreation facilities
- Policy 3.7 Large residential developments
- Policy 3.8 Housing choice
- Policy 3.10 Mixed and balanced communities
- Policy 3.12 Affordable housing targets

- Policy 3.13 Negotiating affordable housing on individual private residential and mixed use schemes
- Policy 3.14 Affordability housing thresholds
- Policy 4.7 Retail and town centre development
- Policy 4.8 Supporting a successful and diverse retail sector
- Policy 4.9 Small Shops
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.5 Decentralised energy networks
- Policy 5.11 Green roofs and development site environs
- Policy 6.1 Integrating transport & development
- Policy 6.3 Assessing transport capacity
- Policy 6.13 Parking
- Policy 7.2 Creating an inclusive environment
- Policy 7.3 Secured by design
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.8 Heritage Assets and Archaeology

Note: An amendment is proposed to Annex 1, Table A1.1 of the replacement plan so that the 'Tottenham Corridor to Stoke Newington' is now included as part of the Lower Lea Valley Opportunity and Intensification Area. If this amendment is accepted, the requirements of Policy 2.13 of the Draft Replacement London Plan become applicable to the application site. Policy 2.13 of the replacement plan encourages development proposals to optimize residential and non-residential densities, provide necessary social and other infrastructure to sustain growth, and where appropriate, contain a mix of uses, and in general support the wider regeneration of surrounding areas.

### **Interim London Housing Design Guide, August 2010**

#### **The Mayor's Other Strategies**

- The Mayor's Air Quality Strategy: Cleaning London's Air (2002)
- The Mayor's Biodiversity Strategy: Connecting with London's Nature (2002)
- The Mayor's Culture Strategy: Realising the potential of a world class city (2004)
- The Mayor's London Economic Development Strategy Success through diversity (2001)
- The Mayor's Ambient Noise Strategy (2004)
- The Mayor's Energy Strategy (Feb 2004)
- The Mayor's Transport Strategy (2004)
- The Mayor's Municipal Waste management Strategy (2003)
- The Mayor's Energy Strategy (2004)
- The Mayor's Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG
- The Mayor's Draft Industrial Capacity SPG (2003)
- The Mayor's Land for Transport Functions SPG (March 2007)
- The Mayor's Sustainable Design & Construction SPG (2006)
- The Mayor's Providing for Children and Young People's Play and Informal Recreation SPG (March 2008)
- The Mayor's Housing SPG (November 2005)

The Mayor's Industrial Capacity SPG  
The Mayor's Accessible London: Achieving an inclusive environment SPG  
The Mayor's Wheelchair Accessible Housing Best Practice Guide (BPG)  
The Mayor and London Councils' Best Practice Guide on The Control of Dust and Emissions During Construction

**North London Sub - Regional Development Framework (SRDF)(May 2006)**

LOCAL PLANNING POLICY

**Haringey Sustainable Community Strategy 2007-2016**

**Adopted Unitary Development Plan 2006**

Policy G1	Environment
Policy G2	Development and Urban Design
Policy G3	Housing Supply
Policy G4	Employment
Policy G5	Town Centre Hierarchy
Policy G12	Priority Area
Policy AC3	Tottenham High Road Regeneration Corridor
Policy AC4	The Bridge – New Deal for Communities
Policy UD2	Sustainable Design and Construction
Policy UD3	General Principles
Policy UD4	Quality Design
Policy UD7	Waste Storage
Policy UD8	Planning Obligations
Policy UD9	Locations for Tall Buildings
Policy ENV3	Water Conservation
Policy ENV6	Noise Pollution
Policy ENV7	Air, Water and Light Pollution
Policy ENV9	Mitigating Climate Change: Energy Efficiency
Policy ENV10	Mitigating Climate Change: Renewable Energy
Policy ENV11	Contaminated Land
Policy ENV13	Sustainable Waste Management
Policy HSG1	New Housing Developments
Policy HSG3	Protection of Existing Housing
Policy HSG4	Affordable Housing
Policy HSG9	Density Standards
Policy HSG10	Dwelling Mix
Policy TCR1	Development in Town and Local Shopping Centres
Policy TCR3	Protection of Shops in Town Centres
Policy TCR4	Protection of local shops
Policy TCR5	A3 Restaurants and cafes
Policy M2	Public Transport Network
Policy M3	New Development Location and Accessibility
Policy M4	Pedestrian and Cyclists
Policy M5	Protection, Improvement and Creation of Pedestrian and Cycle Routes
Policy M9	Car free developments

Policy M10	Parking for Development
Policy CW1	New Community/Health Facilities
Policy CSV8	Archaeology

### **Supplementary Planning Guidance**

SPG1a Design Guidance and Design Statements  
SPG2 Conservation and Archaeology  
SPG4 Access for All – Mobility Standards  
SPG5 Safety by Design  
SPG6 C Restaurant, hot premises-use A3 etc  
SPG7a Vehicle and Pedestrian Movement  
SPG7b Travel Plan  
SPG7c Transport Assessment  
SPG8a Waste and Recycling (adopted 2006)  
SPG8b Materials  
SPG8d Biodiversity Landscaping, Trees  
SPG8c Environmental Performance  
SPG8e Light Pollution  
SPG8f Land Contamination  
SPG8i Air Quality  
SPG9 Sustainability Statement Guidance  
SPG10a The Negotiation, Management and Monitoring of Planning Obligations  
(Adopted 2006)  
SPG10c Educational needs generated by new housing  
SPG10d Planning Obligations and open space  
SPG10e Improvements to public transport infrastructure and services  
SPG11b Buildings suitable for community use  
SPG11c Town Centre and Retail Thresholds  
Housing Supplementary Planning Document 2008  
Sustainable Design and Construction SPD (Draft)

### **Local Development Framework**

Core Strategy (Draft)

SP1 Managing Growth  
SP2 Housing  
SP4 Working towards a Low Carbon Haringey  
SP5 Waste and Recycling  
SP7 Transport  
SP8 Employment  
SP9 Improving skills and training to support access to jobs and community cohesion  
and inclusion  
SP10 Town Centres  
SP11 Design  
SP12 Conservation  
SP16 Community Infrastructure

### **Development Management Development Plan Document (Draft)**

DMP1	New Housing Developments
DMP2	Protecting and enhancing existing housing
DMP7	Homes of Different Sizes
DMP9	New Development Location and Accessibility
DMP10	Sustainable Transport
DMP11	Car-Free Residential Developments
DMP12	Parking for Development
DMP13	Vehicle and Pedestrian Movement
DPM13	Sustainable Design and Construction
DMP15	Environmental Protection
DMP16	Development Within and Outside of Town and Local Shopping Centres
DMP19	Employment Land & Premises
DMP20	General Principles
DMP21	Quality Design
DMP22	Waste Storage
DMP23	Commercial Design: Advertisements, Shopfronts, Signs and Security
DMP25	Haringey's Heritage
DPM32	Pre-school and Educational Needs Generated by New Housing

### **Other Documents**

Planning for Town Centres: Guidance on Design and Implementation Tools  
By Design – Better Places to Live (DTLR, CABE September 2001)  
CABE Design and Access Statements  
Secured by Design  
Towards an Urban Renaissance (Urban Task Force, 1999)  
Sustainable Communities: Homes for All (ODPM, January 2005)  
Housing Corporation Design and Quality Standards April 2007  
Diversity and Equality in Planning: A Good Practice Guide (ODPM)  
Planning and Access for disabled people: A Good Practice Guide (ODPM)  
Code for Sustainable Homes (December 2006) DCLG  
Demolition Protocol Developed by London Remade

APPENDIX 3  
SUMMARY OF EQUALITIES IMPACTS AND  
RECOMMENDATIONS BY URS SCOTT WILLSON  
AND CONDITIONS/S106 PROVISIONS IN  
RESPONSE

**Appendix 3 - Summary of Equality Impacts taken from URS Scott Wilson Equalities Impact Assessment June 2011**

**1. Summary of Housing Impacts for Specific Affected Groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>	<b>Response to recommendation in planning permission</b>
Loss of social rented housing, including family-sized houses on site, due to demolition & re-housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in social rented housing  Children in affected households	Re-provision in social housing on same tenure status within borough, with additional compensation in line with Haringey Council policy.	Following granting of planning Permission  Site preparation phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office	Assistance for existing residents to be re-housed as per Council Policy in s106
Loss of private rental housing on site; no guarantee of re-provision on site within new private housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in private rental housing  Children in affected households	No agreed mitigation measures.  Recommended mitigation of support, particularly to households with specific needs, to identify suitable alternative housing in the locality	Following granting of planning permission  Site preparation Phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office – understood to include intermediate housing and below-market rental rates.	Existing residents assisted through s106
Loss of owner occupied housing on site, including family-sized houses; no guarantee of re-provision on site within new private housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in owner occupied housing  Children in affected households	No agreed mitigation measures.  Assumed recommended mitigation of negotiated purchase and compensation, as well as support, particularly to households with	Following granting of planning permission  Site preparation phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office – understood to include intermediate housing and discounted purchase	Existing residents compensated through s106.  Scheme includes family units



		specific needs, to identify suitable alternative housing in the locality			
Indirect: Onsite loss of affordable housing, exacerbating existing barriers to housing	BME households, lone parent Households (details according to Haringey HNS 2007)	New affordable housing provision planned within East Haringey at other site resulting in net increase	Over timeframe of site preparation and construction.	N/A	N/A Significant number of affordable units to be delivered elsewhere in east of the Borough

## 2. Summary of Business and Employment Impacts for Affected Groups

Nature of Impact	Affected Group	Agreed mitigation measures (if any)	Indicative timeframe for implementing mitigation measures	Reason why mitigation measures not possible	Response to recommendation in planning permission
Business closure/ non-viability of business following permanent loss of existing low-rent market site	Latin-American/Spanish speaking ownership businesses  Afro-ownership business  African ownership businesses  Other BME-ownership businesses	Reprovision of all stalls within reprovided market within new development at open-market rental in improved venue  Measures to protect right of return of existing stallholders  Identification of suitable alternative venues for Temporary reprovion of market	Following granting of planning permission  Site preparation phase	N/A	Reprovision of market with right of return for existing traders secured through s106  Temporary relocation provided for in s106
Break-up of Latin-American market affecting viability of	Latin- American/Spanish speaking ownership businesses	Measures to protect right of return of existing stallholders	Following granting of planning permission	N/A	Reprovision of market with right of return for existing

individual stallholder businesses & overall vibrancy.		<p>Identification of suitable alternative venues for Temporary reprovion of market</p> <p>Intention to identify single site for all Latin American traders together</p>	Site preparation phase		<p>traders secured through s106</p> <p>Latin American identity promoted in s106 Market Facilitator Package</p>
Loss of employment due to stall business closure / restructure	<p>Latin-American/Spanish speaking employees</p> <p>Afro-Caribbean employees</p> <p>African employees</p> <p>Other BME employees</p>	Indirect benefits of mitigation measures directed at businesses	<p>Following granting of planning permission</p> <p>Site preparation phase</p>	N/A	<p>Reprovion of market with right of return for existing traders secured through s106</p> <p>Temporary relocation of market provided for through s106</p> <p>Employment support and business advice to stall traders through s106</p>
Loss of shop / business property on site	<p>Muslim shop owner BME-ownership shops and Businesses (understood to include Asian, African, Afro-Caribbean and Latin-American owned businesses)</p>	<p>Provision of 6 new retail units suitable for local shops</p> <p>Investment in improvements to West Green Road retail environment.</p>	<p>Construction Phase</p> <p>Site preparation phase / construction phase</p>	N/A	<p>Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies</p>
Business closure due to inability to afford new market rate	<p>BME-ownership shops and Businesses (understood</p>	<p>Provision of 6 new retail units suitable for local shops</p>	<p>Construction phase</p> <p>Site preparation</p>	N/A	<p>West Green Road units intended for local independent</p>

rental/leasehold	to include Asian, African, Afro-Caribbean and Latin-American owned businesses)	Investment in improvements to West Green Road retail environment.	phase/construction phase		traders and promoted as such through s106.
Loss of employment following any closure/restructure of affected shops / businesses	Muslim employees of Halal business BME Employees (understood to include Asian, African, Afro- Caribbean and Latin- American people)	Creation of new jobs as a result of new development, including in larger shops, and generated indirectly from investment. Indirect benefits of support to existing businesses (as above)  Creation of construction employment	Construction phase  Completed development – recruitment by businesses Construction phase	N/A	Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.  Business and employment support to existing businesses in s106

**3. Summary of Goods, Services & Facilities Impacts for Affected Groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>	<b>Response to recommendation in planning permission</b>
Loss of access to outlets for goods & services specific to religion/belief	Muslim customers of Halal meat selling business	Provision of 6 new units sized for local shops in proposed redevelopment. Alternative suitable premises available in local vicinity Alternative retailers exist in area	Construction phase  Site preparation phase	N/A	Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.
Permanent worsening	African / Afro-	Measures to protect	Site preparation	N/A	Provision of

<p>of access to outlets for goods &amp; services specific To race/ethnic/cultural</p>	<p>Caribbean and other BME communities in Seven Sisters area Other BMEownership businesses</p>	<p>right of return of existing stallholders  Identification of suitable alternative venues for temporary reprovision of market – possibly within other local existing markets. Variety of alternative suitable retail outlets within wider Seven Sisters / North London</p>	<p>phase</p>		<p>independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.  Reprovision of market with right of return for existing traders secured through s106  Temporary relocation of market provided for through s106</p>
<p>Permanent worsening of access to outlets for goods &amp; services specific to race/ethnic/cultural groups</p>	<p>Latin-American/Spanishspeaking communities in London</p>	<p>Measures to protect right of return of existing stallholders  Identification of suitable alternative venues for temporary reprovision of Market Intention to identify single site for all Latin American traders together</p>	<p>Ongoing from planning Permission granted – site preparation - construction phase – completion  Following planning permission granted – site preparation</p>	<p>N/A</p>	<p>Reprovision of market with right of return for existing traders secured through s106  Temporary relocation of market provided for through s106</p>
<p>Temporary worsening of access to outlets for goods &amp; services specific To race/ethnic/cultural identity</p>	<p>Latin-American/Spanishspeaking Ownership businesses</p>	<p>Measures to protect right of return of existing stallholders Identification of suitable alternative venues for temporary reprovision of market Intention to identify</p>	<p>Following planning Permission granted – site preparation</p>	<p>N/A</p>	<p>Reprovision of market with right of return for existing traders secured through s106  Temporary relocation of market provided for through s106</p>

		single site for all Latin American traders together			
Increased demand for play spaces and school provision	Children, including amongst future residents of development	New doorstep play space provision within development to meet needs of resident children. Contribution to educational provision	Construction phase	N/A	Playspace provided in development.  Education contribution through s106
Share in benefits of improved public realm and shopping facilities	Disabled people, particularly those with physical or Sensory impairments.	De-cluttered pavements, public realm to latest Access requirements.	Construction phase	N/A	Details of public realm improvement required through a condition

**4. Summary of community cohesion impacts for affected groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>	<b>Response to recommendation in planning permission</b>
Worsening community cohesion by displacing predominant BME groups amongst existing residents, shop owners, market traders and employees.	Latin-American & Spanish-speaking community Afro-Caribbean African Other BME communities	All measures set out in Tables 2 & 3 above to protect permanent and temporary viability of market and businesses, including those measures specific to Latin-American stallholders.  The benefits of such measures on community cohesion would be secondary.	Following planning Permission granted – site preparation continued through to construction and completion	Measures specifically directed at sustaining community cohesion not identified.	S106 securing reprovision and temporary relocation of market and promotion of Latin American identity.  Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.
Loss to cultural	Latin-American,	All measures set out in	Following planning	Measures specifically	S106 securing

connections and social interaction amongst specific community with shared racial identity	including Spanish-speaking people	Tables 2 & 3 above to protect permanent and temporary viability of market and businesses, including those measures specific to Latin-American stallholders. The effect of such measures on community cohesion would be indirect.	Permission granted – site preparation, followed through in construction and completion.	directed at sustaining community cohesion not identified.	reprovision and temporary relocation of market and promotion of Latin American identity.  Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.
Threat to ethnic diversity of area associated with multi-ethnic mix of existing market	All ethnic groups reflecting make-up of existing market stallholders and clientele.	All measures set out in Tables 2 & 3 above to protect permanent and temporary viability of market and businesses. The effect of such measures on community cohesion would be indirect.	Following planning Permission granted – site preparation, followed through in construction and completion.	Measures specifically directed at sustaining community cohesion not identified.	S106 securing reprovision and temporary relocation of market and promotion of Latin American identity.  Provision of independent retail units in scheme. West Green Road Improvement Fund in s106 promotes independent trading and gives Council control of tenancies.

**5. Summary of crime and safety impacts for affected groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>	<b>Response to recommendation in planning permission</b>
Need to ensure redevelopment	BME people, women, young	Active, overlooked frontages in new	Completed development	N/A	Condition requiring details of

contributes to addressing crime levels and fear of crime associated with the site	people (both men and women), children, older people, lesbian, gay & bisexual people, disabled people.	development.  New public realm designed with consideration of security.			improvement to public realm  Condition requiring compliance with BS 8220 (1986) Part 1, 'Security Of Residential Buildings' and with the aims and objectives of 'Secured By Design' and 'Designing Out Crime'
Risk of increased fear of crime / increased opportunities for crime during demolition & construction phase	BME people, women, young people (both men and women), children, older people, lesbian, gay & bisexual people, disabled people.	Recommended best practice measures to enhance external appearance of site, Including appropriate additional lighting.  Recommend consult police on appropriate additional security measures e.g. patrolling by police or private security staff	Demolition & construction phase	N/A	Condition requiring suitable appearance and lighting during demolition.

**6. Summary of Consultation Impacts**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>	<b>Response to recommendation in planning permission</b>
Effective consultation with affected community, recognising	All equality groups, including BME residents, employees &	Approach to date has included variety of means of consultation.	Following decision on Planning Application – as a matter of	N/A	S106 provision for Community Engagement Strategy

diversity and different interest groups to contribute towards sharing of benefits of regeneration.	business owners, visitors & customers.	Recommend urgent revisit of consultation & Engagement approach to respond to criticisms of not listening, quality of consultation and to address long gap in engagement	urgency		to improve consultation with local community following approval
Diversity monitoring to understand effects on equality protected groups	All	Haringey Council to monitor consultation and record mitigation impacts for groups sharing protected characteristics	Consideration of planning application  Ongoing following granting of planning permission	N/A	S106 provision for Community Engagement Strategy to improve consultation with local community following approval

#### 7. Possible Barriers to People Sharing Particular Protected Characteristics

<b>Expected benefit of redevelopment</b>	<b>Affected Group</b>	<b>Barriers to their getting a fair share in benefit of redevelopment</b>	<b>How barrier can be removed or reduced (specific to redevelopment)</b>	<b>Why barrier cannot be removed or reduced</b>	<b>Relevant provision in planning permission</b>
Provision of new housing	BME groups – African, Afro-Caribbean (but also affects low income households from different racial/ethnic backgrounds)	Affordability barriers, related to low income/savings levels	Planned delivery of new affordable housing elsewhere in borough	Valuation Office identifies development as unable to afford inclusion of affordable housing	Assistance for existing council and private residents/owner occupiers provided through s106
Provision of new housing	Single-parent households, disproportionately female-headed	Affordability barriers, related to low income/savings levels  Cost/availability of child-	National strategies to tackle child care affordability offer some help e.g. child care element of working tax	Valuation Office identifies development as unable to afford inclusion of affordable housing	Assistance for existing council and private residents/owner occupiers provided through s106



		care, particularly affecting women in low to middle-income employment.	credits.  Planned delivery of new affordable housing elsewhere in borough		
Provision of new housing	Children in low income households	Affordability barriers, related to low income/savings levels Cost/availability of child-care, impact on household income, particularly where parents in low- to middle-income employment.	National strategies to tackle child care affordability offer some help e.g. child care element of working tax credits but unlikely to be adequate.  Planned delivery of new affordable housing elsewhere in borough	Valuation Office identifies development as unable to afford inclusion of affordable housing	Assistance for existing council and private residents/owner occupiers provided through s106
Public realm and streetscape provision, including decluttering	Older people and some disabled people; women, especially from certain faith groups (e.g. Muslim) or racial groups; children; some young people.	Fear of crime, including hate crime, or antisocial behaviour, may prevent individuals from amongst these groups venturing out or lead them to avoid area, based on past experience/reputation	Planned measures to design out crime likely to be beneficial.  Measures to promote new identity for area.  Community support officers.  Engagement with support groups to identify specific concerns and identify appropriate actions.		Condition requiring details of improvement to public realm  Promotion of Latin American identity  Condition requiring compliance with BS 8220 (1986) Part 1, 'Security Of Residential Buildings' and with the aims and objectives of 'Secured By Design' and 'Designing Out Crime'
Safety measures to reduce opportunities for crime and make for safer environment	Older people and some disabled people; women, especially from certain faith groups (e.g.	Fear of crime, including hate crime, or antisocial behaviour, may prevent individuals from amongst these groups	Effective communication of new safety measures, effective targeting of communications at key		Community Engagement Strategy in s106

	Muslim) or racial groups; children; some young people.	venturing out or lead them to avoid area, based on past experience/reputation	groups		
Business opportunities, particularly in retail sector	Latin-American, including Spanishspeaking Afro-Caribbean, African and other BME groups	Existing businesses may not have turnover / robust business model to be able to afford open market rental levels or compete with national chains	Targeted business training / advice Measures outlined in table 12 likely to contribute.		Business/employment to existing traders/businesses advice in s106
New employment opportunities	Young people BME people with low skills	Lack of experience/skills  Lack of relevant experience/skills	Targeted skills training; apprenticeships; targeted promotion of opportunities		Business/employment to existing traders/businesses advice in s106
Transport infrastructure improvements	All groups	No barriers identified	London-wide measures to enable transport affordability likely to be beneficial		Development and implementation of travel plan in s106

APPENDIX 4  
EQUALITIES IMPACT ASSESSMENT BY URS  
SCOTT WILSON

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## Wards Corner Redevelopment **Equality Impact Assessment**

Report  
June 2011

## Revision Schedule

### Wards Corner Redevelopment Equality Impact Assessment June 2011

Rev	Date	Details	Prepared by	Reviewed by	Approved by
01	21/04/2011	Draft	<b>Nicola Hodges</b> Equalities Technical Specialist	<b>Jeremy Richardson</b> Technical Director	<b>Jeremy Richardson</b> Technical Director
02	12/05/2011	Draft final	<b>Vanessa Barri</b> Project Manager	<b>Jeremy Richardson</b> Technical Director	<b>Jeremy Richardson</b> Technical Director
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## Abbreviations and short forms

<b>BME</b>	Black and Minority Ethnic
<b>CLG</b>	(Department of) Communities and Local Government
<b>CCTV</b>	Closed Circuit TV
<b>EHRC</b>	Equalities and Human Rights Commission
<b>EqIA</b>	Equality Impact Assessment
<b>GLA</b>	Greater London Assembly
<b>Grainger</b>	Grainger Plc Ltd, developer & planning applicant
<b>'the Act'</b>	refers to the Equality Act 2010
<b>'the Council'</b>	refers to Haringey Council
<b>'the Duty'</b>	refers to the public sector equality duty set out in section 149 of the Equality Act 2010
<b>'the Planning Application'</b>	refers to Planning Application HGY/2008/0303
<b>JSA</b>	Job Seeker's Allowance
<b>LDF</b>	local development framework
<b>LGB</b>	lesbian, gay and bisexual
<b>ONS</b>	Office of National Statistics
<b>PCT</b>	Primary Care Trust
<b>S106</b>	A negotiated legal agreement between a Local Authority and a developer/applicant. They are used following the granting of planning permission to secure community infrastructure to meet the needs of residents in new developments and/or to mitigate the impact of new developments upon existing community facilities. They can also be used to restrict the development or use of the land in a specified way or require specific operations or activities to be carried out on the land.
<b>SCS</b>	Sustainable Community Strategy
<b>SES</b>	Single Equality Scheme
<b>SPD</b>	Supplementary Planning Document
<b>The Bridge NDC</b>	The Bridge New Deal for Communities
<b>UDP</b>	Unitary Development Plan, former planning frameworks produced by Local Authorities, replaced by LDFs (see above)
<b>USM</b>	Urban Space Management Ltd
<b>Wards Corner LSOA</b>	A small output area, relating to Haringey 025D on Neighbourhood Statistics, also referenced as E01002072, referred to as 'Wards Corner LSOA' in this report for convenience only.
<b>WCCC</b>	Wards Corner Community Coalition

## Executive Summary

### Background

Grainger Plc ('the Applicant') submitted a planning application for the redevelopment of the Wards Corner site in Haringey in February 2008. The redevelopment included the demolition of existing buildings and the erection of a mixed use development comprising 197 residential units, replacement market, new retail units and restaurant, basement car parking and a new public square on Tottenham High Road.

The proposal was granted planning permission in December 2008. However, the decision to grant planning permission was challenged by judicial review and the decision was quashed by the Court of Appeal in June 2010. In reaching its decision the Court of Appeal considered that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act, 1976, to consider the need to promote equality of opportunity between persons of different racial groups and the need to promote good relations between persons of different racial groups.

### Purpose

This equality impact assessment report has been independently prepared by URS Scott Wilson on behalf of Haringey Council ('the Council'). It has been undertaken as part of a process to help the Council ensure that it discharges its section 149 duty under the Equality Act 2010 to have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity between different groups and;
- foster good relations between groups in Haringey.

This is with specific reference to the Council's consideration of the planning application submitted by Grainger Plc for the redevelopment of the Wards Corner site.

### Approach

The assessment's approach reflects current equalities legislation, drawing on guidance produced by the Equalities and Human Rights Commission. It takes into consideration relevant London-wide and local level planning and equalities policy. It considers the likely effects on equality as a result of the proposed redevelopment proceeding in accordance with the planning application. To do this, it considers how people sharing protected equality characteristics may be affected in ways that may worsen or improve equal opportunities, discrimination and relations between protected groups and others. It includes consideration of how the Council, the Applicant and other stakeholder bodies consulted with the affected community, including people sharing protected characteristics.

Based on the findings of an initial screening, the assessment considered impacts with respect to the protected characteristics of:

- Race
- Disability
- Sex
- Religion or belief

- Age
- Sexual Orientation

The assessment responds to objections, views and concerns put forward regarding the proposed redevelopment, including those referenced in the in Court of Appeal [2010] EWCA Civ 703 Approved Judgment. It also includes consideration of whether people sharing protected characteristics face any barriers preventing them sharing in the expected benefits of the redevelopment.

## Equality Profile

The Wards Corner area is amongst the 5-10% most deprived local areas in England and Wales overall and amongst the 5% most deprived with respect to barriers to housing, living environment and crime. It ranks amongst the 2% most deprived areas with respect to measures of deprivation affecting older people and children. Key characteristics of the area with respect to the profile of equality protected groups are:

- A young age profile, reflective of the Borough, with great ethnic and nationality diversity amongst children and young people in the Borough
- Above-average rates of people with limiting long-term illness, and a somewhat higher rate of people claiming disability-related benefits compared with London-wide and national rates
- Falls within a highly ethnically diverse borough, with sizeable local populations of people of Afro-Caribbean and African heritage. There are high proportions of residents born in Turkey, Nigeria and Jamaica and other Caribbean/West Indies nations
- A study conducted in 2008 indicated that 64% of the market traders at Seven Sisters are of Latin-American origin, and mostly Spanish-speaking, though it is understood that the profile is likely to have changed somewhat over the last three years
- Christians form the greater proportion of the resident population, with a sizeable Muslim population (this is based on 2001 Census data)
- The female unemployment rate in Haringey is above that in London. Economic inactivity rates amongst both men and women are above London average rates
- Young people in Haringey have a higher claimant rate than other age groups, reflecting regional and national patterns
- Single parents and people from black and minority ethnic communities were identified as more likely to be in housing need in Haringey, according to a 2007 housing needs assessment.

## Consultation

Associated consultation undertaken by the Applicant, by the Council, and by the former The Bridge New Deal for Communities. Have comprised a variety of formats (community days, commissioned surveys and polls, drop-in sessions, formal public inquiry on the Haringey Unitary Development Plan, a forum event, various presentations and question and answer sessions, exhibitions, meetings with traders and residents). Information has likewise been presented in a variety of formats (leaflets, exhibitions, letters, website) and made available in different languages.

Criticisms were raised by objectors to the planning application regarding the adequacy and effectiveness of the consultation process in engaging with the local community.

An analysis of responses to the planning application published on Haringey Council's website shows that a variety of equality-related concerns were raised, particularly with regards to:

- Potential negative effects of the proposals for Latin American and ethnically diverse community of traders and shop-owners
- Potential negative effects for the specific ethnic and cultural communities served by the market
- Potential negative effects for the multi-ethnic character of the local community and for community cohesion.
- Potential positive effects for safety benefitting women, children and young people.

Both the Council and the applicant record responding to consultation feedback in terms of adapting the development brief and in changes to the proposals. It is not possible to be certain how the changes reflect the concerns of specific equality groups, due to limited diversity monitoring and analysis of the consultation.

## Assessment findings

The following highlights important findings:

### Housing

- Whilst it is understood that Black and Minority Ethnic (BME) residents predominate amongst existing residents, a lack of precise data makes the equality effects uncertain. The allocation of suitable alternative accommodation for those in social housing is considered adequate to mitigate any serious negative impact for affected BME households.
- For those BME in private rental, it is judged likely that suitable alternative accommodation will be available to minimise negative impacts for affected BME households, though additional measures may be necessary to assist households with particularly vulnerable members.
- For owner-occupiers, negative effects are more likely and recommendations are set out to support affected households.
- The provision of an increased number of family-sized dwellings is judged a positive impact, whilst the loss on-site of affordable family housing is a minor negative impact.

### Business and employment

- Proposed S106 conditions and other measures, taken together, should contribute to enabling a significant proportion of the affected businesses to plan for their temporary relocation and develop their business in order to be able to afford to return to the new market or to an alternative permanent location, as well as to enable the Latin American market traders to continue to operate together. This will require effective collaboration between all interested parties including the Council, the Applicant, the landowner, the business owners (shops and stallholders) and the existing market operator. Thus it is judged likely that negative equality impacts with respect to business and employment will be minimised. Where it proves unviable for some of the existing businesses to continue to trade, some negative equality impacts can be expected.

- Wider employment and economic growth generated are potentially positive for enhancing equal opportunities for Black ethnic groups and young people in Haringey.
- In line with the findings regarding impacts for business and employment, proposed measures are considered to provide adequate protection to prevent impacting unfairly on people sharing Latin American, Afro-Caribbean or African racial identity in their access to specialist goods and services.

### **Relations between protected groups and others**

- The assessment recognises the loss of the existing shops and market as a potential threat to the cultural connections among the Latin American community employed at and visiting the market. However, in line with the findings regarding impacts for business and employment, proposed measures are judged appropriate to prevent the proposals unfairly impacting on community cohesion for people sharing Latin American racial identities.
- Likewise, the assessment recognises the loss of the existing shops and market as a potential threat to the interactions between different racial groups at the existing site. However, in line with the findings regarding impacts for business and employment, it is judged that appropriate measures are proposed to enable the community cohesion to be revived within the redevelopment.

### **Safety and accessibility**

- The proposed public realm and landscaping improvements are judged likely to enhance local access at this transport interchange, particularly benefitting disabled people, although it will not resolve existing limited accessibility inside Seven Sisters underground station.
- The development is judged likely to enhance safety and reduce opportunities for crime, thereby benefitting women, young people and possibly also LGB people and other equality groups.

### **Sharing of benefits of redevelopment**

- The non-provision of affordable housing within the redevelopment is likely to prevent Black African and Black Caribbean households, single parent households, and children living in low income households, groups which disproportionately experience income-related barriers to accessing housing, from sharing in the benefits of the new housing. The conclusion by the Valuation Office that the development cannot afford to include affordable housing provision indicates that on-site mitigation is not possible. However, planned provision of new affordable housing within the Borough is considered to provide an alternative way to address this barrier to an extent.
- Equality groups are likely to share in the benefits of public realm improvements, streetscape provision, decluttering and a safer environment, though additional actions to address fear of crime may be required to overcome possible barriers to some individuals sharing protected characteristics from experiencing these benefits.
- Proposed mitigation measures are likely to overcome potential barriers to Latin American, Afro-Caribbean, African and other BME business owners from sharing in the benefits of new business premises and opportunities afforded by the new development.
- Likewise, proposed mitigation measures are likely to overcome potential barriers to Latin American, Afro-Caribbean, African and other BME working age people from sharing in the potential new employment opportunities arising out of the new development.

- All equality groups are likely to be able to share in the transport infrastructure improvements afforded by the redevelopment proposals.
- Disabled children are likely to be able to share in the benefits of the new play space provision assuming it is built in line with London play standards.

## Recommendations and conclusions

A full set of recommendations is set out in Chapter eight, in relation to:

- Housing
- Business and employment
- Goods, services and facilities
- Community cohesion and relations between groups
- Safety and crime
- Consultation and participation

Overall it is concluded that the planning application proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the S106 agreement are honoured in full and in a timely manner, as well as additional mitigation measures set out in the report. The assessment recognises concerns expressed by objectors on potential impacts, particularly in relation to Latin American people and members of other BME groups. In addition to measures previously set out in the S106 agreement and voluntary financial contributions by the Applicant, the assessment has set out additional recommendations to strengthen previously identified mitigation measures and to address residual negative impacts.

The proposal will give rise to negative equality impacts resulting from the non re-provision of affordable housing on the site and lack of new provision of affordable housing, in conflict with existing Council policy. The lack of suitable on-site mitigation is accepted on the basis of the independent judgment of the Valuation Office. Groups that may be unable to share in the provision of new housing due to the lack of affordable housing include Black African and Black Caribbean households, children living in low income households and single parent households.

The planning application proposal is identified as giving rise to positive equality impacts in relation to safety and crime, and a more accessible public realm. People sharing equality protected characteristics are likely to be able to share in these general benefits.

Increased provision of family housing is identified as a benefit of the development. Affordability barriers may prevent certain groups, including BME families, children living in low income households and single parent households, from sharing in this benefit.

Expected improvements to the business and retail environment are likely to be shared by people from different racial backgrounds subject to the successful implementation of recommended mitigation measures.

Further opportunities remain for members of the public to express their concerns about potential impacts of the development, including where these may affect people sharing protected characteristics. Opportunities also remain for members of the public to identify additional mitigation requirements. Particularly important in this respect is the forthcoming meeting at which the Council considers the revised application by the Applicant for redevelopment at Wards Corner.

## 1 Introduction

### 1.1 Purpose

1.1.1 URS Scott Wilson was commissioned by Haringey Council ('the Council') to undertake an independent Equality Impact Assessment (EqIA) for the Wards Corner redevelopment. The EqIA will assist the Council in their consideration of the planning application to develop the site.

1.1.2 This EqIA is undertaken as part of a process to help the Council ensure that it discharges its S71 duty under Section 71 of the Race Relations Amendment 2000 now incorporated and replaced by the section 149 duty under the Equality Act 2010 to have due regard to the need to:

- eliminate discrimination;
- advance equality of opportunity between different groups and;
- foster good relations between groups in Haringey.

1.1.3 The specific purpose of this assessment is to identify whether and to what extent the redevelopment proposal for the Ward's Corner site would:

- produce disproportionate disadvantage or enhance opportunity for any groups with the protected characteristic defined in the Equality Act 2011;
- Identify the nature of such disadvantage or enhanced opportunity and how it would impact on those groups;
- Explore how any adverse impacts could be eliminated or reduced;
- Identify specific actions that would help to eliminate or reduce those adverse impacts;
- Identify and explore actions to eliminate or reduce possible barriers that would prevent groups that share a protected characteristic from accessing any benefits arising from the proposed redevelopment;
- Identify any potential impact the redevelopment may have on the social cohesion of Wards Corner and explore what actions could be taken to address any adverse impacts in this report.

1.1.4 This report documents the assessment process and findings.

### 1.2 Background

1.2.1 Grainger Plc ('the Applicant') submitted a planning application for the redevelopment of the Wards Corner site in Haringey in February 2008. It included demolition of existing buildings and the erection of a mixed use development comprising 197 residential units, replacement market, new retail units and restaurant, basement car parking, a new public square on Tottenham High Road incorporating landscaping, open spaces and play spaces, and public realm improvements. The signed Section 106 agreement includes a financial contribution for educational services and facilities; public art; establishing a management company for site management; CCTV; local procurement of goods and services and recruitment of local people; construction training and a local labour agreement; and the maintenance of the new gardens. Following the Judicial Review Appeal Judgment the Applicant also proposes, as part of the



redevelopment, a voluntary contribution towards the Market Traders' relocation costs of £144,000 and financial contributions to create a West Green Road Environmental Improvement Fund for shop/building frontage improvements; street decoration and enhancements; servicing improvements to allow improved access and servicing for vehicle and pedestrian traffic; an Improvement Strategy for businesses/markets; open space and parking provision additional to the other financial contributions as mentioned above.

- 1.2.2 The proposal was granted planning permission in December 2008. However, the decision to grant planning permission was challenged by judicial review and the decision was quashed by the Court of Appeal in June 2010. In reaching its decision the Court of Appeal considered that the Planning Committee had not fully discharged its duty under section 71 of the Race Relations Act, 1976, to consider the need to promote equality of opportunity between persons of different racial groups and the need to promote good relations between persons of different racial groups.
- 1.2.3 On 5 April 2011, a new public sector equality duty, as set out in Section 149 of the Equality Act 2010 ('the Act'), came into force. This replaces duties under the Race Relations Act and other domestic discrimination legislation. The Act includes a new single public sector equality Duty ('the Duty') which brings together the previous race, disability and gender duties, and extends coverage to include age, sexual orientation, religion or belief, pregnancy and maternity, and gender reassignment in full. These are the grounds upon which discrimination is unlawful and are referred to as 'protected characteristics'. The Duty requires certain public bodies to consider the need to eliminate discrimination, advance equality of opportunity and foster good relations in all their functions.
- 1.2.4 Haringey Council commissioned URS Scott Wilson to undertake an independent equality impact assessment (EqIA) in order to demonstrate how it has fulfilled its equality duties in its overall consideration of the planning application.

## 1.3 Assessment Structure

- 1.3.1 The methodology for the assessment is set out in the Chapter two, followed by a review of equalities legislation and relevant equalities and planning policy at London-wide and local levels in Chapter three. Chapter four provides a summary of the planning application and related proposals. It provides relevant detail on the existing site conditions. Chapter five sets out baseline evidence concerning the equality characteristics of the affected population (mainly using lower super output area data), with additional information in relation to specific affected groups, namely resident households, business and employees on the site of the proposed redevelopment. Chapter six summarises the consultation and engagement process, the equality-related issues and concerns raised and responses to the views expressed. Chapter seven sets out the appraisal of equality impacts, drawing on evidence from the preceding chapters, whilst Chapter eight sets out conclusions and the recommendations.

## 2 Methodology

### 2.1 Approach

2.1.1 The EqIA focuses on systematically assessing and recording the likely positive and negative equality impact of the planning application for affected people sharing common attributes in respect of the different equality protected characteristics identified in the Equality Act 2010.

2.1.2 This assessment was desk-based and reviewed and analysed existing information. Further detail on the sources of evidence is provided below. The assessment included analysis of evidence on consultation in relation to progressing the redevelopment of Wards Corner, as undertaken or commissioned by the Council, by Grainger Plc and their project team and by The Bridge NDC.

2.1.3 The Council's equalities team reviewed two drafts of the report, providing feedback and comments by email and further feedback at a meeting with URS Scott Wilson on 31 May 2011. This input resulted in additions to the report, particularly to show how mitigation measures respond to objections and issues raised in the consultation. It resulted in additional detail being included on:

- which equality groups would potentially be affected by particular impacts; and
- whether people sharing protected characteristics would be likely to share in the expected benefits of the proposed redevelopment.

2.1.4 Screening was first undertaken to identify likely negative and positive impacts in relation to all equality protected characteristics, in order to determine the focus of the full assessment. For the screening stage, potentially affected individuals, groups or sections of the affected population were identified with respect to the protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

2.1.5 In the findings of the screening, the full assessment considered impacts with respect to the protected characteristics of:

- Race
- Disability
- Sex
- Religion or belief
- Age
- Sexual Orientation.

2.1.6 The approach draws on guidance for the appraisal of equality impacts produced by the Equality and Human Rights Commission (EHRC), as well as Haringey and other Councils' models for conducting EqIAs. The assessment addresses the potential impact of the development as proposed in the Planning Application for affected people with respect to their sharing of equality protected characteristics. It considers how the Council has fulfilled its duties, with reference to the new public sector equality duty.

2.1.7 Criteria used to determine differential impacts with respect to equality protected characteristics are:

- Where current knowledge indicates that amongst the population affected by the planning application, people who share protected characteristics are particularly vulnerable or sensitive to a possible impact in relation to their possessing those characteristics.
- Where the overall available evidence supports a conclusion that people who share a protected characteristic will form a disproportionately large number of those adversely affected by the planning application.
- Where the overall available evidence supports conclusions that the planning application may either make worse (negative impact) or ameliorate (positive impact) existing disadvantage (e.g. housing deprivation or economic disadvantage) affecting people who share a protected characteristic.
- Where the overall available evidence supports conclusions that people with shared protected characteristics amongst the affected population may be denied a fair share in the expected positive benefits of the planning application, due to direct or indirect discrimination or where the group experience particular barriers to realising those benefits, unless suitable measures are proposed to overcome those barriers;
- Where the overall available evidence supports conclusions that the planning application may worsen existing community cohesion amongst the affected population or conflicts with community cohesion policy objectives.

2.1.8 The assessment draws on a wide range of evidence, as summarised below:

- Relevant legislation, GLA/Mayor of London and Haringey Council policy relating to the site and equality objectives;
- Evidence on the profile of the affected population, using Office of National Statistics (ONS) data, data held by Haringey Council, Communities and Local Government (CLG) data and other sources;
- Evidence on the planning application proposals, including documents submitted by Grainger Plc on the Haringey council online planning application site, documents on Grainger's Wards Corner regeneration website, in addition to information provided directly to us by representatives of Grainger.
- Evidence on the potential nature of equality impacts, drawing on wider research and evaluation concerning equality issues, reports and consultation responses relating to the Wards Corner planning application. This included a detailed re-analysis of all consultation responses posted on the Haringey Council online planning application site for HGY/2008/0303. The assessment team also referred to the website of the Wards Corner community coalition (WCCC).

### 3 Equalities legislation and policy review

#### 3.1 Equality Act 2010

##### General Equality duty

- 3.1.2 As of 5 April 2011, a new public sector equality duty came into force, as set out in Section 149 of the Equality Act 2010. This replaces duties under the Race Relations Act and other domestic discrimination legislation, extending duties of public bodies to cover age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment in full. The Duty requires listed public bodies to consider the need to eliminate discrimination, advance equality of opportunity and foster good relations in all their functions.

##### **Summary of General Equality Duty, Section 149 of Equality Act 2010, taken from <http://www.equalityhumanrights.com/>**

Those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic and those who do not.

These are sometimes referred to as the three aims or arms of the general equality duty. The Act helpfully explains that having due regard for advancing equality involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristics.
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.

The Act states that meeting different needs involves taking steps to take account of disabled people's disabilities. It describes fostering good relations as tackling prejudice and promoting understanding between people from different groups. It states that compliance with the duty may involve treating some people more favourably than others.

The new duty covers the following eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities also need to have due regard to the need to eliminate unlawful discrimination against someone because of their marriage or civil partnership status. This means that the first arm of the duty applies to this characteristic but that the other arms (advancing equality and fostering good relations) do not apply.

- 3.1.3 This general equality duty applies to Haringey Council's consideration of this planning application, as of April 6<sup>th</sup>, 2011.

## 3.2 London-wide Policy

### **Draft Replacement London Plan 2009**

3.2.2 The Draft Replacement London Plan<sup>1</sup> includes strategic and planning policies to encourage equal life chances for all, in recognition of social inequalities existing within the city. A number of policies outlined in the Plan relate to equalities and the protection of disadvantaged groups, specifically:

- Policy 3.1 'Ensuring Equal Life Chances for All' requires that development proposals should protect and enhance facilities that meet the needs of particular groups and communities. The plan does not support proposals involving loss of these facilities without adequate justification or provision for replacement. It also expects development proposals to pay due regard to the Supplementary Planning Guidance 'Accessible London: Achieving an Inclusive Environment', which provides guidance on creating equal and accessible places within London.
- Policy 3.2 'Addressing Health Inequalities' is also relevant, requiring due regard to the impact of development proposals on health inequalities in London.
- Policies 3.17 – 3.20 concern the provision of social infrastructure, including health, education, sports and recreation facilities.
- Housing policies 3.3 – 3.16 concerning housing provision, affordable housing provision, mixed and balanced communities, housing choice and provision of associated play facilities, are all relevant to equal opportunities.
- Policy 4.12 'Improving opportunities for all', addresses the need for equal employment opportunities and removing barriers for disabled and disadvantaged people to gain employment.

### **Equal Life Chances for All**

3.2.3 'Equal Life Chances for All'<sup>2</sup> is a strategy which emphasises tackling the remaining and significant pockets of deprivation and inequality within London. It identifies the key challenges as enabling inclusion and community cohesion and tackling disadvantage. It uses a framework of equal life chances for all as an approach to overcoming existing disadvantage and inequality. Relevant desired outcomes to which the proposals may be able to contribute, are:

- Ensure the capital's diverse communities, particularly the most vulnerable and disadvantaged people, benefit from London's success and are protected in the economic downturn;
- Support deprived communities and vulnerable people and promote community cohesion;
- Support the development across the London economy of diverse markets, workforces and suppliers, including through Responsible Procurement programmes;
- Increase in the levels of employment of excluded groups;
- Decrease in the difference in income between the equality groups and others from deprived communities and the wider community; and

<sup>1</sup> Draft Replacement London Plan (2009), Mayor of London, GLA

<sup>2</sup> Equal Life Chances for All' (2009), GLA, Mayor of London

- An increase in the feeling of personal safety experienced by everyone, whenever and wherever they are in London.

### 3.3 Local Policy

#### **Wards Corner/Seven Sisters Underground Development Brief 2004**

3.3.2 In 2004 the Council adopted a planning brief<sup>3</sup> for Wards Corner and Seven Sisters Underground in order to help facilitate the redevelopment of the Wards Corner site and the wider regeneration of the area. Some of the regeneration context for development includes: the area around the station is perceived as unsafe by the local community and suffers from a high degree of crime; that range of shops and facilities in the area is poor and the area suffers from high deprivation (particularly crime).

3.3.3 The vision for the area is to *“create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access”*.

3.3.4 Development principles set out in the brief address:

- Urban design;
- Transport and access; and
- Land uses and development.

3.3.5 Relevant to equalities, the brief seeks to achieve:

- regeneration and improvement of the living and working environment and make best use of site opportunities;
- a development that takes its cue from the richness and diversity of the communities and small shops in the West Green Road area;
- significant and co-ordinated improvement to the public realm;
- a reduction in opportunities for crime, especially around the Station entrances, designed in conjunction with the Police and the British Transport Police;
- improvements to pedestrian access and safety in the area;
- a development that should be accessible to all; and
- a development is suitable for a range of land uses; including retail uses to promote the vitality and viability of the West Green Road/Seven Sisters District Centre.

#### **Unitary Development Plan 2006 / Local Development Framework**

3.3.6 The Unitary Development Plan<sup>4</sup> (UDP) adopted by the Council in 2006 is the Council’s statutory plan setting out the development and use of land and buildings in the borough. The UDP policies and proposals are being replaced by the Council’s Local Development Framework

<sup>3</sup> Haringey Council (2004) *Wards Corner/Seven Sisters Underground Development Brief* [online] available at: [http://www.haringey.gov.uk/wards\\_corner\\_seven\\_sister\\_underground\\_development\\_brief.pdf](http://www.haringey.gov.uk/wards_corner_seven_sister_underground_development_brief.pdf)

<sup>4</sup> Haringey Council (2006) *Haringey Unitary Development Plan Adopted July 2006 – Saved Policies Version July 2009* [online] available at: [http://www.haringey.gov.uk/index/housing\\_and\\_planning/planning-mainpage/policy\\_and\\_projects/local\\_development\\_framework/udp-2.htm#attached\\_files](http://www.haringey.gov.uk/index/housing_and_planning/planning-mainpage/policy_and_projects/local_development_framework/udp-2.htm#attached_files)

(LDF). The main LDF document is the Core Strategy. Until the Core Strategy is adopted, the Secretary of State issued a Direction (17 July 2009) which enables certain UDP policies to be saved. Saved policies will continue to be used in determining planning applications (until the Core Strategy is in place) although emerging national and London-wide policies and new evidence over time will carry greater weight by the Council in planning decisions.

3.3.7 Saved UDP policies that are relevant to the Wards Corner development include:

- AC3: Tottenham High Road Regeneration Corridor – The accompanying policy narrative acknowledges that the area has severe environmental, economic and social problems and is in need of regeneration. Seven Sisters underground station (Wards Corner) is listed as a major site for potential redevelopment and as a catalyst for prime regeneration of the High Road and identifies that a planning brief has also been prepared for Seven Sisters (Wards Corner). The policy seeks to permit developments that promote regeneration along Tottenham High Road where:
  - it will positively contribute sustainable development and to the regeneration of the High Road;
  - no significant adverse impacts will occur on neighbouring residential amenity, and provides a safe and secure environment that combats crime and the fear of crime;
  - there will be no loss of public open space;
  - vehicular traffic on the High Road will not significantly increase;
  - it won't detract from the vitality and viability of the town centres;
  - new housing will promote a more balanced, mixed, sustainable and less transient community, and proportion of affordable housing won't exceed 50 per cent, with the majority of housing for intermediate forms of housing (shared ownership, key worker and sub-market schemes); and
  - it encourages a change to residential use outside defined retail centres, subject to other UDP policies.
- AC4: The Bridge – New Deal for Communities – The accompanying policy narrative identifies Seven Sisters underground station (Wards Corner) as an important development site in the area and that the planning brief advocates mixed use. The policy seeks to permit developments that promote regeneration, tackle poverty and social exclusion and achieve more sustainable communities in The Bridge where they:
  - will positively contribute sustainable development and to the regeneration of Seven Sisters,
  - seek to provide a safe and secure environment, and combats crime and the fear of crime;
  - improve access to and the quality of open space;
  - provide a choice of good quality housing that meets the needs of all in the community and the proportion of affordable housing does not exceed 50 per cent, with the majority of housing for intermediate forms of housing; and
  - promote an environment and conditions where opportunities for enterprise are open to all.

## LB Haringey Council Equalities Scheme 2010-2013 and Sustainable Community Strategy 2007 - 2016

- 3.3.8 Haringey Council's equality scheme adopts their Sustainable Community Strategy (SCS) vision for 'A place of diverse communities that people are proud to belong to' to help ensure there is equality of opportunity throughout the Borough. The scheme also seeks to achieve fair treatment, with a priority to promote equality through strategic planning. The scheme currently covers six strands of equality, namely age; disability; gender; race; religion or belief; and sexual orientation. The scheme does not cover gender reassignment, marriage or civil partnership and pregnancy and maternity (though this may be addressed within gender).
- 3.3.9 The Equalities Scheme identifies the SCS priorities which mainstream equalities concerns into the core business of the council. Relevant priorities include:
- Enhance community cohesion; common belonging and shared vision; group interaction
  - Increase skills and educational achievement; fair treatment and equality of opportunity
  - Increase resident satisfaction with services and the area they live in; low crime and concern about crime
  - Provide greater opportunity for civic engagement and participation.
- 3.3.10 The strategy references the community cohesion framework as inextricably linked with the Council's equalities public sector duties and places a strong emphasis on evidence gathering for knowing their communities and equality mapping within the Borough.

## Haringey Strategic Partnership Community Cohesion Framework Update 2010

- 3.3.11 The framework identifies community cohesion and equality of opportunity as inextricably linked and as part of the core business of the Council.
- 3.3.12 The 2008 Haringey Strategic Partnership (HSP) Community Cohesion Framework defined community cohesion as *"what must happen in all communities to enable different groups of people to get on well together."*
- 3.3.13 The updated Framework<sup>5</sup> adopts the HSP's vision as identified in the Sustainable Community Strategy 2007-2016: *"A place of diverse communities that people are proud to belong to"*. It prioritises outcomes that help to achieve the vision, including:
- ensuring that people who live or work in or visit Haringey can expect equal access to high quality services; and
  - setting out a Delivery Plan involving organisations and individuals across the Borough, including those who provide services to residents.
- 3.3.14 The Community Cohesion Framework itself consists of four outcomes and their priorities. Relevant outcomes and priorities are summarised below:
- Fair treatment and equality of opportunity, including through strategic planning;

<sup>5</sup> Haringey Strategic Partnership (2010) *Haringey Strategic Partnership Community Cohesion Framework Update 2010 Incorporating the Delivery Plan* [online] available at: [http://www.haringey.gov.uk/community\\_cohesion\\_framework\\_update\\_2010.pdf](http://www.haringey.gov.uk/community_cohesion_framework_update_2010.pdf)



- Low levels of crime and concern about crime and confidence in the criminal justice system, including by working together to prevent and reduce hate crime and harassment;
- Group interaction, including provide greater opportunity for civic engagement and participation; and
- A sense of common belonging and shared vision, with priorities to enhance community cohesion and engage with local communities and empower them to shape policies, strategies and services that affect their lives.

### 3.4 LB Haringey Council Core Strategy Proposed Submission, May 2010

3.4.1 The Local Development Framework (LDF) is the new plan for Haringey and along with the London Plan this will guide future growth and development in the borough for the next 15 years. The LDF will replace the Unitary Development Plan and its current 'saved' policies. The main document in the LDF is a Core Strategy. The Core Strategy will be used in determining planning applications. The Core Strategy<sup>6</sup> was submitted to the Secretary of State on 9 March 2011 for an Examination in Public by an independent Inspector.

3.4.2 The Core Strategy policy that is most relevant to the Wards Corner development is:

- SP1 – Managing Growth – This policy focuses on the amount and the direction of growth in the borough between 2011 and 2026. Development will be promoted in Growth Areas (Haringey Heartlands and Tottenham Hale) and in Areas of Change (Wood Green Metropolitan Town Centre, Northumberland Park, Tottenham High Road Corridor, and Seven Sisters Corridor).
  - The Seven Sisters Corridor area of change contains the Wards Corner redevelopment site. The area is identified as having high levels of multiple deprivation including unemployment, low educational achievements, poor/ lack of affordable housing, a poor environment and high crime levels.
  - Regeneration of Wards Corner to deliver new, high quality housing, new shops and public realm improvements is one priority within the strategy for the Seven Sisters Corridor Area of Change.

3.4.3 Core Strategy policies that promote equality are:

- SP2: Housing – This policy sets out density and design standards to deliver quality homes including:
  - compliance with the housing standards and range of unit sizes in the Council's Housing Supplementary Planning Document (SPD) and adopts the GLA's Housing Space and Child Play Space Standards;
  - maximise housing for people whose circumstances makes them vulnerable and/or people with specific needs; and
  - new housing is built to 100% Lifetime Homes Standards with at least 10% wheelchair accessible housing or 20% of housing adaptable for wheelchair users.
- The policy also aims to secure high quality affordable housing by:

<sup>6</sup> Haringey Council (2010) *Haringey Core Strategy Proposed Submission May 2010* [online] available at: [http://www.haringey.gov.uk/haringey\\_proposed\\_submission\\_core\\_strategy.pdf](http://www.haringey.gov.uk/haringey_proposed_submission_core_strategy.pdf)

- requiring development sites able to deliver five or more units to provide 50% affordable housing on site;
  - imposing an affordable housing split of 70% Social Rented Housing and 30% Intermediate Housing;
  - allowing no net loss of existing affordable housing floorspace in development; and
  - high quality design and full integration of affordable housing within schemes.
- SP9 - Improving skills and training to support access to jobs and community cohesion and inclusion – seeks to address unemployment by facilitating training opportunities for the local population, increasing the employment offered in the borough and allocating land for employment purposes. It also encourages the provision and growth of education and training facilities in areas of high unemployment, promotes diversification of the borough's economy, and will secure financial contributions from development that results in a net loss of employment floorspace to invest in training and other initiatives promoting employment and adult education in the borough.
  - SP11 – Design – encourages new development to be of high quality, attractive, sustainable, safe and easy to use to enhance Haringey's built environment. Principles include:
    - high design standards that respect local context and character that contribute and enhance a sense of place; and
    - incorporating solutions to reduce crime and the fear of crime by promoting social inclusion, and well-connected and high quality public realm that is easy and safe to use and by applying the principles set out in 'Secure by Design'.
  - SP14 - Health and Well-being - seeks to improve health and well-being in Haringey through the following ways:
    - working with the NHS to reduce health inequalities in the areas with poorest health;
    - identifying sites for new health infrastructure;
    - supporting the provision of new or improved health facilities;
    - prioritising interventions and resources to those areas of the borough where health inequalities are greatest; and
    - supporting the integration of community facilities and services, i.e. health, education, cultural and leisure in multi-purpose buildings.
  - SP15 – Culture and Leisure – aims to safeguard and foster the borough's cultural heritage and promote cultural industries and activities through:
    - the development of cultural areas across the borough, including at Tottenham Green;
    - supporting the provision of new work spaces and cultural venues that support cultural businesses particularly in cultural areas;
    - protecting and enhancing (where feasible) existing cultural facilities throughout the borough; and
    - safeguarding and fostering the borough's existing recreational and sporting facilities.

## 4 Summary of planning application and related proposal

### 4.1 Introduction

4.1.1 This Chapter seeks to summarise the related proposal and planning application for the redevelopment of Wards Corner. The content of this Chapter relies heavily on the content contained within the Planning Statement Addendum published by the Applicant, Grainger Seven Sisters Ltd in December 2010. It includes relevant detail on the existing site conditions.

4.1.2 The 0.71 ha site proposed for redevelopment is located in a highly accessible public transport area and comprises a group of two/three storey late Victorian and inter-war commercial buildings along Tottenham High Road, further commercial units along Seven Sisters Road and West Green Road and residential properties and parking to the rear along Suffield Road. Part of the site lies within the Seven Sisters Conservation Area. None of the buildings on the site are statutorily listed, although two have been 'locally listed' by the Council.

### Housing provision

#### Existing housing which will be demolished

4.1.3 The existing 31 residential units, comprising 3 studio flats, 14 x 1-Bed, 5 x 2-Bed and 9 x 3-Bed units, would be demolished prior to redevelopment of the overall site<sup>7</sup>.

#### Provision of new housing

4.1.4 The replacement scheme proposes a total of 197 residential dwellings in a mix of studio, one, two and three bedroom units, as follows:

- Studio – 5 (1%)
- 1 Bed – 48 (8%)
- 2 Bed – 107 (56%)
- 3 Bed – 37 (26%)

4.1.5 This equates to a net increase of 166 dwellings.

4.1.6 According to the Applicant, the proposed mix has been developed to take into account the particular circumstances of the site. With the exception of Suffield Road, the main street frontages are bustling retail areas, with high footfall and busy road traffic. Generally the site is not ideally suited for families, with the exception of the Suffield Road frontage, where the majority of the family units are to be located.

4.1.7 The proposed dwellings will be built to Lifetime Homes standards. Furthermore, 10% of the proposed new homes will be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users.

<sup>7</sup> Based on 'best estimate' information provided by Cluttons 10/05/2011

### Affordable housing

- 4.1.8 An independent assessment by the Valuation Office undertaken in June 2008 concluded: *"I do not consider that the provision of affordable housing is viable on this development site."* This supports the view of the Applicant that the particular circumstances of the site mean that it is not possible to provide affordable housing, even with grant funding towards the regeneration of the site.
- 4.1.9 According to the Applicant, an appraisal current at December 2010 also concluded that based upon current costs and values, the development site cannot support the inclusion of affordable housing. The report remains confidential.
- 4.1.10 Also according to the Applicant, even without affordable housing in the scheme, forecast figures indicate that affordable provision within Haringey is likely to meet or exceed London Plan targets.

### **Public realm and streetscape provision**

- 4.1.11 In terms of overall scheme design, the Applicant has stated that the redevelopment proposal is of the highest quality in terms of design and, as is demonstrated in the Design and Access Statement<sup>8</sup>. One of the elements central to the proposal is creating a new public square, corresponding to the Underground entrances and bus stops.
- 4.1.12 The scheme is to also provide residents with private and shared outdoor space, including podium gardens, open space and play space and their maintenance.

### Safety measures – natural and 'hard'

- 4.1.13 The new public realm seeks to provide a safe and secure environment this includes reducing the opportunities for crime and providing for the safety of users.
- 4.1.14 Footway lighting will be provided to improve the security and safety of the new public realm while reducing the ground level clutter.
- 4.1.15 Also the public square on the High Road will be fully overlooked, as will the podium gardens. The entrance to the service road will be gated, as will the entrance to the car park. The car park itself will be designed to avoid dark corners and blind spots.

### Decluttering

- 4.1.16 All existing street clutter is to be removed. Elements that will remain are the mature London Plane tree and the two entrance stairs to the Underground station, which will be re-clad and covered by glass canopies. There are no changes to the Underground station itself as they are not included in the redevelopment, although the design allows for the future installation of lift access to the ticket hall. Two new retail kiosks are located next to the stairs.
- 4.1.17 High quality paving, street lighting, signage, bus stops, benches and other street furniture will be provided to avoid physical or visual clutter and keep clear routes and lines of sight along the High Road.

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<sup>8</sup> Pallard Thomas Edwards Architects (2008) *Wards Corner Seven Sister Design and Access Statement* [online] available at: [http://www.wardscornerregeneration.co.uk/downloads/design-access-statement.pdf?bcsi\\_scan\\_E956BCBE8ADBC89F=0&bcsi\\_scan\\_filename=design-access-statement.pdf](http://www.wardscornerregeneration.co.uk/downloads/design-access-statement.pdf?bcsi_scan_E956BCBE8ADBC89F=0&bcsi_scan_filename=design-access-statement.pdf)

- 4.1.18 The existing building line to the High Road will be carved out to give more space to the public realm and create a curved public place at the centre of the site.

Public art investment

- 4.1.19 A work or works of public art is to be incorporated into the fabric of the buildings.
- 4.1.20 The final scheme features a curved corner block matching the parapet height of its neighbours. The façade is framed in stone with a cast sculpture frieze celebrating the history of the site: this will be the subject of a separate competition to select an artist, but ideas include abstract representations of the goods sold in the former department store. The stone frame contains a recessed glass façade decorated with coloured glass fins set at right angles. The scheme will also look at other opportunities to include ornamentation and decoration in the brick, plaster, glass and iron work – within the cost constraints of the scheme, to support building individuality.

## **Business, retail and market floorspace**

Removal of existing market and temporary relocation

- 4.1.21 In order to assist with relocation costs a S106 agreement will provide for £144,000 as a “Traders’ Financial Assistance Sum” (an increase on the sum of £96,650 agreed at the time that the application was considered by the Planning Committee in 2008). Although the Market Traders operate on a license and presently have no security of tenure, this sum equates to the aggregate rateable value of the Market occupied by the Traders.
- 4.1.22 Both the Applicant and the Council will also be required by the s106 to employ an appropriate organisation to assess the opportunities for the temporary relocation of the market as a whole or within an existing market. Continued discussions between the Applicant and the Market Traders are required in order to manage the short term relocation issues and to secure the long term success of the indoor market and to undertake the following tasks:
- (i) to facilitate or fund a specialist professional facilitator to engage with the Traders in order to find and provide temporary accommodation;
  - (ii) to liaise with those existing Spanish-speaking traders to promote their interests in the temporary accommodation to be found and provided; and
  - (iii) to engage with and provide appropriate business support and advice to all Traders with the objective of securing the maximum number of expressions of interest to return to the site.
- 4.1.23 The Applicant will employ Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. They will also undertake to provide a minimum 6 months notice period to Traders for vacant possession.

Proposed floorspace provision by use type

*Retail uses*

- 4.1.24 The Applicant wants to create a high quality retail floorspace, appropriate to the scale, character and function of the existing centre. The inclusion of appropriate convenience retail, coffee shop and restaurant units within the proposed scheme is intended to complement the retail offer.

4.1.25 The proposed scheme replaces 3,182 sqm of floorspace, found within the existing retail accommodation and the indoor market, with 3,792 sqm of new floorspace. The net increase of retail floorspace is 610 sqm. The mix of unit types within the proposed scheme is devised to ensure space for local traders, shops and businesses on the West Green Road and Seven Sisters Road frontages along with larger units that would be attractive to national retailers on the Tottenham High Road frontage.

4.1.26 For the units located on West Green Road, a Marketing and Letting Strategy will be developed and promoted through the S106 agreement. The first lettings of these units would need to be approved by Haringey Council and prior approval will need to be given for the amalgamation of any of the units to form larger units.

*Reprovision of Seven Sisters Market*

4.1.27 A study undertaken by Urban Space Management (USM) commissioned by the Bridge NDC indicates that the current market inside the former Wards Corner department store building comprises 60 retail units, with approximately 36 shops/units, with a few units vacant. The indoor units average 95 - 100 sq.ft each while spaces on the road frontage and around the perimeter of the market vary in size. USM identify the current rental and service charges, estimated at £31/sq.ft per year, as below open market rate, reflecting the poor condition of the existing building. The building is leased by a market operator, with market traders holding licenses with a 4 week break clause and a clause that vacant possession may be required for the purposes of redevelopment.

4.1.28 In a letter to all market traders dated 6<sup>th</sup> November 2008 from Grainger Plc, advice on the likely future rent payable by market traders was stated as around £90/sq.ft per year.

4.1.29 The planning application revised ground floor plan shows provision of 50 small units suitable for the re-provision of the Seven Sisters indoor market, fronting onto Seven Sisters Road and Tottenham High Road, including spaces for cafes and reprovision of a toilet within the market area. In the November 2008 letter from Grainger Plc to market traders, it was stated that the revised plans included potential space for 50-60 market units, depending on seating requirements.

4.1.30 According to the Applicant the re-provision of the indoor market is subject to reasonable conditions to ensure that the market is provided for the benefit of the current traders and that it will be successful in the long term. These conditions are to be incorporated into the S106 agreement:

- The market must be run by an experienced indoor market operator;
- This arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development;
- A Market Lease must be in place not less than 6 months prior to the due practical completion date of the proposed development; and
- The rent will be open market for A1 use class.

4.1.31 One of the conditions attached to the S106 agreement signed in 2008 was that the proposed market operator had to demonstrate that no less than 60% of the market traders that previously occupied the Seven Sisters market showed a formal interest in taking accommodation within the new market. This was to ensure the new market operator ran the market as replacement of the existing; rather than as a different concept. However, concerns have subsequently been

expressed that, should a lower percentage of the market traders show a formal interest in returning, the market could be lost altogether.

- 4.1.32 It is proposed to remove the reference to requiring 60% of the existing traders to formally express an interest in returning with a condition requiring the Market Operator to offer a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area, on reasonable A1 open market terms. This revision to the conditions is designed to offer greater confidence to the existing traders that they will be able to relocate to the site once the development is completed.
- 4.1.33 A stipulation will also be imposed requiring the Market Operator to have offered a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area, on reasonable A1 open market terms.

### **Investment in street improvements**

#### West Green Road Environmental Improvement Fund

- 4.1.34 There will be financial contributions to create a West Green Road Environmental Improvement Fund of £250,000, to provide:
- £150,000 for shop/building frontage improvements
  - £75,000 for street decoration and enhancements
  - £15,000 for servicing improvements that allow vehicle and pedestrian traffic to have improved access and servicing
  - £10,000 for an Improvement Strategy for businesses/markets, open space and parking.

### **Security / Public Safety**

- 4.1.35 The proposed development will include 24 hour porterage/security, based in an office overlooking the new public square. It is perceived that the presence of on-site security and increased surveillance of public areas will serve to discourage criminal activity, to the benefit of both the future occupiers of the development and the local community.

### **Improvements to transport infrastructure**

#### Bus stops

- 4.1.36 From the proposed ground floor plans for the scheme, a bus shelter will be located on the corner of West Green and Tottenham High Roads.

#### Station improvements

- 4.1.37 The proposed ground floor plans show two tube entrances on Tottenham High Road.

#### Cycle parking

- 4.1.38 As shown on the proposed ground floor plans the scheme includes 197 cycle storage spaces for the residential units via a pedestrian gate with controlled access. Public bicycle racks will also be provided in the public square on the High Road near the entrances to the Underground station.

### Car club

- 4.1.39 There will be the submission and implementation of Travel Plans for key land uses, including details of an agreement with a car club operator for the provision of car club facilities on the site.
- 4.1.40 No entitlement for residential occupiers to residents parking permits with the exception of up to 12 permits for the houses to be built in Suffield Road.

## **Education investment**

### S106 contribution for Education provision

- 4.1.41 The Applicant will contribute £200,000 towards the cost associated with the provision of facilities and services arising from additional demand generated for school places.

## **Employment creation**

- 4.1.42 As part of the S106 agreement for the site a Construction Training and Local Labour Agreement is proposed, and an undertaking to secure the procurement of goods and services from local businesses and the recruitment of local people.
- 4.1.43 The completed development is calculated by the Applicant to give rise to an estimated 140 jobs, a mix of full-time and part-time jobs. The existing businesses on the site are estimated to employ 111 people, a mix of part-time and full-time jobs.

## **Amenity Space and Play Space**

- 4.1.44 The proposed scheme is to provide approximately 1,538sqm amenity space within an open landscaped central courtyard. The proposed scheme includes a play space within the central courtyard that is within a 400m walk of the Brunswick Road Open Space, which includes recently upgraded play facilities for children aged 0-16.
- 4.1.45 The Wards Corner scheme is expected to have a child occupancy of 36, resulting in an overall requirement of 360sqm play space for the development (on the basis of around 1,538sqm amenity space). This translates to a need for approximately 20% of the proposed amenity space to be classed as “play space” in order to fully comply with the regional guidelines (GLA’s Play Space Supplementary Planning Guidance (SPG)).
- 4.1.46 It is expected that 85% of the estimated child occupancy falls within the 0-11 age group using information contained in the SPG. A designated playspace is therefore provided within the central courtyard for this age group that will include items such as swings, slides and climbing areas. However, due to the size of the courtyard it will not be possible to provide youth facilities on site and areas such as basketball courts and a ‘kickabout’ area cannot be incorporated into the scheme.
- 4.1.47 It is proposed that a lack of boundaries between the spaces will make for a more transient relationship between the open space and playable space, thus creating an overall larger area for recreation.



## 5 Baseline situation

### 5.1 Wards Corner

5.1.1 Wards Corner falls within the Tottenham Green ward in the east of the London Borough of Haringey. The site includes Seven Sisters Underground Station and its entrances and frontage buildings on Seven Sisters Road, Tottenham High Road and West Green Road which houses an adjoining parade of shops.

5.1.2 The Wards Corner site covers a very small area so that it is not possible to provide robust demographic data to populate an equality profile solely relating to the site area. The baseline data provided referred to is for the small area 'Lower Super Output Area 025D', referred to as the 'Wards Corner LSOA' for the purposes of this report.

5.1.3 The resident population within the Wards Corner LSOA in 2001 was 1,513, with a higher population density than both Haringey and London (73.18 and 45.62 respectively) (Census 2001). Unfortunately more recent population estimates for small areas are being revised by ONS and are currently unavailable<sup>9</sup>.

5.1.4 The latest figures for deprivation indicate that Wards Corner LSOA is amongst the 5-10% most deprived neighbourhoods in England and Wales (Indices of Deprivation, 2010). Whilst it has fallen consistently within this band since 2004, at 5.6%, in 2010, its overall ranking has dropped since 2007.

5.1.5 The Wards Corner LSOA<sup>10</sup> ranks amongst the 5% most deprived local areas in England and Wales with respect to:

- Barriers to Housing and Services, particularly in terms of the sub-indicator that measures overcrowding, homelessness and housing affordability;
- Living Environment (air quality, traffic congestion and housing quality); and
- Crime, dropping back to a ranking similar to in 2004, after a rise in the ranks in 2007.

5.1.6 The Wards Corner LSOA ranks amongst the 5 – 10% most deprived local areas in England and Wales with respect to income.

5.1.7 The Wards Corner LSOA ranks amongst the 2% most deprived local areas in England and Wales for measures of deprivation affecting older people and children.

### 5.2 Profile of potential affected groups sharing protected equality characteristics

#### Age

5.2.2 Wards Corner has a young age profile, according to the latest available age population estimates<sup>11</sup>. Children aged 0-14 comprise 20 per cent of the population; whilst young people

<sup>9</sup> [http://www.neighbourhood.statistics.gov.uk/dissemination/Show\\_popStatus.do?page=populationEstimatesRevisions2010.htm](http://www.neighbourhood.statistics.gov.uk/dissemination/Show_popStatus.do?page=populationEstimatesRevisions2010.htm) [Accessed 12/04/2011]

<sup>10</sup> <http://www.imd.communities.gov.uk/> for LSOA E01002072 [ Accessed 12/04/2011]

<sup>11</sup> Resident Population Estimates by Broad Age Band, Mid 2009, from <http://www.neighbourhood.statistics.gov.uk/> [Accessed 12/04/2011]

aged 15 – 24 comprise a further 17 per cent. This sizeable population of children and younger people reflects the profile of Tottenham Green ward, which has a larger proportion of 15-29 year than Haringey as a whole. People aged 25 – 49 comprise 55% of the population, whilst people aged 65 and above comprise just over 7% of the population.

5.2.3 By 20210, the Haringey population is projected to number 239,300, comprising:

- 19.8% aged 0 – 15 - (London 19.9%, England 18.8%)
- 68.5% of working age - (London 66%, England 59.2%)
- 11.7% of pensionable age - (London 14.1%, England 21.9%)<sup>12</sup>

5.2.4 64% of 0–19 year olds in Haringey are from ethnic minority backgrounds (2001 Census), with approximately 160 languages spoken by children in the borough (2007 School Census).

## Disability

5.2.5 Wards Corner LSOA has higher rates of people with a limiting long-term illness, at 18.4% of the population, as compared to Haringey and London averages of 15.5% (Census 2001).

5.2.6 For 75 people in Tottenham Green ward, disability was the main reason for claiming out-of-work benefits in 2010<sup>13,14</sup>. This represents 0.8% of the working age population, slightly higher than the average rate in Haringey (0.7%) and in line with the London-wide rate of 8%.

5.2.7 Incapacity Benefit (IB) and Severe Disablement Allowance (SDA) are sickness and disability benefits that are claimed by people of working age who experience sickness and disability to an extent that they are unable to work, either temporarily or permanently. There are currently 105 IB/SDA claimants in Wards Corner LSOA (May 2010), IB/SDA claimants in Haringey comprise 7.5% of the working age population. The IB/SDA claim rate in Haringey is above England and London (6.7% and 5.9% respectively)<sup>15</sup>.

5.2.8 There are more than 1,700 people who are registered as either blind or with severe sight problems in Haringey<sup>16</sup>.

## Race

5.2.9 Haringey borough is one of the most ethnically diverse boroughs in the UK<sup>17</sup>, reflected in the make- up of the Wards Corner LSOA, as shown in 2001 Census data, presented in Table 5.1 below. This shows there are sizeable numbers of people of Afro-Caribbean and African heritage in the local area.

<sup>12</sup> [http://www.haringey.gov.uk/about\\_haringey/fact\\_file.htm](http://www.haringey.gov.uk/about_haringey/fact_file.htm) [Accessed 12/04/2011]

<sup>13</sup> <https://www.nomisweb.co.uk/reports/lmp/ward/130862542/report.aspx> [Accessed 13/04/2011]

<sup>14</sup> NOMIS - Working-age client group - key benefit claimants (August 2010):

<https://www.nomisweb.co.uk/reports/lmp/la/2038431864/report.aspx?town=haringey#tabwab>

<sup>15</sup> <http://neighbourhood.statistics.gov.uk/dissemination/LeadTableView.do?adminCompAndTimeId=27328%3A340&a=3&b=286440&c=025D&d=141&r=1&e=9&f=27136&o=333&g=335645&i=1001x1003x1004x1005&l=1359&m=0&s=1302701677281&enc=1>

<sup>16</sup> Haringey Strategic partnership Community Cohesion Framework 2010 Update:

[http://www.haringey.gov.uk/index/council/how\\_the\\_council\\_works/equalities/community\\_cohesion.htm](http://www.haringey.gov.uk/index/council/how_the_council_works/equalities/community_cohesion.htm)

<sup>17</sup> Haringey Community Cohesion Framework (2010 Update)

[http://www.haringey.gov.uk/index/council/how\\_the\\_council\\_works/equalities/community\\_cohesion.htm](http://www.haringey.gov.uk/index/council/how_the_council_works/equalities/community_cohesion.htm)

**Table 5.1: Break down of ethnic groups in Wards Corner LSOA, Tottenham Green ward, Haringey and London. Source: 2001 Census data**

Specific Ethnic Group (%)	Wards Corner LSOA	Tottenham Green ward	Haringey LB	London
White: British	28.7%	29.7%	45.3%	59.8%
White: Irish	4.0%	3.7%	4.3%	3.1%
White: Other White	12.8%	16.2%	16.1%	8.3%
Mixed: White and Black Caribbean	2.7%	1.8%	1.5%	1.0%
Mixed: White and Black African	1.3%	0.8%	0.7%	0.5%
Mixed: White and Asian	1.1%	1.1%	1.1%	0.8%
Mixed: Other Mixed	1.7%	1.4%	1.3%	0.9%
Asian or Asian British: Indian	1.8%	2.3%	2.9%	6.1%
Asian or Asian British: Pakistani	2.0%	1.1%	0.9%	2.0%
Asian or Asian British: Bangladeshi	3.6%	2.3%	1.4%	2.1%
Asian or Asian British: Other Asian	1.6%	2.0%	1.5%	1.9%
Black or Black British: Caribbean	17.3%	15.9%	9.5%	4.8%
Black or Black British: African	15.5%	15.2%	9.2%	5.3%
Black or Black British: Other Black	2.0%	1.9%	1.4%	0.8%
Chinese or Other Ethnic Group: Chinese	0.3%	1.5%	1.1%	1.1%
Chinese or Other Ethnic Group: Other Ethnic Group	3.7%	3.2%	2.0%	1.6%

- 5.2.10 Since the 2001 Census, considerable change in the population size of Haringey wards has been observed. For example, the population of Tottenham Green ward has increased by 4% from 2001 to 2005, and Seven Sisters by 32%. In Haringey as a whole, the largest growth between 2001 and 2007 was among the Pakistani community (38%), followed by Chinese (30%) and Bangladeshi (22%). More recent estimates from the Office for National Statistics are currently under revision and therefore unavailable.
- 5.2.11 The Haringey Joint Strategic Needs Assessment<sup>18</sup> identifies the largest ethnic groups amongst school pupils in Haringey in 2007 as: 20% White British, 18% Black African, 13% Black Caribbean, 10.5% 'White other', 6.8% Turkish and 3.2% Kurdish. This ethnic diversity is also reflected by the large number of languages spoken among Haringey school children: approximately 130 in total.
- 5.2.12 In 2001, 55.5% of the Wards Corner LSOA population was born in the UK<sup>19</sup>. The wide variety of countries of origin of residents of the area indicates the high ethnic diversity amongst residents, with 13% of residents born in Africa, 9% in Asia and 7% from North American (including the Caribbean). The existence of pockets of different ethnic groups is indicated by high proportions of residents of the Wards Corner LSOA (as compared to London as a whole) sharing a particular country of birth, including Turkey, Nigeria, Jamaica and other Caribbean/West Indies nations, as shown in Table 5.2.

<sup>18</sup> Haringey Joint Strategic Needs Assessment (Ch.2) <http://www.haringey.gov.uk/index/council/hsp/ourplace.htm>

<sup>19</sup> 2001 Census: Country of Birth (UV08) <http://www.neighbourhood.statistics.gov.uk/dissemination/>

**Table 5.2: Country of Birth (2001 Census data) for residents in Wards Corner compared to Tottenham Green, Haringey & London (due to rounding, may not sum exactly to 100%)**

Country of Birth %	Wards Corner LSOA	Tottenham Green ward	Haringey LB	London
UK	55.5	53.6	62.9	72.9
Republic of Ireland	2.7	2.6	2.7	2.2
Turkey	7.4	6.4	4.0	0.5
Other European countries	3.6	5.4	5.9	4.3
Nigeria	2.5	2.3	1.2	1.0
Other African countries	10	10.2	7.6	5.4
Jamaica	4.8	4.4	2.5	1.1
Other Caribbean & West Indies	2.4	2.5	1.6	0.9
Bangladesh	2.0	1.5	0.8	1.2
Other Asian countries	7.0	8.2	7.5	7.5
All Other Countries	2.3	2.8	3.0	2.7

- 5.2.13 A report on the Seven Sisters Market by USM notes that since the 1990s, London has received a major influx of Latin American migrants.

Race/ethnic identity of affected groups

- 5.2.14 A study by USM conducted in 2008 reported that 23 (64%) of the market traders at Seven Sisters market are of Latin-American origin, and mostly Spanish-speaking, whilst the remaining 13 (36%) of traders represent a mix of Afro-Caribbean, African, European and English backgrounds. It is understood that the profile of the traders is likely to have changed to some degree over the last three years, though with a continued significant presence of people of Latin American origin and other ethnic minority backgrounds.
- 5.2.15 It is understood that BME households comprise the majority of households living within the existing housing on the site, although detailed data on the ethnicity of affected households has not been collected.

**Religion or belief**

- 5.2.16 In Wards Corner, 54% of the population consider themselves Christian, compared to 53% in Tottenham Green ward, 50% in Haringey and 58% in London. For Muslims, the equivalent figures were 13% for Wards Corner compared to 16%, 11% and 9% for Tottenham Green, Haringey and London, respectively. Less than 5% of the population belonged to each of the other religions listed in table 6.2, while 15% had no religion (compared to 15%, 20% and 16% in Tottenham Green, Haringey and London, respectively). The question of religious belief is voluntary in the census. Absolute figures are detailed in Table 5.3.

**Table 5.3: Religious belief in Wards Corner, Tottenham Green ward, Haringey LB and London (person count). Source: Census 2001 data. Those who did not respond to this question are classified as 'religion not stated'**

Religion	Wards Corner LSOA count	Tottenham Green ward	Haringey LB	London
<i>Total people in area</i>	1,513	11,966	216,507	7,172,091
Christian	823	6,342	108,404	4,176,175
Buddhist	26	171	2,283	54,297
Hindu	27	234	4,432	291,977
Jewish	17	91	5,724	149,789
Muslim	196	1,876	24,371	607,083
Sikh	6	21	725	104,230
Any other religion	10	68	1,135	36,558
No religion	227	1,834	43,249	1,130,616
Religion not stated	181	1,329	26,184	621,366

## Sex

- 5.2.17 In Wards Corner LSOA the population was 1,513 in 2001, of which 46.5% were male, 53.5% female, compared to 46.9% and 53.1% in Tottenham Green ward, 47.9% and 52.1% in Haringey, and 48.4% and 51.6% in London, respectively. Figure 5.1 shows the age-sex structure for Haringey: in 2006, 31.1% of females and 36.1% of males were aged less than 25 years (a difference of 5%), whilst 11.9% of females and 9.1% of males were aged over 65 years<sup>20</sup>.
- 5.2.18 In recent years, the male population has increased slightly more than the female population<sup>21</sup>, a trend that may continue given the higher proportion of males aged under 25 in 2006.

<sup>20</sup> Haringey Joint Strategic Needs Assessment (2008): <http://www.haringey.gov.uk/index/council/hsp/ourplace.htm>

<sup>21</sup> Ibid.

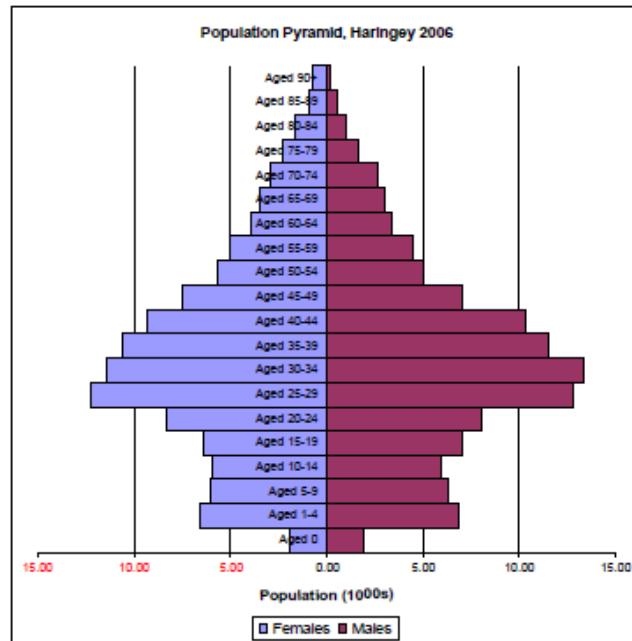


Figure 5.1: Population pyramid for Haringey in 2006, showing age-sex structure<sup>22</sup>

## Sexual orientation

- 5.2.19 ONS Integrated Household Survey (IHS) Data, using recently introduced questions on sexual orientation, indicate that across the UK, 95 per cent of adults identified themselves as heterosexual/straight, 1 per cent of adults identified themselves as gay or lesbian and 0.5 per cent of adults identified themselves as bisexual while a further 0.5 per cent identified themselves as 'Other'. London as a region had the largest proportion of adults identifying as Lesbian, Gay or Bisexual (LGB) (2.2 per cent). Estimates are not available at borough level or below due to small sample size<sup>23</sup>.
- 5.2.20 The GLA records a positive increase in the number of lesbian and gay people who believe that Londoners are tolerant of different sexual groups<sup>24</sup>.

## 5.3 Employment & business ownership

- 5.3.1 The most recent data available describing employment in the area is from the ONS Annual Population Survey for October 2009 to September 2010, available at local authority level. 67.9% of Haringey borough residents aged over 16 were economically active in October 2009 – September 2010; this was lower than in London (74.7%) and Great Britain (76.3)<sup>25</sup>. 'Economically active' includes all residents that were employed or in employment at the time of the survey.
- 5.3.2 As shown in Table 5.4, unemployment levels amongst Haringey residents are higher in Haringey (11.4%) than in London (8.9%) and Great Britain (7.7%), whilst self-employment levels in Haringey are in line with London-wide levels (10.8%).

<sup>22</sup>Haringey Joint Strategic Needs Assessment (2008): <http://www.haringey.gov.uk/index/council/hsp/ourplace.htm>

<sup>23</sup>Joloza, T., Evans, J. & O'Brien, R. (2010) 'Measuring Sexual Identity: An Evaluation Report', Office of National Statistics (ONS)

<sup>24</sup>Source: Annual London Survey, GLA 2002 – 2007 [Accessed 12/04/2011]

<sup>25</sup>ONS Annual Population Survey, via NOMIS <https://www.nomisweb.co.uk/reports/lmp/la/2038431864/report.aspx?town=haringey>

- 5.3.3 Table 5.5 compares economic activity among the male and female populations of Haringey in 2009/10. Employment rates were higher among males than females in all regions, but there was a more marked gender difference in employment rates in Haringey. The rate of female unemployment in Haringey is above that in London (12.1% compared to 8.8%) whilst the rate of male unemployment in Haringey is below that in London (6.8% compared to 9.0%).
- 5.3.4 Economic inactivity rates among Haringey residents are significantly higher than rates recorded across London (32.1% compared to 25.3% in London (Table 5.5). Economic inactivity while 'Not wanting a job' was much more common among women (31.7%) than men (17.7%).

**Table 5.4: Breakdown of economic activity, employment and unemployment Haringey borough, London and Great Britain (October 2009 – September 2010)<sup>26</sup>.**

	Haringey (numbers)	Haringey (%)	London (%)	Great Britain (%)
<b>All people</b>				
Economically active	111,600	67.9	74.7	76.3
In employment	101,400	61.6	68	70.4
Employees	82,500	50.5	56.8	60.9
Self employed	18,300	10.8	10.8	9
Unemployed	13,100	11.4	8.9	7.7
<b>Males</b>				
Economically active	62,800	74.8	82.2	82.6
In employment	58,500	69.6	74.7	75.4
Employees	45,500	54.5	59.5	62.1
Self employed	12,400	14.4	14.8	12.8
Unemployed	4,300	6.8	9	8.6
<b>Females</b>				
Economically active	48,800	60.6	67.2	70.1
In employment	42,900	53.2	61.3	65.4
Employees	37,000	46.2	54.1	59.7
Self employed	5,900	7	6.8	5.3
Unemployed	5,900	12.1	8.8	6.5

<sup>26</sup> ONS Annual Population Survey, via NOMIS <https://www.nomisweb.co.uk/reports/Imp/la/2038431864/report.aspx?town=haringey>

**Table 5.5: Breakdown of economic inactivity among male and female residents of Haringey borough, London and Great Britain (October 2009 – September 2010)<sup>27</sup>.**

	Haringey (numbers)	Haringey (%)	London (%)	Great Britain (%)
<b>All people</b>				
Economically inactive	52,200	32.1	25.3	23.7
Wanting a job	12,400	7.6	6.3	5.7
Not wanting a job	39,800	24.5	18.9	18
<b>Males</b>				
Economically inactive	21,000	25.2	17.8	17.4
Wanting a job	6,300	7.6	5.2	4.9
Not wanting a job	14,700	17.7	12.7	12.4
<b>Females</b>				
Economically inactive	31,200	39.4	32.8	29.9
Wanting a job	6,100	7.7	7.5	6.5
Not wanting a job	25,100	31.7	25.3	23.5

5.3.5 2001 census data also shows that among unemployed residents in Wards Corner LSOA, long-term unemployment was higher than in Haringey, London and England both amongst men and women (Table 5.5).

**Table 5.5: Long-term unemployment among unemployed residents, Census 2001<sup>28</sup>.**

% Long-term unemployment (2001)	Wards Corner LSOA	Haringey LB	London	England
Unemployed males	40.4	31.6	31.1	29.6
Unemployed females	48.4	34.0	31.4	31.4

5.3.6 The most recent data available regarding Jobseekers Allowance (JSA) claimants is from March 2011, collated by the ONS via Jobcentre Plus records<sup>29</sup>. At this time, a total of 10,300 people were claiming JSA in Haringey borough, representing 6.4% of residents aged 16-64; this was higher than in London (4.1%) and Great Britain (3.8%). The rate was higher among males than females, with 6,587 males claiming in Haringey compared to 3,713 females; a similar pattern existed for London and Great Britain.

5.3.7 Table 5.6 shows JSA claimants broken down by age group and duration of the claim. Haringey residents have higher claimant rates across all three age groups (18-24; 35-49; 50-64) than London. Young people in Haringey have a higher claimant rate than other age groups, reflecting regional and national patterns.

5.3.8 The majority of claims were for a shorter duration (less than 6 months), except for older residents, among which claims over 12 months were almost as common as those under 6 months. This differs from London and Great Britain, for which the majority of claims were less than 6 months among *all* age groups. The rate of claims over 12 months among older residents in Haringey was 2.0% compared to 0.8% in London and 0.4% in Great Britain.

<sup>27</sup> ONS Annual Population Survey, via NOMIS <https://www.nomisweb.co.uk/reports/lmp/la/2038431864/report.aspx?town=haringey>

<sup>28</sup> 2001 Census (JV41) <http://www.neighbourhood.statistics.gov.uk/dissemination>

<sup>29</sup> NOMIS: 'Total JSA claimants (March 2011)' <https://www.nomisweb.co.uk/reports/lmp/la/2038431864/report.aspx?town=haringey>



**Table 5.6: Jobseekers Allowance (JSA) claimants by age group and duration of claim, March 2011. Percentages represent the number of JSA claimants as a proportion of the resident population of the same age**

	Haringey (number)	Haringey (%)	London (%)	Great Britain (%)
<b>Aged 18 to 24</b>				
Total	2,085	10.1	6.8	7.3
Up to 6 months	1,695	8.2	5.7	6
6 – 12 months	295	1.4	0.9	1
over 12 months	95	0.5	0.2	0.3
<b>Aged 25 to 49</b>				
Total	6,635	6.3	4.1	3.9
Up to 6 months	3,620	3.4	2.5	2.5
6 – 12 months	1,325	1.3	0.8	0.7
over 12 months	1,695	1.6	0.8	0.7
<b>Aged 50 to 64</b>				
Total	1,530	5.3	3.1	2
Up to 6 months	675	2.3	1.6	1.2
6 – 12 months	285	1	0.7	0.4
over 12 months	570	2	0.8	0.4

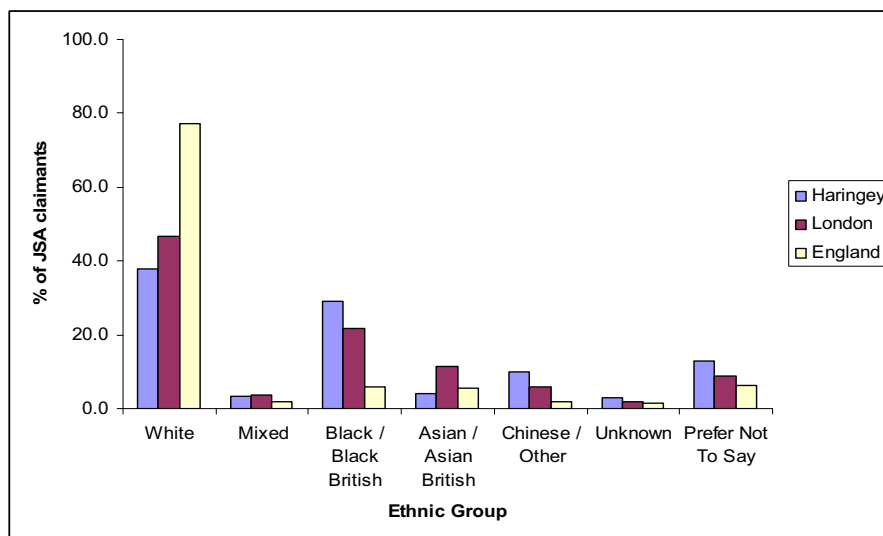
5.3.9 Data describing JSA claimants by gender is available for August 2009 for the smaller output area of Haringey 025D ('Wards Corner LSOA'), as shown in Table 5.7. JSA claims were more common among the male population (65%) than for females (35%); the same trend was true for Haringey, London and England.

**Table 5.7: JSA claimants by age group and gender, as a proportion of claimants in August 2009<sup>30</sup>.**

JSA claimants (%)	Wards Corner LSOA	Haringey LB	London	England
Male	65	67	66	72
Females	35	33	34	28

5.3.10 With regard to JSA claimants by ethnicity, the smallest area for which data is available is local authority. The proportion of JSA claims in Haringey borough between October 2008 and September 2009 was lower for 'White' and higher for 'Black or Black British' and 'Chinese or other' than in London or England (Figure 5.2).

<sup>30</sup> JSA Claimants 2009, Department of Work & Pensions via <http://www.neighbourhood.statistics.gov.uk/dissemination>



**Figure 5.2: JSA claimants by ethnic group in Haringey, London and England for the period October 2008 to September 2009**

5.3.11 Regarding all key benefits claimed in Wards Corner LSOA in 2009, Table 5.8 provides details of the main reason for / type of benefits claimed, as well as the age and gender of all people claiming a key benefit. The proportion of claimants for incapacity benefits in Wards Corner LSOA was notably higher at 12% of the working population, than in Haringey (8%) and London (6%), (see also 'Disability' section above).

**Table 5.8: Benefits data indicators: reason, gender and age for key benefits claimants in 2009<sup>31</sup>**

<i>% of working age population</i>		<b>Wards Corner LSOA</b>	<b>Haringey LB</b>	<b>London</b>
<b>All People Claiming a Key Benefit</b>		27	20	15
<b>Main reason for claiming a key benefit</b>	Job Seekers	7	6	4
	Incapacity Benefits	12	8	6
	Lone Parent	4	4	3
	Carer	1	1	1
	Others on Income Related Benefits	1	1	1
	Disabled	1	1	1
	Bereaved	0	0	0
	Unknown	0	0	0
	<b>Gender</b>	Male	14	10
Female	13	10	8	
<b>Age group</b>	Aged 16-24	5	3	2
	Aged 25-49	14	12	9
	Aged 50 and Over	8	5	4

5.3.12 Data for 'New Deal' starts in Haringey borough in 2008 show that for 'New Deal Young People' and 'New Deal Lone Parents', the ethnic group with the highest proportion of starts was 'Black

<sup>31</sup> ONS 'Benefits Data Indicators: Working Age Client Group' for Haringey LB: <http://www.neighbourhood.statistics.gov.uk/dissemination>

or Black British' (33.0% and 42.9% respectively), compared to London (25.7%, 28.5%) and England (6.7%, 8.1%)<sup>32</sup>.

- 5.3.13 As shown in Table 5.9, the proportion of residents in Haringey 16-64 with no qualifications (16.0%) was higher than in London (11.8%) and Great Britain (12.3%) whilst there is also a sizeable proportion of residents in Haringey educated to degree level.

**Table 5.9: Total numbers of people who are qualified at a particular level and above in 2009<sup>33</sup>**

	Haringey (numbers)	Haringey (%)	London (%)	Great Britain (%)
<b>NVQ4 and above</b>	69,500	43	39.7	29.9
<b>NVQ3 and above</b>	86,800	53.8	53.2	49.3
<b>NVQ2 and above</b>	101,800	63.1	64.5	65.4
<b>NVQ1 and above</b>	111,300	69	74	78.9
<b>Other qualifications</b>	24,300	15.1	14.3	8.8
<b>No qualifications</b>	25,700	16	11.8	12.3

Definitions:

**NVQ 1 equivalent:** e.g. fewer than 5 GCSEs at grades A-C, foundation GNVQ, NVQ 1, intermediate 1 national qualification (Scotland) or equivalent

**NVQ 2 equivalent:** e.g. 5 or more GCSEs at grades A-C, intermediate GNVQ, NVQ 2, intermediate 2 national qualification (Scotland) or equivalent

**NVQ 3 equivalent:** e.g. 2 or more A levels, advanced GNVQ, NVQ 3, 2 or more higher or advanced higher national qualifications (Scotland) or equivalent

**NVQ 4 equivalent and above:** e.g. HND, Degree and Higher Degree level qualifications or equivalent

- 5.3.14 Regarding business ownership in Wards Corner, a survey of the Seven Sisters Market was conducted by USM in 2008 which found of the 36 traders leasing stalls in the market, the majority (64%) originated from Latin America and were mainly Spanish speaking. The remaining 36% traders were mainly English speaking, from a mixture of racial backgrounds, including Afro-Caribbean, African, Asian and White<sup>34</sup>.

## 5.4 Housing

- 5.4.1 Wards Corner LSOA<sup>35</sup> experiences very high comparative levels of housing deprivation in terms of the sub-indicator for overcrowding, homelessness and housing affordability, according to CLG's Indicators of Deprivation 2010, which mainly use data from 2008.
- 5.4.2 A housing needs assessment conducted across Haringey in 2007 identified that single parents and people from black and minority ethnic communities were more likely to be in housing need.

<sup>32</sup> Department for Work and Pension, via ONS 'New Deal Programme: Starts by Ethnic Group, 2008'  
<http://www.neighbourhood.statistics.gov.uk/dissemination>

<sup>33</sup> NOMIS 'Qualifications (Jan 2009-Dec 2009)' <https://www.nomisweb.co.uk/reports/Imp/la/2038431864/report.aspx?town=haringey>

<sup>34</sup> 'Seven Sisters market Report' Urban Space Management, 2008. Available via Consultation Response #154 at:

<http://www.planningservices.haringey.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=173237>

<sup>35</sup> <http://www.imd.communities.gov.uk/> for LSOA E01002072 [ Accessed 12/04/2011]

Black and Black British households are reportedly more likely than other groups to be living in social rented housing. 'White - Other' households are more likely to live in the private rented sector whilst 'White - British' and 'Asian' and 'Asian British' households are most likely to be owner-occupier, across Haringey<sup>36</sup>.

5.4.3 There are 31 existing homes on the site on Suffield Road and at first floor on Tottenham High Road, Seven Sisters Road and West Green Road. The existing housing stock is a mixture of owner-occupied, private-rented accommodation and social housing units. The existing dwelling stock comprises 3 studio flats, 14 x 1-Bed, 5 x 2-Bed and 9 x 3-Bed units<sup>37</sup>.

5.4.4 Within the South Tottenham (N15) area, there are 409 housing units in the pipeline to be completed in 2011/12. Of these units 169 will be for social rent and 31 will be intermediate rent<sup>38</sup>.

## 5.5 Access to services and facilities

5.5.1 There are two primary schools in the Tottenham Green ward – Earlsmead and Wellbourne. Data from 2007 showed that all reception places were filled although both schools had overall excess capacity of 10%<sup>39</sup>. As at 2007, a number of approved developments in the vicinity, particularly Hale village, were expected to give rise to additional demand for school places in the local area. The 2007 report concluded that demand would be kept under annual review, although more recent data has not been identified online.

5.5.2 Haringey PCT identifies 56 GP practices within the borough. The PCT also identifies 10 dental practices providing NHS services within the South East Haringey area. Strategic planning of health services is currently the responsibility of the PCT, although proposals for greater control of service commissioning by GP practices currently being debated in parliament may influence future provision of health services and facilities for residents of the development in the future.

5.5.3 The existing shops are understood to include a mix of local food, convenience and other retail outlets. The overall local retail mix is understood to include a Tesco store but otherwise no national chain stores.

## 5.6 Public realm, transport, safety

5.6.1 Current access provision at Seven Sisters underground station includes facilities for the visually impaired or blind; assistance dogs welcome; facilities for the mobility impaired (escalators); facilities for hard of hearing people; induction loop; staff assistance available and alternative wheelchair accessible service available. The station does not have lift access<sup>40</sup>.

5.6.2 Seven Sisters railway station has staff help; accessible ticket machines and induction loop. However, no part of the station has step free access, there is no disabled parking and no other facilities for wheelchair users of people with mobility impairments<sup>41</sup>.

<sup>36</sup> [http://www.haringey.gov.uk/jsna\\_chapter\\_3\\_social\\_and\\_environmental\\_context\\_-\\_towards\\_jsna\\_in\\_haringey.pdf](http://www.haringey.gov.uk/jsna_chapter_3_social_and_environmental_context_-_towards_jsna_in_haringey.pdf) [Accessed 12/04/2011]

<sup>37</sup> Based on 'best estimate' information provided by Cluttons 10/05/2011

<sup>38</sup> Email correspondence from Shannon Francis, Housing Assets Officer, 19/04/2011

<sup>39</sup> [http://www.haringey.gov.uk/school\\_place\\_planning\\_report.pdf](http://www.haringey.gov.uk/school_place_planning_report.pdf) [Accessed 12/04/2011]

<sup>40</sup> <http://www.directenquiries.com/> & <http://www.tfl.gov.uk/gettingaround/stations/1000201.aspx> [Accessed 12/04/2011]

<sup>41</sup> <http://www.nationalrail.co.uk/stations/svs/details.html> [Accessed 12/04/2011]

- 5.6.3 Numerous bus routes and bus stops serve the Wards Corner site. All London buses are low floor and include at least one wheelchair space. Transport for London has also improved accessibility at bus stops.
- 5.6.4 Online crime mapping for the Wards Corner LSOA (E01002072) reports total notifiable offences in February 2011 as average (9.91) with a lower rate than for the Tottenham Green ward (12.45), though the rate is higher than the overall Haringey rate (8.91)<sup>42</sup>. Annual trends show falling crime rates for both Tottenham Green Ward and Haringey between 2007/08, 2008/09 and 2009/10.
- 5.6.5 Hate crime or harassment is any behaviour that is perceived by the victim or any other person to be motivated by hatred of the group to which the victim is believed to belong. In 2007/08 there were 192 racist offences. Haringey had the 6th lowest rate of racist offences in London in 2007/08 for the number of racist offences and lowest amongst its 'Most Similar' and neighbouring boroughs. Haringey has the 10th highest number of faith hate offences in London and 7th highest number of homophobic offences<sup>43</sup>.

## 5.7 Community cohesion and relations between different groups

- 5.7.1 Community cohesion is strongly identified as a priority in Haringey council policy, the achievement of 'A place of diverse communities that people are proud to belong to' emphasised in their SCS, Single Equality Scheme and community cohesion framework, towards ensuring equality of opportunity throughout the borough.
- 5.7.2 The updated community cohesion framework identifies the eastern wards of Haringey, including Tottenham Green ward, as tending to be home to higher numbers of BME groups, newly arrived migrants, refugees and asylum seekers, people from diverse faiths and people who have limiting long-term illnesses<sup>44</sup>.
- 5.7.3 The framework furthermore recognises the diversity of the borough's population as well as the existence of a large number and variety of voluntary and community based organisations serving different sections of the population.
- 5.7.4 A Community Cohesion Forum was established in 2008 to bring together a vision of common belonging and shared vision. The forum include groups who work with residents of different ages, genders, disabilities, ethnic backgrounds and cultures, religions and those with no religion and people from lesbian, gay bisexual and transgender communities.
- 5.7.5 Hate crime or harassment is any behaviour that is perceived by the victim or any other person to be motivated by hatred of the group to which the victim is believed to belong. In 2007/08 there were 192 racist offences. Haringey had the 6th lowest rate of racist offences in London in 2007/08 for the number of racist offences and lowest amongst its 'Most Similar' and neighbouring boroughs. Haringey has the 10th highest number of faith hate offences in London and 7th highest number of homophobic offences<sup>45</sup>.

<sup>42</sup> Rates for February 2011, for sub-ward area E01002072, <http://maps.met.police.uk/> [Accessed 12/04/2011]

<sup>43</sup> [http://www.haringey.gov.uk/jsna\\_chapter\\_3\\_social\\_and\\_environmental\\_context\\_-\\_towards\\_jsna\\_in\\_haringey.pdf](http://www.haringey.gov.uk/jsna_chapter_3_social_and_environmental_context_-_towards_jsna_in_haringey.pdf) [Accessed 12/04/2011]

<sup>44</sup> [http://www.haringey.gov.uk/community\\_cohesion\\_framework\\_update\\_2010.pdf](http://www.haringey.gov.uk/community_cohesion_framework_update_2010.pdf) [Accessed 12/04/2011]

<sup>45</sup> [http://www.haringey.gov.uk/jsna\\_chapter\\_3\\_social\\_and\\_environmental\\_context\\_-\\_towards\\_jsna\\_in\\_haringey.pdf](http://www.haringey.gov.uk/jsna_chapter_3_social_and_environmental_context_-_towards_jsna_in_haringey.pdf) [Accessed 12/04/2011]

## 6 Consultation and Engagement

6.1.1 This chapter summarises and analyses the consultation and engagement conducted in relation to the development of proposals for the redevelopment of Wards Corner and the planning application. It includes a record of activities undertaken since 2003. It considers the adequacy the consultation and engagement processes to identify and engage with affected sections of the population who share protected characteristics. It records different issues raised in the consultation which are of potential relevance to equality impacts, the range of opinions expressed. It considers how Grainger PLC ('the Applicant'), The Bridge New Deal for Communities (NDC) and the Council have responded to concerns.

### 6.2 Consultation and engagement process

6.2.1 Consultation with regards to the proposed redevelopment of Wards Corner and the planning application has been undertaken by the Council, the Applicant and their project team, and by The Bridge NDC.

**Table 6.1: Summary of consultation activities undertaken re. proposed redevelopment of Wards Corner**

Timeline	Activity	Conducted by	Stakeholders
Sat 1 <sup>st</sup> Feb 2003	Community conference day	The Bridge NDC	
2003	Face to face street survey	Atis Real Weatheralls	Local population
2003	Public consultation on Haringey UDP	Haringey Council	Haringey residents / businesses / wider public
Sept 2003	Public consultation on Wards Corner development brief, including leaflet drop 2 drop-in sessions Presentations Translation of leaflet available Questionnaires	Haringey Council	12,000 local households & businesses
2004	Public consultation on Haringey UDP	Haringey Council	Haringey residents / businesses / wider public
12 April – 13 Sept 2005	UDP public inquiry	Haringey Council	General public
28 March 2006	Event	NDC	NDC area residents & local stakeholders
2 <sup>nd</sup> Oct – 1 <sup>st</sup> Dec 2006	Conservation Area Charter Appraisal public consultation	Haringey Council	Haringey residents / businesses / wider public
9 Dec 2006	Event	NDC	NDC area residents & local stakeholders
13 June 2007	Letter sent to tenants of current Wards Corner site	Grainger	Site tenant
28/29 June 2007	Newsletter sent to 10,000 homes; 1100 sent by Haringey council local Neighbourhood Office; info. On exhibition in Tottenham	Grainger plc Haringey Council local neighbourhood office	

<b>Timeline</b>	<b>Activity</b>	<b>Conducted by</b>	<b>Stakeholders</b>
	Journal & Haringey Independent		
10 July 2007	Presentation / Q&A at Tottenham and Seven Sisters Area Assembly	Grainger plc project team	Local councillors
12 July 2007	Preview exhibition presentation in Apex House	Grainger plc project team	Cabinet members, ward councillors, NDC board members, Tottenham Partnership Forum
13 & 14 July 2007	Exhibition held on site in trailer	Grainger plc project team	General public, including 350 residents, local businesses & retailers, commuters. North London business attended, circulated information to local business and market traders
13 Aug 2007	Letter to Tottenham Civic Society	Grainger plc	Tottenham civic society
6 Sept 2007	Presentation	Grainger plc project team	Cabinet members, ward councillors, NDC board members, Tottenham partnership forum
18 Sept 2007	Consultation event at Tottenham Civic Society	Grainger plc project team	
3 <sup>rd</sup> Oct 2007	Meeting with traders and residents	The Bridge NDC	Traders and residents
7 October 2007	Presentation to Haringey Design Review Panel	Grainger plc project team	Haringey design review panel
Nov 2007	Update leaflet sent	Grainger plc	11,000 Local households
28 Nov 2007	Meeting with traders and residents	The Bridge NDC	Wards Corner coalition; Clyde Area Residents' Association, the Fountain Area Residents' Association and the Mayes West Residents' Association
12 Dec 2007	Meeting with traders and residents	The Bridge NDC	Traders and residents Tottenham Civic Society, Resident Association representatives, WCC members
06 Feb 2008	Submission of planning application, press release	Grainger plc	
12 Feb 2008 – ongoing (April 2011)	Comments, objections, support, queries regarding planning application	Haringey Council	General public
14 Feb 2008	Workshop held in English & Spanish	The Bridge NDC	33 affected local businesses & traders
Feb 2008	Leaflet sent to 10,132 with update on scheme and invitation to public exhibition	Grainger plc project team	Homes, stakeholders & local businesses
Fri 29 Feb 1200 – 1900 & Sat 1 <sup>st</sup>	Public exhibition at site Questionnaire	Grainger plc project team	150 people attended – local residents, businesses & stakeholders

<b>Timeline</b>	<b>Activity</b>	<b>Conducted by</b>	<b>Stakeholders</b>
March 1100 – 1500 2008			109 responses to questionnaire.
3 March 2008	Workshop held in English & Spanish	The Bridge NDC	Affected local businesses & traders
2008 post-workshops	1-2-1 consultation offering support & guidance	The Bridge NDC	Affected local businesses & traders
1 <sup>st</sup> Mar – end Nov 2008	Permanent exhibition at Marcus Garvey Library, drop-in sessions last Tues each month 5pm – 8pm	Grainger plc project team	Local residents, businesses, stakeholders
Quarterly basis	Updates about Wards Corner proposals in magazine hand-delivered & placed in local libraries & agencies.	Grainger plc / NDC	NDC households; other local residents, businesses & stakeholders
Ongoing updates	Grainger/project website updates & NDC website	Grainger plc / NDC	General public / NDC constituency
18 March 2008	Meeting with Tottenham Civic Society, Resident Association representatives, market traders, residents & WCC members	Grainger plc project team	Residents, market traders, interested stakeholders
20 March 2008	Present revised site proposals, Q&A session	Grainger plc project team	Wards Corner development forum, general public
2 <sup>nd</sup> – 13 <sup>th</sup> May 2008	Independent telephone poll re feedback on site & aspirations for area	ICM market research	500 local residents
9 May 2008 & 7 July 2008	Meeting & follow-up with local MP re revised proposals	Grainger plc	Local MP
8 Aug, 19 Aug, 1 Sept & 2 Oct 2008	Series of meeting re way forward for markets and local shops & businesses	Grainger plc	Market traders, shop owners, local businesses
28 Oct 2008	Open meeting with all market traders re. way forward for Seven Sisters market	Grainger plc	Market traders
30 Oct 2008	Meeting with residents, traders & members of Haringey council inc. Council Leader	Grainger plc	Residents, traders, local council
6 Nov 2008 & 28 Jan 2009	Letter in English & Spanish to all traders to confirm Graingers position & relocation & reoccupation options, update on devt. Timescales & position re liaising with tenants	Grainger plc	All market traders
1 February 2011	Development Forum held at College of North East London	Haringey Council	General public, attended by approx. 200 people.
Following a legal challenge to the planning decision, Haringey council has continued to receive responses to the planning application. The Applicant (Grainger plc) has not undertaken further consultation in the wider community since January 2009.			



6.2.2 Activities and processes to express views regarding the proposals have also been undertaken by others. In particular, the Wards Corner Community Coalition (WCCC) has co-ordinated activities to oppose the development via a website, an online petition, regular meetings, press coverage and their own development of an alternative proposal for redevelopment at Wards Corner.

### 6.3 Engagement with different sections of population, including those sharing protected characteristics

#### Consultation undertaken by Haringey council on the Wards Corner draft development brief

6.3.1 Haringey council undertook consultation with regards to the development brief in 2003. For this it undertook diversity monitoring of written responses, with respect to age, gender, disability and ethnicity. It provided translation options and alternative formats to enable different sections of the community to put forward their views. A cabinet report concludes that the consultation on the draft development brief took appropriate measures to consider equal opportunities and to ensure wide consultation.

#### Consultation undertaken by Haringey council on the planning application for Wards Corner

6.3.2 Haringey Council consulted with a range of statutory, internal and external consultees, including consulting with 2,754 local residents, as of January 2011. Online responses to the planning application numbered 303, as of April 2011.

**Table 6.2: Haringey Council record of consultees for Planning Application**

<b>Statutory</b>	<b>Internal</b>	<b>External</b>
Greater London Authority (GLA) English Heritage Commission for Architecture and the Built Environment (CABE) Met Police Government Office for London (GoL) London Fire Brigade Environmental Agency	Transportation Group Cleaving Building Control Conservation Design Regeneration Policy Design Panel	Waltham Forest council Hackney council  <b>Amenity Groups</b> Wards Corner Community Coalition Tottenham Civic Society Tottenham Conservation Area Advisory Committee (CAAC) The Bridge NDC  <b>Local Residents</b> Total No of Residents Consulted: 2,754

#### Consultation undertaken by Grainger and their project team

6.3.3 The record of consultation demonstrates that over 2007 and 2008, Grainger's project team engaged widely with the local community, making efforts to meet with different affected groups including market traders, businesses and retailers, residents of the site, local residents and resident associations, the local MP and local councillors, as well as local civic groups with an interest in the proposals for the site. Efforts to enable different groups are demonstrated by their preparation of letters in both English and Spanish, extensive leafleting of households, arranging meetings with particular interest groups, conduct of meetings and exhibitions at a variety of venues, including on the site, running drop-in sessions and holding events at a range of times of day, including evenings and weekends. The conduct of focused meetings with market traders, including Latin American traders, enabled Grainger to take account of their

particular concerns and address them in revisions to proposals for the site. The record of consultation does not make explicit how consultation was made accessible and inclusive for disabled people.

6.3.4 The statement of consultation submitted indicates limited monitoring by Grainger and their team of the diversity of consultees. Written consultation questionnaires included questions that enabled monitoring by age and sex local resident status. However, no formal monitoring was undertaken with regards to ethnicity, disability, sexual orientation, religion or belief.

6.3.5 In an equality impact assessment by Clutton's commissioned by Granger Plc, analysis of consultation undertaken in relation to the planning application identified the following concerns held by groups sharing equality protected characteristics:

- 68% of young people aged 18-24, and 65% of people aged 25 - 34 in an ICM poll reported feeling unsafe in the Wards Corner area at night;
- 62% of women as compared to 46% of men reported feeling unsafe at night, across all age groups, according to the ICM poll;
- People from BME groups predominate amongst those owning or working in existing shops/business premises and the indoor market. Traders within the indoor market are identified to be around 64% Spanish-speaking. People who own or work within shops and businesses on the site expressed strong concern about the loss of their businesses and jobs. The market traders expressed their desire to continue to operate from the site and their concerns about finding alternative equivalent accommodation, either in the long term or as a temporary measure until they are able to return to the completed scheme. Market traders also expressed concerns about the affordability of alternative accommodation and of space within the completed scheme. Spanish-speaking traders expressed a strong desire to be able to stay together as group as they believe that their businesses benefit from being part of a Latin American market;
- People belonging to BME groups predominate amongst those living in existing housing, some of whom also operate businesses from the Wards Corner site, raised particular concerns about the loss of their homes and their ability to find alternative accommodation.

## 6.4 Issues raised and differing views

6.4.1 Analysis of all the comments received by Haringey council in relation to planning application HGY/2008/0303, as published on the planning application website, was conducted by URS Scott Wilson to identify the range of issues raised, the differing views of respondents and how these relate to affected groups sharing protected characteristics. This analysis focused on concerns that may have a differential impact with respect to equality protected characteristics. The responses cover a time frame from February 2008 until April 2011. Some of the responses pre-date more recent changes to the submission, including amended drawings, a revised ground floor layout and amended planning statement.

### **Consultation process**

6.4.2 Objections criticised the planning process and consultation process to date for failing to listen to the community, lack of genuine consultation, retrospective consultation and lack of engagement with local community in the production of the EQIA produced on behalf of Grainger.

- 6.4.3 The record of consultation process summarised in Table 6.2 shows that wide-ranging consultation was undertaken and included processes to listen to the community and particular affected groups. A lack of specific engagement with the local community in the production of the EQIA produced on behalf of Grainger, and indeed, for this EqIA, is acknowledged. However, this EqIA included the conduct of a thorough re-analysis of available records of consultation to date, including all responses which were published on Haringey Council's planning application site with regards to application HGY/2008/0303. This EqIA recommends the Applicant and the Council review their approach to engagement in relation to the redevelopment, to identify how concerns about the quality of engagement and effective listening can be improved.

### **Housing-related impacts**

- 6.4.4 Objectors criticised the lack of inclusion of affordable housing, expressed concern that the proposal will give rise to homelessness and expressed the view that the housing would be unaffordable for local people. Supporters expressed the view that more private housing in the area was desirable.
- 6.4.5 Provision of affordable housing in line with Council and GLA policy would normally be expected to enable groups disadvantaged by income/savings barriers to benefit from the new housing provision on the site. The non-provision of affordable housing either on site or off-site via developer contributions is therefore identified in this EqIA as a negative equality impact. The independent judgment of the Valuation Office is referenced by the Applicant as justification for the non provision of affordable housing. An independent viability assessment has been submitted to Haringey Council and a final decision on the acceptability of non-provision of affordable housing within the development will be taken by members on the basis of this assessment. Neither the assessment of the Valuation Office or the independent viability assessment referenced above has been seen by URS Scott Wilson.
- 6.4.6 Objections were also raised with regard to provision of too many flats and not enough family-size housing.
- 6.4.7 The development proposes an increase in numbers of family-sized housing on the site as compared to the current provision. Affordability barriers mean that low income BME households, single parent households and children in low income households are unlikely to share in the benefits of this housing. This EqIA recognises this is a negative equality impact.
- 6.4.8 A number of objections questioned the basis and transparency of the justification for non-inclusion of social housing within the development.
- 6.4.9 The Applicant has given reasons of commercial confidentiality to explain why information forming the basis for judgments regarding the non-viability of affordable housing provision as part of the redevelopment. This means that some interested parties, including the WCCC have not been given the full information on which decisions have been made. This EqIA recommends that the Applicant and the Council co-operate to make publically available information that has formed the basis for decisions on non-provision of affordable housing on the site.

### **Employment, Business and Economic Regeneration**

- 6.4.10 Support was expressed that the proposal would attract new businesses, creating new jobs whilst objectors considered the proposal would give rise to job losses relative to the existing shops and market.

- 6.4.11 The Applicant's proposals indicate intensified commercial activity on the site, including a mix of national and local shops. New retail jobs are likely to be created, which local residents, including existing employees at the site, are likely to be able to share in these new employment opportunities. Some existing jobs are likely to be lost, affecting BME employees, particularly affecting Latin American employees, though existing employees are likely to have equal opportunities to take up new jobs created as a result of the development.
- 6.4.12 Support was expressed that the proposal will regenerate the area, attracting new business and custom for existing businesses. One respondent commented on the desire for a decision to overcome the uncertainty which was detrimental to business. One objector considered that a loss of local shops at the expense of national chain stores would result in loss of money from the local economy. Objectors expressed the view that the proposal would be detrimental to local businesses, to local small traders, to specialist ethnic shops, including Indian, Chinese and new migrants and to nearby Brazilian businesses.
- 6.4.13 The entry of national retail chains at the site is likely to result in channelling of a proportion of local spend outside the area. It is unclear whether this will be at the expense of local shop profits, since overall spending in the local area can be expected to grow as a result of the new investment. Local BME-owned businesses are likely to share in new business and custom resulting from the redevelopment. The proposal includes provision for seven outlets suitable for local shops. BME-owned businesses are likely to share in the benefits of this provision. Proposed West Green Road environmental improvement fund is likely to support capture of benefits by local businesses, including local BME-owned or run businesses.
- 6.4.14 Objectors emphasised the significance of the market as a specialist Latino market, judging that the proposals would adversely affect Iberian and Latino trade, whilst comments also identified the market as offering a mix of specialist BME goods and services. Objectors considered that the proposed re-provision for the existing market would be inadequate and criticised a lack of plans for temporary relocation of the market. One objector commented that the business class restrictions of the proposed retail units would exclude many existing traders.
- 6.4.15 The EqIA recognises the significance of the market to Iberian and Latino trade and the multi-ethnic composition of traders (see 7.3.2 below).
- 6.4.16 This EqIA identifies the successful temporary relocation of the market as extremely important to securing the future success of the market stallholders and sets out additional mitigation measures to this end in Chapter eight under the heading Business and employment, as well as recognising the importance of mitigation measures negotiated for the most recent S106 agreement, referred to in 7.3.4 to 7.3.6 below. The latest proposed re-provision for the existing market is to re-provide it in its entirety, which, supported by measures to secure the right of return for existing stallholders, should support affected BME-owned businesses to share in the benefits of re-provision. The proposed business class restrictions are considered unlikely to exclude existing traders, including street food sellers, in the view of URS Scott Wilson. The Applicant has indicated to URS Scott Wilson that this is not their intent.

### **Character and vitality of area**

- 6.4.17 Supporters considered the proposal would improve the appearance of the area, making it a more welcoming environment and overcoming blight effects of the current site.
- 6.4.18 The EqIA identifies benefits of the public realm and open space improvements and improved appearance of buildings for crime and a feeling of welcome in 7.7.1 below. These benefits are likely to be widely shared and to be particularly important for certain groups sharing protected

- characteristics, including young people, women, and possibly also LGB people. Local residents from different ethnic backgrounds are also likely to share in these benefits.
- 6.4.19 Objectors identified the proposal as out of keeping with the character of the area and one that does not support the diversity of the local community. Such comments also referenced preferences for alternative proposals put forward by the WCCC.
- 6.4.20 The proposals, as summarised in Chapter four: Summary of planning application and related proposal, include units of a size suitable for use by local businesses within the retail mix, re-provision of the existing market in its entirety and measures within the S106 agreement to help existing businesses strengthen their models, to temporarily relocate, keeping all the Latin-American businesses together, and to protect their right to return. This EqIA considers these measures demonstrate that the Applicant recognises and has tried to support the existing diversity of the local community, by enabling existing traders to form part of the mix of the future development.
- 6.4.21 Alternative proposals for the redevelopment of Wards Corner by the WCCC were submitted in an application which was accepted as valid 28 Jan 2008 despite it lacking a clear site plan showing the land which the application relates to. The Council did not make a decision on the application so the applicant appealed to the Planning Inspectorate on the basis of “non-determination”. This meant only the Planning Inspectorate can decide the application, which they decided not to do. The Council has invited WCCC to resubmit a new application so that they can take it through the normal planning process.

### **Safety concerns**

- 6.4.22 Supporters considered the current site is uninviting and hostile at night and a focus for anti-social behaviour, and indicated confidence that the re-development would help overcome these problems.
- 6.4.23 Objectors identified the current market as family friendly and considered that crime levels have been misrepresented by the Applicant to justify demolition. One objector considered that the proposal would worsen safety in the area. In one letter of objection, a respondent indicated that the proposal fails to address the lack of provision of bars, coffee shops or restaurants to attract women and young people, in order to make the area safer.
- 6.4.24 Existing safety concerns are identified at 5.6 above. The EqIA considers the proposals are likely to have a beneficial impact for safety, benefits which are likely to be shared by people sharing protected characteristics, including women, young people, children, local BME residents and possibly LGB people. Measures to safeguard the future of the market make it possible for the family-friendly nature of the current market to be realised within the redevelopment.
- 6.4.25 The proposed retail mix does not preclude provision of coffee shops or restaurants as part of the overall mix. The Applicant should consider how the proposed layout could accommodate such provision as a potential way to enhance the development’s contribution to the sense of safety and welcome for different groups.

### **Provision & access to goods, services & facilities**

- 6.4.26 Supporters considered the proposed redevelopment would provide a better choice of goods and services, criticising the current shops as serving a small proportion of the existing community.

- 6.4.27 The redevelopment is likely to achieve a widened choice of goods and services appealing to a wider range of people. Nevertheless, the specialist provision aimed at particular groups is important in itself and mitigation measures to maintain this specialist provision as part of the overall future mix should be retained.
- 6.4.28 Objectors criticised the proposal as lacking in provision of public space, green infrastructure, and health and school services to meet the needs of new residents.
- 6.4.29 The proposals include provision of public space and play space for young children, described in Amenity Space and Play Space. The proposals indicate that non- provision for older children within the development is due to space constraints and is justified by the close proximity to a newly refurbished playspace (see 4.1.46 above). The S106 agreement includes an agreed amount for educational provision, whilst no specific demands for health provision were made.
- 6.4.30 Objectors considered the proposed redevelopment will deprive residents of goods and services, particularly convenience and specialist ethnic services provided to a wide community and to people from ethnic minority communities.
- 6.4.31 The redevelopment proposes both new retail and opportunities for existing providers of goods and services to form a part of the new development to widen the choice of goods and services to local residents. The EqIA recognises that open-market rent levels may prove unaffordable for some existing ethnic minority businesses to operate within the redevelopment. But it considers that the combination of the proposed and additional recommended mitigation measures are adequate to protect access to specialist goods and services for BME communities goods and services.

### **Community cohesion**

- 6.4.32 Many letters of objection criticised the proposed development as offering reduced community benefit and failing to address the needs of the local community. The proposed demolition and potential loss of local shops was judged by some objectors to threaten local cultural connections. Some expressed the view that the existing market brings ethnic diversity together through a multi-ethnic mix of traders, with one letter mentioning Latin-American, Afro-Caribbean traders as West African, Kurdish and Asian-run shops.
- 6.4.33 The proposals include measures to try to sustain the existing mix of traders, through both temporary relocation measures and measures to safeguard the eventual return and successful continuation of existing businesses as part of the development. These measures (summarised in Table 7.2: Summary of Business and Employment Impacts for Affected Groups & Table 7.3) are expected to indirectly address the needs of the local community and sustain ethnic diversity and community cohesion (see Table 7.4).
- 6.4.34 Several objection letters criticised the proposed development as detrimental to the livelihoods of local workers and their families, as giving rise to a loss of a unique space for the Latino community, in terms of family recreation, Latino friendships and integration. In two letters of objection, one person indicated that the development could jeopardise the future of the nearby Catholic church. Letters of support questioned the significance of the market's contribution to the Latin American community.
- 6.4.35 The EqIA recognises the contribution made by the existing market to the Latin-American network in London, for the livelihoods of traders and their families and wider social impacts, as referred to in 7.5.3 below. The proposals (summarised in 7.3.4 to 7.3.7) include measures to enable the continuity and cohesiveness of the Latin American trading community, via measures

set out in the S106 agreement. Specific measures directly to mitigate secondary or indirect negative social impacts for family, friendships and integration are not identified. In the view of URS Scott Wilson, the Latin-American community in London is likely to have sufficient resilience to adapt to temporary and long-term changes to the Seven Sisters market, such that the redevelopment is unlikely to give rise to permanent or irreversible significant loss to Latin-American community ties.

### **Effects for equality objectives**

- 6.4.36 A number of respondents questioned whether the planning application process was in line with equalities legislation and local policies for community cohesion.
- 6.4.37 This EqIA has been undertaken in line with existing Council policy, London-wide policy and national equality legislation. The Council has undertaken consultation in relation to its consideration of the Planning Application. These both have been undertaken to ensure that the Council has fulfilled its duties to pay due regard to its equalities responsibilities under Section 149 of the Equality Act 2010.

## **6.5 How the Council and the Applicant have responded to concerns**

- 6.5.1 A report to Haringey Council planning application sub-committee in 2003 records how the council responded to views raised in the public consultation on the draft development brief<sup>46</sup>. Amendments to the brief addressed open space, green space, public art, cycle parking provision, whilst amendments of clarification were made regarding affordable housing. For other issues considered, no changes were made, with justifications provided. A specific issue raised was that the loss of the Wards store could be a blow to the personal identity of older people who are long term residents did not result in amendments to the brief. The response given was that the building had been vacant and boarded up for thirty years and its loss needed to be balanced against the benefits of works to the physical area, including for safety and access. Issues relevant to equality considerations and the responses of the sub-committee to them have been extracted from Appendix B of Wards Corner/Seven Sisters Underground – Report on Draft Development Brief consultation (PASC 8 July 2003) and are reproduced in Table 6.3. The table of all issues and responses is reproduced in its entirety at Appendix One, whilst the report itself can be requested from the Council committee clerks.

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<sup>46</sup> Haringey Council PASC: Wards Corner/Seven Sisters Underground – Report on Draft Development Brief Public Consultation. 8th December 2003

**Table 6.3: Responses by planning sub-committee to views raised in public consultation on the draft development brief**

Nature of Impact	Response of Planning Committee (numbers as per Appendix B of the Report)	Action
Open space, green space, public art	<p>7. 'The Brief does not include any details of treatment of open space, but does make it clear that significant, and coordinated, improvement to the public realm should take place.'</p> <p>15. 'It is accepted that the open space [Pages Green] could be treated better than it is at present, but it does have the potential to make an important contribution to the overall amenity of the area.'</p>	<p>7. 'Amend Brief to reflect.'</p> <p>15. 'Amend the brief to emphasize the importance of green space.'</p>
Public realm	<p>17. 'The building [Wards Corner store] has been vacant and boarded up for 30 years. The loss of the landmark would need to be balanced against the works to the physical fabric of the area, particularly in terms of safety, access etc.'</p> <p>21. 'London Underground, who would be ultimately responsible for alterations to the station, have been consulted on the Brief, but have not responded at this stage. However, the Brief identifies the need to consider access arrangements as part of the overall development of the area.'</p> <p>28. Regarding the issue: <i>Residents must be kept informed, and the Council should consider things that will enhance the area and draw visitors attention to the environment.</i> Response: 'Acknowledged.'</p> <p>36. 'The existence of public toilets on the Apex House site is referred to in the Brief, which says that they should be replaced. This can be considered as part of the feasibility design process.'</p>	<p>17. 'No change to the brief is proposed.'</p> <p>21. 'No change to the brief is proposed.'</p> <p>28. 'Amend the brief to emphasize the need to improve the public realm.'</p> <p>36. 'No change to the brief is proposed.'</p>
Affordable housing	<p>9. 'The issue of affordable housing provision, and its concentration within certain parts of the Borough is topical. It is unlikely that the Council would look for pure social housing here, but instead key worker or shared ownership. The Tottenham High Road strategy supports this approach.'</p> <p>37. 'The precise nature of housing tenure would be agreed at the detailed stage, this will consist of various sizes and tenures, especially key worker, and shared ownership, accommodation.'</p>	<p>9. 'Amend the Brief to clarify the situation.'</p> <p>37. 'Amend the Brief to clarify the situation.'</p>



<p>Transport infrastructure</p>	<p>25. 'The intention is to improve linkages between the tube station and buses, possibly in the area to the front of the Wards building. However, no details have been worked up and both London Buses, and the Council's Head of Transport Planning, have expressed doubts about the workability of the idea.'</p> <p>30. 'Car parking should be kept to a minimum, given the excellent public transport access in the area, and so as to be in line with the Council's most up-to-date policies.'</p>	<p>25. 'No change to the Brief is proposed.'</p> <p>30. 'No change to the Brief is proposed.'</p>
<p>Crime</p>	<p>21. Regarding issue: '<i>Tube station might be improved be being at street level, reducing the 'hot-spots' for crime....</i>'. Response: 'London Underground, who would be ultimately responsible for alterations to the station, have been consulted on the Brief, but have not responded at this stage. However, the Brief identifies the need to consider access arrangements as part of the overall development of the area.'</p> <p>40. 'Both the Police and the British Transport Police have confirmed that the station, the market and the area in general are subject to high levels of crime. The proposed development would give opportunities to incorporate the principles of "Designing Out Crime" in any new buildings and spaces around them.'</p>	<p>21. 'No change to the Brief is proposed.'</p> <p>40. 'Amend the Brief to emphasize the likely personal safety benefits from the redevelopment.'</p>
<p>Cultural diversity and mix of uses</p>	<p>18. 'The Brief does indicate that the replacement of the market "would be welcomed". However, the future of the market is outside the scope of the brief and would need to be agreed by the traders, who are all understood to be on short-term leases, along with any future developer.'</p> <p>19. Regarding issue '<i>...what alternative arrangements are being proposed to ensure that the richness and diversity of local communities is not lost?</i>' Response: 'The Brief seeks to guide future development of the site.'</p> <p>27. Regarding issue '<i>area needs "culture" not supermarkets</i>' Response: 'Acknowledged. The intention of the Brief is not to impact on culture, in whatever form it is considered to exist.'</p> <p>10. Regarding issue '<i>Art house cinema, or language night school should be provided. Will there be space for community use?</i>' Response: 'The Brief cannot be too over-prescriptive, in terms of specific uses, and, instead it refers to "a range of land uses" as being appropriate. Retail uses are specifically encouraged.'</p> <p>31. 'The details and identity of the likely occupiers of any proposed development are not known at this stage. The fact that certain respondents want a multi-national retail presence, whilst others object to precisely that, is an illustration of the difficult balance that needs to be struck.'</p>	<p>18. 'The Council will seek to assist in any future re-location of traders by encouraging links with local business organisations.'</p> <p>19. 'No change to the Brief is proposed.'</p> <p>27. 'No change to the Brief is proposed.'</p> <p>10. 'No change to the Brief is proposed.'</p> <p>31. 'No change to the Brief is proposed.'</p>



<p>Loss of market / market traders</p>	<p>18. 'The Brief does indicate that the replacement of the market "would be welcomed". However, the future of the market is outside the scope of the brief and would need to be agreed by the traders, who are all understood to be on short-term leases, along with any future developer.'</p> <p>38. 'The area has been blighted by the derelict building for over 30 years. Redevelopment will regenerate the area and improve quality of the environment.'</p>	<p>18. 'The Council will seek to assist in any future re-location of traders by encouraging links with local business organisations.'</p> <p>38. 'No change to the Brief is proposed.'</p>
<p>Public consultation &amp; Consideration of alternatives</p>	<p>39. 'The building is not owned by the Council. Any proposed use would need to be discussed with the landowner.'</p> <p>26. 'The suggestion that the consultation has been inadequate is not accepted. There have already been a variety of meetings in the past in order to relay the contents of the brief to interested parties.'</p>	<p>39. 'No change to the Brief is proposed.'</p> <p>26. 'No change to the Brief is proposed.'</p>

6.5.2 The Applicant responded to concerns raised in consultation on the proposed design with a number of changes to the design and other measures, including in renegotiations of S106 measures. Changes which are chiefly design changes and not relevant to consideration of equality impacts are not included here. Changes relevant to equality considerations, as summarised in a document prepared by the Applicant's project team, are:

- Including accommodation suitable for the re-provision of the entire Seven Sisters market
- Redesigning the retail accommodation to attract a mix of local and independent traders to smaller units on West Green Road and Seven Sisters Road as well as to attract a range of national retailers to the High Road frontage, principally for convenience uses
- Changes to S106 agreement with regard to conditions for the return of the existing market traders to a future replacement market
- Increasing the value of their offer of voluntary financial contributions to create a West Green Road Environmental Improvement Fund.

6.5.3 This EqIA identified that limited diversity monitoring or analysis of consultation responses has been undertaken to date by the Council in its consideration of this application. In the future, it is recommended that the Council more systematically monitor and analyse how the concerns of different equality groups are addressed in future consideration of the development and in implementation of agreed mitigation measures.

## 6.6 Summary

6.6.1 A process of community consultation and engagement was undertaken in relation to the development brief by Haringey council and in relation to the planning application by the Applicant, the Bridge NDC and Haringey Council. This has included measures to engage widely with different sections of the affected population, including people sharing equality protected characteristics. However, a significant number of consultation responses received by Haringey council raise objections regarding the adequacy and effectiveness of the consultation process in engaging with the local community.

6.6.2 Analysis by URS Scott Wilson of both consultation responses and survey questionnaires relating to the development proposal indicates that concerns of potential negative impacts particularly relate to equal opportunities for local BME residents, for Latin-American, Afro-Caribbean and other ethnic minority market traders and local shop owners as well as to community cohesion for the Latin-American community and the local multi-ethnic community.

6.6.3 Analysis of face to face questionnaire responses by URS Scott Wilson indicates that safety around the existing site is a particular concern for young people and for women living in the local area. Limited diversity monitoring of consultation to date means that little evidence has been identified regarding the impacts of concern to other equality protected groups, including disabled people and people of different religions or beliefs.

6.6.4 The available evidence, as presented to URS Scott Wilson, indicates that both the Council and the Applicant have responded to consultation responses, both in terms of adapting the original development brief and in terms of changes to the design proposals and the terms of the S106 agreement.

## 7 Appraisal of Equality Impacts

### 7.1 Appraisal introduction

- 7.1.1 The appraisal considers the potential impacts for affected people sharing protected characteristics arising from the planning application and associated proposals for Wards Corner.
- 7.1.2 The appraisal addresses impacts in relation to key themes, identified from the review of policy, the screening findings and the review of baseline evidence and consultation evidence.
- 7.1.3 Equality impacts on business and employment, goods services and facilities and for community cohesion are identified as highly inter-connected, in relation to the future of the existing market and shops.

### 7.2 Housing

- 7.2.1 URS Scott Wilson understand that BME residents predominate amongst the residents of the existing housing on the site, across a mix of tenure types, reflecting the wider ethnic diversity of the local area. Housing impacts are likely to differ according to tenure type. The lack of precise data on the identity of affected households makes it impossible to identify if the individuals affected may be particularly sensitive to the effects of losing their existing housing on grounds of their possessing equality characteristics. It is noted that single parents and people from black and minority ethnic communities are identified as more likely to be in housing need in Haringey, so where affected households share these characteristics, it would indicate a potential negative equality impact, exacerbating existing disadvantage amongst these groups.
- 7.2.2 For those residing in social housing, whether in secure tenure council housing or in housing association, it is considered that suitable offers of alternative provision, on the same tenure basis, can be made within the locality. Information provided by Haringey Council officers indicate that within the South Tottenham (N15) area, there are 409 units in the pipeline to be completed in 2011/12. Of these units 169 will be for social rent. The Council will be able to allocate suitable alternative accommodation to the three households currently in social rented units scheduled to be displaced as part of the Wards Corner redevelopment. Similar re-provision for tenants of the seven housing association units should also be expected. It is judged that no major adverse impact is identified for this group of households, although additional recommendations are made to ensure suitable re-provision.
- 7.2.3 For those living in private rental, we consider that suitable alternative provision can be found within the locality. On the understanding that within the South Tottenham (N15) area, there are 409 units in the pipeline to be completed in 2011/12, it is judged likely that a suitable choice of alternative private rental or intermediate housing options will be available. However, in the case of any individual households or household members who may be particularly vulnerable (e.g. due to disability, long term illness, low income lone parent households), there may be negative impacts. Additional recommendations are set out in Chapter Eight to support affected households to access a choice of suitable alternative accommodation.
- 7.2.4 Those households who own their own home are more likely than other residents to be negatively affected by the loss of housing, in particular the small number of households who also own businesses on the site. Existing blight effects of the site are likely to reduce the market value of their homes, negatively affecting their ability to afford to purchase a suitable

choice of alternative housing in the locality. In the absence of detailed information regarding the profile of existing residents, it is not possible to identify if the impact of the loss of existing housing and consequent possible displacement from the local area will disproportionately affect people sharing protected equality characteristics. If the households concerned are from BME backgrounds or lone-parent households, groups identified as particularly affected by housing deprivation in the borough, equality impacts are likely. Recommendations are set out in Chapter Eight to support affected households to access a choice of suitable alternative accommodation.

7.2.5 Consultation responses criticised the lack of family-sized housing proposed for the site. The proposed provision is for 37 3-bed housing units, a four-fold increase on the current provision of nine 3-bedroom houses. It is thus considered that there is likely to be a positive impact for children, by increasing provision of suitable family housing on the site. The loss of two family-sized social housing units on the site is considered a potential negative impact affecting children living in households experiencing housing need. The re-provision of housing for affected tenants by the council and the housing association respectively is considered appropriate to mitigate this impact. It should be noted that URS Scott Wilson do not know whether the 3-bedroom social housing units are currently occupied by households with dependent children.

7.2.6 The EQIA screening and the consultation responses raised concerns about possible negative equality impacts of not including affordable housing on the site, against London-wide and local policy requirements. Possible impacts could be important for black and minority ethnic households and single parent households, reported to experience higher rates of housing need. The non-replacement on site of affordable housing is considered to be a negative equality impact. However, URS Scott Wilson has referred to the Valuation Office's independent appraisal that the development cannot afford affordable housing as the basis for accepting the Applicant's justification for the non-provision of affordable housing as part of the Planning Application. The expected completion of 409 units within the South Tottenham (N15) area, of which 169 will be for social rent, provides assurance that alternative provision is being made to meet affordable housing targets in the East of the Borough. On this basis, the non-provision of affordable housing on the site is judged to have a minor negative impact for equality.

**Table 7.1: Summary of Housing Impacts for Specific Affected Groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Loss of social rented housing, including family-sized houses on site, due to demolition & re-housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in social rented housing  Children in affected households	Re-provision in social housing on same tenure status within borough, with additional compensation in line with Haringey Council policy.	Following granting of planning permission  Site preparation phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Indicative timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Loss of private rental housing on site; no guarantee of re-provision on site within new private housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in private rental housing  Children in affected households	No agreed mitigation measures.  Recommended mitigation of support, particularly to households with specific needs, to identify suitable alternative housing in the locality	Following granting of planning permission  Site preparation phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office – understood to include intermediate housing and below-market rental rates.
Loss of owner-occupied housing on site, including family-sized houses; no guarantee of re-provision on site within new private housing.	Afro-Caribbean, African, and households from other ethnic backgrounds living in owner-occupied housing  Children in affected households	No agreed mitigation measures.  Assumed recommended mitigation of negotiated purchase and compensation, as well as support, particularly to households with specific needs, to identify suitable alternative housing in the locality	Following granting of planning permission  Site preparation phase	Re-provision of affordable housing on site judged unaffordable by Valuation Office – understood to include intermediate housing and discounted purchase rates.
Indirect: On-site loss of affordable housing, exacerbating existing barriers to housing	BME households, lone parent households (details according to Haringey HNS 2007)	New affordable housing provision planned within East Haringey at other site resulting in net increase	Over timeframe of site preparation and construction.	N/A

## 7.3 Business and employment

### Market traders

- 7.3.2 The market is understood to include 64% Latin American owned businesses and to also include a significant proportion of other BME-owned businesses. It is also understood that the employee ethnicity profile reflects the ownership of the businesses, including family-operated businesses. Consultation responses identify the market as particularly significant to the Latin-American community in London.
- 7.3.3 The EqIA screening and consultation responses identified potential negative equality impacts arising from possible loss of livelihoods and employment for Latin American and other BME-owned businesses and their employees, following closure of the existing shops and markets.

- 7.3.4 Revised plans submitted to the Council include space for re-provision of the existing market in its entirety. The proposals, for incorporation in a S106 agreement, include measures to protect the existing stallholders' ability to return to the replacement market. However, the predicted increase in rent to open market levels in the new market may make it unviable for some existing stallholders to return to the site.
- 7.3.5 The period of demolition and construction, when the space will be unavailable for market holders, poses a threat to the ability of stallholders to continue to operate their businesses and to employees of existing shops and market stalls.
- 7.3.6 The S106 conditions require both the Applicant and the Council to assess the opportunities for the temporary relocation of the market, including re-locating all of the Latin-American businesses together. The Applicant has also offered compensation, a minimum 6 months notice period and business support.
- 7.3.7 These measures, taken together, should contribute to enabling a significant proportion of the affected businesses to plan for their temporary relocation and develop their business in order to be able to afford to return to the new market or to an alternative permanent location, as well as to enable the Latin American market traders to continue to operate together. This will require effective collaboration between all interested parties including Haringey Council, the Applicant, the landowner, the business owners (shops and stallholders) and the existing market operator.

## Shops

- 7.3.8 The shop units on the site are understood to include a business selling Halal meat for Muslim customers and other BME-owned shops and businesses.
- 7.3.9 Revised plans submitted to the Council include space for six small shop units along the West Green Road intended to be suitable for local and independent retailers.
- 7.3.10 Measures within the West Green Road Environmental Improvement Fund to pay for shop/building frontage improvements, investment in street decoration and enhancements, service improvements, improved parking and an Improvement Strategy for businesses/markets are proposed as mitigation measures to benefit local businesses.
- 7.3.11 URS Scott Wilson consider that the provision of new shop units, improvements to the wider West Green Road retail environment and availability of alternative premises for relocation mean that existing shops, including Muslim-ownership businesses and BME-ownership businesses and their employees are unlikely to be unfairly affected by loss of the existing shop units. Whilst recognising that those businesses that lease or rent their existing premises at below-market rates may find it hard to afford the future rental/leasehold rates of new units, URS Scott Wilson consider that, with appropriate compensation for costs of disruption, these businesses should be able to share in the benefits of the improved retail facilities as part of the redevelopment.
- 7.3.12 URS Scott Wilson consider that the proposals are likely to have some negative impacts for equality, where it proves unviable for some of the existing businesses to continue to trade, despite proposed measures for temporary and permanent re-provision, because they will lose the benefit of current low rental costs. However, the proposed measures are considered appropriate to support equal opportunities of Latin American and other BME businesses and employees to share in the benefits of the new development. Further recommendations are identified below to strengthen positive outcomes and limit potential negative equality effects with respect to business and employment.

7.3.13 Consultation responses in support of the planning application identified new jobs and new investment as benefitting employment, whilst some responses objecting to the planning application, considered that the proposal would result in a loss of employment affecting BME people. Figures presented by the Applicant indicate that there would be a net increase in employment as a result of the redevelopment. The local employment and procurement policy is also expected to generate local employment during the construction phase. The baseline evidence indicates that unemployment rates are disproportionately high amongst young people and Black/Black British ethnic groups in Haringey. Black/Black British young people had the highest proportion of New Deal Young People starts in Haringey. It is considered that the wider employment impacts are potentially positive for equality groups. Recommendations are identified in Chapter eight to strengthen positive equality outcomes with respect to employment.

**Table 7.2: Summary of Business and Employment Impacts for Affected Groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Business closure/non-viability of business following permanent loss of existing low-rent market site	<p>Latin-American/Spanish-speaking ownership businesses</p> <p>Afro-ownership business</p> <p>African ownership businesses</p> <p>Other BME-ownership businesses</p>	<p>Reprovision of all stalls within reprovided market within new development at open-market rental in improved venue</p> <p>Measures to protect right of return of existing stallholders</p> <p>Identification of suitable alternative venues for temporary reprovision of market</p>	<p>Following granting of planning permission</p> <p>Site preparation phase</p>	N/A
Interim loss of existing market site during redevelopment, affecting temporary operation of business and long term continuation of businesses	<p>Latin-American/Spanish-speaking ownership businesses</p> <p>Afro-ownership business</p> <p>African ownership businesses</p> <p>Other BME-ownership businesses</p>	<p>Measures to protect right of return of existing stallholders</p> <p>Identification of suitable alternative venues for temporary reprovision of market</p> <p>Intention to identify single site for all Latin American traders together</p>	<p>Following granting of planning permission</p> <p>Site preparation phase</p>	N/A



<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Break-up of Latin-American market affecting viability of individual stallholder businesses & overall vibrancy.	Latin-American/Spanish-speaking ownership businesses	Measures to protect right of return of existing stallholders  Identification of suitable alternative venues for temporary reprovision of market  Intention to identify single site for all Latin American traders together	Following granting of planning permission  Site preparation phase	N/A
Loss of employment due to stall business closure / restructure	Latin-American/Spanish speaking employees  Afro-Caribbean employees African employees  Other BME employees	Indirect benefits of mitigation measures directed at businesses	Following granting of planning permission  Site preparation phase	N/A
Loss of shop / business property on site	Muslim shop owner BME-ownership shops and businesses (understood to include Asian, African, Afro-Caribbean and Latin-American owned businesses)	Provision of 6 new retail units suitable for local shops  Investment in improvements to West Green Road retail environment.	Construction phase  Site preparation phase / construction phase	N/A
Business closure due to inability to afford new market-rate rental/leasehold	BME-ownership shops and businesses (understood to include Asian, African, Afro-Caribbean and Latin-American owned businesses)	Provision of 6 new retail units suitable for local shops  Investment in improvements to West Green Road retail environment.	Construction phase  Site preparation phase/construction phase	N/A

Nature of Impact	Affected Group	Agreed mitigation measures (if any)	Timeframe for implementing mitigation measures	Reason why mitigation measures not possible
Loss of employment following any closure/restructure of affected shops / businesses	Muslim employees of Halal business BME Employees (understood to include Asian, African, Afro-Caribbean and Latin-American people)	<p>Creation of new jobs as a result of new development, including in larger shops, and generated indirectly from investment.</p> <p>Indirect benefits of support to existing businesses (as above)</p> <p>Creation of construction employment</p>	<p>Construction phase</p> <p>Completed development – recruitment by businesses</p> <p>Construction phase</p>	N/A

## 7.4 Goods, services and facilities

- 7.4.1 For the existing business selling Halal meat for Muslim customers, it is considered that there exist both: suitable opportunities for this business to relocate either within the redevelopment or in alternative local premises; and suitable alternative local retailers of Halal meats; to ensure that the development will not disadvantage local Muslims in their ability to purchase goods in accordance with their belief.
- 7.4.2 The market includes a variety of Latin-American stalls/shops selling specialist goods as well as providing specialist services for Latin American customers, understood to be drawn from a wide area across London. The consultation evidence includes a mix of views regarding the significance of the market for providing specialist services to Latin American people, although the greater numbers of responses relating to this indicate that the market is important to the community. The market and shops on the site also provide specialist goods and services to other racial and cultural groups, including goods and services aimed at an Afro-Caribbean and African clientele.
- 7.4.3 In line with the findings regarding impacts for business and employment, URS Scott Wilson consider that proposed measures provide adequate protection to prevent unfairly impacting on people sharing Latin American, Afro-Caribbean or African racial identity in their access to specialist goods and services. Furthermore, measures to enable the Latin American market traders to continue to operate together and return to the site should support the equal opportunities of Latin American people to share in the benefits of the completed development as a focal point for trade in specialist goods and services. Recommendations are identified in Chapter Eight to secure this outcome.
- 7.4.4 The EqIA screening identified provision of play spaces and schools provision to meet the specific needs of children as a potential issue. Objectors also raised concerns about inadequate provision for children. The planning application includes proposals for provision of

play space to meet the needs of children living in the new residential units. The S106 agreement includes a contribution for educational provision negotiated between Haringey council and the Applicant. URS Scott Wilson consider that the development has a neutral or minor positive impact for equality impacts, with respect to education.

- 7.4.5 The EqIA screening identified equal access to shopping facilities for disabled people as a potential issue. Consultation responses also expressed dissatisfaction with the quality of the existing public realm, including cluttered pavements. The existing buildings do not meet current access standards. The future development would be required to abide with current building standards and guidance concerned to achieve accessible environments. URS Scott Wilson consider that the development would make a positive contribution to improving accessibility, particularly benefitting people with physical and sensory impairments, as well as parents of babies and toddlers using pushchairs.

**Table 7.3: Summary of Goods, Services & Facilities Impacts for Affected Groups**

Nature of Impact	Affected Group	Agreed mitigation measures (if any)	Timeframe for implementing mitigation measures	Reason why mitigation measures not possible
Loss of access to outlets for goods & services specific to religion/belief	Muslim customers of Halal meat selling business	Provision of 6 new units sized for local shops in proposed redevelopment.  Alternative suitable premises available in local vicinity  Alternative retailers exist in area	Construction phase  Site preparation phase	N/A
Permanent worsening of access to outlets for goods & services specific to race/ethnic/cultural	African / Afro-Caribbean and other BME communities in Seven Sisters area Other BME-ownership businesses	Measures to protect right of return of existing stallholders Identification of suitable alternative venues for temporary reprovision of market – possibly within other local existing markets.  Variety of alternative suitable retail outlets within wider Seven Sisters / North London	Site preparation phase	N/A
Permanent worsening of access to outlets for goods & services specific to race/ethnic/cultural	Latin-American/Spanish-speaking communities in London	Measures to protect right of return of existing stallholders  Identification of suitable alternative venues for	Ongoing from planning permission granted – site preparation - construction phase –	N/A

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
		temporary reprovision of market  Intention to identify single site for all Latin American traders together	completion  Following planning permission granted – site preparation	
Temporary worsening of access to outlets for goods & services specific to race/ethnic/cultural identity	Latin-American/Spanish-speaking ownership businesses	Measures to protect right of return of existing stallholders Identification of suitable alternative venues for temporary reprovision of market  Intention to identify single site for all Latin American traders together	Following planning permission granted – site preparation	N/A
Increased demand for play spaces and school provision	Children, including amongst future residents of development	New doorstep play space provision within development to meet needs of resident children.  Contribution to educational provision	Construction phase  Construction phase	N/A
Share in benefits of improved public realm and shopping facilities	Disabled people, particularly those with physical or sensory impairments.	De-cluttered pavements, public realm to latest access requirements.	Construction phase	N/A

## 7.5 Community cohesion and relations between groups

- 7.5.1 The EqIA screening identified that the proposal may have the effect of worsening community cohesion by displacing predominant BME groups among existing residents, market traders, shop owners and employees. Consultation responses identified the proposed development as threatening community cohesion and cultural connections, both for Latin American community and for the wider ethnic diversity arising out of the multi-ethnic mix of the existing market.
- 7.5.2 Equality legislation emphasises the importance of supporting positive relations between different groups whilst local community cohesion policy supports group interaction, fair treatment and equal opportunity and a sense of common belonging, including empowering local communities to shape decisions affecting their lives

- 7.5.3 URS Scott Wilson consider the loss of the existing shops and market poses a potential threat to the cultural connections of the Latin American community employed at and visiting the market, given the evidence that the market provides a hub for social as well as commercial interaction for this group. However, in line with the findings regarding impacts for business and employment, URS Scott Wilson consider that proposed measures to safeguard the future of the Latin-American businesses to operate together provide adequate protection to prevent the proposals unfairly impacting on community cohesion for people sharing Latin American racial identities.
- 7.5.4 URS Scott Wilson consider the loss of the existing shops and market poses a potential threat to the interactions between different racial groups at the existing site that contribute to community cohesion. However, in line with the findings regarding impacts for business and employment, it proposed measures to re-provide the market in its entirety, in addition to measures to support affected businesses to continue trading and to give priority to existing stallholders to return are appropriate measures to enable the community cohesion to be revived within the redevelopment.

**Table 7.4: Summary of community cohesion impacts for affected groups**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Worsening community cohesion by displacing predominant BME groups amongst existing residents, shop owners, market traders and employees.	Latin-American & Spanish-speaking community  Afro-Caribbean  African  Other BME communities	All measures set out in Tables 12 & 13 above to protect permanent and temporary viability of market and businesses, including those measures specific to Latin-American stallholders. The benefits of such measures on community cohesion would be secondary.	Following planning permission granted – site preparation, continued through to construction and completion	Measures specifically directed at sustaining community cohesion not identified.
Loss to cultural connections and social interaction amongst specific community with shared racial identity	Latin-American, including Spanish-speaking people	All measures set out in Tables 12 & 13 above to protect permanent and temporary viability of market and businesses, including those measures specific to Latin-American stallholders. The effect of such measures on community cohesion would be indirect.	Following planning permission granted – site preparation, followed through in construction and completion.	Measures specifically directed at sustaining community cohesion not identified.

Nature of Impact	Affected Group	Agreed mitigation measures (if any)	Timeframe for implementing mitigation measures	Reason why mitigation measures not possible
Threat to ethnic diversity of area associated with multi-ethnic mix of existing market	All ethnic groups reflecting make-up of existing market stallholders and clientele.	All measures set out in Tables 12 & 13 above to protect permanent and temporary viability of market and businesses. The effect of such measures on community cohesion would be indirect.	Following planning permission granted – site preparation, followed through in construction and completion.	Measures specifically directed at sustaining community cohesion not identified.

7.5.5 Recommendations identified in Chapter eight to strengthen the achievement of positive outcomes for businesses and employment are expected to also benefit community cohesion. Additional measures specific to community cohesion are also set out in Chapter eight.

## 7.6 Inclusive public spaces and transport

7.6.1 The EqIA identified potential impacts for disabled people in relation to accessible transport. The baseline evidence indicates that Seven Sisters underground station includes some accessibility features but does not have a lift and is not accessible to wheelchair users. However, alternative provision is available. All main TfL bus services are now wheelchair accessible. The proposed public realm and landscaped areas would be designed and constructed in line with latest access requirements. URS Scott Wilson thus consider that the proposal will enhance local access at this transport interchange, although it will not address the existing limited accessibility at Seven Sisters underground station. Recommendations are identified in Chapter eight to secure the accessibility of the public realm and at any new bus stops.

## 7.7 Safety and crime

7.7.1 Crime is identified as a major basis for seeking the redevelopment of the Wards Corner site by Haringey Council and the Applicant. Many supporters commenting on the proposals identified existing safety concerns and crime levels in Wards Corner as a major concern that they believe the development will address. Responses identify young people and women as particularly affected by concerns about safety. The EqIA screening also identified LGB people as a group who may be disproportionately affected by safety concerns. Current crime data identifies a downward trend in crime levels in Wards Corner, suggesting that past high levels of crime have to some extent been addressed. Nevertheless, mentions of crime and safety are evident amongst more recent consultation responses. The proposed replacement of existing run-down buildings with new buildings with more active frontages, as well as newly designed public realm, in line with designing out crime principles is likely to enhance safety and reduce opportunities for crime. URS Scott Wilson considers that the completed development is likely to enhance safety, with positive equality benefits for women, young people and possibly also

for LGB people. Local residents from different ethnic backgrounds are also likely to share in these benefits.

- 7.7.2 During demolition and construction, the presence of a large inactive frontage is likely to adversely affect perceptions of safety, without suitable mitigation measures. This may result in negative equality impacts, particularly affecting women, young people and LBG people. Recommended suitable mitigation measures are set out in Chapter eight.

**Table 7.5: Summary of crime and safety impacts for affected groups**

Nature of Impact	Affected Group	Agreed mitigation measures (if any)	Timeframe for implementing mitigation measures	Reason why mitigation measures not possible
Need to ensure redevelopment contributes to addressing crime levels and fear of crime associated with the site	BME people, women, young people (both men and women), children, older people, lesbian, gay & bisexual people, disabled people.	Active, overlooked frontages in new development.  New public realm designed with consideration of security.	Completed development	N/A
Risk of increased fear of crime / increased opportunities for crime during demolition & construction phase	BME people, women, young people (both men and women), children, older people, lesbian, gay & bisexual people, disabled people.	Recommended best practice measures to enhance external appearance of site, including appropriate additional lighting.  Recommend consult police on appropriate additional security measures e.g. patrolling by police or private security staff	Demolition & construction phase	N/A

## 7.8 Wide ranging consultation and enabling participation

- 7.8.1 Consultation responses raised criticisms with regards to the quality of consultation undertaken in relation to the planning application. Local policy on community cohesion and equality promotes engagement with local communities and empowering them to shape policies that affect their lives.
- 7.8.2 Analysis of the consultation process indicates that Haringey Council took account of equal opportunities and took measures to enable people from protected groups to participate in consultation. It undertook diversity monitoring of respondents, although it is unclear whether the results of the monitoring informed subsequent consultation.
- 7.8.3 Grainger PLC and The Bridge NDC led the consultation activities in relation to the planning application, chiefly during 2007 and 2008. Consultation appears to have included a variety of

measures to enable wide engagement, via use of a variety of venues, conduct of sessions at different times, targeted meetings with specific affected groups, flexible drop-in sessions as well as formal measures for recording feedback. A shortcoming of the consultation with regards to equality concerns a failure to effectively monitor how consultees reflected the mix of the local community, in relation to protected characteristics. This, in turn, makes it harder to demonstrate the consultation's reach and how effectively the Applicant has responded to the concerns of people sharing equality characteristics.

- 7.8.4 The long delay in progressing the redevelopment during the period of legal challenge has interrupted consultation and engagement. In order to realise the sharing of the benefits of redevelopment, it will be important to prioritise re-establishment of a new process for consultation and engagement. Recommendations in Chapter eight are set out to enable this to support realisation of positive equality outcomes from the development.

**Table 7.6: Summary of Consultation Impacts**

<b>Nature of Impact</b>	<b>Affected Group</b>	<b>Agreed mitigation measures (if any)</b>	<b>Timeframe for implementing mitigation measures</b>	<b>Reason why mitigation measures not possible</b>
Effective consultation with affected community, recognising diversity and different interest groups to contribute towards sharing of benefits of regeneration.	All equality groups, including BME residents, employees & business owners, visitors & customers.	Approach to date has included variety of means of consultation.  Recommend urgent revisit of consultation & engagement approach to respond to criticisms of not listening, quality of consultation and to address long gap in engagement	Following decision on Planning Application – as a matter of urgency	N/A
Diversity monitoring to understand effects on equality protected groups	All	Haringey Council to monitor consultation and record mitigation impacts for groups sharing protected characteristics	Consideration of planning application  Ongoing following granting of planning permission	N/A

## 7.9 Sharing in benefits of redevelopment

- 7.9.1 This EqIA identifies the following potential benefits of the redevelopment:

- Provision of new housing
- Public realm and streetscape provision, including de-cluttering



- Safety measures that would reduce opportunities for crime and provide for safety
- Business opportunities, particularly retail
- New employment opportunities
- Transport infrastructure improvements
- New play space.

7.9.2 One of the criteria for assessing equalities impact of a proposal is the extent to which any benefits from the proposal will be available to all groups affected by it. Table 7.7 identifies possible barriers to people sharing particular protected characteristics may be prevented from a fair share of these benefits of the redevelopment. It identifies the nature of the barriers and how those barriers might be removed or reduced, or where this is not possible, the reason why.

**Table 7.7: Possible Barriers to People Sharing Particular Protected Characteristics**

<b>Expected benefit of redevelopment</b>	<b>Affected Group</b>	<b>Barriers to their getting a fair share in benefit of redevelopment</b>	<b>How barrier can be removed or reduced (specific to redevelopment)</b>	<b>Why barrier cannot be removed or reduced</b>
Provision of new housing	BME groups – African, Afro-Caribbean (but also affects low income households from different racial/ethnic backgrounds)	Affordability barriers, related to low income/savings levels	Planned delivery of new affordable housing elsewhere in borough	Valuation Office identifies development as unable to afford inclusion of affordable housing
Provision of new housing	Single-parent households, disproportionately female-headed	Affordability barriers, related to low income/savings levels Cost/availability of child-care, particularly affecting women in low- to middle-income employment.	National strategies to tackle child care affordability offer some help e.g. child care element of working tax credits.  Planned delivery of new affordable housing elsewhere in borough	Valuation Office identifies development as unable to afford inclusion of affordable housing
Provision of new housing	Children in low income households	Affordability barriers, related to low income/savings levels  Cost/availability of child-care, impact on household income, particularly where parents in low- to middle-income employment.	National strategies to tackle child care affordability offer some help e.g. child care element of working tax credits but unlikely to adequate.  Planned delivery	Valuation Office identifies development as unable to afford inclusion of affordable housing

<b>Expected benefit of redevelopment</b>	<b>Affected Group</b>	<b>Barriers to their getting a fair share in benefit of redevelopment</b>	<b>How barrier can be removed or reduced (specific to redevelopment)</b>	<b>Why barrier cannot be removed or reduced</b>
			of new affordable housing elsewhere in borough	
Public realm and streetscape provision, including de-cluttering	Older people and some disabled people; women, especially from certain faith groups (e.g. Muslim) or racial groups; children; some young people.	Fear of crime, including hate crime, or anti-social behaviour, may prevent individuals from amongst these groups venturing out or lead them to avoid area, based on past experience/reputation	Planned measures to design out crime likely to be beneficial.  Measures to promote new identity for area.  Community support officers.  Engagement with support groups to identify specific concerns and identify appropriate actions.	
Safety measures to reduce opportunities for crime and make for safer environment	Older people and some disabled people; women, especially from certain faith groups (e.g. Muslim) or racial groups; children; some young people.	Fear of crime, including hate crime, or anti-social behaviour, may prevent individuals from amongst these groups venturing out or lead them to avoid area, based on past experience/reputation	Effective communication of new safety measures, effective targeting of communications at key groups	
Business opportunities, particularly in retail sector	Latin-American, including Spanish-speaking  Afro-Caribbean, African and other BME groups	Existing businesses may not have turnover / robust business model to be able to afford open market rental levels or compete with national chains	Targeted business training / advice  Measures outlined in table 12 likely to contribute.	
New employment opportunities	Young people  BME people with low skills	Lack of experience/skills  Lack of relevant experience/skills	Targeted skills training; apprenticeships; targeted promotion of opportunities	
Transport infrastructure improvements	All groups	No barriers identified	London-wide measures to enable transport affordability likely to be beneficial	

Expected benefit of redevelopment	Affected Group	Barriers to their getting a fair share in benefit of redevelopment	How barrier can be removed or reduced (specific to redevelopment)	Why barrier cannot be removed or reduced
New play space	Disabled children	Construction of non-inclusive play equipment may exclude	Use of inclusive play equipment / construction to London Play standards	

7.9.3 Adherence to the recommended mitigation measures, where available, is likely to enable barriers to the fair share of benefits by people sharing equality characteristics to be overcome with respect to most of the benefits of the redevelopment.

7.9.4 Non-affordability of housing is a significant barrier likely to prevent people from some BME backgrounds, lone-parent households (largely female-headed) and children in low income households sharing in the provision of new housing. Adequate mitigation measures to enable them to share in the benefits within the new redevelopment are not identified. Within the wider context of Haringey, provision of new affordable housing elsewhere in the East of the borough is considered to mitigate the negative impacts specific to this site.

## 7.10 Consideration of objections and concerns raised in Court of Appeal [2010] EWCA Civ 703 Approved Judgment

7.10.1 The objections and views referred to in Paragraphs 12 – 16 and 21 of the Judgment Approved by the Court of Appeal for handing down in are addressed in turn below.

### **Paragraph 12: letter of objection from a local resident, Mr Lagu Sukumaran:**

*“May I kindly request you and all decision makers to carefully consider the Human suffering the loss of achievement, of the Ethnic Minority Businesses in West Green Road, Seven Sisters Road and the High Road, known as the Wards Corner. I live above my Business with by family, and it is a live and work business concept ... I am part of this Diverse local Ethnic minority Community who I serve and depend on my Shop for their unique and specialist Food products that is non available in National Supermarkets. Demolition will destroy the existing Ethnic Minority Business, the Owners, their families, employees and their suppliers. The owners and their families have built up their existing businesses with many years of hard work and determination, in some cases hard work of three generations of the family. There are a number of traders who live above their businesses and in this case they will be forced out of their homes. The traders will not be able to relocate their business to a new location and be successful due to the poor state of the world economy ... The customers and residents will lose their choice of shopping and the specialist shops.”*

7.10.2 The concerns raised by Mr Sukumaran are addressed within the assessment in sections 7.2 above, 7.3 and 7.4 above. The potential threats to livelihoods of ethnic-minority owned businesses, particularly family-owned businesses where the family also will be affected by the

demolition of their existing home, are recognised. The consequential loss to existing customers and local residents of access to specialist goods and services is also recognised.

7.10.3 Planned measures to minimise or prevent negative impacts proposed by the Applicant include:

- Provision of six small shop units along the West Green Road suitable for local and independent retailers
- West Green Road Environmental Improvement Fund to pay for shop/building frontage improvements (which could benefit businesses relocating from the site to other premises on the West Green Road)
- Funding for Improvement Strategy for businesses/markets.

7.10.4 Additional recommended measures are further proposed, as set out in 8.2 below. These include:

- For owner-occupier households (leaseholders and freeholders), the Applicant should seek to negotiate on a case-by-case basis a reasonable value for purchase and compensation for disturbance, with the objective of enabling households who wish to do so to afford alternative accommodation of comparable size in the local area. A reasonable timeframe for such negotiations prior to compulsory purchase order should be agreed between the Applicant and the Council. Where the household comprises a family that also runs a business on the site, negotiations should be conducted to address relocation of housing and business relocation either separately or together, to best fit the preferences of the affected household.
- An updated S106 agreement should incorporate existing proposed measures (from the previously negotiated S106 agreement) to support the existing shops and businesses to continue to trade and to develop their businesses successfully, including for temporary relocation during the demolition and construction phase.
- Support to enable the existing businesses to develop a shared marketing strategy and other business improvements, including employee training, will be an important measure to support realisation of positive equality outcomes.
- For existing leaseholder and freeholder shop businesses, the Applicant should seek to negotiate on a case-by-case basis a reasonable value for purchase of the premises and compensation for disturbance, with the objective of enabling businesses who wish to do so to relocate to alternative premises along the West Green Road or elsewhere in the Seven Sisters/Tottenham area. For those who live above their businesses, the negotiations may concern either separately or together relocation of business and housing. A reasonable timeframe for such negotiations following planning permission and prior to compulsory purchase order should be agreed between the Applicant and the Council.
- Struggling businesses and employees should be signposted towards existing appropriate bodies to assist individuals to find suitable alternative employment.
- Planned support to help existing businesses find temporary or permanent alternative locations or premises will be important to ensure that existing customer bases who share equality characteristics are able to continue to access specialist goods and services. Marketing and advertising advice is likely to provide an important component of this support to ensure existing and new customers are made aware of temporary relocations of businesses.

- 7.10.5 Whilst it is recognised that wider economic circumstances may increase the difficulty of achieving successful outcomes for all affected businesses, this is outside the control of the Applicant. The proposed and recommended mitigation measures are considered appropriate to prevent the development unfairly causing adverse impacts for ethnic minority businesses, including family-run businesses, currently operating on the site.

### **Paragraph 13: objections expressed by Wards Corner Community Coalition**

*“Local planning processes are required to demonstrate that meaningful community engagement and equalities issues have been accounted for and that diverse groups are not systematically disadvantaged by public authority processes. There is no reference in this planning application to the impact on diverse communities and the needs of diverse local communities, including ethnic minority communities. Members of particular minority ethnic communities are being disproportionately disadvantaged by these proposals. Virtually all the businesses that will be ended by the proposals are from ethnic minority communities that provide some ethnically distinct and important services and goods. The Coalition contends that the needs of the growing Latin American community are being explicitly negated in these proposals.”*

*“Public authorities should support the social and business networks in an area. These plans from Grainger represent the destruction of existing community and replacement by an alternative, selected community. This is Council-backed, unethical social engineering which WCCC rejects.”*

- 7.10.6 The concerns raised by WCCC are reflected and addressed in this EqIA's assessment of impacts on housing, business and employment, access to goods, services and facilities and community cohesion. As such, the entire report and all mitigation measures, both those proposed by the Applicant and those additionally recommended in this EqIA should be referenced in seeking to understand how Haringey Council has responded to these objections.
- 7.10.7 The EqIA recognises that the non-provision of affordable housing within the development and the likely change in balance of the retail mix will result in changes to the overall profile of the resident and visitor community to Wards Corner following redevelopment. However, the EqIA identifies measures to support the opportunity for return of existing businesses as part of the redevelopment, which will help to prevent the loss and wholesale replacement of the existing diverse community. This includes recognition of specific measures set out in Chapters seven and eight to support the Latin American traders to respond to the needs of the Latin American community.

### **Issues/objections raised by Ms Siobhan Crozier in evidence**

*“This is of great importance for Seven Sisters as it contains, within the proposed development, businesses that provide “essential convenience and specialist” shops which provide for, and add to, the cultural diversity of Tottenham. These shops would be lost forever if the demolition goes ahead and the local community would be bereft. Several long-established businesses will lose their livelihood and in some cases, their homes. Local authorities are supposed to support SMEs [small and medium enterprises], not eradicate them in favour of units designed to appeal to high street multiples.”*

- 7.10.8 The concerns raised by Ms Crozier are acknowledged in the assessment in 7.3 above, planned measures to minimise or prevent negative impacts for existing SMEs which comprise shops and stalls currently operating on the site are set out in Table 7.2, with additional recommended

mitigation measures proposed in Chapter eight on page 70. These measures are considered appropriate to support the existing SMEs to continue their businesses.

### Objection referenced in paragraph 15

*“the Market which has been created, and which has added vibrancy, richness and diversity to the area, would be lost”.*

- 7.10.9 This EqIA reflects this objection’s concern for the market’s contribution to the ethnic diversity and community relations in the area in its assessment of impact on community cohesion, addressed in 7.5 above. Additional mitigation measures to safeguard this are set out in Chapter eight on page 71. These measures are considered appropriate to support the continued contribution that the market makes to ethnic diversity and community relations in the area.

### Views expressed by Wards Corner Community Coalition in letter 8 July 2008 to Council

*“The Wards Corner Community Coalition takes the view that the Grainger scheme for the site will not deliver regeneration for the people of Tottenham and will damage the material, social and economic fabric of this diverse community. Further, the Wards Corner Community Coalition believes the Grainger proposals to be based upon questionable premises and have put forward an alternative vision for the site.”*

- 7.10.10 These views are reflected in Chapter six - Consultation and Engagement, which makes reference to the alternative vision put forward by WCCC. It is considered that the proposals demonstrate consideration and efforts to incorporate the alternative vision most clearly in the resubmitted layout of the ground floor to accommodate the existing market in its entirety as part of the redevelopment and in the negotiating the S106 contributions.
- 7.10.11 The assessment recognises potential adverse impacts on community cohesion, whilst also recognising measures proposed by the Applicant to mitigate these.
- 7.10.12 Whilst differing from the WCCC vision, this proposal does include measures that are supportive of regeneration for Tottenham’s diverse community.
- 7.10.13 The application for the alternative vision has not been considered by the Council. In light of this the WCCC appealed to the Planning Inspectorate on the basis of “non determination”. Due to the appeal, only the Planning Inspectorate could decide the application, which they decided not to do. In order for the planning application to be considered, the application needs to be resubmitted to the Council following normal procedures.

### Objection raised by Councillor Diakides recorded in paragraph 21

*“... the local traders reflected the rich cosmopolitan mixture of the local community and their businesses responded to the special needs of those communities...these would not be accommodated within the proposed development.”*

- 7.10.14 These concerns raised by Cllr Diakides are addressed within the assessment in sections 7.3, 7.4 and 7.5 above. Additional mitigation measures to safeguard this are set out in Chapter eight. These measures are considered appropriate to support the continued contribution that the market and shops makes to ethnic diversity and community relations in the area as well as support the existing SMEs to continue their businesses.

## 8 Recommendations and conclusions

8.1.1 This chapter sets out recommendations to strengthen, secure or enhance positive equality impacts and to mitigate for potential negative equality impacts. It also concludes on the overall impact of the planning application proposals for equality.

### 8.2 Recommendations

8.2.1 The following recommendations are set out to be undertaken once planning consent is given:

#### **Housing**

- Haringey Council to engage in direct dialogue with secure and non-secure council tenants residing on the site regarding their needs and choices for re-housing within the local area, where this is their preference.
- Re-housing should be on existing tenancy terms. Homes offered should be based on need or one additional bedroom for under-occupying tenants.
- An offer of a property with a garden should be made for residents who currently have one.
- The Council should ensure tenants requiring special adaptations have their needs assessed and necessary adaptations are completed to the replacement property before the tenant moves in.
- Home loss compensation and compensation for tenant's improvements (or similar forms of compensation) should be provided in line with existing legislation and Haringey's current policy.
- For existing housing association tenants, the housing association should offer alternative housing to affected tenants, in accordance with existing legislation and its current policy. Haringey council should brief the housing association regarding the scheme's progress to ensure adequate time for them to identify suitable alternative provision for affected tenants.
- The Applicant and/or Haringey Council as appropriate should consider providing or signposting support to existing private rental tenants on an individual basis regarding possible alternative accommodation choices for them, including intermediate housing options. Additional appropriate support should be offered to individual households or household members identified as particularly vulnerable, where there is considered to be a potential risk of homelessness or economic hardship.
- For owner-occupier households (leaseholders and freeholders), the Applicant should seek to negotiate on a case-by-case basis a reasonable value for purchase and compensation for disturbance, with the objective of enabling households who wish to do so to afford alternative accommodation of comparable size in the local area. A reasonable timeframe for such negotiations prior to compulsory purchase order should be agreed between the Applicant and the Council. Where the household comprises a family that also runs a business on the site, negotiations should be conducted to address relocation of housing and business relocation either separately or together, to best fit the preferences of the affected household.
- It is recognised by URS Scott Wilson that the Applicant has previously sought to engage in negotiations with existing freeholders and leaseholders of residential properties on the site.

The above recommendations set out further steps to be undertaken following the awarding of planning permission.

## **Business and employment**

- An updated S106 agreement should incorporate existing proposed measures (from the previously negotiated S106 agreement) to support the existing shops and businesses to continue to trade and to develop their businesses successfully, including for temporary relocation during the demolition and construction phase.
- The Applicant should discuss with the market holders mutually acceptable measures to safeguard the option to return of existing market holders, to be set out in the updated S106 agreement.
- Haringey Council should require the Applicant to undertake a baseline study and subsequent ongoing monitoring of the business owners and market holders at key points in the progression of the planning application and construction of the development (suggested points are approval of planning application; acquisition of site; point of serving of notice; point of vacating of site; at annual intervals during the construction; at the point of allocating occupancy of new sites). This monitoring should include diversity monitoring of business owners and employees; recording of current business location & business 'health'/employee numbers; status & intentions of business re return to site. Suggested decision points for ceasing to monitor individual businesses are where businesses are recorded as having ceased to trade or expressed a definite intention not to return to the site.
- The appointment of an advisor to assess opportunities for the temporary relocation of the market and additional measures to support businesses, as set out in the existing S106, will be extremely important to ensuring the long term survival and opportunity to return to the new site. Haringey Council should undertake or require of the Applicant submission of regular progress reports on the appointment and activities of such an advisor, as well as on other measures to support the traders.
- Support to enable the existing businesses to develop a shared marketing strategy and other business improvements, including employee training, will be an important measure to support realisation of positive equality outcomes.
- For existing leaseholder and freeholder shop businesses, the Applicant should seek to negotiate on a case-by-case basis a reasonable value for purchase of the premises and compensation for disturbance, with the objective of enabling businesses who wish to do so to relocate to alternative premises along the West Green Road or elsewhere in the Seven Sisters/Tottenham area. For those who live above their businesses, the negotiations may concern either separately or together relocation of business and housing. A reasonable timeframe for such negotiations following planning permission and prior to compulsory purchase order should be agreed between the Applicant and the Council.
- Struggling businesses and employees should be signposted towards existing appropriate bodies to assist individuals to find suitable alternative employment.
- The local employment and procurement policy should include a requirement for contractors to adhere to national or local schemes to promote employment amongst under-represented equality groups, e.g. the Disability Two Ticks scheme.

## **Goods, services and facilities**

- Planned support to help existing businesses find temporary or permanent alternative locations or premises will be important to ensure that existing customer bases who share



equality characteristics are able to continue to access specialist goods and services. Marketing and advertising advice is likely to provide an important component of this support to ensure existing and new customers are made aware of temporary relocations of businesses.

- Future marketing of the completed development should capitalise on the Latin American market identity to support its success and to make its specialist goods and services available to a wider customer base.

### **Community cohesion and relations between groups**

- Future marketing of the completed development should capitalise on the Latin American market and local ethnic diversity of the local area to support its success and to wider community cohesion objectives.
- The new public realm and open spaces should be designed and built in line with existing building regulations and regional guidance on accessible design.
- Any new bus stops should be designed and built in line with Transport for London's accessible bus stop guidelines and any updated best practice.

### **Safety and crime**

- It is recommended that during the demolition and construction phase, suitable measures are put in place to enhance the external appearance of the site, including appropriate additional lighting.
- The police should be consulted on any appropriate additional security measures, either by the police or by security officers, during the demolition and construction phases.

### **Wide-ranging consultation and enabling participation**

- Following a planning decision, Haringey Council and the Applicant should urgently develop a renewed strategy for ongoing community engagement. This should include adequate attention to diversity monitoring and measures to enable the participation of different sections of the community in future consultation and engagement.
- Further opportunities remain for members of the public to express their concerns about potential impacts of the development, including where these may affect people sharing protected characteristics. Opportunities also remain for members of the public to identify additional mitigation requirements. Particularly important in this respect is the forthcoming meeting at which Haringey Council considers the revised application by the Applicant for redevelopment at Wards Corner.
- A future strategy should set out specific engagement pathways for particular affected groups, including existing shop owners, stallholders, employees and residents on the site, and other local residents and business owners.

## 8.3 Conclusion

- 8.3.1 Overall URS Scott Wilson conclude that the planning application proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the S106 agreement are honoured in full and in a timely manner, as well as other recommended mitigation measures set out in this report. The assessment recognises concerns expressed by objectors concerning potential impacts, particularly in relation to Latin American people and members of other black and minority ethnic groups. In addition to measures previously set out in the S106 agreement and voluntary financial contributions by the Applicant, the assessment has set out additional recommendations to strengthen previously identified mitigation measures and to address residual negative impacts.
- 8.3.2 The proposal will give rise to negative equality impacts resulting from the non re-provision of affordable housing on the site and lack of new provision of affordable housing, in conflict with existing Council policy. The lack of suitable on-site mitigation is accepted on the basis of the independent judgment of the Valuation Office. Groups that may be unable to share in the provision of new housing due to the lack of affordable housing include Black African and Black Caribbean households, children living in low income households and single parent households.
- 8.3.3 The planning application proposal is identified as giving rise to positive equality impacts in relation to safety and crime, and a more accessible public realm. People sharing equality protected characteristics are likely to be able to share in these benefits.
- 8.3.4 Increased provision of family housing is identified as a benefit of the development. Affordability barriers may cause certain groups, including BME families, children living in low income households and single parent households, from sharing in this benefit.
- 8.3.5 Expected improvements to the business and retail environment are likely to be shared by people from different racial backgrounds subject to the successful implementation of recommended mitigation measures.

**Annex: Appendix B of Wards Corner/Seven Sisters Underground – Report on Draft Development Brief consultation (PASC 8 July 2003)**

	ISSUES	RESPONSE	ACTION
1.	Unsignificantly signage in the area should be removed, most of which will be illegal anyway. Distracts from area.	Poorly sited, or excessively prominent, signs can have an unacceptable impact on the appearance of an area.	Planning Enforcement should consider targeting those signs that are found to be unauthorised and which cause most harm to visual amenity.
2.	"Welcome to Tottenham" signage should be provided, guiding people to development (eg: on South Tottenham railway bridge).	This is a suggestion that could be progressed as part of the improvements to the area and would be in line with the Tottenham High Road Strategy.	No change to the Brief is proposed. To be considered by the Bridge NDC for future action.
3.	Wards building must be retained. The brief ignores the strikingly elegant frontage of the Wards building. Building should be retained, as demolition makes a mockery of Conservation Area status. Wards should be retained as a distinct, well-recognised local landmark.	The Council, in consultation with English Heritage, have formed the view that the building is not worthy of listing. Having said that, it could only be demolished if its replacement was considered to either preserve, or enhance, the character of the Conservation Area, but its retention will not be insisted upon.	The current process to prepare the Brief is the first step towards eventual development of the site. Further consultation with English Heritage will take place in future on the merits of the replacement buildings, as part of the Development Control process.
4.	Distinction needs to be made between the Wards store itself and the other buildings on the site. The former is the one element of the corner that should be retained as an important part of any redevelopment.	The building has been vacant for over 30 years and will not be retained.	No change to the Brief is proposed. (See action 3 above).
5.	Wards building must be retained regardless of what the Council or English Heritage say.	See response 3.	No change to the Brief is proposed.
6.	Explanation for redevelopment is neither logical nor sensible and sounds "like a whitewash for a hidden agenda".	The site covered by the Brief is considered to be likely to play a significant role in the regeneration of the area.	No change to the Brief is proposed.
7.	Lack of attention to public open space. Area must be greened and include public art.	The Brief does not include any details of treatment of open space, but does make it clear that significant, and co-ordinated, improvement to the public realm should take place.	Amend Brief to reflect
8.	Underpass must be removed and a two-way system re-introduced. Cyclists need to be thought about far more than they are and bicycle parking should be provided. Traffic calming measures need to be introduced.	Seven Sisters Road and High Road are the responsibility of TfL, who would need to agree any highway works, including improvements to cycle/car interface. However, inclusion, or improvement, of bicycle facilities should be sought as part of any development.	Amend Brief to reflect.
9.	Remove the requirement for affordable housing, as there is enough in the area already.	The issue of affordable housing provision, and its concentration within certain parts of the Borough is	Amend Brief to clarify the situation.

		topical. It is unlikely that the Council would look for pure social housing here, but instead key worker or shared ownership. The Tottenham High Road strategy supports this approach.	
10.	Art house cinema, or language night school, should be provided. Will there be space for community use?	The Brief cannot be too over-prescriptive, in terms of specific uses, and, instead, it refers to "a range of land uses", as been appropriate. Retail uses are specifically encouraged.	No change to the Brief is proposed.
11.	Brief is disappointing. Little evidence of any background research into potential interest from retailers or other commercial enterprises. Without this, it is just a will and a good deal of "meaningless waffle".	The brief seeks to guide future development of the site. The consultation exercise should highlight the needs of interested groups.	
12.	Development is long overdue. The run-down state of the site contributes to the perception of Tottenham as an unattractive area.	Acknowledged.	No change to the Brief is proposed.
13.	The statement that the Apex building includes an attractive clock tower is disputed.	The Brief asks for a public feature of "equal or greater landmark merit". It is acknowledged that the tower is of limited architectural merit.	Amend the Brief to emphasize that an improvement to the existing situation will be sought.
14.	5-6 storey building not appropriate, or needed. Will simply result in empty, modern buildings.	The height of a building is only one consideration in the overall assessment of design quality, but it has been decided that the site could accommodate 5/6 storeys on Wards Corner. The nature of the occupier and occupancy would be a matter for the developer.	The current process to prepare the Brief is the first step towards eventual development of the site. Further consultation with English Heritage will take place in future on the merits of the replacement buildings, as part of the Development Control process.
15.	Pages Green is not an attractive open space, as described. It is constantly rubbish strewn.	It is accepted that the open space could be treated better than it is at present, but it does have the potential to make an important contribution to the overall amenity of the area.	Amend the Brief to emphasize the importance of green spaces.
16.	"Sloppy brief will result in a poor and ultimately unsuccessful development".	Acknowledged.	No change to the Brief is proposed.
17.	For older people, who are long-term residents of an area, loss of, or damage to, a valued local landmark, (Wards store) can be a blow to personal identity and sense of well-being.	The building has been vacant and boarded up for 30 years. The loss of the landmark would need to be balanced against the works to the physical fabric of the area, particularly in terms of safety, access etc.	No change to the Brief is proposed.
18.	Consensus of the views of the 35 or so market traders is that long-term success and vibrancy of the area depends on the viable retailing area of	The Brief does indicate that the replacement of the market "would be welcomed". However, the future of the market is outside the scope of the brief and	The Council will seek to assist in any future re-location of traders by encouraging links with local business organizations.

	<p>small shops, not multi-national presence. Market is an opportunity for local people to start their own small business. If they succeed, they move on and are replaced by others. This way the local move retains their customer base and strengthens the community spirit in the area.</p> <p>If the Council decide that comprehensive development is the way forward, what alternative arrangements are being proposed to ensure that the richness and diversity of local communities is not lost?</p>	<p>would need to be agreed by the traders, who are all understood to be on short-term leases, along with any future developer.</p>	
19.	<p>Concerned about impact on property value. Will people get full value when/if they move?</p> <p>Tube station might be improved by being at street level, reducing the "hot-spots" for crime (as at Wood Green). There are access issues (prams/wheelchair users) which need to be taken into account.</p>	<p>The Brief seeks to guide future development of the site.</p>	No change to the Brief is proposed.
20.		<p>Property value is not considered to be a planning matter.</p>	No change to the Brief is proposed.
21.		<p>London Underground, who would be ultimately responsible for alterations to the station, have been consulted on the Brief, but have not responded at this stage. However, the Brief identifies the need to consider access arrangements as part of the overall development of the area.</p>	No change to the Brief is proposed.
22.	<p>How do you avoid a piecemeal development?</p>	<p>The purpose of a Brief of this kind is precisely to seek to avoid piecemeal development, by looking at an area as a whole, and considering compulsory purchase if necessary. However, there is no guarantee.</p>	No change to the Brief is proposed.
23.	<p>Changes to road layout must not impact on Bruce Grove area.</p>	<p>Details of alterations to the highway are outside the remit of the Brief.</p>	No change to the Brief is proposed.
24.	<p>No trees should be lost. Extra tree planting should take place.</p>	<p>The Brief states that existing mature trees should be protected "where possible." The "greening" of the environment would be an important consideration in any formal submission for planning permission.</p>	Amend the Brief to emphasize the importance of trees.
25.	<p>Where (and why) is the new bus station going?</p>	<p>The intention is to improve linkages between the tube station and buses, possibly in the area to the front of the Wards building. However, no details have been worked up and both London Buses, and the Council's Head of Transport Planning, have expressed doubts about the workability of the idea.</p>	Amend the Brief to reflect the need for further discussions to take place.
26.	<p>Public consultation meeting should be held to hear all views. The consultation that has taken place in</p>	<p>The suggestion that the consultation has been inadequate is not accepted. There have already</p>	No change to the Brief is proposed.

	connection with the Brief is wholly inadequate.	been a variety of meetings in the past in order to relay the contents of the brief to interested parties.	No change to the Brief is proposed.
27.	Area needs "culture", not supermarkets.	Acknowledged. The intention of the Brief is not to impact on culture, in whatever form it is considered to exist.	No change to the Brief is proposed.
28.	Residents must be kept informed, and the Council should consider things that will enhance the area and draw visitors attention to the environment	Acknowledged.	Amend the Brief to emphasize the need to improve the public realm.
29.	Consider returning West Green Road to a market.	This would be outside the remit of the Brief and it were to take place, requiring extensive assessment of all area wide traffic management options. Nevertheless, a market could contribute to the range of facilities available in the area.	No change to the Brief is proposed.
30.	Make sure that there is adequate public car parking.	Car parking should be kept to a minimum, given the excellent public transport access in the area, and so as to be in line with the Council's most up-to-date policies.	No change to the Brief is proposed.
31.	High quality shops are needed, not more of those already in the area (eg: luggage, international call centres, take-away food). Give people a wider choice. Development like at Angel, Islington. Should be primarily retail.	The details, and identity, of the likely occupiers of any proposed development are not known at this stage. The fact that certain respondents want a multi-national retail presence, whilst others object to precisely that, is an illustration of the difficult balance that needs to be struck.	No change to the Brief is proposed.
32.	Would hate it to become just another anonymous high street shopping centre (like at Angel, Islington!)	See response 31.	No change to the Brief is proposed.
33.	No modern designs, go "traditional". Modern architecture can work in certain parts of London, but not in Seven Sisters (eg: Tesco's).	Contemporary architecture is capable of working in any location, providing that it is done well. In contrast, a pastiche solution does not always provide for an acceptable form of development.	The current process to prepare the Brief is the first step towards eventual development of the site. Further consultation with English Heritage will take place in future on the merits of the replacement buildings, as part of the Development Control process.
34.	Landmark development will not benefit the community, but only serves the Council's purpose to increase and charge higher Council Tax.	The proposed development at Wards Corner will contribute to the regeneration of the area, contributing to the regeneration of the area, creating jobs, homes and improved facilities.	No change to the Brief is proposed.

35.	Tighter control of car parking in the area is needed in order to stop illegal parking, even before a new development	This issue is outside the remit of the Brief, but the Council's Transportation Section will be informed about the issue.	Inform the Council's Transportation Section of the parking enforcement problems in the vicinity of the site.
36.	Surprised that there is no mention of provision of public toilet provision	The existence of public toilets on the Apex House site is referred to in the Brief, which says that they should be replaced. This can be considered as part of the feasibility design process.	No change to the Brief is proposed.
37.	Single flats should be provided above the development for people who cannot afford a mortgage.	The precise nature of housing tenure would be agreed at the detailed stage, this will consist of various sizes and tenures, especially key worker, and shared ownership, accommodation.	Amend the Brief to clarify the situation.
38.	No public demand for the development. Objects to the loss of the market, the Wards building, Apex House and the houses in Suffield Road.	The area has been blighted by the derelict building for over 30 years. Redevelopment will regenerate the area and improve quality of the environment.	No change to the Brief is proposed.
39.	People have expressed interest in the Wards building, but have been refused the opportunity to let the space.	The building is not owned by the Council. Any proposed use would need to be discussed with the landowner.	No change to the Brief is proposed.
40.	The area is subject to high levels of crime. Anything that helps to change this should be encouraged.	Both the Police and the British Transport Police have confirmed that the station, the market and the area in general are subject to high levels of crime. The proposed development would give opportunities to incorporate the principles of "Designing Out Crime" in any new buildings and spaces around them.	Amend the Brief to emphasize the likely personal safety benefits from the redevelopment.



**APPENDIX 5**  
**EXECUTIVE SUMMARY OF TOOLKIT ANALYSIS**  
**BY DVS**

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**DEVELOPMENT VIABILITY ASSESSMENT EXECUTIVE SUMMARY:  
WARDS CORNER SITE, LONDON N15  
RE: PLANNING APPLICATION HGY2008\0303  
SUBMITTED BY: GRAINGER (SEVEN SISTERS) LIMITED**

**1. Introduction:**

- 1.1 Grainger (Seven Sisters) Ltd (G) has submitted a planning application on the Wards Corner Site for the:  
*"Demolition of existing buildings and the erection of a mixed-use development comprising Class C3 residential, Class A1, A2, A3, A4 uses, with access, parking and associated public realm improvements"*
- 1.2 The application scheme comprises a mix of uses including 197 residential units of varying sizes. The application has been brought forward in accordance with the planning brief for the redevelopment of the Wards Corner site. The scheme as submitted departs from the GLA's planning policy requirement for the provision of 50% affordable housing.
- 1.3 In support of this new planning application G has submitted a viability report prepared by Cluttons (C).

**2. Scope of report**

- 2.1 Planning Policy Statement 3 says that grounds for the reduction in provision of affordable housing obligations could be agreed because of the effect these might have on the viability of the development (PPS3 Para 29). In order for this to be demonstrated, the applicant needs to provide a viability study that shows why a policy compliant scheme would render the development unviable. This study needs to be sufficiently detailed with evidence supporting the key inputs into the study.
- 2.2 My role is to provide a report to you in which I:
- a) Appraise the study to consider whether this is based on the correct viability methodology.
  - b) Assess whether the inputs are properly evidenced and reasonable.
  - c) Review the toolkit to check it has been correctly applied.

**3. Viability methodology.**

- 3.1 Planning Policy Statement 3 (Housing) and Delivering Affordable Housing advise that grounds for the reduction in provision of affordable housing obligations could be agreed because of the effect these might have on the viability of the development
- 3.2 Advice on the appropriate way to assess viability is provided by the RICS Valuation Information Paper- VIP 12 (Valuation of Development Land). This paper gives clear guidance that:
- a) Valuation of development land should be primarily based on market evidence if it can be used to compare the site being valued to the comparison site.
  - b) It is unusual that a proper comparison can be made and that therefore **the more usual way of assessing land value is through a Residual Land Valuation (RLV) approach.**
  - c) If assessing on a residual basis, **the actual condition of the property at the date of assessment and current market factors should be taken in to account.**

- 3.3 Homes and Community Agency (HCA) published a Good Practice Note – Investment and Planning Obligations: Responding to the Downturn. This looks specifically at the issues of development viability and supports the principles on VIP12, both on delivering in the current economic climate as well as recommending how viability should be assessed.
- 3.4 As a final aid we have a number of planning appeal decisions, many of which comment on viability. These decisions are helpful in clarifying the approach the Planning Inspectorate and Secretary of State adopt in assessing viability. The general principle inspectors seem to adopt is that **viability should be assessed assuming a planning policy compliant assessment**. It should be based on a RLV approach, using current sale values and build costs.
- 3.5 Having assessed the RLV, the assessor needs to compare this to the market value in its existing planning use, or an alternative use if planning consent can reasonably be expected. If the RLV is in excess of the higher of these values, the scheme is viable. If it is not, the assumption is that the scheme is not viable and in these circumstances, it may be necessary to reduce the s106 or affordable housing requirements.

#### **4. Viability approach adopted:**

- 4.1 The viability report prepared by C is in general terms compliant with the recommended methodology. The assessment is based on a residual appraisal approach in the absence of good market evidence of comparable sites having recently sold. Values and costs are current day, with no inflation or growth assumptions made. The exception to this is build costs, where a 5% inflation figure has been included.
- 4.2 C has not prepared a viability report showing a policy compliant development. This is because they consider it to be unnecessary in view of the lack of viability even without the provision of viability. C have therefore shown a viability assessment purely based on the application proposals to demonstrate lack of viability on a policy compliant scheme. Whilst this is technically an incorrect way to demonstrate lack of viability, I consider that it is not unreasonable in the circumstances of this application.

#### **5. Applicant's development assessment:**

- 5.1 The proposed scheme provides
- a) 197 flats, comprising 5 x Studios, 48 x 1 beds, 107 x 2 beds, 37 x 3 beds
  - b) 3,736 m2 of commercial floorspace.
- 5.2 In support of the development, financial assistance is proposed as follows:
- a) 'New Deal for Communities' programme grant assistance: £1.5 million.
  - b) LB Haringey: £500,000 in reduced receipts from their part of the site.
- 5.3 Development values: C has re-considered the development value of the scheme. These values are slightly lower than the earlier assessment carried out in 2008. I have reviewed the development values and **I agree these development values**.
- 5.4 There is limited good market evidence of new flats in this type of location. The development is in an area where sales values are relatively low, both for residential and commercial properties. However, there is potential to improve sales levels if the development is carried out well. There may well be a “regenerative” gain resulting in higher development values than are currently assessed. This is speculative at this stage and therefore cannot reasonably be taken in to account.

- 5.5 Development costs: I have reviewed the market value in existing use. The value assessed by C overall is slightly higher than the 2008 assessment. This increase is based on improved market sales evidence in the area. I understand that some properties not yet acquired may need to be purchased either with CPO powers, or with them “in the background”. **I consider this revised estimate to be realistic.**
- 5.6 Build costs were assessed by COMO was assessed in 4.10. This figure is inclusive of 5% inflation, which should be excluded. There may be duplicated costs included in the preliminary, profits and overheads category, and savings may be achieved through “value engineering”. In my opinion, **build costs should be about 5% lower than the updated COMO estimate and may be as much as 12% lower once G has obtained more detailed advice on construction options.**
- 5.7 Professional fees are about 10% of build costs, which is reasonable, taking in to account the abnormal costs in this development, and the need for professional advice to deal with these abnormals.
- 5.8 Interest costs are shown at 7% and 0% credit rate. I consider that the interest rates for this type of scheme will more typically be about 7% debit rate (Inclusive of fees) but also should include a 2% credit rate.
- 5.9 Other development costs, such as marketing costs are acceptable.
- 5.10 Development programme: No specific information has been provided about the estimated development programme. From the submitted viability toolkit, I believe the programme is assumed to be as follows:

Action	Commence (Month)	Finish (Month)
Preliminary	0	36
Build period	36	60
Sale period	60	76

- 5.11 The site assembly in this type of development is complex and may well involve more time than is usual in sites where there are fewer interests to be acquired. However, there are ways of mitigating the costs of long term holding, such as short term letting, conditional contracts, options etc, all of which can reduce the preliminary stage. In the case of this particular site there has been the additional complication of the judicial review.
- 5.12 The guide in assessing viability is to assess the situation as it is at the date of valuation, and does not include taking account of activities that may not reasonably have been anticipated. The particular circumstances of this judicial review would not have been anticipated, and should not therefore be taken in to account in this assessment- it is part of the developer risk.
- 5.13 In my opinion, the development programme would be phased, which would reduce the amount of borrowing required and improve the cash flow of the development.
- 5.14 A target profit level of 20% of Gross Development Value (GDV) has been assumed, which I agree.
- 5.15 Conclusion on applicant viability assessment:
- a) The general approach adopted by C is broadly correct, excepting the allowance for build cost inflation.

- b) I generally agree with most of the inputs, except the build costs, the interest rates and development programme.

5.16 Based on C's assessment, the development as shown provides a development profit of 10.41% of gross development value. This is totally unviable and I question whether a developer would receive funding for a development showing such a low return, taking in to account the risks involved.

5.17 Because of funding problems, I consider a development as shown in the C report would be undeliverable. It could not sustain any affordable housing, and would not be able to contribute towards other s106 obligations, Crossrail subsidy or other public realm requirements.

## 6. DVS assessment:

6.1 I have carried out an appraisal to look at viability on the assumptions and inputs as assessed by me. I have used the same toolkit as used by C for ease of comparison. Whilst GLA recommend the use of Three Dragons Toolkit, it is not well suited to mixed use developments of this type, nor of calculating complex cash flow interest costs.

6.2 The results of my assessment are as follows:

- a) The main difference in addition to the reduced build cost is finance costs which are substantially reduced to £1,311,363. This is a result of altered programming and credit on capital receipts.
- b) The residual profit is £15,970,593 compared to the C assessment of £7,771,329.
- c) Profit is 21.4% of GDV, which is just above the target profit required of 20% for the scheme to be viable.

6.3 Based on this assessment the scheme is just viable. It cannot viably provide affordable housing, but the scheme is deliverable on this basis.

## 7 Results and conclusions

7.1 The general methodology approach adopted by C is broadly correct. The appraisal should assess the residual land value and compare this to the higher of Market value in existing use. If the RLV is higher than these, the scheme is viable. If it is lower, the development may not be viable, and consideration would then need to be given to reducing the S106 obligations.

7.2 The development is in an area where sales values are relatively low, both for residential and commercial properties. However, there is potential to improve sales levels if the development is carried out well. There may well be a "regenerative" gain resulting in higher development values than are currently assessed. This is speculative at this stage and therefore cannot reasonably be taken in to account.

7.3 Areas in which I disagree with C are the build cost, where an inflation element has been included, the interest rate and the development programme which affects the cash flow and overall interest costs.

7.4 C show in their Three Dragons Toolkit assessment that the residual value was £6,904,000. This is substantially less than the MV in existing use. Based on these figures the development would be unviable.

- 7.5 C also show an Argus toolkit appraisal. This is more suited to this type of mixed use development. It shows the profit assuming the site purchase costs are taken in to account. On this basis, the residual profit is about 10.4% of GDV, well below the target profit level usually required of 20%. Based on these figures, the development is clearly unviable, and I would not expect banks to provide finance on this scheme as shown.
- 7.6 My conclusion on the C viability assessment is therefore that it is generally reasonably based, but with some areas of disagreement.

**8. DVS viability assessment:**

- 8.1 My appraisal shows a residual profit of £15,970,593, which makes the scheme just viable, but without including any affordable housing. My appraisal shows that there is a greater likelihood of delivery, particularly if G can carry out “value engineering” that reduces development costs without affecting sales values.

Charles Solomon MRICS  
Head of Development Viability, DVS  
2 June 2011

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APPENDIX 6  
DEVELOPMENT MANAGEMENT FORUM  
MINUTES 01 FEB 2011



**PLANNING & REGENERATION  
DEVELOPMENT MANAGEMENT TEAM**

**MINUTES**

Meeting : Development Management Forum - Wards Corner  
 Date : 1 February 2011  
 Place : **College Of Haringey Enfield & North East  
London, Tottenham Centre High Rd London, N15 4RX**  
 Present : Paul Smith (Chair); David Walters, Andrew Beharrell, Cllr Hare,  
Cllr Schmitz, Cllr Mallett, Cllr Allison, Cllr Diakides, Cllr Engert,  
Cllr Watson, Approx 220 people attended ( Local Residents,  
Market Traders and Local Businesses)  
 Minutes by : Tay Makoon  
 Distribution :

		<b>Action</b>
1.	Paul Smith welcomed everyone to the meeting and explained what the meeting was about, that it was not a decision making meeting. A number of people were setting up professional video equipment to video tape the meeting and for photographs to be taken. Paul Smith asked the people not to film the meeting as no prior arrangements or agreements had been made and it was unfair to applicants and officers to be filmed without prior knowledge and consent. A short break was taken to determine whether or not the meeting should go ahead. David Walters said that he would be happy to carry on with the meeting and that any video recordings and photographs taken should be used in the spirit of the presentation made and that he would be very grateful if a copy of the video/ photographs taken tonight could be sent to him.	
2.		
	<p><b>Proposal</b> Demolition of existing buildings and erection of mixed use development comprising Class C3 residential and Class</p>	
3.	<p>A1/A2/A3/A4 with access, parking and associated landscaping and public realm improvements.</p> <p><b>Presentation by David Walters</b> I met most of you about two years ago; hopefully I am older and wiser than I was back then. A lot has happened since then, a number of issues have come up in the way that the application was considered and questioned. We have also got one of the largest recessions in our lifetime.</p>	

Wards Corner as pictured on the screen is what it looks like today and many of you live and work on this site and I have met a number of you before. I want to talk to you about Grainger's commitment to this development as it has been questioned a number of times. We are absolutely committed to this development; we have a slide of the Hornsey Road Bath Scheme in Islington. I have taken some of you round it before, it completed in May 2009, it was a Local Authority joint venture with Islington Council on exactly the same basis as Wards Corner it was 212 Residential Units approximately the same size. It was a Council office building, it is an extremely successful development and the fastest selling building in 2009, voted the best public/private partnership award and most importantly the architect is the same for wards Corner, the man who delivered the project is the same Grainger's project manager. We have learnt things from that scheme, we are improving and we are taking the same qualities of that scheme to Wards Corner and we are very committed to doing it. Grainger's is not a build and run organisation, we are a long term investor and manager of communities and residential dwellings. That means when we build, we will carry on managing it and that means when we have designed it we have considered the management into the design.

A site Plan showing site and surrounding including Spurs. We hope Spurs stays in the location it is and not move to the Olympics Park. At some time you have got to believe somebody, you can look at our track record and of course Spurs doesn't have a track record of building lots and lots of different stadiums. You can look at our track record. Tottenham Hale receiving significant amounts of investment at the moment. We have the building we are in at the moment, a fantastic amenity for Tottenham and one that needs to be helped in everyway it can. 1200 students, 700 staff, Wards Corner is the gateway for this establishment.

When we talk about Wards Corner, there are a number of things we talk about a lot of opportunities and challenges, in 2003 there was an independent health check done on Seven Sisters and another one done in 2008 both came to the same conclusion, so what are the positives, accessibility. Fantastic accessibility notable independent traders and independent shops and what are the negatives poor quality and physical environment, retail competition and night time economy those were the things that were flagged up by the independent report.

Consultation started before 2004 development brief the slide is

showing some of the consultation we did during the period we all remember when 2006/7/8 when the application last considered. The slide shows leaflet, Exhibition, letters, presentations website. The website is changing and there is valuable information on it and I would urge you to have a look at the information submitted before Christmas or just after, which we can talk about in detail. The scheme that is proposed today is the same planning application as it was in 2008 following the October 2008 amendments to that application. Is there an alternative plan, I think it is very important to acknowledge the work that has gone in to bring this scheme together. We have looked at it, we have considered it, when I first met a number of you on 12th December 2007 it wasn't long after that being in River Park House with Cllr Amin and a number of Wards Corner Coalition members and we first discussed this proposal with the Wards Corner Coalition and at that point to pay for an advisor of the Wards Corner Coalition choosing to assess the viability of our own proposals and that for this scheme for refurbishment led scheme. The bottom corner of the slide shows the public subsidy requirement to deliver 50% affordable housing of 25 million pounds and public subsidy requirement of 0% of affordable housing of 18.5million pounds. The Grainger proposal does require public subsidy of 2 million pounds.

### **The Brief**

The brief was provided to us following our selection from the tendering process in 2004. The vision that was given to us - to create a landmark development that acts as a high quality gateway to Seven Sisters providing mix uses with improved facilities and safer underground access. Replacement of the under cover market and though outside the remit of the brief would be welcomed.

### **Presentation by Andrew Berharell - Director of Pollard, Thomas Edward Architects.**

I have been working on the Grainger Wards Corner Proposal since the beginning of 2004. I have met a number of you during that time in various meetings when this application was originally first submitted. I am going to say a little bit about sites and constraints and particular features of the site. The application is very detailed and there is a lot of information within it. The next slide shows a map of various connected conservation areas which make up the Tottenham High Road Conservation Corridor, Wards Corner in yellow. It is an acknowledgement that we understand the sensitivity of this site. We recognise the fact that there are a

number of buildings on the site which are recognised as contributing to the Conservation Area and as you are all aware none are actually listed buildings.

There are a number of technical and legal constraints on the site, I am going to say something about three of those because they have a particularly strong influence on what can be delivered here. 1) The underground tunnels - David said that the location of the site right on top of Victoria Line at Seven Sisters underground is one of its greatest assets, it is fantastically accessible, it is also one of its greatest problems because there are four tunnels underlying the site, three running tunnels and one access tunnel and when you take into account the structural no go zones around those they cover more than half the site and that part of the site, it is impossible to sink foundations in-between the walls as you would normally do and therefore they are very strict and delicate controls on how to build on the site and the heights to which you can build and the loads on which you can put on the tunnels. So the structural possibilities are one of the driving factors in the shape of the development. 2) The site is in different ownerships interests, at the beginning of the involvement with Grainger there were around 50 different interests, fewer today because Grainger has acquired and bought some of the properties. The affect of that it takes a long time to piece together the very complicated site as this one. It is also very very expensive. 3) Rights of light envelope, the effects of which the rights of light enjoyed by properties surrounding this site have on how high you can build on different parts of the site. The Wards Corner island site in its totality is closely overlooked by properties in Suffield Close and on all sides. That again has an influence on where you can build and how high you can build.

We have been working on this since 2004 and I have lost count of the number of different design proposals which we have sequentially put forward for this site. The slides show a small selection of different designs we have come up with over a period of 4 years up to the original planning application stage. The orange models were made out of soap originally, that time we were exploring the possibilities of opening up the centre of the site and bringing movement into the site by having a public open space. I mentioned this because it is one of the things that the Coalition would like to see. We analysed the feedback in detail. We had a number of detailed feedbacks from various agencies, including the Councils planners, GLA, Police and retail experts and they were of the opinion that this kind of approach would not work here and we shouldn't try and hope that people would divert from their normal desire line. There is a lot of movement on the High

Road about 13million movements a year.

Major consultation exercise which took place in summer 2007.

Design evolution - I want to touch briefly on one aspect that is the Wards Corner store itself. I know that a lot of you have affection and you want to know what it is going to be used for and want to see it retained as part of the development. The Councils planning brief did not require that but did leave open that possibility and it spoke in oblique terms about facade retention. We looked at a large number of options for the Wards Corner location and that included the retention of the building, retention of the facade of the building, integration of the building into a new development, ideas about taking the new proportions of the building an aspects of it. New proposal even exactly replicating the facade of the new building. One of the addendum reports which accompany this application lays it out in detail. The conclusion of that very detail study which looked not just at the technical and cost viability of these options although is very important but also at the Urban Design heritage implications. The very strong conclusion endorsed by the GLA and by CABE and by the Councils own planning department was to go for a complete break with the store and make new contemporary modern building in that corner which would reflect the future life of the Wards Corner site and not to try to retain elements or to copy elements of the old building.

The application as it is before the Council at the moment in terms of design is identical to the original application with one important implication which is the Governments Environmental targets and requirements have changed an increased in the intervening period. Therefore the Environmental strategy and energy strategy for the application has been developed further and details are within the application documents. At the time of the original application the scheme was based on achieving Code for Sustainable Homes code level 3 and in the meantime the aspirational vision by the GLA is to achieve Code for Sustainable Homes Code Level 4.

There are three main elements of the proposed of the redevelopment of Wards Corner which I have explained is proposed as a comprehensive redevelopment of all of the building on the site. First it is a transformation of the pubic realm, the second element is new shops, and the whole of the ground floor of the proposal with exception to the Suffield Road frontage will be given to new shops and a wide variety of those. Third element is new homes, approximately 200 new homes located above the shops and down to ground level on Suffield Road. I draw your attention to the High Road Strategy, a new public place

which is proposed linking into the existing tube entrances this is the centre piece to the new proposal.

Shopping - The kind of range of retails Grainger is looking to attract into the site and the kind of things we don't want to attract here.

We are looking to provide a wide range of shopping to include shops for small independent retailers particularly shops in West Green Road, Seven Sisters Road but also to include larger shops will also appeal to national providers and will provide a wider range and quality to shopping offer. The third element is the proposal to provide an indoor market and to give that a prominent position actually enjoying an entrance from the redesign and redeveloped corner building itself. The proposed new main entry to the residential apartments which is deliberately placed in a prominent position with the shops giving on to the public square, part of the reason for that is that it will have a 24 hour concierge will add active surveillance security not just for residence but everyone using that space. The other element to note is the idea of building new maisonettes on Suffield Road, which will have front gardens directly onto the street. The final point to make is the covered service yard which gives back to the shops and is expected retailers today requires larger space for servicing and the idea is that vehicles come directly in front Seven Sisters Road and do not need to travel all the way through Suffield Road in and out into the service yard and out again. Finally plans showing access to cafe and bar by diagram on slide. Slides of external treatment. Plans of landscaping. Layout plans for the market.

4. David Walters: West Green Road Improvement Fund. I realised that this has had some controversy recently which surprised us. We have talked in great level of detail in the past about regeneration and what that does and the improvements that it brings and at Planning Committee a member of the public stood up in 2008 and what he said was right -Regeneration and improvements in any area comes from the transport interchange which is why you have to start at Wards Corner and slowly and surely this has an impact across that area. What we are trying to do here is that we have lost a couple of years in terms of making those improvements into this area and this improvement fund what we had intended it to be is fast track the impact of this regeneration proposal by providing those local businesses to improve their shop fronts. This is to allow businesses in West Green Road to apply to the Council to improve their shop fronts and improve the environment on West Green Road to improve their businesses. This was an honest offer to help local businesses and help this development improve that environment. In terms of the development what will they do

to conclude, it is about jobs created afterwards, jobs during construction, there were 20 jobs for local people at the construction of Hornsey Baths and permanently employed as a result to that. This development forms part of a district centre, the proposed retail space we are talking about is 35% of that district centre, and this is not taking out a complete district centre. This is providing an offer within it. Shopping, yes it is providing shopping that is different from today, but it is not eradicating what is there at the moment. Investment - it is significant investment as we see Tottenham Hale receives huge amount of money, hopefully Spurs will come forward and do the same. This college is doing the same a very good job, Bernie Grant centre. There is a lot of investment going on and Wards Corner deserves to get in own and this is how we think we can come in. It is about spending, and making sure that spending is retained within Tottenham and providing a safe community. One of feedback was that a lot of people felt unsafe around Wards Corner at night and this development will prove that security. It is about the economy and safe guarding the future of Tottenham. I am very grateful of you turning up and Grainger is absolutely committed to this and we really do think there is support for these proposals, we are here to talk to you, we have talked to you over the last 2 years and please ask any questions this evening and we will do our best to answer them.

### **Questions from the Floor:**

Q1: Latin American Market Trader: I am not really convinced with the new plans for the market? The market is not just a market, it is a cultural centre, people go there not just to buy, but to socialise. To meet people, practice the language. We have Caribbean people, African, Indian many cultures. You guys are destroying these cultures; you did not mention what is going to happen during the period that you are building. What will happen to the market? You say you have 20 jobs but 20 jobs are pathetic. You are going to leave 500 people unemployed. My question is that are you nuts? Do you know what you are doing?

Ans: David Walters answered - Raoul thank you for your question. Raoul you and I have met on numerous occasions about this market and discussed it in great detail. We have met to talk about and including the new market in the new scheme. What we did was to work together to enable a new market to be incorporated into this new development.

Statement from the floor: You mention 20 jobs; those 20 jobs you talked about were 20 jobs during construction not within the completed scheme.



Ans: David Walters answered - Your question about the market - can it be sustained and are we doing anything to help? Raoul following us achieving planning in 2008, we prepared a very long and very detailed presentation to the London Development Agency on your behalf to lobby for funds to help you from them to assist the market. More public money - you are correct, we also provided a pot of money for the traders to assist with that process, we agreed to some very complex and detailed conditions which we discussed with you within the s106 agreements.

Q2: I do not think we agreed to anything, I did not say you agreed to anything Victoria said David. Victoria said I think it is only fair to say that some of the traders here do not understand very well what is going on so I think I will take 2/3 minutes to explain to them what is happening in the meeting. Victoria explained to the Latin American traders in their mother tongue what is going on.

Ans: Paul Smith answered - It was agreed that the meeting will allow Victoria time to translate as and when needed.

Q3: This is a comment: I came across these plans first in the summer of 2003 because I attended the NDC employment theme group. I remember what was said at the time was that what type of shops were going to be in this development and we talked about Starbucks, Woolworths, and all the big players and even at that time I thought it was the wrong approach from Haringey and at that time Grainger's were not mentioned it was the people that did the survey and research. We were also told about these grand plans redeveloping Seven Sisters Station and told everybody that who went to Seven Sisters Station that was being mugged, which was totally untrue and this was taken by one particular officer was giving out and it was that persons word. All the hype about Tottenham being unsafe is not true as I have lived in Tottenham over 20 years and found this is not the case. Yes I have lived round here for 21 years and you have to stop saying things like that as it is not true and you Mr Smith who has been in the planning department in Haringey for a very long time. I never understood back in early 2003 or early part of 2004 why there is this kind of denial about the type of place Tottenham is. It is a diverse community and that diverse community is not going to go away. People have lived here for many many years and their families have settled here and they will live here long into the future. What disturbs me is that we are being presented with is always this white middle class approach.

Q4: Statement: Market - it needs to be made very clear that the plans to include the market did not come from Grainger but from the Mayor of London who put pressure on Grainger to make it a

requirement. So there was no intention to provide a market. The way in which the market could possibly be provided as described involves so many strings that it was impossible to re - provide a market that had any of the characteristics of the existing market it requires 60% of the existing traders to return, markets are not like that once you disrupt them it is unlikely that 60% will return. The money that was talked about of being available is only £96,000 and it is a very small amount of money to reproduce a market. I think the whole point about what this scheme is going to do for this area, is that there has been no recognition about what it going to be lost. That is a lot of jobs, community activities; social and economic activities and loosing heritage of buildings that people do feel affection for and can see a different future for. I think it is important to know what is behind what is being put forward here. It is not all of Grainger's idea, a lot of it has been imposed on Grainger and the strings underpinning it would make it impossible to for fill.

Q5: I am a trader from 1 West Green Road; West Green Road has a better trade than surrounding market. Every time you talk about the market and you are not saying anything about the business we are doing in West Green Road. Why are you dividing the market and Businesses in West Green Road? and why not submit them together?

Ans: David Walters answered: I think Mr Patel the question from you is why we have included accommodation for the market and why we have not included accommodation for all the shops in West Green Road/Seven Sisters Road?

What we have done is provide accommodation for the market because we think the market can come back into this location and there has been a will to do that. There is also will for many other retailers to come back into this development and we have had expressions of interest from those people. What it is not possible to do is to replace every single one of those retailers in that location. This development will take two years to complete, it is a very upsetting period for any business to move once and for any business to move twice, and within that period be in temporary accommodation. We have considered that and on balance we have discussed this with you, we found it very difficult to come to agreeable terms.

What the brief asked us to do Mr Patel is to make a stepped change to create a landmark development that delivers variety retailers within Seven Sisters. What we can't do is replace every single retail unit and I acknowledge that and the difficulty that creates. But that doesn't mean we are not committed to the retailers that are there and that doesn't mean that you are any less important than the market traders.

Q6: Ladies and Gentleman I don't know where to start. What this is about is vision. It's one vision that versus another one which is to restore the area. This is a vision that a lot of us would like to put into affect (The Coalition's vision). That is the vision that will keep local businesses, stop the area from being devastated; it is actually going to ensure that we actually get regeneration. Today I heard that if Spurs doesn't get the Stratford Stadium, they will move anyway. These guys have devastated the top of the High Road, they made glossy promises but the big money is behind them and that big money is dictating that Tottenham is not the place to be.

So consequently they are going to move, they do not care about Tottenham. The only people we can trust in Tottenham are the people of Tottenham. We have a vision and we would like to put it into affect unfortunately we have a Council that never allowed us to put this vision into affect or even to discuss it with them. The Council has come up with a preferred developer and they have given this developer two million pounds of NDC Bridge money, this developer has assets according to its website today of 2.3 billion pounds and it has been given 2million pounds of local residents money from the NDC because they say this site is unviable. They stand to make a huge amount of money and they are coming up with this nonsense about unviable. These people are going to come here and get their planning permission and I bet you once they have their permission they are going to sit on the site and they will allow the blight to continue until every last business is out of the area. Then they will sell and move on, just like Spurs will abandon us. They will abandon us because they don't have the finance to do it. These are the guys up and till a 2 weeks ago said on their website that they had planning permission for Wards Corner. In despite of a Court Appeal Judgement they haven't been reported yet to the London Stock Exchange, but we will.

Ans: David Waters answered: I am very pleased that those questions are being asked of us because I can answer them every single one of them. I lived and breathed this for years. I do hope you can hear me out, it is an important issue and Roy is absolutely right to ask those questions. Grainger abandoning the site - The nature of the agreement between Haringey and Grainger doesn't allow us to do that, secondly, I think we have demonstrated that we do deliver, just down the road Hornsey Road Baths. You talked about viability, I talked earlier about how we met on 12th December 2007 and I did two things at this meeting, the first thing I did was to offer you to use our professional team to do a viability study of the scheme that you have just shown us or the scheme known to us as the Coalition Scheme for Wards Corner. The second thing I offered to you was a surveyor of your choice to come and analyse the financial numbers and the viability of not

only your scheme but ours too. That commitment was made but not taken up at that point. In terms of the website, I am responsible for updating the planning bit of the website and I am very sorry but just didn't notice it. Is it fair to say as soon as you pointed out, I updated it? and the reply from the audience was yes. If the London Stock Exchange really changed its view about Grainger based upon its website and not about the endless documents that gets submitted to it every year, then we have diligent vectors looking at Grainger. I cannot emphasise enough how committed we are to this, we cannot emphasise enough that we have looked at the options; we looked at the options you presented. I am completely willing to put on record to allow you to appoint a surveyor the last person you appointed that never turned up to our offices after me arranging two meetings with him was a chap called Mark Bloomen. If you want to arrange a meeting then I am more than happy to meet with Mr Bloomen.

Q7: Ben Voherty: If anyone wants to vote no to demolition, please show your hand and let's see how many people we have. Have you ever lost a child or a wife, mum or anyone in the family? How did you feel? Well that is how I feel, upset, for you to come and hold this meeting for telling us that Wards Corner people that we are not to survive, that is what the market is for us, survival. You can't help my mother. You have not brought change. You have brought things that will define you. Please clarify who are you trying to help, one family or all the families., the market, Latin American people, African people who?

Ans: David Waters answered: Yes, I lost my grandfather recently and my cousin in a cycling accident recently. I was very upset.

The reason why I and Grainger spent so much time looking at this development in a way we have, is that everybody recognise that change is required, even at the first meeting with the Coalition we all agreed that change is required, it is a different kind of change.

Any regeneration scheme is contentious, not one single regeneration scheme in the land is not contentious. It is contagious because it is regeneration. After the last few years we have demonstrated our commitment to helping those on the site, to improve the area, providing a solution to what has become a 30 years problem.

Q8: Expressing my point of view: Living here for over 20 years I have seen buildings going up one after another go down with retail on the bottom and residential above. At least the flats are a mixture of rental and social and private housing. Wards Corner, Grainger says that they want this to be a town centre where people can be proud of; I don't think local people can feel proud if it is based on deliberate neglect followed by total demolition of

everything that is there. We can feel proud of something enthusiastic that is there, cherished of what is there, which developed what is there, which nurtures it. We can feel proud of something that is the same as everywhere else, there are already too many places like that, we are not asking for another one. We are asking for something that we feel at home with, somewhere where we talk to our traders and we do somewhere where it has a soul, warm and vibrant. Somewhere where people are not just relying in their landlords. Somewhere where we can have a proper life. We are not begging for a landlord to come along and manage us, or threatened by demolition. We all want it to be better but we just don't want you to do it, because you are basically doing it all for money. If it wasn't for the money you will not be doing it.

Q9: I want to ask the Council a question. You Grainger were given a brief and here is your proposal. I think the problem stems from the Councils approach to the site, you could have engaged the community before 2004 when this plan was submitted to them and then there was this outcry. There was this cloud of demolition hanging over this site since the 70's. Where is your commitment to the local people?

I would like to follow on with that comment - we have lived here for a very long time and when we saw the consultation about the development brief and the consultation was badly done. They did apologise for some hitches with the way they got the leaflet out and we were shocked at the poor quality of consultation. We wanted to do a deputation to the Council and we organised a deputation of residents and the manager of Seven Sisters Market and a few residents were there and we raised our concerns and we asked for the consultation to be done again. We highlighted the qualities of some of the buildings. The manager of the market had managed to borrow enough money to purchase and restore the buildings and she had arranged a meeting with the conservation officer then the Council cancelled the meeting. This was in 2002, if that meeting had gone ahead then the building would not had been left to dereliction for all these years and could have built on the vibrant market which was already developing and was improving the area enormously. The crime has been reduced to the very nice people doing a lot of active things in the corner of the market.

Ans: Paul Smith answered: I cannot answer on behalf of the Council as I am chairing the meeting, however this meeting is for you to ask questions of the applicant and gain information and raise your concerns. It is not possible for me to answer questions this evening- Paul Smith

Ans: David Walters answered: There is a lot of talk about why there isn't an alternative scheme that is being developed or submitted for planning. There are two planning applications submitted, one which is a refurbishment of the existing market and one which was our application. There are other images that you have shown fairly as an alternative view but that are not a planning application.

Q10: Cllr Schmidt - Although I am a Councillor and I sit on Planning Committee, I wish to make it clear that I will not be sitting on the Planning Committee dealing with this application. Grainger will not and won't be seen to get a fair hearing from me in this particular matter because I have publicly made up my mind to side with those who would preserve Wards Corner. I would also ask for similar restraint is asked of two other Councillors who sit on the Planning Committee. Cllr Stanton and Cllr Peacock have publicly made known their belief that Wards Corner Stores is not worth preserving. Cllr Peacock said that people coming to Tottenham wanted to see something new rather than the old started up and Cllr Stanton has posted on flicker - just to point out that not every local resident agrees with the Wards Corner Campaign as well as being a Tottenham Councillor I have also been a resident over 26 years, we live 2 minutes from Bruce Grove part of the Council, cares very much about Tottenham future and about the attractive and often beautiful buildings along the High Road, Wards Corner is simply not one of them. As he has made up his mind he should not be sitting on the Committee, he is also very connected to someone who use to work for the NDC. I am simply talking about the situation being bias.

I recall from a similar presentation that is architecturally for not preserving the wards Corner Stores. One could not build to the height desired by this development without putting a pier to the site of the store. Why not build lower so that a pier is not required? Your planning permission was thrown out by the court of appeal because of the lack of an equality assessment. Cluttons who have provided the equality assessment concludes that the proposed development not unlawfully discriminate against any identified equality group, but they have misconstrued the law, what is required is that the impact on the various groups be examined not that they be prejudiced by the decision they have made, whether that is done or not is a matter for the Court not a matter for an expert. (This is for the Officers). I also noticed that in this rather long report no attempt has been made to assess the impact on the Liberian and Latin American communities that actually use the market. The provision which you are proposing to make for small local traders and to restore the market. Can you please give me a

little bit more detail to as to the sort of commitment that you would make that would be sufficiently definitely be part of an enforceable part of a s106 agreements that would ensure that small local traders actually get the shop and as far as the market goes, what commitment are you prepared to make to keep the head lease rent down to a level that people who wants a stall in the market have an affordable price.

Ans: David Walters answered: Not Preserving Wards Corner, there is a report within our planning application, not sure if you have had time to read that, that talks in great detail about the constraints around saving the building as Andrew mentioned we looked at the facade and retaining the building, integrating the building into the development, you talked about the Court of Appeal ruling and they that had been addressed by our application , you will no doubt know that the Court of Appeal ruling required Haringey Council to undertake an Equality Impact Assessment. Do you agree? Yes was replied. Grainger's Equality Impact Assessment is not the final as pointed out Haringey will have to do their own. In terms of the s106 agreements, I talked a lot about this with a lot of people and what our commitments are. Our commitments are that we will not include betting shops, fast food outlets; it is not in our best interest to do that. We talked about unit design for independent traders on Seven Sisters Road and talked about the retail mix of those retailers. In terms of what goes into the s106, we have talked in great detail about what that does. What we have done is provide a conditions list to allow the market traders to come back in. If you look at it from our point of view what we don't want is a development that sits empty because we are waiting for the market traders to decide whether to come back into the scheme. So we included a clause that highlighted the timing about those traders coming back in. Somebody mentioned the 60% earlier on. When we first thought through this I never thought that it was bad for you, I thought it was good for you. The reason behind that is that you don't want to just a Latin American market, or a fish market or something else. The clause was to ensure that it didn't become something else. If you wish us to remove that, then just tell us about it. We really saw that as a benefit for you and not us. In terms of rent, if you rent a property of poor quality or something middle of the range, you then move to something a bit bigger, or better quality, then the rent changes.

That is the way things happen. What we are proposing is to bring that Wards Corner facade into life through the Seven Sisters market, making the Seven Sisters corner the entrance to the market which we are really excited about and yes the rent will be a little more. We want a viable successful market and it has to be an open market rent. We cannot guarantee you the same rent you pay now within a market that is tucked behind a facade in

some respects and doesn't have the same amenities the new one has and is managed by a national market operator who will potentially be able to advertise and market this market much wider than it is at the moment.

Q11: I have a barber shop inside the market; I am only 20 years old and have been in London for 8 years. I would like you to stop talking about the pretty market of yours because the money that was offered to us a long time ago was £93,000 to come back, if you divide that £93,000 into 63 units, it would be 1,500 per trader.

Do you really think you are supporting our community? Do you really think £1,500 for two years - that is just your way of kicking us out? Stop telling everyone that you are talking about us.

Ans: David Walters answered: Compensation payment mentioned in the s106 agreements, the intention for that was to hopefully work together with that pot of money and to ensure the market is brought forward. Those of you operating in the market operate under a licence, that licence gives you significant flexibility to walk away within seven days it does not entitle you in statute to any compensation. You do not have a lease you have a licence. If you read the latest document the amount has gone up to £104,000.

Q12: When you say very generous, we look at it from your point of view. You think that my hard work all my life, I have raised my children in the market. I brought my daughter when she was 5 years old, she is now 17 years old and nothing has happened to her. We did have a discussion about how much money we are entitled to as you say we only have a licence. What that means is we do not count. That is very unfair. I have knocked on so many doors in the Council to ask what will happen to our future, and was told don't worry you can relocate somewhere else, like we do not exist, and we are only third world people so we don't count. That is the way you are treating us. Tell me the number of jobs that is going to be lost in the market.

Q11: I query the idea of regeneration strategy that is heavily being based on the provision of retail space for national retailers; this to me seems to ignore 3 factors. One is the existing retail space at Tottenham Hale and Bruce Grove, secondly the retail space at Tottenham Hale is much larger than would be provided at the Wards Corner site, thirdly, it completely ignores the shopping corridor at Wood Green High Road which is much larger and has a much larger retail outlet and does a much larger volume of trade.

It is hugely unlikely that any national retailer would wish to take up space at the new Wards Corner site. It needs to be recognised that Tottenham is no longer a preferred destination for shoppers



out of the area.

Ans: David Walters answered: we have a tube station on the Victoria Line which is 12 minutes from Kings Cross, it has about 13million passengers going through it every year, we have had discussions with some retailers and it answers the questions, they are very interesting as a location, the difficulty they have had is being able to find accommodation in Seven Sisters for them to take up. They would like to be in a new/improved environment.

Q13: A resident

I have heard about the volume of traffic passing through the corridor, 3 million people, how wonderfully they have done in Hornsey, Knightsbridge. There is a flaw in your premise that all areas are the same but they are not the same. We live in Seven Sisters and according to EU statistics; Wards Corner is the most culturally diverse per square mile in Europe. What have you done in your planning of this development to take into account the culture diversity in this area? It is not the amount of traffic coming in/out in this area. I live in Suffield Road and we have people living there for three generations. I have lived there for two generations and you have not taken into account the people who live here. You need to do a proper study. This idea is not going to work. You can have rent for some crappy apartments and it will be £3 in Tottenham and £75 in Hampstead. The areas are not the same and you cannot use Hornsey, Knightsbridge as an example and think we have the same aspirations as you. What are you doing to address the cultural diversity of this community?

Ans: David Walters answered: It is not the same. What we have done is included a ground floor that has accommodation for 8 national retailers that also have accommodation for a market which includes 50 businesses. We also have 9 nine units design for independent retailers. If you look at it in business scale that is circa, 59 independent businesses and 8 national retailers before you get on the statistics that this site is a mere 5% of the district centre. – It is not a town centre and you are absolutely right. It is 5% of the district centre in terms of floor space. In terms of getting national retailers here we all know that we can find those 59 businesses, locally and culturally diverse, you are all here.

Q14: I want to give an advice to Grainger – You are loosing a lot of money in many years of discussion. Every four years they there could be a new Mayor of London and every four years the Mayor can make a voto. Two years ago during the elections for Mayor of London, the candidates came to the Seven Sisters market to say they will be against the demolition of Wards Corner. In one and half years time there will be another election and again the candidates will say they will be against demolition, why because

Tottenham has a lot of votes and there are 250,000 Latin American and foreign speakers on the electoral roll, they cannot win the elections if they say they are going to demolish Wards Corner. You need to talk to the Wards Corner people and us to keep the building that is the only solution.

Q14: Mr Thompson – One of the added advantages of having been a Mayor is that I learnt how to be fair and I haven't seen anything so totally disgustingly unfair as the people of Tottenham have been treated in the Wards Corner. What you are doing to the people of Tottenham is adding salt to injury because not only have you been told by the High Court that you are out of order, you still trying to dress up and bring this back and it still isn't going to work. The people of Tottenham deserve better, never mind what Tottenham Hotspurs are doing or whatever Grainger is doing. You need to understand this, you don't live here we do and we decide what we want.

Q15: Why do you want to go ahead with this development when everybody is against it? If it's not just about money, then why go ahead. You are going against our wishes.

Ans: David Walters answered: Does anyone support this development? No one responded from the audience. There were two people in support of this development they stood up at planning committee. People do not come out in support but only when they object. Yes, we do want to do this development, we are committed to it, we have worked long and hard to bring this forward and it will have a positive impact on Tottenham it is essential to safeguard wards Corner.

Q16: Do you not learn from history? Are you not afraid of another riot?

Q17: I find it incredible to believe you call this meeting a Development Management Forum and yet you do not have a senior officer to be able to answer our questions this evening. As someone said our beef is not with Grainger, they were given a brief and they delivered it. We need answers from the Council and there isn't anybody here to answer our questions?

Ans: Paul Smith answered: There are Council Representatives, the Assistant Director, Planning & Regeneration, Myself Paul Smith. However, we are not here to answer questions, as the meeting is for you to ask your questions of the applicants. The constitution of this meeting is an exchange of information where the applicants explain their scheme to the residents and for residents to respond. There are other avenues for you to pursue to get answers to your questions.

Marc Dorfman said: I have been for the last month has been phoning and emailing the wards Corner Coalition to ask them if they would like to come and meet me talk to me about what their concerns and issues are and to date I am still waiting for that meeting to be set up. I would still like to have that meeting and secondly, it is very important that we go through the usual process of dealing with major applications. With Wards Corner there has been a lot of concerns about the process of the application how that has been handled and managed, not at least there has been a judicial review. So we want to go through carefully that process in the normal and usual way. If you want to make representations to me or your local ward councillors and additional public meetings, please do that and I will be happy to respond positively.

Q18: We are told the same application has been re-submitted, you and your architect talked about new papers and information on your website. There is nothing on Haringey's website so the papers haven't been published. I fail to see how this can be a new valid application. Lots of things have changed since they submitted their information. Are you not going to do a new financial statement?

Ans: David Walters answered: Paul rightly said it is the same application we have re-submitted some documentation which I understand is on the Councils website, certainly on our website. Wards Corner regeneration.co.uk, you can go and pick it from there. We talked about a new planning statement, new conservation area statement, equality impact assessment there is an energy statement as the code level is now 4 instead of 3. There is a new document which is a new toolkit under GLA guidance which is a financial assessment of the scheme. What happens with this document is that an independent advisor of the GLA and Haringey and that independent advisor then briefs the GLA and Haringey whether it is correct and whether the scheme can affordable housing and other s106 benefits. The toolkit as in every regeneration scheme is used in schemes like this is a confidential document which is why an independent assessment is carried out. The GLA uses this day and day out.

Q19: In my book regeneration is about people as well as well as place, I think the requirements by the Lord Justices for extra information from you on indeed the equality and diversity impact and implication of your proposal goes to the heart of the last hours of this discussion. Listening to you I cannot imagine what possible statement you put in to support that you have met those requirements, you have no affordable housing. I think you are offering the traders a sum of £1.500 for two years and you did not

answer how you would ensure 50 or so culturally diverse traders in the market which was insisted upon by Sir Simon Milton would be able to return. Does your website contain your response to the High Courts requirements, if so can you elaborate on that please.

Ans: David Walters answered: I think this goes back to the Equality Impact assessment which you rightly say is a requirement by the Court of Appeal to be undertaken. The requirement by the Court is not on Grainger but on Haringey in assessing this application. Grainger has done its own Equality Impact Assessment which is publicly available and mentioned today.

Q20: I question whether you understand the social importance of this site. You mention the London Plan, which you say London wide criteria. I question whether you understand the London wide importance of this site. It is the only focal point for the Latin American social and trading point for the Greater London community. What the architects and developers are doing to maintain this very rich social and ethnic asset to London but not in terms of plots and zoning because plots and zoning merits cannot be quantified within those ways.

Ans: David Walters answered: Part of that answer is in relation to our discussion with other organisations and helping local businesses manage themselves through this process and we did engage through the NDC and they were part of this process. We did engage the North London Business, NDC. We did workshops with KIS (Keep it Simple Training) and we have included the market. I think we have demonstrated how Wards Corner is important. We have made an offer for all local businesses to have an independent property advisor, those in West Green Road and Seven Sisters Road. Only one took it up. We have given great considerable concessions to people who live and work on the site. I think to date there are people still living in Suffield Road without paying rent and we have made other offers on those lines and people have accepted.

Ans: Andrew Beharell: This scheme is a long evolution years and more has been design with great precision and care for its particular setting and I accept that many people here don't like it. A lot of time has gone into designing this scheme in its context.

Q21: Mital Patel statement: How do you get cultural bits into the scheme, you actually invite people into the design process.

Q22: The toolkit, are we supposed to accept the Council's word that we cannot have social housing on this site. They got it wrong the first time and we took them to Court and we proved that did it wrong and hence the assessment. Will that toolkit be made

available to us or do we have to rely on the Council that we cannot have social housing on the site. What are you doing about the welfare of the businesses around the market, they might not be accommodated but what are you doing now?

Last year you evicted one of your tenants? Why?

Ans: David Walters answered: He was evicted because he wasn't paying his licence fee; he was blocking the road and causing a nuisance.

Q23: I was told at the consultation meeting that this would be M & S and that would be Boots. This was not what we were consulted about. Will we ever have an accurate consultancy with the Council? And will Grainger agree to that.

Ans: David Walters answered: The conclusion slide is wrong: You are creating 20 jobs, The Cushman report says you are creating 80, and so that is job losses. It is already a district centre. This is becoming the Latin American Quarter in North London and you will lose that as Elephant and Castle is going to take all the money away. This is an opportunity, nowhere else offer you such choice. Provide investment in Tottenham, well we would have that instantly if you just walked away. Gated community? You are inviting trouble. You said you wanted a shot, have you heard of a parting shot, just go.

Q24: John Oakes: Hornsey Baths was mentioned as being very successful as a Grainger project. I pass that very regularly as I do Wards Corner and one of the most successful elements is the retention of all of the original building, including the neon diving lady, then he went on to say we have learnt from Hornsey Baths and put the same quality of that scheme into the Wards Corner scheme. What qualities is he going to take into the Wards Corner Scheme and why I haven't heard any good reason why the old building needs to be demolished?

Ans: David Waters answered: Hornsey Baths is listed and had to be retained. The chimneys are not listed and have no requirements to retain that chimney but Grainger has decided to keep the chimneys as this was appropriate for this site. We all want to improve Wards Corner and we have to find a solution to make it work. We do not take the decision to demolish heritage buildings lightly that is why we analyse the coalition scheme that retains the market, and the front building and I have presented all the information this evening. This scheme requires 25million of public money subsidy. My commitment and offer still stands for you to come and inspect those numbers. We are really trying to find a way to make this development brief come to fruition. It has been one of the most difficult problems any developer can face, multiple ownership, building over 4 underground tunnels.

**End of Meeting**

Paul Smith reminded everyone to submit their comments to the Planning Service if not already done so and further representations can be made at Planning Committee. He thanked everyone for attending and contributing to the meeting.

APPENDIX 7  
SUMMARY OF GLA REPORTS

## **Summary of GLA comments**

An updated Stage 1 report was issued 21 June 2011 following the re-determination of the scheme. Stage I and Stage II reports were previously issued during the initial consideration of the scheme. Appropriate sections of these reports are also summarised.

### **Stage 1 Report (updated) 21 June 2011**

The proposal has not substantially changed since the previous Stage I and Stage II reports. As such this report only deals with new information and areas where the London Plan or Government Policy has changed. The comments on design, child play space, community facilities and transport set out in previous reports still stand.

#### *Equalities*

The methodology of the Council's Equalities Impact Assessment (EqIA) is considered acceptable. The EqIA concludes that the development is unlikely to result in major negative equality impacts provided that all measures set out in the section 106 agreement are implemented in a timely manner.

#### *The market, local retails and principle of land use*

The proposed offer is a combination of multiples, local retail and the Latin American market. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre.

A social and economic impact assessment as set out in London Plan policy 3A.25 has been produced together with a retail impact assessment and a market assessment. The developer has replaced the market in the development and provided units specifically designed for local retail and the Council is satisfied that their plans will be a positive benefit to the area and the local community. The proposed scheme therefore complies with London Plan policy 3D.3, 3A.25 and 3B.1 (The Mayor will seek a range of workspaces of different types, sizes and costs to meet the needs of the different sectors of the economy and firms of different types and sizes). These policies are carried forward into the draft replacement London Plan in policy 4.8 and a new policy 4.9 has been introduced which specifically relates to the provision of units suitable for local retails. The proposal also complies with the draft replacement London Plan in this regard.

The retention of the Latin American Market also complies with London Plan policy 4B.8: Respecting local context and communities given that the market is replaced within the development as well as draft replacement London Plan policy 3.17 protection and enhancement of social infrastructure.

It is also considered that the provision of the market facilitator and associated package of measures, the re-provision of the market and the provision of local retail in the scheme discharges the obligations of the Council and the GLA under the Equalities Act 2010 provided that the application is conditioned such that the current market cannot be closed until a temporary facility is secured.



### *Affordable Housing*

The loss of 10 affordable housing units on site is not in accordance with London Plan policy but is considered acceptable in this instance given the wider regenerative benefits of the scheme.

London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified

Haringey's UDP contains a policy regarding affordable housing which states that housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

A toolkit has been submitted with this application which shows that it is not viable to provide any affordable housing as part of the development. The toolkit has been independently verified by the Valuation Office Agency and it has been confirmed that the development cannot support affordable housing on viability grounds.

The applicant has robustly demonstrated that it is not viable to provide any affordable housing in this development and whilst this is regrettable the position is accepted.

### *Heritage*

The scheme involves the demolition of all buildings on site. Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. Conservation Area Consent for the demolition of all buildings on the site was granted in November 2008 and this permission still stands. As such the principle of demolition has been accepted

English Heritage has set out that whilst it accepts that it would not be viable for the current scheme to reuse the existing buildings that public benefit could also be delivered through a conservation based scheme. The applicant has considered the viability of variations of the scheme which retain one or more of the existing locally listed buildings and Haringey Council has confirmed that none of these options are financially viable or deliverable.

Given the relatively low significance of the assets, their current condition, the public benefits of the regeneration and replacement market provided by the scheme, the non-viability of the variants of the scheme and the extant conservation area consent it is considered that the loss of the assets is justifiable.

Overall, the proposed scheme makes a positive contribution to the conservation area and the wider townscape and is acceptable.

### *Climate Change Mitigation*

The applicant is proposing the application of energy efficiency, CHP and renewable energy. As a result, the development will emit 165 tonnes per annum in regulated carbon dioxide emissions. This represents a saving of 100 tonnes of carbon dioxide per annum (38%) compared to a 2010 Building Regulations compliant development. The energy strategy is supported and is in line with London Plan policy.

### *Transport*

No new transport information has been submitted. The transport elements of the scheme were considered to be, on balance acceptable, previously.

### *Conclusion*

The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised regarding previous iterations of the scheme and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. The energy strategy is in line with London Plan policy.

Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision for such elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents with relocation are secured.

## **Stage II Report – 03 December 2008**

### *Design*

The previous stage I report concluded that the “the architectural approach is on the whole welcomed, the particularly the High Road centrepiece, the Suffield Road blocks and the brick treatment, however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered.”

The upper storeys are now glazed and further details submitted of the corner treatment. The issues raised in Stage I have been resolved.

English Heritage support a conservation-led approach to regeneration.

CABE, overall, felt that the scheme had the potential to transform the area and supported the scheme.

The proposed scheme is considered to make a positive contribution to the conservation area and wider townscape and would be in compliance with the London Plan in design terms.

### *Transport*

In view of the highly accessible nature of the site, it was recommended that the scheme be made car-free. However parking is provided for the town houses on Suffield Road. All other occupiers of the development will be prevented from obtaining a permit by s106 agreement. Travel Plans for the commercial and residential elements of the scheme will be secured by condition and this is welcomed in order to mitigate travel demand.

Construction routing should minimise impact on the TLRN. A construction strategy should be secured by condition to ensure that there will be no impact on the Underground Station or tunnels during excavation and construction.

### *London Development Agency*

The LDA supported the principle of the scheme at Stage I but raised a number of issues relating to the existing market and wider regeneration potential of the scheme. Following discussions with the applicant, the LDA welcomed that the section 106 agreement secures replacement of the market and associated measures to assist the temporary relocation of the market traders. The LDA considers that there are no strategic issues in relation to retail facilities.

The LDA also welcomed a requirement to submit a Training and Local Labour Agreement as well as a requirement to procure goods and services from local businesses and recruit local people.

## **Stage I Report – 04 July 2008**

### *Housing*

Although the proposed dwelling mix deviates from that contained in the Council's Housing SPG (now SPD), it is considered appropriate to the busy town centre location.

### *Children's Playspace*

The development provides approximately 1,538 sqm of amenity space within a central courtyard which includes a dedicated playspace for children under 5. The site is also within 400m of Brunswick Road Open Space. The provision is acceptable in strategic planning policy terms.

### *Urban Design*

The proposed density and site layout are acceptable. The scale of the development is considered acceptable having regard to the scale of Apex house and the Tesco development. Towards the rear the development scales down to relate to the neighbouring residential development. The development will transform the public realm by creating anew public square.

The internal layout of the proposed flats is acceptable.

The architectural approach is on the whole welcomed, the particularly the High Road centrepiece, the Suffield Road blocks and the brick treatment, however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered.

### *Community Facilities*

At the time of the initial Stage I report, the proposal included a youth facility however it was recommended that the space be given over to accommodate the market.

### *London Development Agency's comments*

The LDA support the principle of the development. The variety of retail spaces is welcomed. Every effort must be made to find alternative accommodation for the existing market traders whilst the development is constructed.

The developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal. Initiatives to create training and employment opportunities and to utilise the goods and services of SME's and local businesses should be formalised through a section 106 agreement.

**APPENDIX 8  
GLA REPORTS**

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**GREATER LONDON AUTHORITY**  
Development & Environment Directorate

City Hall  
The Queen's Walk  
More London  
London SE1 2AA  
Switchboard: 020 7983 4000  
Minicom: 020 7983 4458  
Web: [www.london.gov.uk](http://www.london.gov.uk)  
**Our ref:** PDU/1973/EW16  
**Your ref:** HGY/2008/0303  
**Date:** 21 June 2011

**Marc Dorfman**  
Planning Policy and Development  
Haringey Council  
639 High Road  
London N17 8BD

Dear Marc Dorfman,

**Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000**  
**Wards Corner, Seven Sisters HGY/2008/0303**

I refer to your email of 24 January 2011, reconsulting the Mayor of London on the above planning application. The Mayor has delegated his planning function to his Deputy Mayor and Chief of Staff and on 22 June 2011 he considered a report on this proposal, reference PDU/1973/03. A copy of the report is attached, in full.

Having considered the report, the Deputy Mayor has concluded that given the measured proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision for such elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents with relocation are secured.

If Haringey Council decides in due course that it is minded to approve the application, it should allow the Mayor fourteen days to decide whether or not to direct the Council to refuse planning permission (under article 4(1)(b)(i) of the Town & Country Planning (Mayor of London) Order 2000). You should therefore send me a copy of any officer's report on this case to your planning committee (or its equivalent), together with a statement of the permission your authority proposes to grant and of any conditions the authority proposes to impose, and a copy of any representations made in respect of the application (article 4(1)(a) of the Order).

Yours sincerely,



**Giles Dolphin**  
Assistant Director – Planning





cc Joanne McCartney, London Assembly Constituency Member  
Jenny Jones, Chair of London Assembly Planning and Housing Committee  
John Pierce and Ian McNally, DCLG  
Colin Lovell, TfL  
Javiera Maturana, LDA  
Chris Frost, Cluttons LLP, Portman House, 2 Portman Street, London, W1H 6DU



22 June 2011

**Wards Corner, Seven Sisters**

in the London Borough of Haringey

planning application no. HGY/2008/0303

**Strategic planning application stage 1 referral (old powers)**

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000

**The proposal**

Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, new retail units, replacement market and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.

**The applicant**

The applicant is **Grainger (Seven Sisters) Ltd.**, and the architect is **Pollard Thomas Edwards**

**Strategic issues**

The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised previously and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. The energy strategy is in line with London Plan policy.

Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents and businesses with relocation are secured.

**Recommendation**

That Haringey Council be advised that the regeneration of this site with a mixed use development is generally consistent with London Plan policies. The level of re-provision of space for the market and local retailers is on balance acceptable. Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts.

## Context

1 On 12 February 2008 Haringey Council consulted the Mayor of London on a proposal to develop the above site for the above uses. A Stage I report was issued on 4 July 2008 and a Stage II report was issued on 3 December 2008 following Haringey Council's planning committee passing a resolution to grant the application on 17 November 2008. This decision was quashed by judicial review in June 2010 and as such the application is now due to be redetermined. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Schedule to the Order 2000: *"Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 sq.m."*

3 If Haringey Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The Mayor's comments on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

5 Wards Corner is a prominent site above Seven Sisters Victoria Line underground station on the western side of Tottenham High Road. The site is also located near to Seven Sisters overground station. The site is 0.65 hectares and comprises a group of 2 and 3-storey late Victorian commercial buildings along the western side of Tottenham High Road wrapping round into West Green Road and Seven Sisters Road together with a group of Victorian terraced houses on Suffield Road. It includes the Wards Corner department store building which gives the site its name. The site is in the West Green Road/Seven Sisters District Centre and the area is predominantly made up of local independent traders with a mix of Turkish, Cypriot, Colombian and Afro-Caribbean influences. The site also incorporates an indoor market comprising 36 separate shops/units of which 64% of traders originate from Latin America and/or are Spanish speaking. The total retail floorspace currently on site is 3,182 sq.m. The existing residential accommodation on site comprises 33 residential units along Suffield Road as well as first floor accommodation above the retail units on Tottenham High Road, Seven Sisters Road and West Green Road. The site is in multiple ownership with TfL and Haringey Council both having significant land holdings.

6 The site marks the overlapping section of two identified regeneration areas- the Tottenham High Road regeneration area and The Bridge New Deal for Communities Area. A planning brief has also been prepared for the site. Part of the site is in the Seven Sisters Conservation Area, essentially the Wards Corner building, the Tottenham High Road frontage and half of the West Green Road frontage. None of the buildings are statutorily listed although three have been locally listed: the Wards Corner building and 1a and 1b West Green Road. The site has a public transport accessibility level of 6 (where 1 is low and 6 is high).

## Details of the proposal

7 The proposed development comprises 197 residential units in a mix of studios, 1, 2 and 3-bedroom units and 3,792 sq.m. of retail. The retail units will be located on the Tottenham High Road, West Green Road and Seven Sisters frontages with the Tottenham High Road frontage aimed primarily at high street multiples and the other frontages aimed at local retailers. The West Green Road frontage units are arranged as kiosks to allow for the location of uses similar to that provided in the existing market. The family residential units are located at ground floor on Suffield Road and the smaller units are located above the retail units accessed from a podium. 44 parking spaces, including three disabled spaces, are included in the basement car park.

### Case history

8 There are no previous strategic planning applications for this site. A development brief for the site was adopted in January 2004. The brief acknowledges that the area around the station is perceived as unsafe by the local community and suffers from a high degree of crime. The range of shops and facilities in the area is considered to be poor. The brief sets out a number of strategic objectives for the redevelopment and regeneration of the area. The following vision is set out: *"to create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access"*. The brief states that the redevelopment of the site should take place comprehensively and should make the best use of the opportunities presented by the site including the provision of new housing and retail uses. The replacement buildings should be of a distinctive and imaginative modern design with active frontages and visual variety and interest and should enhance the conservation area. The brief also sets out that the development should include significant improvements to the public realm including public art and street trees and improvements to the access to the underground and bus waiting and interchange facilities.

9 An alternative development proposal was submitted by a coalition of the market traders and community associations in January 2008. The description of the development was as follows: *"Erection of first floor rear extensions, alterations to rear elevation. Alterations to front elevation, including new bays at first floor level and dormer windows to front roof slope, installation of new shopfront, alterations to 3 storey corner block, internal alterations to create new shops/ workshops/ offices/cafe (A3) use on ground / first floors and creation of 8 x one bed flats at second floor."* This scheme envisages the refurbishment of the existing buildings and the retention and expansion of the existing market. This application was not referable to the Mayor. The applicants appealed against non-determination in May 2010. As the deadline to submit such an appeal expired on 28 October 2008, and the Planning Inspectorate considered there had not been sufficient evidence of continuing activity on the application or dialogue between the parties to suggest that the application was still alive and allow it to exercise the Secretary of State's discretion to extend the appeal period, the Planning Inspectorate did not accept the appeal. As such Haringey Council cannot subsequently determine the application itself and it has encouraged the applicant to resubmit the application, and has offered the applicants support to do so and has agreed to waive the application fee. The Council has indicated that 'in principle' the application could comply with policy. To date the application has not been resubmitted.

### The judicial review

10 The case bought by Janet Harris against London Borough of Haringey was successful at the court of appeal and as such the planning permission has been quashed.

11 The lawfulness of the decision was originally challenged on three grounds but only one ground was pursued at the Court of Appeal: the Council, when granting permission, failed to discharge its duties under section 71 of the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Section 71 provided, in so far as is material:

“(1) Every body or other person specified in Schedule 1A or of a description falling within that Schedule shall, in carrying out its function, have due regard to the need-

- (a) to eliminate unlawful racial discrimination; and
- (b) to promote equality of opportunity and good relations between persons of different racial groups.”

12 The breach alleged was of section 71(1)(b). The judge set out that there was sufficient potential impact on equality of opportunity between persons of different racial groups, and on good relations between such groups, to require that the impact of the decision on those aspects of social and economic life be considered. He concluded that the Council did not have due regard to the need to promote equality of opportunity and good relations between persons of different racial groups. The potential impact of the development in relation to the loss of ethnic minority businesses, the lack of affordable housing and the loss of housing currently accessible to ethnic minorities was discussed by the Court.

13 The Judge set out that not only was there no reference to section 71 in the report to the committee, or in the deliberations of the committee, but the required due regard for the need to promote equality of opportunity and good relations between persons of different racial groups was not demonstrated in the decision making process. He went on to say that due regard need not require the promotion of equality of opportunity but on the material available to the council an analysis of the material with the specific statutory considerations in mind should be made. The weight to be given to the considerations is for the decision maker to assess.

### **Strategic planning issues and relevant policies and guidance**

14 The relevant issues and corresponding policies are as follows:

- Economic development *London Plan; the Mayor’s Economic Development Strategy*
- Mix of uses *London Plan*
- Regeneration *London Plan; the Mayor’s Economic Development Strategy*
- Retail *London Plan; PPS4; PPS13*
- Employment *London Plan; PPG4; draft PPS4; Industrial Capacity SPG*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London’s diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; Draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor’s Energy Strategy; Mayor’s draft Climate Change Mitigation and Adaptation Strategies; Mayor’s draft Water Strategy; Sustainable Design and Construction SPG.*
- Historic Environment *London Plan; PPS5*

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Haringey Unitary Development Plan (2006) and the London Plan (Consolidated with Alterations since 2004).

16 The following are also relevant material considerations:

- The draft replacement London Plan, which underwent Examination in Public in 2010 and upon which the Panel has now reported is a relevant material consideration of significant weight.

- The Haringey Core Strategy which is submission stage.
- The planning brief for the site.

## Update

17 The proposal has not substantially changed since the previous Stage I and Stage II report. As such this report only deals with new information and areas where London Plan policy or government policy has changed. The comments on design, child playspace, community facilities and transport set out in the previous report still stand.

## Equalities

18 From 5 April 2011 a new public sector equality duty, as set out in Section 149 of the Equality Act 2010 (the Act) came into force. This replaces duties under the Race Relations Act as well as other domestic discrimination legislation. The Act includes a new single public sector equality duty (the Duty) which brings together the previous race, disability and gender duties and extends coverage to include age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. These are the grounds upon which discrimination is unlawful and are referred to as 'protected characteristics.' The Duty requires listed public bodies to consider the need to eliminate discrimination, advance equality of opportunity and foster good relations in all their functions.

19 As set out in the recently launched Queen Mary University London/ Latin American Women's Rights Service/ Trust for London report: 'No Longer Invisible: the Latin American community in London' (the report) 113,500 Latin Americans are resident in London. Latin Americans in London experience higher levels of unemployment (85%) than other members of the community and when employed around half of those employed are in low skilled and low paid jobs. The report sets out the findings of the first large-scale quantitative survey of over 1000 Latin Americans. 7% of respondents to the survey resided in Haringey.

20 Seven Sisters is a commercial hub for Spanish speaking Latin Americans. In terms of population there is a concentration of Latin American residents in Seven Sisters. 85% of Latin American communities use facilities such as Seven Sisters market and such activity is identified as a way of engaging with Latin American culture on a daily basis. Opportunities to engage with Latin American culture are seen as important for second generation Latin Americans.

21 Haringey Council has commissioned an independent Equalities Impact Assessment (EQIA). This is based on a desktop assessment of the material submitted with the original application, those submitted at the current time and consultation responses thus far. This methodology is acceptable and it is reasonable to assume that little has changed in terms of demographics since the application was originally submitted. The EQIA concludes that overall the planning application is unlikely to give rise to major negative equality impacts provided that all the measures set out in the section 106 agreement are implemented in a timely manner. The assessment recognises concerns expressed by objectors concerning potential impacts, particularly in relation to Latin American people and members of other black and minority ethnic groups. The assessment has identified additional recommendations to strengthen previously identified mitigation measures and to address residual negative impacts. For example a baseline study of businesses and market stall holders is suggested with monitoring at set stages through the progress of the development, the assessment suggests that the developers should discuss with the market stall holders mutually acceptable measures to safeguard the option to return of existing market stall holders, support in marketing, signposting to suitable alternative employment for struggling businesses and that future marketing of the completed development should capitalise on the Latin American identity. These matters are discussed in more detail in the following sections.

22 The lack of affordable housing on-site is considered to give rise to some negative equality impact, including for black and ethnic minority residents of the area in housing need, however the independent assessment of the viability of the scheme which shows that provision of affordable housing is not viable is considered to justify this negative impact. A number of measures are suggested to assist existing residents on site to access alternative accommodation. The Council should set out how these are being taken on board prior to the Stage II referral to the Mayor and they should be reflected in the final section 106 agreement. This issue is discussed in more detail below.

23 The assessment also identifies that the application gives rise to positive equality impacts in relation to safety and crime, accessible public realm and the provision of family housing.

## **The market, local retail and principle of land use**

### Land use principle

24 The concept of locating residential units above retail uses is well established and is considered to be particularly suitable for this location above an underground station. The additional residents in the area will increase the security of the area by introducing users to the area particularly in the evening. They will also increase the number of potential shoppers in the area which will be positive for the existing shopping centre.

### The market

25 The stage I decision letter stated the following regarding the market:

*"Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan."*

26 Following extensive discussions regarding the scheme, prior to the original determination, the market was replaced on the Seven Sisters Road frontage. The floorspace of the current market is 9,700 sq.ft. and the replacement market will be 9,434 sq.ft. Whilst the replacement market is slightly smaller it will still accommodate the same number of stalls as the existing market and has a more efficient layout. The large entrance to the market will be from the prominent corner building through the feature arch and the market units will also have a frontage to Seven Sisters Road.

27 The applicant has undertaken to provide a minimum of 6 month's notice to the traders for vacant possession and compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 which amounts to £144,000. This is an increase on the sum of £96,650 previously offered. The traders do not have any tenancy rights and therefore this payment is voluntary.

28 Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. Given that the applicant has stated that it will take approximately two years before the development starts on-site it is not practicable to identify an alternative location at this point.

29 The applicant has put together a package to assist the market find a temporary location and to continue functioning. This package will run for five years from the granting of consent. This package includes a 'market facilitator' to work with traders to identify a temporary location, to work with the Spanish speaking traders to promote their interests in the temporary location and to provide appropriate business support and advice to all traders to secure the maximum number of expressions of interest to return to the site as well funding towards relocation costs and a three



month rent free period in the temporary location. The provision of this package will be secured in the section 106 agreement. This package will be funded by TfL from the land receipt that it will receive from the sale of part of the site to the applicant. Although this sale will not take place until two years from planning consent the applicant will fund the first two years of the package and will be refunded by TfL at a later date. This package is identified in the independent equalities impact assessment as being key to the acceptability of the proposal in equalities terms.

30 Four conditions are set out in the section 106 agreement:

- The market must be run by an experienced indoor market operator
- This arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development
- The market operator must offer a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area.
- The rent will be open market for A1 use class

31 In addition the application should be conditioned such that the market currently on-site cannot be closed until a temporary location is found. There is a potential concern that moving the market for a temporary period could result in its decline or failure. However, the package of measures set out above should avoid this. In addition the fact that the existing market survived a move from Elephant Castle would suggest that a successful temporary move is not unachievable.

32 These conditions, together with the additional condition suggested, are considered to be reasonable to ensure that the market is re-provided for the current traders and that it will be successful in the long term and as such will not have a negative equalities impact.

#### Local retail

33 With the redevelopment of the site there will inevitably be a loss of the retail units currently on the site. It is understood that a number of these retail units are Black and Minority Ethnic owned shops and businesses and one sells Halal meat. As such, as identified in the EQIA, there will be some negative equality impacts however it is considered that these are mitigated by the measures proposed by the applicant as set out below.

34 As set out in the EQIA it is considered that there is suitable alternative locations for the Halal meat business to relocate to as well as suitable alternative retailers in this line of business.

35 The owners/occupants of the current units on-site will receive statutory compensation as appropriate and to further mitigate negative equality impacts the business advice available to the market traders, funded through the section 106 agreement, should be extended to cover them.

36 The six units located on West Green Road have been specifically designed to accommodate local retailers. The Section 106 agreement will include clauses to the effect that the applicant will develop and promote a letting strategy in respect of these units which is consistent with the promotion of West Green Road as a district centre focused around independent trading. In addition the lettings will need to be approved by Haringey Council and prior approval will need to be given for the amalgamation of any of the units to form larger units. The promotion of local independent retail is welcomed and as such there not be a negative equalities impact.

37 The EQIA also identifies that the development will have a positive equality impact in terms of increasing employment opportunities in the area.

38 A town centre health check undertaken by Cushman and Wakefield in early 2008 concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park. Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm. The ICM poll carried out by the applicant found that 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders

### Conclusion

39 The arrangements for the fit-out of the market and the local retail units are still under discussion. The delivery of the market and these units are a requirement of the planning permission and deviation from this approach would require the prior permission of Haringey Council. On this basis it is considered that the rents of the units and the market will be controlled by the nature of the spaces and will therefore be comparable to other local rates.

40 The proposed offer is a combination of multiples, local retail and the Latin American market. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre. A social and economic impact assessment as set out in London Plan policy 3A.25 has been produced together with a retail impact assessment and a market assessment. The developer has replaced the market in the development and provided units specifically designed for local retail and the Council is satisfied that their plans will be a positive benefit to the area and the local community. The proposed scheme therefore complies with London Plan policy 3D.3, 3A.25 and 3B.1 (The Mayor will seek a range of workspaces of different types, sizes and costs to meet the needs of the different sectors of the economy and firms of different types and sizes). These policies are carried forward into the draft replacement London Plan in policy 4.8 and a new policy 4.9 has been introduced which specifically relates to the provision of units suitable for local retails. The proposal also complies with the draft replacement London Plan in this regard.

41 The retention of the Latin American Market also complies with London Plan policy 4B.8: Respecting local context and communities given that the market is replaced within the development as well as draft replacement London Plan policy 3.17 protection and enhancement of social infrastructure.

42 It is also considered that the provision of the market facilitator and associated package of measures, the re-provision of the market and the provision of local retail in the scheme discharges the obligations of the Council and the GLA under the Equalities Act 2010 provided that the application is conditioned such that the current market cannot be closed until a temporary facility is secured.

## Affordable housing

43 There are currently 31 existing homes on the site. Of these 10 units are affordable (3 council owned and 7 housing association). The loss of affordable housing is not in line with London Plan Policy 3A.15 or draft replacement London Plan policy 3.15. In this instance this is acceptable given the wider regenerative benefits of the scheme, the viability of the scheme as set out below and given that within South Tottenham (N15) area there 169 units for social rent and 31 intermediate units in the pipeline.

44 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

45 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

46 Haringey's UDP contains a policy regarding affordable housing which states that housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

47 A toolkit has been submitted with this application which shows that it is not viable to provide any affordable housing as part of the development. This is because of the exceptional development costs of building over the shallow London Underground lines and the fact that the size of the building is limited by the load that can be put on the areas of the site that are above the underground lines. The toolkit has been independently verified by the Valuation Office Agency and it has been confirmed that the development cannot support affordable housing on viability grounds.

48 At the time of the previous Stage I and Stage II reports Haringey Council had given an undertaking, in its development agreement with the applicant, that affordable housing equating to 50% of the habitable rooms on the Wards Corner site will be provided in a redevelopment of the Apex House site and a development of the Westerfield Road car park site, together with 50% affordable housing of any market provision on these sites themselves. However, given the current economic climate the Council is no longer able to make this undertaking.

49 The applicant has robustly demonstrated that it is not viable to provide any affordable housing in this development and whilst this is regrettable the position is accepted.

50 It should also be noted that a large amount of affordable housing is in the pipeline in the vicinity of the site. Most notably at Hale Village where the consent has recently been amended to increase the proportion of affordable housing.

51 The EQIA sets out that the loss of the existing housing on the site is a negative impact particularly given that it is likely that the units are occupied by BAME residents. GLA officers are of the view this impact is mitigated by the high provision of social housing units and conventional housing units in the pipeline locally. However the current residents should be actively engaged with in order to mitigate the impact. It is accepted that the local council and relevant housing associations have a duty to rehouse secure tenants. Any shorthold tenants and owner occupiers should be offered assistance to locate to alternative suitable properties. This assistance should be conditioned/ set out in the section 106 agreement.

## **Design and heritage**

52 London Plan policies on historic environment are set out in London Plan policy 4B.11 and 4B.12 and in Draft Replacement London Plan policy 7.8. The Draft Replacement London Plan sets out the following in the planning decisions section of Policy 7.8: *'development should preserve, refurbish and incorporate heritage assets, where appropriate. New development in the setting of heritage assets, and conservation areas, should be sympathetic to their form, scale, materials and architectural detail.'* Draft Replacement London Plan policy 7.9 sets out the following in the planning decisions section: *'New development should repair, refurbish and re-use heritage assets including buildings at risk. It should be demonstrated that the proposed development would give adequate status to the heritage asset in the design of the proposal.'*

53 Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. Conservation Area Consent for the demolition of all buildings on the site was granted in November 2008 and this permission still stands. As such the principle of demolition has been accepted.

54 Notwithstanding the Conservation Area Consent already granted, in considering this application against the Draft Replacement London Plan it would still be acceptable as the difficulty of retaining the buildings and making the scheme viable mean that in this instance the incorporation of heritage assets would not be appropriate. Whilst heritage led regeneration should generally be pursued in this instance significant viability issues preclude that approach.

55 The architecture of the scheme is conceived as a modern interpretation of London's street architecture. The apartment blocks and shop fronts are presented as a terrace of adjoining buildings, separated by shadow gaps. The principal residential storeys are brick faced, with stone copings and cills. A range of rectangular window openings reflect the different requirements of living rooms and bedrooms. Projecting windows enliven facades whilst providing views along the street and bringing sunlight into the rooms. The shop fronts are fully glazed and framed with dark painted or coated steel sections and a spandrel zone for controlled signage. The set back upper storeys are coated in zinc and glass panels.

56 The corner to Seven Sisters Road and the High Road, where the Wards Corner building is currently located, has been given special elevational treatment in order to create a landmark. The corner block conforms to the general parapet height but is rounded on plan and framed in stone. The stone frame is to carry a frieze of cast or sculpted relief images recalling the history of the site, for which an artist will be selected by competition. Within the stone frame a composition of vertical coloured glass fins spans between the storeys, providing visual interest and screening the rooms behind.

57 The High Road centrepiece containing the shops, residential foyer and first floor restaurant comprises a frameless glass curved facade over two lofty storeys.

58 Suffield Road has a completely different scale and character to the other frontages. The proposed frontage contains a row of family duplexes with private front doors at street level and two floors of flats above and these relate well to neighbouring residential buildings.

59 The architectural approach is welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment and is considered to be sympathetic to the form, scale, materials and architectural detail of the conservation area and remaining heritage assets.

60 Notwithstanding the extant conservation area consent the applicant has assessed the impact the development would have on identified heritage assets, in accordance with PPS5. The application would involve the loss of four heritage assets with low significance and three heritage assets with low to moderate significance. PPS 5 sets out that there is a presumption in favour of the conservation of designated assets (in this instance the conservation area). It also sets out the where the application will lead to the loss of such assets local planning authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significant is necessary to deliver substantial public benefits that outweigh harm or loss; the nature of the heritage asset prevents all reasonable uses of the site and no viable use of the heritage asset can be found in the medium term that will enable its conservation; conservation through grant funding is not possible and the harm or loss is outweighed by the benefits of bringing the site back into use. PPS5 also requires local planning authorities to take into account the value and significance of all (other) heritage assets (in this instance the locally listed buildings).

61 TfL are currently committed to a major programme of works on the adjacent gyratory and, whilst those works are not directly dependant on this scheme, the cumulative impact of this development and the gyratory works should have a significant benefit for the setting of the conservation area and the wider townscape.

62 English Heritage has set out that whilst it accepts that it would not be viable for the current scheme to reuse the existing buildings that public benefit could also be delivered through a conservation based scheme. The applicant has considered the viability of variations of the scheme which retain one or more of the existing locally listed buildings and Haringey Council has confirmed that none of these options are financially viable or deliverable.

63 Given the relatively low significance of the assets, their current condition, the public benefits of the regeneration and replacement market provided by the scheme, the non-viability of the variants of the scheme and the extant conservation area consent it is considered that the loss of the assets is justifiable.

64 Overall, the proposed scheme makes a positive contribution to the conservation area and the wider townscape and is acceptable.

### **Residential design quality**

65 Policy 3.5 of the draft replacement plan introduces a new policy on the quality and design of housing developments. Part A of the draft policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the draft policy states that new dwellings should meet the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the draft policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and

explanation. In particular paragraph 3.31 states that other aspects of housing design are also important to improving the attractiveness of new homes as well as being central to the Mayor's wider objectives to improve the quality of life of Londoner's environment.

66 To address these the Mayor has produced a new draft Housing SPG on the implementation of Policy 3.5 for all housing tenures, drawing on his Housing Design Guide for affordable housing. Paragraph 3.33 highlights what the proposed SPG would cover, in terms of requirements for individual dwellings. This draft has been produced for the London Plan examination in public.

67 All the family homes and most other flats have private terraces or balconies. Most of the homes are dual aspect and none of them has a single aspect north-facing outlook. The number of units per core has been minimised.

68 The majority of the units meet the space standards, and many are larger than the standards, and the overall quality of the housing offer is high, and this is acceptable.

### **Inclusive design**

69 The applicant has set out that 20 of the duplexes and four flats do not meet lifetime homes standards although they would be adaptable in the future by the creation of a small living room at entry level and a ground floor WC and shower. Given the constraints of the site this is acceptable in this instance. 10% of units are wheelchair accessible.

### **Climate change mitigation**

70 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise carbon dioxide emissions (Policy 4A.1). Chapter 5 of the draft replacement London Plan also requires developments to make the fullest contribution to minimising carbon dioxide emissions.

71 London Plan policies 4A.4-11 focus on mitigation of climate change and require a reduction in a development's carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewables.

72 Following discussions with the applicant the energy strategy has been revised to reflect changes in policy and technology since the previous Stage I and Stage II reports were issued.

#### Energy efficiency

73 The applicant has investigated additional energy efficiency measures that do not require fundamental changes to the architecture of the building. As part of this, a sample of dwellings were modelled with improved insulation levels and mechanical ventilation with heat recovery. The modelling confirms that, considering the dwellings together, they will exceed 2010 Building Regulations compliance through energy efficiency alone (and the overall development will achieve a 25% reduction over 2006 building regulations through energy efficiency alone). This is welcomed and is in line with London Plan policy.

#### District Heating

74 The applicant has investigated whether there are any existing or planned heat networks within the vicinity of the development. Although no heat networks are currently available, the applicant has committed to designing the sitewide heat network to allow future connection to an external district heating network should the opportunity arise. The applicant has provided a drawing identifying the location of the energy centre (towards the centre of the site) and its physical size. This is welcomed and is in line with London Plan policy.

#### Combined heat and power plant (CHP)

75 The applicant has provided information indicating that the sizing and operation of the CHP will be optimised to supply part of the space heating as well as the hot water demands. This has been supported with monthly heat consumption data. This is welcomed and is in line with London Plan policy.

#### Cooling

76 High performance glazing and shading will be used to minimise the need for active cooling. While active cooling will not be required in the residential elements, it is likely to be required in the retail units where electrically driven cooling will be employed. This approach is acceptable.

#### Renewable energy

77 The applicant has abandoned the proposed use of biofuel boilers due to air quality and other concerns. Instead the inclusion of photovoltaic panels (PV) has been investigated and proposed. Allowing for shading and other uses of roof space, 220 sq.m. of PV can be accommodated. This would produce a carbon dioxide saving of 11 tonnes per annum. This change in strategy is supported.

#### Summary

78 After the application of energy efficiency, CHP and renewable energy, the development will emit 165 tonnes per annum in regulated carbon dioxide emissions. This represents a saving of 100 tonnes of carbon dioxide per annum (38%) compared to a 2010 Building Regulations compliant development. The energy strategy is supported and is in line with London Plan policy.

#### **Transport**

79 No new transport information has been submitted. The transport elements of the scheme were considered to be, on balance, acceptable previously. In line with draft replacement London Plan policy 20% of the parking spaces provided on-site should have electric charging points and a further 20% should have passive provision. The applicant has agreed to this provision.

80 TfL is currently committed to a major programme of works (£15 million) on the nearby Tottenham Gyration.

#### **Local planning authority's position**

81 The development is generally supported at officer level by both the regeneration team and the planning officers.

#### **Legal considerations**

82 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Haringey Council

at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

## **Financial considerations**

83 There are no financial considerations at this stage.

## **Conclusion**

84 The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised regarding previous iterations of the scheme and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. Given the relatively low significance of the heritage assets, their current condition, the public benefits of the regeneration and replacement market provided by the scheme, the non-viability of the variants of the scheme and the extant conservation area consent it is considered that the loss of the assets is justifiable. Overall, the proposed scheme makes a positive contribution to the conservation area and the wider townscape and is acceptable. The energy strategy is in line with London Plan policy.

85 Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision for such elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents with relocation are secured.

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GREATER LONDON AUTHORITY

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**Our ref:** PDU/1973/EW12  
**Your ref:** HGY/2008/0303  
**Date:** 3 December 2008

**Paul Smith**

Planning Policy and Development  
Haringey Council  
639 High Road  
London N17 8BD

Dear Mr Smith

**Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999;  
Town & Country Planning (Mayor of London) Order 2000  
Wards Corner, Seven Sisters HGY/2008/0303**

I refer to your letter of 21 November 2008 informing the Mayor that Haringey Council is minded to grant planning permission for the above planning application. In this case the Mayor has delegated his planning function to me, in my capacity as Deputy Mayor, Government Relations. I refer you also to the notice that was issued on 24 November 2008 under the provisions of article 4(1)(b)(i) of the above Order.

Having now considered a report on this case (reference PDU/1973/02, copy enclosed) together with the representations received and the matters raised at meetings with Sir Simon Milton and the Mayor, I have concluded that the regeneration of this partially derelict site with a mixed use development is welcomed. The provision of a range of local and multiple shop units and replacement market units, new homes, focal artwork, new civic space and improved entrances to the Underground will significantly enhance the attractiveness of this site. The retail impact assessment and socio-economic impact assessment that have been submitted with the application demonstrate that the application will have a positive impact on the area. The proposed replacement market is considered to be adequate for the traders particularly given the street frontage and improved accommodation that will be provided. There will also be opportunities for local retailers to return to the development. The replacement of the market is considered to fulfil a community development role within the area and will contribute to cultural activities in the area. The fact that the site may fall into further disrepair prior to the planned start date is not a planning consideration. The benefits of the scheme outweigh any harm caused by the loss of the Wards Corner building. The package of measures put in place to compensate market traders while the development is taking place, to secure an alternative location during construction and facilitate the re-provision of the market and some local retail space within the new development is welcomed and addresses the concerns I raised previously.

The concerns raised about consultation on the application are noted, as is the community's desire for a collaborative approach. Whilst the application is not strictly in accordance with the development brief, in that the Wards Corner site has come forward ahead of the Apex House and



Westerfield Road sites and there is no affordable housing proposed, the applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. This assertion has been independently verified and as such the application complies with London Plan policy. The energy strategy is acceptable in strategic policy terms.

Notwithstanding the fact that the application is only for one site in the development brief area, that there may be alternative plans for the site that involve the retention of the building, that these alternative plans may mean that the development would be finished in time for the Olympics and the recognised community aspiration for a collaborative approach, I have to consider this application on its merits and I have concluded, for the reasons set out above, that the scheme is, on balance, acceptable in strategic planning terms. I am therefore content to allow Haringey Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal.

Yours sincerely

**Ian Clement**

Deputy Mayor, Government Relations

cc Joanne McCartney, London Assembly Constituency Member  
Nicky Gavron, Chair of London Assembly Planning & Housing Committee  
Ian McNally & John Pierce, GoL  
Colin Lovell, TfL  
Dean Williams & Helen Wood, LDA



## GREATER LONDON AUTHORITY

planning report PDU/1973/02

3 December 2008

**Wards Corner, Seven Sisters**

in the London Borough of Haringey

planning application no. HGY/2008/0303

**Strategic planning application stage II referral**

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000

**The proposal**

Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, replacement market, new retail units and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.

**The applicant**

The applicant is **Grainger (Seven Sisters) Ltd.**, and the architect is **Pollard Thomas Edwards.**

**Strategic issues**

**Design, re-provision of the existing market, affordable housing, energy, children's playspace and transport.**

**Recommendation**

That Haringey Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

**Context**

1 On 12 February 2008 Haringey Council consulted the Mayor of London on an application for planning permission for the above development at the above site. This was referred to the Mayor under Category 1B of the Schedule of the Order 2000. On 16 July 2008 the Deputy Mayor considered planning report PDU 1973/01, and subsequently advised Haringey Council that *"the principle of the re-development of the site is supported in strategic policy terms. Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with policy 3D.3 of the London Plan. In addition further work is needed on design and energy before this application comes back to the Mayor."*

2 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance

are as set out therein, unless otherwise stated in this report. Since then, the scheme has been amended in response to the Mayor's concerns (see below). On 17 November 2008 Haringey Council decided that it was minded to grant planning permission for the application, and on 24 November 2008 it advised the Mayor of this decision. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor may direct the Council to refuse planning permission, and has until 5 December 2008 to notify the Council of such a direction. This report sets out the information needed by the Mayor in deciding whether to direct refusal.

3 The decision on this case, and the reasons will be made available on the GLA's website [www.london.gov.uk](http://www.london.gov.uk).

## Update

4 Following the issuing of the Stage I decision a meeting was held between the applicant, Haringey Council, the Mayor and Sir Simon Milton (Deputy Mayor for Planning and Policy) on 25 July 2008. At this meeting the Mayor expressed a view that the market should be replaced in its entirety within the development, a temporary location during redevelopment investigated and changes to the design of the roof were suggested. The following press release was issued following the meeting:

*"The Mayor had a good meeting today with Haringey Council and the developer Grainger at which the Mayor reiterated his support for regeneration of the Wards Corner site and his desire to see a future for the Latin American market that has been operating there. The developers agreed to consider further options for the market's future in partnership with the GLA, Haringey Council and the traders and a follow up meeting will be held in early September."*

5 A follow-up meeting was held between the applicant, Haringey Council and Sir Simon Milton on 3 October 2008. Following this meeting a letter was sent to Haringey Council as follows:

*"The changes to the scheme, since the Stage I report was issued in July 2008 can be summarised as follows:*

- *The market is now replaced, almost like for like in space terms, on the Seven Sisters Road frontage.*
- *Grainger undertake to provide a minimum 6 months notice period to traders for vacant possession.*
- *Compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 and which amounts to £96,650.*
- *Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market.*
- *Four conditions are proposed to be contained within the S. 106 agreement. These are as follows:*

- the market must be run by an experienced indoor market operator*
- this arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development*

- The market must be occupied by not less than 60% of all market traders that previously occupied the Seven Sisters Market
- The rent will be open market for A1 use class.
- The set back storey to Seven Sisters Road is now glazed.

*It is considered by officers that these changes address the concerns set out in the Stage I report and decision letter, but these comments cannot fetter the Mayor's decision when the application is reported to him at Stage II".*

6 A meeting was held between members of the Wards Corner Coalition and Sjr Simon Milton on 26 November 2008. At this meeting the coalition expressed their view that the changes to the proposal did not address the issues set out in the Stage I report and they outlined their alternative vision for the site. Whilst a planning application, which is not referable, has been submitted for the site by the coalition the scheme does not currently have funding.

7 The following issues were raised at the meeting:

- The proposed replacement market will not be adequate for the traders.
- The needs of the local businesses have not been taken into consideration.
- Concern that the site will fall into further disrepair prior to the planned start date.
- The introduction of housing to the town centre will have a detrimental impact.
- Consultation has not been adequate.
- The proposal is contrary to London Plan policy 3A.25 (now policy 3A.28 in the London Plan (consolidated with alterations since 2004) as there has been no social and economic impact assessment of the proposal.
- There has been no adequate retail impact assessment.
- There is no community development aspect to the proposal and therefore the proposal is contrary to London Plan policy 3D.1
- The proposal is contrary to London Plan policy 4B.7 (now 4B.8) as it fails to recognise and manage local characteristics.
- The new development will struggle to compete with Tottenham Hale.
- Haringey have made this area a cultural quarter and this should be enhanced with a development at Seven Sisters.
- The area will be derelict in 2012 for the Olympics and yet it could be a Latin Quarter for Spanish speaking visitors.
- If the buildings were to be restored then the development would be open in 2012.
- The current leaseholder of the market receives an average of two enquiries per month from people interested in reusing the Wards Corner building.

- The Prince's Regeneration Trust has expressed an interest in being involved in a collaborative project with the Council and the community.
- Parity Projects, an environmental renovation specialist, is prepared to work with the community but they need access to the Wards Corner building and the construction drawings.
- The energy strategy is not sustainable- the use of biofuels is backward looking.
- The consultation process has been flawed.
- The running of the council meeting where the planning decision was taken was biased and flawed.
- The assurances made to the traders are not adequate- the market rents will not be affordable, they can be priced out. There is also a fear that some traders will take the compensation and will not return and thus the market will be broken up.
- No affordable housing is proposed and there is no guarantee that the Apex House and Westerfield Road developments (which would provide affordable housing) will go ahead. The development brief included all three sites and a holistic vision for all three sites should be presented. The community have been looking at a plan for the whole area with East Architects and GlassHouse. The community feel a more collaborative approach is needed.
- TfL as landowner of part of the site should accept a reduced value to their land to enable the alternative proposal to go ahead.

8 The proposed section 106 agreement includes an education contribution of £200,000, a contribution of £100,000 for a public art competition for artwork at the front of the site on the High Street and the design of the frieze on the corner building, as well as the re-provision of the market.

### **The market, local retail and principle of land use**

9 The stage I decision letter stated the following regarding the market:

*"Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan."*

10 The plans have substantially changed since the Stage I decision and the market is now replaced on the Seven Sisters Road frontage. The floorspace of the current market is 9,700 sq.ft. and the replacement market will be 9,434 sq.ft. Whilst the replacement market is slightly smaller it will still accommodate the same number of stalls as the existing market and has a more efficient layout. The large entrance to the market will be from the prominent corner building through the feature arch and the market units will also have a frontage to Seven Sisters Road.

11 The applicant has undertaken to provide a minimum of 6 month's notice to the traders for vacant possession and compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 and which amounts to £96,650. The traders do not have any tenancy rights and therefore this payment is voluntary.



12 Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. Given that the applicant has stated that it will take approximately two years before the development starts on-site it is not practicable to identify an alternative location at this point.

13 The applicant is putting together plans for a 'market facilitator' to work with traders in the long term to identify an alternative location. To this end they are in discussions with North London Business, Haringey Council and the Bridge New Deal for Communities (NDC). A funding bid will be presented to the London Development Agency in the new year for this role. The applicant is also discussing setting up a market steering committee to consist of themselves, Haringey Council, the NDC, North London Business and the market traders.

14 Four conditions are set out in the Section 106 agreement:

- The market must be run by an experienced indoor market operator
- This arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development
- The market must be occupied by not less than 60% of all market traders that previously occupied the Seven Sisters Market
- The rent will be open market for A1 use class

15 These conditions are considered to be reasonable to ensure that the market is provided for the current traders and that it will be successful in the long term.

16 The six units located on West Green Road have been specifically designed to accommodate local retailers. The Section 106 agreement will include clauses to the effect that the applicant will develop and promote a letting strategy in respect of these units which is consistent with the promotion of West Green Road as a district centre focused around independent trading. In addition the lettings will need to be approved by Haringey Council and prior approval will need to be given for the amalgamation of any of the units to form larger units. The promotion of local independent retail is welcomed.

17 The concept of locating residential units above retail uses is well established and is considered to be particularly suitable for this location above an underground station. The additional residents in the area will increase the security of the area by introducing users to the area particularly in the evening. They will also increase the number of potential shoppers in the area which will be positive for the existing shopping centre.

18 As identified in the Stage I report a town centre health check undertaken by Cushman and Wakefield in early 2008 concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park. Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the

characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm. The ICM poll carried out by the applicant found that 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders.

19 The arrangements for the fit-out of the market and the local retail units are still under discussion. The delivery of the market and these units are a requirement of the planning permission and deviation from this approach would require the prior permission of Haringey Council. On this basis it is considered that the rents of the units and the market will be controlled by the nature of the spaces and will therefore be comparable to other local rates.

20 The proposed offer is a combination of multiples, local retail and the Latin American market. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre. A social and economic impact assessment as set out in London Plan policy 3A.25 has been produced together with a retail impact assessment and a market assessment. The developer has replaced the market in the development and provided units specifically designed for local retail and the Council is satisfied that their plans will be a positive benefit to the area and the local community. The proposed scheme therefore complies with London Plan policy 3D.3, 3A.25 and 3B.1 (The Mayor will seek a range of workspaces of different types, sizes and costs to meet the needs of the different sectors of the economy and firms of different types and sizes).

21 The retention of the Latin American Market also complies with London Plan policy 4B.8: Respecting local context and communities given that the market is replaced within the development. The heritage aspects of the issue of local context are discussed in the design section below.

## Design

22 The Stage 1 report concluded the following on design:

*"The architectural approach is on the whole welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment, however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered."*

23 The set back upper storeys are now glazed and further details have been submitted of the corner treatment. A frieze will be included around the corner arch and this will be the subject of a competition. As such the issues raised at Stage 1, and subsequently by the Mayor, have been resolved.

24 A number of objections have been received which set out requests to preserve the existing buildings on the site and the Wards Corner building specifically. The Stage 1 report set out the following on heritage issues:

*"Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. It is considered that the loss of the building would be justifiable provided the quality of the replacement scheme is high."*

*Overall, the proposed scheme, with the changes set out above, would make a positive contribution to the conservation area and the wider townscape."*

25 English Heritage state that the applicant has demonstrated that the retention of the buildings on-site would render the current proposal unviable however, it also states that the supporting information does not confirm that repair and refurbishment is unviable. English Heritage support a conservation led approach to regeneration.

26 CABE suggested that the massing at roof level on West Green Road should be reconsidered and it raised concerns around the maintenance of the public space however, overall it felt that the scheme has the potential to transform the area and the scheme is supported.

27 Given that the buildings were not felt worthy of listing, that there is no currently viable refurbishment led scheme under consideration and most importantly that the proposed scheme makes a positive contribution to the conservation area and the wider townscape it is considered that the proposal complies with the London Plan in design terms.

### **Climate change mitigation**

28 The applicant has clarified building regulation calculations for the dwellings, providing additional information in relation to passive energy features adopted. The provision of additional modelling work for the non-residential element of the development has been secured by condition. The implementation of energy efficiency measures for the residential units to reduce carbon dioxide emissions by at least 8% beyond the target emissions rate is secured by condition.

29 The provision of a single energy centre and heat network is conditioned together with the combined heat and power plant (CHP). The applicants states that the gas CHP unit is to be the lead boiler, with the bio-fuel boiler as a top-up boiler, and the applicant has indicated that the electricity generated will be used within the development.

30 The Stage 1 report set out that the dual fuel boiler (natural gas and rapeseeds oil) was not acceptable as the only renewable solution for the development, and that this option required significant further information before it could be considered acceptable. The applicant has submitted further information that demonstrates that due to the constraints of the site, and on cost grounds, there is limited viability for other renewable solutions to be provided. Further information in relation to the availability and type of biofuel, fuel suppliers, delivery of biofuel to site, and storage of biofuel have been provided. Reference has also been made to the carbon intensity factors and guidelines on this issue given under the Government's Renewable Transport Fuel Obligation (RTFO).

31 The submission of further details of the biofuel boiler type, air quality impact, fuel supply and carbon intensity are secured by condition. A requirement that, 15 months from the practical completion of the development, the applicant shall submit to the Local Planning Authority a statement confirming the amount of biofuel used by the development in the preceding year is also conditioned. Such a statement then needs to be submitted annually for five years. The provision of 10.5% reduction in carbon dioxide emissions from renewable energy technologies is conditioned. Although the use of dual fuel boilers is not an ideal solution it is acceptable in this case, given the conditions that have been included and due to the constraints of the site and the acceptability of the solution to Haringey Council.

32 Further information on the cooling strategy has been submitted and is satisfactory.

33 The energy strategy is broadly in line with London Plan policy and is now acceptable.

### **Climate change adaptation**

34 The Stage I report set out that further information needed to be provided of any measures designed to prevent overheating, minimise solar gain, minimise water use and contribute to flood risk reductions. The applicant has stated that the following measures have been incorporated to reduce peak solar gain in summer and allow passive heating in winter: deep reveals in the brick facade, relatively low ratios of glazed and opaque areas and the projection of the facades to the west on Suffield Road and the south elevation on West Green Road. The applicant has committed to the water target set out in the London Plan of 105 litres of water per person per day. This should be secured in the section 106 agreement.

### **Transport**

35 In view of the highly accessible nature of the site it was recommended that the scheme be made car free. The development provides 39 car parking spaces and 12 on street permits for the town houses. All other occupiers of the development will be prevented from obtaining a permit by section 106 agreement, which is welcomed in order to encourage sustainable travel. A survey of bus stops together with suggested mitigation was requested at the consultation stage and it is disappointing to note that this has not yet been undertaken. It is therefore unclear on what basis the borough reached their conclusion that the impact on the public transport network is acceptable. Travel plans for the commercial and residential elements of the scheme will be secured by condition and this is welcomed in order to mitigate travel demand, and should include clear targets and a robust monitoring mechanism. The approval of any construction routing should minimise the impact on the TLRN and the developer should be reminded that TfL can license temporary use of the public highway in certain circumstances.

36 The proposed development will be in close proximity to TfL owned property, including the underground station, tunnels and infrastructure. Accordingly the impacts of construction and excavation, including impacts on the integrity of the all the station assets, need to be robustly managed. A construction strategy should be secured by condition and determined in consultation with London Underground, however to date no such conditions or informatives has been proposed. The detailed design and programme of works to provide canopies over the station entrances and kiosks within their vicinity should be secured by a condition to ensure that there is an acceptable impact on Seven Sisters Station.

### **London Development Agency's comments**

37 At Stage 1, the London Development Agency (LDA) supported the principle of development, however, the Agency raised a number of issues relating to existing market and the wider regeneration potential of the scheme.

38 As the original scheme did not include the like for like reprovision of the existing market, the LDA requested that in accordance with London Plan Policy 3D.3 'Maintaining and improving retail facilities', every effort must be made to find alternative accommodation for the existing market traders. In addition, given the significant construction period for the proposed development, sufficient notice and support should be given to tenants to allow them explore the options for re-location on or off site available to them. The LDA therefore welcomes that the Section 106 agreement secures the replacement of market, almost like for like in space terms along the Seven Sisters Road frontage. In addition, the LDA welcomes that a minimum six month notice will be given to traders for vacant possession and that the applicant will employ

Urban Space Management and Urban Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. The LDA therefore considers that there are no strategic issues in relation to London Plan Policy 3D.3.

39 At Stage 1 the LDA highlighted that in accordance with London Plan Policies 3B.1 'Developing London's economy' and 3B.11 'Improving employment opportunities for Londoners' and the adopted Wards Corner/Seven Sisters Underground Development Brief, the developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal, in both the construction and operational phases of the development. The LDA therefore welcomes that the section 106 agreement Heads of Terms includes the requirement for the applicant to submit a construction Training and Local Labour Agreement. In addition, the LDA welcomes the requirement to procure goods and services from local businesses and to recruit local people. The LDA therefore considers that there are no strategic issues in relation to London Plan Policies 3B.1 and 3B.11 and that the Economic Development Objective to 'Tackle Barriers to Employment' is met.

### **Other comments**

40 English Heritage state that the applicant has demonstrated that the retention of the buildings on-site would render the current proposal unviable however, it also states that the supporting information does not confirm that repair and refurbishment is unviable. English Heritage does not consider that the replacement buildings offer sufficient merit to justify demolition and it considers that a scheme that takes a conservation led approach to regeneration should be pursued.

41 CABE has made some comments regarding the massing at roof level on West Green Road (which has been resolved with the glazed set back storeys) and around the maintenance of the public space however, overall it feels that the scheme has the potential to transform the area and they support it.

42 Tottenham Civic Society has stated that the proposal is an over-development of the site and would result in serious compromise to the quality of life of new and existing residents.

43 Tottenham Conservation Area Advisory Committee object to the application on the grounds that there are no adequate grounds to demolish historic and characterful buildings in a conservation area; the loss of locally listed buildings; the proposal is not in keeping with the planning brief for the site or for policies for creating new town centres; the proposed design is not appropriate in the conservation area on the grounds of bulk, mass and height; the proposal represents overdevelopment; there is no social housing and therefore a socially divisive gated community is created; there is a lack of amenity space for future residents; family businesses and the market will be destroyed; small business units suitable for start-ups will be lost; there has been a lack of consultation with the local community; a bland environment with no sense of place will be created which will be unaffordable to local residents and local shopkeepers.

44 The Environment Agency stated that it had no objection to the application provided that its suggested conditions relating to drainage, decontamination, storage of oils, fuels and chemicals and water efficiency are imposed. These conditions have not been included on the draft decision notice. Haringey Council should ensure that these conditions are included in either the decision notice or in the Section 106 agreement.

45 Transport for London (property division) has written in support of the application stating that they welcome the anticipated improvements to the local environment.

## Response to consultation

46 Haringey Council's committee report sets out that 242 letters were received by Haringey Council regarding the application ; 23 of these letters are in support and 23 letters are duplicates. The report also sets out that 123 email objections were received by Haringey through their "Public Access" system. Two petitions were also received by Haringey Council. One had 81 signatures and was in support of the application (although some of the signatures were subsequently withdrawn) and one had 126 signatures and objected to the development. The GLA has also received 15 objections directly (as of Friday 28 November).

47 The following issues have been raised by the letters, emails and petitions in objection to the proposal: the impact on local businesses; the loss of traders homes; blight due to the length of construction; loss of the market; loss of the Wards Corner building and Edwardian terrace; insufficient consultation; the development is not in accordance with the planning brief; the design is not an imaginative gateway to the area; the development is not at a human scale; the development creates a gated community; the development is not appropriate in a conservation area; the development will replace local businesses with chain stores; there is no open space in the development; there has been no involvement of the local community in the drawing up of the plans; there is no social housing provided and no apparent planning gain; the proposals are based on the erroneous notion of risk of crime in the area but will in fact make the area more dangerous.

48 The Wards Corner Community Coalition have held public meetings and have submitted objections to the planning application as well as an alternative vision for the site. Their objections are set out in paragraph 7 above.

49 Tottenham Conservatives have stated that the Wards Corner building should be preserved and that it is their opinion that the current plans are unimaginative and ugly. They state that restoration would be possible and that the current plans would destroy the local businesses on the site and make a number of the traders homeless as they also live on-site as well as cause disruption to local transport services and put a strain on local infrastructure.

50 David Lammy MP for Tottenham has stated that the plans for the redevelopment of the site have improved following his discussions with the developers however, he points out the historic value of the Wards Corner building and the continued concerns that the traders and local businesses have over their futures.

51 Icen projects have written a letter on behalf of the community coalition specifically addressing the revised scheme. They have stated that the increased rent levels in the market will make it unviable, that there are no firm commitments to provide a temporary location, the requirement that 60% of the traders return will be unviable as there is no firm temporary relocation option, the distinctiveness of the market will be lost as part of this redevelopment and this will have an impact on its community value, London Plan policy 3A.25 has not been complied with and no social and economic impact assessment has been carried out, policy 3D.3 has not been complied with in that retail facilities that provide essential convenience and specialist shopping will be lost; London Plan policy 3B.1 has not been complied with in that a range of premises of different types, sizes and costs to meet the needs of different sectors of the economy and firms of different types and sizes have not been provided; the policy also calls for meeting the needs of small and medium enterprises and black and minority ethnic businesses; the development does not accord with London Plan policy 4B.7 in that the Mayor will work with local communities to recognise and manage local distinctiveness.

52 A letter from Icení covering the same points listed above was also received directly by Ian Clement, the Deputy Mayor. These points are dealt with in the section on the market above.

53 The heritage, design and market issues are dealt with in the body of the report above.

54 The following issues have been raised in support of the scheme: the area needs to be developed to make the area a safe place to live and work in; the proposal will introduce viable retail competition to Tesco; the plans will give Seven Sisters a boost; the proposals will give a more favourable impression of the area; the proposals will increase the range of goods available to customers; the existing buildings are shabby and mostly unused and provide no facilities for residents in the area; the area is currently threatening and depressing, the new plans will regenerate local businesses and the community as a whole.

55 A letter of support was received from the Bridge New Deal for Communities.

56 The Prince's Regeneration Trust wrote to the Mayor setting out that it had been approached by the Community Coalition and were in discussions with them about delivering a way forward. GLA officers subsequently contacted the Trust and it has now stated that it has no current plans to be involved and that in order to be involved there would need to be collaboration between Haringey Council, the developers and the local community.

### **Legal considerations**

57 Under the arrangements set out in article 5 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has the power to direct the local planning authority to refuse permission for a planning application referred to him under article 3 of the Order. In doing so the Mayor must have regard to the matters set out in article 5(2) of the Order, including the principle purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice.

### **Financial considerations**

58 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 8/93 (*Award of Costs in Planning and Other (including Compulsory Purchase Order) Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

59 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

## Conclusion

60 The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised at Stage I and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The outstanding design and energy issues have been resolved.

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GREATER LONDON AUTHORITY  
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Our ref: PDU/1973/EW04  
Your ref: HGY/2008/0303  
Date: 16 July 2008

Dear Paul Smith,

**Town & Country Planning Act 1990 (as amended); Greater London Authority  
Act 1999; Town & Country Planning (Mayor of London) Order 2000  
Wards Corner, Seven Sisters HGY/2008/0303**

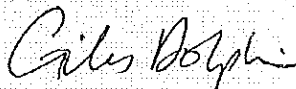
I refer to your letter of 12 February 2008, consulting the Mayor of London on the above planning application. The Mayor has delegated his planning function to his Deputy Mayor, Government Relations, and on 16 July 2008 the latter considered a report on this proposal, reference PDU/1973/01. A copy of the report is attached, in full.

Having considered the report, the Deputy Mayor has concluded that the principle of the re-development of the site is supported in strategic policy terms. However, the Deputy Mayor has come to an alternative conclusion to that set out in the report with regard to the market. Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan.

In addition further work is needed on design and energy before this application comes back to the Mayor.

If Haringey Council decides in due course that it is minded to approve the application, it should allow the Mayor fourteen days to decide whether or not to direct the Council to refuse planning permission (under article 4(1)(b)(i) of the Town & Country Planning (Mayor of London) Order 2000). You should therefore send me a copy of any officer's report on this case to your planning committee (or its equivalent), together with a statement of the permission your authority proposes to grant and of any conditions the authority proposes to impose, and a copy of any representations made in respect of the application (article 4(1)(a) of the Order).

Yours sincerely,



**Giles Dolphin**  
Head of Planning Decisions

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cc. Joanne McCartney, London Assembly Constituency Member  
Tony Arbour, Chair of London Assembly Planning and Spatial Development Committee  
John Pierce and Ian McNally, GOL  
Colin Lovell, TfL  
Helen Wood and Dean Williams, LDA

GREATER LONDON AUTHORITY

planning report PDU/1973/01

4 July 2008

**Wards Corner, Seven Sisters**

in the London Borough of Haringey

planning application no. HGY/2008/0303

<p><b>Strategic planning application stage 1 referral (old powers)</b></p> <p>Town &amp; Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town &amp; Country Planning (Mayor of London) Order 2000</p>
<p><b>The proposal</b></p> <p>Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, new retail units and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.</p>
<p><b>The applicant</b></p> <p>The applicant is <b>Grainger (Seven Sisters) Ltd.</b>, and the architect is <b>Pollard Thomas Edwards</b>.</p>
<p><b>Strategic issues</b></p> <p><b>Design, re-provision of the existing market, affordable housing, energy, children's playspace and transport.</b></p>
<p><b>Recommendation</b></p> <p>That Haringey Council be advised that the regeneration of this site with a mixed use development is generally consistent with London Plan policies. The level of re-provision of space for the market and local retailers is on balance acceptable. Further work is needed on design and energy before this application comes back to the Mayor at Stage II.</p>

**Context**

1 On 12 February 2008 Haringey Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Schedule to the Order 2000: "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 sq.m."

3 If Haringey Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The Mayor's comments on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

### Site description

5 Wards Corner is a prominent site above Seven Sisters Victoria Line underground station on the western side of Tottenham High Road. The site is also located near to Seven Sisters overground station. The site is 0.65 hectares and comprises a group of 2 and 3-storey late Victorian commercial buildings along the western side of Tottenham High Road wrapping round into West Green Road and Seven Sisters Road together with a group of Victorian terraced houses on Suffield Road. It includes the Wards Corner department store building which gives the site its name. The site is in the West Green Road/Seven Sisters District Centre and the area is predominantly made up of local independent traders with a mix of Turkish, Cypriot, Colombian and Afro-Caribbean influences. The site also incorporates an indoor market comprising 36 separate shops/units of which 64% of traders originate from Latin America and/or are Spanish speaking. The total retail floorspace currently on site is 3,182 sq.m. The existing residential accommodation on site comprises 33 residential units along Suffield Road as well as first floor accommodation above the retail units on Tottenham High Road, Seven Sisters Road and West Green Road. The site is in multiple ownership with TfL and Haringey Council both having significant land holdings.

6 The site marks the overlapping section of two identified regeneration areas- the Tottenham High Road regeneration area and The Bridge New Deal for Communities Area. A planning brief has also been prepared for the site. Part of the site is in the Seven Sisters Conservation Area, essentially the Wards Corner building, the Tottenham High Road frontage and half of the West Green Road frontage. None of the buildings are statutorily listed although three have been locally listed: the Wards Corner building and 1a and 1b West Green Road. The site has a public transport accessibility level of 6 (where 1 is low and 6 is high).

### Details of the proposal

7 The proposed development comprises 197 residential units in a mix of studios, 1, 2 and 3-bedroom units and 3,792 sq.m. of retail. The retail units will be located on the Tottenham High Road, West Green Road and Seven Sisters frontages with the Tottenham High Road frontage aimed primarily at high street multiples and the other frontages aimed at local retailers. The West Green Road frontage units are arranged as kiosks to allow for the location of uses similar to that provided in the existing market. The family residential units are located at ground floor on Suffield Road and the smaller units are located above the retail units accessed from a podium. 44 parking spaces, including three disabled spaces, are included in the basement car park.

### Case history

8 There are no previous strategic planning applications for this site. A development brief for the site was adopted in January 2004. The brief acknowledges that the area around the station is perceived as unsafe by the local community and suffers from a high degree of crime. The range of shops and facilities in the area is considered to be poor. The brief sets out a number of strategic objectives for the redevelopment and regeneration of the area. The following vision is set out: "to create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access". The brief states that the redevelopment of the site should take place comprehensively and should make the best use of the

opportunities presented by the site including the provision of new housing and retail uses. The replacement buildings should be of a distinctive and imaginative modern design with active frontages and visual variety and interest and should enhance the conservation area. The brief also sets out that the development should include significant improvements to the public realm including public art and street trees and improvements to the access to the underground and bus waiting and interchange facilities.

9 An alternative development proposal has been submitted by a coalition of the market traders and community associations. The description of the development is as follows: "Erection of first floor rear extensions, alterations to rear elevation. Alterations to front elevation, including new bays at first floor level and dormer windows to front roofslope; installation of new shopfront, alterations to 3 storey corner block; internal alterations to create new shops/workshops/offices/cafe (A3) use on ground / first floors and creation of 8 x one bed flats at second floor." This scheme envisages the refurbishment of the existing buildings and the retention and expansion of the existing market. This application is not referable to the Mayor.

### Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- |                           |   |
|---------------------------|---|
| • Economic development    | <i>London Plan; the Mayor's Economic Development Strategy</i>   |
| • Housing                 | <i>London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG;</i>  |
| • Affordable housing      | <i>London Plan; PPS3; Housing SPG</i>   |
| • Density                 | <i>London Plan; PPS3; Housing SPG</i>   |
| • Urban design            | <i>London Plan; PPS1</i>  |
| • Mix of uses             | <i>London Plan</i>  |
| • Regeneration            | <i>London Plan; the Mayor's Economic Development Strategy</i>   |
| • Transport               | <i>London Plan; the Mayor's Transport Strategy; PPG13;</i>  |
| • Parking                 | <i>London Plan; the Mayor's Transport Strategy; PPG13</i>   |
| • Retail                  | <i>London Plan; PPS6; PPG13</i>   |
| • Employment              | <i>London Plan; PPG4; draft PPS4; Industrial Capacity SPG</i>   |
| • Access                  | <i>London Plan; PPS1; Accessible London: achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG; Planning and Access for Disabled People: a good practice guide (ODPM)</i> |
| • Equal opportunities     | <i>London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning; A good practice guide (ODPM)</i>    |
| • Culture                 | <i>London Plan; the Mayor's Culture Strategy</i>  |
| • Sustainable development | <i>London Plan; PPS, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor's Energy Strategy; Sustainable Design and Construction SPG</i>                         |
| • Historic Environment    | <i>London Plan; PPG15</i>   |

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Haringey Unitary Development Plan (2006) and the London Plan (Consolidated with Alterations since 2004).

12 The following are also relevant material considerations:

- The Haringey Core Strategy which is at issues and options stage.

- The planning brief for the site.

**Mix of uses**

13 The concept of the redevelopment with residential located above retail at a public transport interchange is supported in strategic policy terms.

14 In 2003 Chesterton carried out a health check of the Seven Sisters shopping area and this concluded that although the centre had good convenience (food) retail provision, including a strong independent centre, and was busy, there were some significant problems. These included poor comparison (non-food) offer, inadequate retail stock relative to operator requirements, poor environmental quality, and a particular problem with street crime. A further health check was undertaken by Cushman and Wakefield in early 2008 and this concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park.

15 Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm.

16 The quantum of retail within the scheme will increase by 610 sq.m. and this is considered appropriate. The proposed offer is a combination of multiples, local retail and market kiosks. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units and twelve kiosks, totalling 627 sq.m., are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre.

**Housing and affordable housing**

17 The existing residential units on the site comprise 16 x 1-bed units, 15 x 2-bed units and 2 x 3-bed units, totalling 85 habitable rooms. The 197 units (570 habitable rooms) proposed equates to a net increase of 164 dwellings (485 habitable rooms). The proposed units have the following mix:

	Studio	1 bed	2 bed	3 bed
Proposed	5 (1%)	48 (8%)	107 (56%)	37 (26%)
Existing		16	15	2

18 Although Haringey's Housing SPG sets out that 22% of developments should be 3-bed units and 11% 4-bed plus and the London Plan housing SPG sets a target for 30% of units in developments to be family sized, given the circumstances of the site and its busy town centre

location, the proposed mix is appropriate. The family units are located along Suffield Road to the rear of the site.

19 All of the units are built to lifetime homes standards and 10% will be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users, in line with London Plan policy.

20 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

21 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

22 Haringey's UDP contains a policy regarding affordable housing which states that housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

23 A toolkit has been submitted with this application which shows that it is not viable to provide any affordable housing as part of the development. This is because of the exceptional development costs of building over the shallow London Underground lines and the fact that the size of the building is limited by the load that can be put on the areas of the site that are above the underground lines. The toolkit has been independently verified by the Valuation Office Agency and it has been confirmed that the development cannot support affordable housing on viability grounds.

24 Haringey Council has given an undertaking, in its development agreement with the applicant, that affordable housing equating to 50% of the habitable rooms on the Wards Corner site will be provided in a redevelopment of the Apex House site and a development of the Westerfield Road car park site, together with 50% affordable housing of any market provision on these sites themselves. The Apex House is opposite the Wards Corner site and is currently occupied as council offices. The Westerfield Road site is nearby. Agreement has been given by Haringey Council's executive committee to the disposal of both these sites for this purpose. It is understood that an outline planning application for these sites will be brought forward shortly together with a competition to select a registered social landlord and development partner. However, there is no way of legally tying this provision to the current planning application and therefore no certainty that this provision will be delivered.

## The market

25 The first iteration of this proposal did not include any provision for the market. The second iteration of the proposal included six kiosk units. However, following negotiations with GLA officers, the latest plans propose the provision of 12 kiosk units along the Seven Sisters Road frontage.

26 Urban Space Management was commissioned by The Bridge New Deal for Communities to assess the existing Seven Sisters Market and to consider if the market could be incorporated into the Wards Corner scheme or relocated elsewhere. The report found that the site currently contains 34 traders in kiosk/shop type units in an indoor hall. 64% of the traders originate from Latin America and/or are Spanish speaking. The market is operated by a head leaseholder who has a lease with London Underground Limited that ends in September 2011. The rents within the market are considerably lower than those in nearby markets. This is a reflection of the low cost of the head lease given that the building is poorly maintained and has been earmarked for development. Each tenant has a licence with a 4-week break clause on either side. The head leaseholder has a lease which entitles London Underground Limited to give three months notice to end the lease once planning permission is received for the redevelopment.

27 Urban Space Management conclude that it is inappropriate for the market to be incorporated into the proposal for a number of reasons. Principally, it expresses an opinion that the current traders will not be able to afford the inevitably higher rents that will be charged for the proposed spaces and that an indoor hall arrangement would not attract a high enough footfall to make the businesses viable. The issue of where the market is located whilst the site is redeveloped is also raised. Work has begun with the traders to look at relocation en-masse, or individually, although understandably there is a reticence to discuss this issue at this stage without the certainty of planning permission.

28 A poll was conducted by ICM in May 2008 that conducted telephone interviews with 500 residents in the neighbouring post code areas of N15 4, N 15.5 and N15 6. Approximately the same number of people were polled in each age range and area. The key findings from the poll were as follows:

- 57% of respondents had never visited Seven Sisters market and 19% of respondents shopped at the market once a month or more often.
- 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders.
- 3% of respondents (17 people out of 500) specified that keeping the market was important.
- 81% of respondents thought that substantial investment in the Wards Corner area is a good idea and only 4% felt that retaining period buildings was a priority.
- 55% of respondents said that they felt unsafe visiting the area at night and tackling crime was the main priority for respondents with 43% specifying this option.

29 The poll shows that the provision of a combination of local and high street retailing is favoured by the majority of respondents. Although the number of respondents who use the market is relatively low it should be noted that the market has a wider catchment area, being specialist



retail provision, than the immediate area. The poll does, however, show that the market has a role within the local community as well as a wider role.

30 Policy 3D.3 of the London Plan, maintaining and improving retail facilities, sets out that boroughs should work with retailers and others to prevent the loss of retail facilities, including street and farmers' markets, that provide essential convenience and specialist shopping and to encourage mixed use development. This policy is also applicable to planning applications and as such the loss of the market should be resisted.

31 It is important to separate out the issues of the concept of a market on this site and the viability and continuation of the current market. Both of these issues are of importance and need to be dealt with in this proposal.

32 The provision of an increased number of kiosk units, together with the safeguarding of the units on West Green Road and Seven Sisters Road for local independent retail use, will serve to maintain a market and local independent retail on this site. Further work should be undertaken to find an alternative temporary location for the current market so that stallholders could relocate back on the site, at least in part. Work should also continue with the current traders to find them alternative permanent locations, en-masse or individually, should they wish to do so. A permanent relocation option in the locality would mean that continuity would be achieved. Clarification as to the current funding package for assistance with relocation should be provided. Notwithstanding the comments of Urban Space Management regarding increased rents in the new development, measures to increase the affordability of the West Green Road and Seven Sisters Road units and kiosks to local retailers, such as subsidised rents, fit-outs and capped rent periods should be considered. The use of these units and kiosks for local retailers should be conditioned. If undertakings are made that such measures can be implemented and an alternative temporary location for those stallholders wishing to return to the development is found, on balance, the application will be in accordance with strategic planning policy.

### Children's playspace

33 Policy 3D.13 of the London Plan sets out that *"the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs."* Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 36 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 360 sq.m. of playspace.

34 This development provided approximately 1,538 sq.m. of amenity space within a central courtyard which includes a dedicated playspace for under 5's. The site is also within 400m of the Brunswick Road Open Space which includes recently upgraded play facilities for children aged 0-16. This provision is acceptable in strategic planning policy terms.

### Urban design

35 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and views.

36 The existing residential density of the site is 119 habitable rooms per hectare, or 46 dwelling per hectare. The application proposes a density of 795 habitable rooms per hectare, or 275 dwellings per hectare. This is within the range of density set out in table 4B.1 of the London plan and is acceptable in strategic policy terms.

37 Many of the existing buildings on the site are poor quality and contribute little to the area, which has a generally run down quality and is dominated by traffic from the Tottenham Gyrotory. TfL and the GLA are committed to making significant changes to the gyrotory and this scheme could contribute to the overall regeneration of this part of Haringey.

#### Site layout

38 A new public square is formed to the Tottenham High Road frontage; new shops and kiosk units create a continuous street level frontage to the High Road, Seven Sisters Road and West Green Road; a cafe-bar/restaurant is located at first floor overlooking the public square and High Road; flats and family duplexes are located at first floor and above a new garden square above the shops and accessed from a main foyer opening off the public square; and family duplexes are located on Suffield Road with front gardens and front doors opening off the street.

39 The homes are arranged in ten blocks with separate entrances, stairs and lifts, forming a complete enclosure to the shared central garden. The enclosure is completed by a row of houses with direct front doors to the garden. The homes are accessed via the garden which is in turn reached via a glass pavilion containing a lift and grand stair from the foyer. The street level foyer is accessed directly from the public square and is managed by a 24-hour concierge. The service road is covered over and this is welcomed. The site layout is an appropriate response to the site.

#### Scale and massing

40 The shops provide a continuous glazed frontage around three sides of the site. Above them the ten apartment blocks range in height from three to seven storeys above the retail units, including set backs. The main parapet height to Seven Sisters Road and the High Road is four storeys above ground floor retail space and to West Green Road it is three storeys above ground-floor retail space. Suffield Road is three storeys from street level plus a set-back upper-storey, with a further level concealed in the roof space and overlooking the central garden.

41 The frontage onto the High Road dips in the middle due to the height restraints imposed by building over the underground lines.

42 The massing strategy is to break down the development into a series of distinctive buildings of different height and detail corresponding to the various street contexts. The approach of a development of this scale is appropriate for this site given its location at a wide road junction together with the scale of Apex House and the Tesco's development on sites opposite the development. The scale of the development reduces to the rear and relates appropriately to the existing residential properties. The density of the development is in line with the London Plan density matrix and this in itself is an indication that the scale of the development is appropriate to the site.

#### Public realm

43 The public realm is transformed by the proposal; principally, the High Road frontage is expanded and comprehensively redesigned to create a new public square. All existing street clutter is removed. The main retained elements are the mature London Plane tree and the two entrance stairs to the underground station, which will be re-clad and covered by glass canopies. Although changes to the underground station are not within the remit of the application the

design allows for the future installation of lift access to the ticket hall. Two new retail kiosks are located next to the stairs.

44 The existing building line to the High Road is carved out to give more space to the public realm and create a curved public place at the centre of the site. The shops and the restaurant above have a curved frontage embracing this space. A large paved circle is centred on the underground stairs and is shielded from the High Road by an arc of seven new trees. At the centre is a piece of public art which will be the subject of a separate design competition.

#### Internal layouts

45 All the family homes and most other flats have private terraces or balconies. Most of the homes are dual aspect and none of them has a single aspect north-facing outlook. The units are of a reasonable size.

#### External appearance

46 The architecture of the scheme is conceived as a modern interpretation of London's street architecture. The apartment blocks and shop fronts are presented as a terrace of adjoining buildings, separated by shadow gaps. The principal residential storeys are brick faced, with stone copings and cills. A range of rectangular window openings reflect the different requirements of living rooms and bedrooms. Projecting windows enliven facades whilst providing views along the street and bringing sunlight into the rooms. The shop fronts are fully glazed and framed with dark painted or coated steel sections and a spandrel zone for controlled signage. The set back upper storeys are coated in zinc and glass panels.

47 The corner to Seven Sisters Road and the High Road, where the Wards Corner building is currently located, has been given special elevational treatment in order to create a landmark. The corner block conforms to the general parapet height but is rounded on plan and framed in stone. The stone frame is to carry a frieze of cast or sculpted relief images recalling the history of the site, for which an artist will be selected by competition. Within the stone frame a composition of vertical coloured glass fins spans between the storeys, providing visual interest and screening the rooms behind. This does not work particularly well and appears as something stuck on to the main body of the building. A better use of money would be to have the highest possible standards of materials design and detailing rather than adding a piece of public art.

48 The High Road centrepiece containing the shops, residential foyer and first floor restaurant comprises a frameless glass curved facade over two lofty storeys.

49 Suffield Road has a completely different scale and character to the other frontages. The proposed frontage contains a row of family duplexes with private front doors at street level and two floors of flats above and these relate well to neighbouring residential buildings.

50 The architectural approach is on the whole welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment; however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered.

#### Heritage issues

51 Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. It is considered that the loss of the building would be justifiable provided the quality of the replacement scheme is high.

52 Overall, the proposed scheme, with the changes set out above, would make a positive contribution to the conservation area and the wider townscape.

### **Community facilities**

53 Policy 3A.18 of the London Plan sets out that the net loss of social infrastructure and community facilities should be resisted and that adequate provision of such facilities is particularly important in major areas of new development and regeneration. Policy 3A.17 of the London Plan sets out that the spatial needs of diverse groups in an area should be met. The current proposal includes a community facility of 158 sq.m., the use of which is currently suggested for a youth centre. It should be noted that the market also serves as a meeting place for the Latin American community and consideration should be given to the community facility being given over for such a use.

### **Climate change mitigation**

54 The London Plan requires developments to make the fullest contribution to the mitigation of, and adaptation to climate change, and to minimise carbon dioxide emissions (Policy 4A.1).

55 Policies 4A.2 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve this. Developments are required to be adaptable to the climate they will face over their lifetime and address the five principles set out in policy 4A.9 of the London Plan.

### **Energy**

56 London Plan policies 4A.4 and 4A.7 require the submission of an energy demand assessment along with the adoption of sustainable design and construction, demonstration of how heating and cooling systems have been selected in accordance with the Mayor's hierarchy and how the development will minimise carbon dioxide emissions, maximise energy efficiencies, prioritise decentralised energy supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy.

#### **Energy demand assessment**

57 An energy demand assessment has been submitted, but, it is unclear how the baseline emissions relate to 2006 building regulations requirements. Energy efficiency measures and related carbon dioxide reductions should be evaluated with suitable modelling for both domestic and non-domestic elements.

#### **Sustainable design and construction**

58 The extent of the demand reduction measures proposed appears to be limited to thermal fabric performance improvements over building regulation requirements and energy efficient lighting. Whilst these measures are welcomed confirmation is requested as to whether any other measures are being employed. Further information also needs to be provided of the design measures that are being adopted to minimise overheating.

#### **Power, heating and cooling infrastructure, and CHP/CCHP (Policies 4A.5 and 4A.6)**

59 In line with the London Plan a combined heat and power (CHP) system needs to be considered before the provision of renewables. The suitability of CHP for this site has been examined and a site-wide heat network supplied by a 70 kWe gas fired engine CHP is proposed.

Further consideration as to how the electricity generated is to be used needs to be included in the application. The cooling strategy for all elements of the development needs to be set out in a revised energy strategy.

#### **Renewable energy (Policy 4A.7)**

60 The use of a dual fuel bio-fuel (rapeseed) boiler is proposed. The use of this type of boiler fails to ensure that renewable energy will be used on site and, unless a legal clause is in place, the applicant will be free to switch away from renewables. This is not acceptable as the primary source of renewables given the difficulty in enforcing the use of bio-fuel. A more rigorous option appraisal of alternative renewable technologies needs to be submitted and their integration in the site-wide district heating network considered.

61 The following further information on the bio-fuel boiler needs to be submitted: details of any additional abatement technology planned to reduce air pollution emissions; a breakdown of emissions factors for NOX and particulates from the proposed boiler, specifically dispersion modelling on a map showing the levels of both pollutants at ground level; the type, height and location of the chimney; and details of the fuel, the fuel supply chain and the arrangements that have been investigated to secure the fuel supply.

#### **Climate change adaptation**

62 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contributing to flood risk reductions, including applying sustainable drainage principles, minimising water use and protecting and enhancing green infrastructure. Specific policies cover overheating, living roofs and walls and water.

63 The proposal incorporates an extensive green amenity space at roof level which, to some extent, will contribute to minimising overheating and surface run-off. Further information needs to be provided of any measures designed to prevent overheating, minimise solar gain, minimise water use and contribute to flood risk reductions.

#### **Transport**

64 The proposed development is on land within multiple ownerships, including land owned by Transport for London. As a result these transport comments have been prepared by the GLA, and are based on information provided by the applicant within the transport assessment.

65 Given the high public transport accessibility level of 6 it is recommended that this development is made car free in accordance with policy 3C.23 of the London Plan and the advice in paragraphs 7.14 to 7.16 of TfL's Transport Assessment Best Practice Guidance. Residents should also be ineligible for on street parking permits.

66 Below street level, in addition to the underground tunnels serving the Victoria line, there are running tunnels for trains accessing the depots. The development should take into account the impact on this infrastructure.

67 The improvement of access to the London Underground and Network Rail stations and the interchange between them is a key issue. London Rail's Eastern Route Corridor Plan and the Network Rail Greater Anglia Route Utilisation Strategy (RUS) have both identified Seven Sisters as a constraint to future growth. A contribution towards the interchange between rail and

underground in order to widen corridors/walkways to the London Underground station may be required.

68 In order to mitigate the expected increase in bus patronage and to improve access to bus services, the four nearby bus stops on Tottenham High Road, Seven Sisters Road and West Green Road should be upgraded to TfL accessibility standards. The GLA transport team welcomes further discussion on these matters.

69 A survey of the existing car park should be carried out to quantify current traffic movements.

70 Details with regard to swept paths and accident analysis may affect the scope of works on the highway and may require adjustments to the Suffield Road junction with Seven Sisters Road.

71 Servicing issues should be addressed; for any large vehicle to access the top service bay the vehicle needs to be able to turn around within the yard.

72 The offer to improve the public realm adjacent to this site, including the Transport for London Road Network (TLRN) public highway, is welcome. However, works on the TLRN would be subject to agreement and the proposed kiosks may require licenses from TfL.

73 Therefore, it is requested that the proposed footway design is treated by the local planning authority as indicative, subject to detailed consideration and agreement by TfL, as should the proposed kiosks.

74 Further details of proposed pedestrian facilities should be provided.

75 Cycle parking should be provided for the leisure and retail elements of the development, in addition to the residential provision.

76 The GLA will be primarily guided by TfL's Streetscape Guidance on any changes to the TLRN and will also seek advice from Design for London.

77 Wherever possible any construction works should avoid encroachment on the TLRN public highway, including the public footway. TfL can license temporary use of the public highway in certain circumstances, if this does not impede pedestrian and other movement on the network.

78 Construction vehicles servicing the site should not stop on the TLRN, except in authorised bays and locations, and access should be from Suffield Road.

### **London Development Agency comments**

79 The London Development Agency (LDA) support the principle of development. As this is recognised as a gateway location into the Borough, the LDA welcomes the incorporation of retail frontages onto Tottenham High Road, Seven Sisters Road and West Green Road. In addition, the provision of a range of retail accommodation size suitable for large national high street retailers, smaller local independent shops as well as a range of complementary facilities is welcomed as it will help to ensure an appropriate balance and mix of retailers is achieved. The LDA welcomes the provision of small retail space suitable for start up businesses in order to support and promote a diverse retail offer on Tottenham High Road. This will support the Economic Development Strategy (EDS) objective to "address barriers to enterprise start-up,

growth and competitiveness". The promotion of small retailers can also assist the needs of local business, small and medium sized enterprises (SME's) and black and minority ethnic businesses which in turn can support the needs of the local community.

80 Every effort must be made to find alternative accommodation for the existing market traders whilst the development is constructed. The LDA welcomes the provision of units suitable for local traders within the replacement scheme; however, given the significant construction period for the proposed development, sufficient notice and support should be given to tenants to allow them to explore the options for re-location on or off-site that are available to them.

81 Given the scale of the redevelopment, the provision of employment generating uses and in accordance with London Plan policies 3B.1 'Developing London's economy' and 3B.11 'Improving employment opportunities for Londoners', the developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal, in both the construction and operational phases of the development. The adopted Wards Corner/Seven Sisters Underground Development Brief which promotes comprehensive development of the site states, that the priorities for planning obligation contributions include securing local employment benefits through training and local labour schemes.

82 Therefore, initiatives to create training and employment opportunities and to utilise the goods and services of SME's and local businesses should be formalised through a section 106 agreement between the applicant and Haringey Council. The LDA would welcome the opportunity to discuss with Haringey Council the scope for inclusion of such initiatives within the S106 agreement. The delivery of such initiatives will help to ensure the regeneration benefits of the proposed development are maximised for residents of the local community and that the Economic Development Strategy objective to 'Tackle Barriers to Employment' is supported.

### **Local planning authority's position**

83 The development is generally supported at officer level by both the regeneration team and the planning officers.

### **Legal considerations**

84 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Haringey Council at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

### **Financial considerations**

85 There are no financial considerations at this stage.

## Conclusion

86 The regeneration of this site with a mixed use development is welcomed. The level of re-provision of space for the market and local retailers is on balance considered acceptable given the significant improvements to the public realm and the improved quality of retail provision. Further work is needed on design, energy, temporary location for the market, measures to ensure the viability of the market kiosks and local retail units and transport before this application comes back to the Mayor at Stage II.

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APPENDIX 9  
COURT OF APPEAL JUDGEMENT

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**COURT OF APPEAL (CIVIL DIVISION)**  
**ON APPEAL FROM QBD, ADMINISTRATIVE COURT**  
**KEITH LINDBLOM QC (sitting as a deputy High Court judge)**  
**[2009] EWHC 2329 (Admin)**

Royal Courts of Justice  
Strand, London, WC2A 2LL

Date: 22/06/2010

Before :

**LORD JUSTICE PILL**  
**LADY JUSTICE ARDEN**  
and  
**LORD JUSTICE SULLIVAN**

-----  
Between :

<b>The Queen on the Application of Janet Harris</b>	<b>Appellant</b>
<b>- and -</b>	
<b>The London Borough of Haringey</b>	<b>Respondent</b>
<b>- and -</b>	
<b>(1) Grainger Seven Sisters Ltd</b>	<b>Interested Parties</b>
<b>(2) Northumberland And Durham Property Trust Ltd</b>	
<b>- and -</b>	
<b>The Equality and Human Rights Commission</b>	<b>Intervener</b>

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**Mr David Wolfe** (instructed by **Bindmans Solicitors LLP**) for the **Appellant**  
**Mr Peter Harrison QC** (instructed by **The London Borough of Haringey**) for the  
**Respondent**  
**Ms Helen Mountfield QC** (instructed by **The Equality and Human Rights Commission**) for  
the **Intervener**

Hearing date : 5 May 2010  
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**Judgment**

**Lord Justice Pill :**

1. This is an appeal from a decision of Mr Keith Lindblom QC, sitting as a Deputy High Court Judge on 14 July 2009. The judge refused an application for judicial review of a decision of London Borough of Haringey (“the council”), as local planning authority, granting a planning permission on 24 December 2008. The application for planning permission had been made by the first interested party, Grainger (Seven Sisters) Ltd (“Grainger”).
2. Permission was granted for the development of a site known as Wards Corner on High Road, Tottenham. The grant permitted:

“Demolition of existing buildings and erection of mixed use developments comprising Class C3 residential and Class A1/A2/A3/A4 with access, parking and associated landscape and public realm improvements.”

3. Ms Janet Harris (“the appellant”) has lived in Tottenham for many years and has been active in community life. In 2006 she helped to set up the Tottenham Civic Society. Her standing to make the application for judicial review is not now challenged. The lawfulness of the decision was originally challenged on three grounds. Only one ground is now pursued and it is that the council, when granting permission, failed to discharge its duties under section 71 of the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Section 71 provides, in so far as is material:

“(1) Every body or other person specified in Schedule 1A or of a description falling within that Schedule shall, in carrying out its functions, have due regard to the need—

(a) to eliminate unlawful racial discrimination; and

(b) to promote equality of opportunity and good relations between persons of different racial groups.”

The council accept that it was required to discharge the section 71 duty when making the decision challenged. The breach alleged is of section 71(1)(b).

4. In his judgment, the judge adopted the summary of facts in the written submissions of Mr Wolfe, who appears for the appellant:

“[The site] is in the West Green Road/Seven Sisters District Centre. The area is predominantly made up of local independent traders with a mix of Turkish, Cypriot, Colombian and Afro Caribbean influences. The site incorporates an indoor market comprising 36 units of which 64 per cent of traders are from Latin America or are Spanish speaking. The total retail floor space on the site is 3,182 square metres and the site includes 33 residential units along Suffield Road as well as first

floor accommodation above the retail units on Tottenham High Road, Seven Sisters Road and West Green Road. At present, those business units and homes are predominantly occupied by members of BME [black and minority ethnic] communities . . . During the consultation process and subsequently, a great many people have expressed their concern that the level of business rents that would be charged in a redeveloped site (the Council itself anticipates these increasing threefold . . .) and the fact that the Grainger scheme makes no provision at all for affordable housing, will bring about a significant shift in the commercial and residential make up of the area . . .”

The resolution to grant planning permission was passed by 5 votes to 4.

5. Mr Wolfe submitted that section 71 was engaged because of the mixed racial influences, the large percentage of Latin American traders in the existing indoor market and the predominant occupation of homes and business units by members of the BME communities. The council was under a duty before granting permission to have due regard to the needs specified in the section, it was submitted.
6. The development is substantial and an important part of the regeneration of the Borough of Haringey. A considerable number of people, of different racial groups, are involved. The appeal turns on whether the council, in granting permission, has discharged its duty under section 71. The council claims to have done so; it has not been submitted that the circumstances are such that the grant may stand even if the statutory duty had not been performed.
7. Section 71 has been in force since 2 April 2001. It replaced a section which put the duty in less specific and focused terms. It was a duty “to make appropriate arrangements”. There is substantial agreement between the parties as to how the case should be approached: has the council in substance had due regard to the requirements of section 71(1) when granting permission for this particular development?
8. I state the obvious in saying that the statute must be construed as a statute. This is not one of those many cases in planning law where emphasis is placed by the courts on documents not being required to be construed like a statute. Mr Wolfe emphasised the need for the council to focus on the requirements of the section and not merely to deal in generalities. On the other hand, such focus requires attention to the language of the section to determine the content of the duty. In this litigation, section 71(1) has at times been treated as if it is a general duty when taking decisions to improve the lot of ethnic minority communities. It is a duty, when taking decisions, to have due regard to three specific needs:
  - (a) The need to eliminate unlawful racial discrimination,
  - (b) The need to promote equality of opportunity between persons of different racial groups,
  - (c) The need to promote good relations between persons of different racial groups.

The appellant relies on the second and third of those duties.

9. It is well established that the duty to have “due regard” involves a “conscious approach and state of mind” (Scott Baker LJ in *Brown v Secretary of State for Work & Pensions* [2008] EWHC 3158 (Admin), in the context of disability). (See also Davis J in *Meany v Harlow District Council* [2009] EWHC 559 (Admin) “conscious directing of the mind to the obligations”, and Munby J in *R (E) v Governing Body of JFS* [2008] EWHC 1535/1536 (Admin), at paragraph 213, “direct its mind”.)
10. In *Secretary of State for Defence v Elias* [2006] EWCA Civ 1293, Arden LJ, at paragraph 274, described the purpose of section 71, in that case the provision at issue being section 71(1)(a):

“It is the clear purpose of s.71 to require public bodies to whom that provision applies to give advance consideration to issues of race discrimination before making any policy decision that may be affected by them. This is a salutary requirement, and this provision must be seen as an integral and important part of the mechanisms for ensuring the fulfilment of the aims of anti-discrimination legislation. It is not possible to take the view that the Secretary of State's non-compliance with that provision was not a very important matter. In the context of the wider objectives of anti-discrimination legislation, s.71 has a significant role to play. I express the hope that those in government will note this point for the future.”

11. For the council, Mr Harrison QC accepted that, on the material before the council, the threshold giving rise to the need to apply section 71(1) in the decision making process had been crossed. However, it is necessary to consider, in summary at any rate, the evidence capable of giving rise to the section 71(1) duty in this case. Before taking its decision, the council conducted an appropriate consultation exercise. The officers’ report (“the report”) to the appropriate committee of the council was very full and referred to representations made. The meeting at which the decision to grant planning permission was taken lasted 3 hours and a very full record of proceedings was kept.

#### Evidence before the council

12. Before the council was a letter of objection from a local resident, Mr Lagu Sukumaran:

“May I kindly request you and all decision makers to carefully consider the Human suffering the loss of achievement, of the Ethnic Minority Businesses in West Green Road, Seven Sisters Road and the High Road, known as the Wards Corner.

I live above my Business with by family, and it is a live and work business concept ... I am part of this Diverse local Ethnic minority Community who I serve and depend on my Shop for their unique and specialist Food products that is non available in National Supermarkets.

Demolition will destroy the existing Ethnic Minority Business, the Owners, their families, employees and their suppliers. The owners and their families have built up their existing businesses with many years of hard work and determination, in some cases hard work of three generations of the family. There are a number of traders who live above their businesses and in this case they will be forced out of their homes. The traders will not be able to relocate their business to a new location and be successful due to the poor state of the world economy ... The customers and residents will lose their choice of shopping and the specialist shops.”

13. Identified as response 54, the WCCC (Wards Corner Community Coalition) submitted as a part of its representation:

“Local planning processes are required to demonstrate that meaningful community engagement and equalities issues have been accounted for and that diverse groups are not systematically disadvantaged by public authority processes. There is no reference in this planning application to the impact on diverse communities and the needs of diverse local communities, including ethnic minority communities. Members of particular minority ethnic communities are being disproportionately disadvantaged by these proposals. Virtually all the businesses that will be ended by the proposals are from ethnic minority communities that provide some ethnically distinct and important services and goods. The Coalition contends that the needs of the growing Latin American community are being explicitly negated in these proposals.”

They added:

“Public authorities should support the social and business networks in an area. These plans from Grainger represent the destruction of existing community and replacement by an alternative, selected community. This is Council-backed, unethical social engineering which WCC rejects.”

14. Response No. 181 included comment from Ms Siobhan Crozier:

“This is of great importance for Seven Sisters as it contains, within the proposed development, businesses that provide “essential convenience and specialist” shops which provide for, and add to, the cultural diversity of Tottenham. These shops would be lost forever if the demolition goes ahead and the local community would be bereft. Several long-established businesses will lose their livelihood and in some cases, their homes. Local authorities are supposed to support SMEs [small and medium enterprises], not eradicate them in favour of units designed to appeal to high street multiples.”

15. Analysis of the material submitted need not for present purposes be comprehensive. Much of it, as Mr Wolfe to a degree accepted, cannot be related to section 71(1), given its wording. Responses refer to the need, regardless of ethnic considerations, to upgrade the area and to do so in an architecturally and socially acceptable way. The report also referred to objections including an objection that “the Market which has been created, and which has added vibrancy, richness and diversity to the area, would be lost”.
16. A further letter from WCCC (8 July 2008) is reproduced in the report:
- “The Wards Corner Community Coalition takes the view that the Grainger scheme for the site will not deliver regeneration for the people of Tottenham and will damage the material, social and economic fabric of this diverse community. Further, the Wards Corner Community Coalition believes the Grainger proposals to be based upon questionable premises and have put forward an alternative vision for the site.”

#### The council’s decision

17. The report did of course refer to the positive aspects of the proposed development and to policies in the Unitary Development Plan (“UDP”). There is general acceptance of the need for environmental improvement in the area. Policy AC3 “seeks to promote regeneration through development along the Tottenham High Road corridor” and policy AC4 states that “the Bridge New Deal for Communities aims to improve the quality of life for residents by seeking to change the area so that it becomes a better place to live.” Reference is made to a Development Brief for Wards Corner in which it is acknowledged that the Borough of Haringey is a deprived area. The Brief provided a number of development principles for any proposed development or regeneration.
18. At page 30 of the report, it is stated:
- “... the proportion of small retailers can also assist the needs of local business, small and medium sized enterprises (SMEs) and black and minority ethnic businesses which in turn can support the needs of the local community.”
19. By reference to an Urban Space Management Report, the report provides:
- “The Report concludes that it would not be sensible or economically viable to relocate the market in the proposed development. However the report also states that, most if not all of the traders could be of interest to other market operators as potential tenants and that there is an option of integrating the non Spanish speaking traders into alternative locations independently while trying to keep the Latin American traders together to move as a group at the right time.”
20. In the minutes, it is recorded:



“The Committee was informed that the proposed development was unpopular and would not be considered a landmark development. It would have extremely negative impacts on existing local businesses, homes, social amenity and community cohesion. Objections related specifically to loss of longstanding, diverse and viable businesses and jobs, detriment to community cohesion in Tottenham through targeted harm to ethnic minority communities. . .”

21. The objection of Councillor Diakides was recorded. It included the representation:

“ . . . the local traders reflected the rich cosmopolitan mixture of the local community and their businesses responded to the special needs of those communities...these would not be accommodated within the proposed development.”

22. In neither of these lengthy documents, the report and the minutes, is there specific reference to section 71(1) or the duties it imposes. Nor is there specific reference to the substance of the duties, even without a reference to their source.

### Submissions

23. However, Mr Wolfe accepted that if the decision maker applies some other policy, including a planning policy, the application of which in effect means that the requirements of section 71 are met, the section 71 duties can in substance be discharged by that indirect route. What is required, he submitted, is a performance of the duty in substance and in relation to the particular decision to be taken.

24. In her submissions for The Equality and Human Rights Commission, Ms Mountfield QC supported Mr Wolfe’s approach. She submitted that the presence before the decision maker of documents making reference to equality issues was not a sufficient compliance with the section 71 duty. There must be a demonstrable application of the statutory duty to the particular facts. Focus on the needs of minority groups was required. Ms Mountfield referred to the Code of Practice on the Duty to Promote Racial Equality issued by the Commission. At 3.16, a series of questions is posed as a means of assessing the effects of a decision. The first of them is:

“Could the policy or the way the function is carried out have an adverse impact on an equality of opportunity for some racial groups? In other words, does it put some racial groups at a disadvantage?”

The fourth question is:

“Could the adverse impact be reduced by taking particular measures?”

25. Mr Harrison accepted that the decision maker must be conscious of its duties but may be conscious even if their source is not known. A long list of policies relevant to the proposed development was specified in the report and councillors would have been aware of their contents. Mr Harrison referred to policies 1.1 and 1.2 of the UDP.

Councillors knew that they were dealing with a deprived area. To grant the permission, he submitted, was an attempt to regenerate the area and was of overall benefit to the community, including ethnic minorities. The overall effect of the decision should be considered.

26. Policy AC4(e) provided that proposals for development should promote an entitlement and conditions where opportunities for enterprise are open to all. Reference was made in the report to a poll conducted by consultants on behalf of Grainger and to the proposed development resulting in “the physical regeneration of the site through comprehensive redevelopment”. Reference was made to the option of “integrating the non-Spanish speaking traders into alternative locations independently while trying to keep the Latin American traders together to move as a group at the right time”, an approach not in the event adopted. Concern was expressed about the position of existing traders in the market to be demolished. It was suggested that the traders could move to alternative locations which would be suitable. The Greater London Authority stated that “the regeneration of this site with a mixed use development is generally consistent with London planning policies”. The “mixed use development” is welcomed but section 71 is not mentioned.
27. I say at this stage that I can only commend the thoroughness of the report, its focus on regeneration and its expression of concern for the future of displaced market traders. I find it impossible, however, to find any focus on the substance of the section 71 duty when the complex issues to be decided by the council’s committee are set out and debated.
28. Mr Harrison submitted that policies AC3 and AC4 embodied the purpose of paragraphs 1.1 to 1.5 of the UDP which provided:

“. . . a large proportion of minority ethnic communities are concentrated in those parts of the borough where the greatest concentrations of disadvantage are found. Therefore the regeneration initiatives will be targeted at the centre and the east to narrow the gap between the east and west of the borough.”
29. Wards Corner is in about the centre of the Borough. On the basis of that reference, Mr Harrison submitted that the purpose of policies AC3 and AC4 is to promote acceptable regeneration with the express objective of narrowing the gap between the east and west of the Borough and as a consequence to reduce inequalities experienced by ethnic minority communities. Section 71 considerations effectively merged with the planning considerations, it was submitted.
30. In deciding whether the section 71(1) duty had been discharged, the court is entitled to take a general view of the impact of a generally beneficial policy and the overall policy context, Mr Harrison submitted. It was not necessary to consider each component of the duty on a local planning authority item by item. Mr Harrison relied on the decision of this court in *Baker v Secretary of State for Communities & Local Government* [2008] EWCA Civ 141 and of Elias J in *R (On the Application of Isaacs) v Secretary of State* [2009] EWHC 557 (Admin).
31. In *Baker*, Dyson LJ, at paragraph 31, defined the section 71(1) duty. He stated:

“In my judgment, it is important to emphasise that the section 71(1) duty is not a duty to achieve a result, namely to eliminate unlawful racial discrimination or to promote equality of opportunity and good relations between persons of different racial groups. It is a duty to have due regard to the need to achieve these goals. The distinction is vital. Thus the Inspector did not have a duty to promote equality of opportunity between the appellants and persons who were members of different racial groups; her duty was to have due regard to the need to promote such equality of opportunity.”

32. At paragraph 36, Dyson LJ stated:

“I do not accept that the failure of an inspector to make explicit reference to section 71(1) is determinative of the question whether he has performed his duty under the statute. So to hold would be to sacrifice substance to form.”

That is not disputed. Dyson LJ added, at paragraph 37:

“The question in every case is whether the decision-maker has in *substance* had due regard to the relevant statutory need. . . . To see whether the duty has been performed, it is necessary to turn to the substance of the decision and its reasoning.”

33. Both *Baker* and *Isaacs* involved the application of a specific government planning policy on gypsies. The policy was set out in Circular 01/2006. In both cases the relevant paragraphs of the Circular were analysed by the court with a view to considering whether complying with them in substance discharged the duties in section 71(1). It was held in each case that the duty had been discharged. Elias J stated, at paragraph 53 in *Isaacs*:

“But where a policy has been adopted whose very purpose is designed to address these problems, compliance with section 71 is, in my judgment, in general automatically achieved by the application or implementation of the very policies which are adopted to achieve that purpose.”

Mr Harrison submitted that, on a parity of reasoning, consideration of planning policies in the UDP was equivalent to a specific consideration of section 71(1).

#### Judgment of Mr Lindblom QC

34. The judge, in a conspicuously careful and thorough judgment, applied the approach adopted in *Baker* and *Isaacs* to the present facts. He stated:

“In the present case the statutory needs were in the very focus of the Council's own policies dedicated to the regeneration of Wards Corner. In the UDP there is both a general impetus for regeneration and the specific aim of promoting the welfare of the communities, including the racial minority communities,

which are principally concentrated in the most deprived parts of the borough. This is the background to policies AC3 and AC4. The Bridge NDC initiative also sprang from a recognition of the problems afflicting the ethnic minority communities in these areas. The development brief for Wards Corner had its genesis in those issues too. I am satisfied that the authors of the UDP believed they must reflect in its provisions for the Wards Corner area the imperatives of advancing the interests of diversity and racial equality, and recognized that securing social, economic and physical regeneration in this area would advance those interests.”

35. At paragraph 130, the judge stated:

“This, in my view, is a case in which the achievement of such benefits was in compliance with the statutory goals in section 71. And I believe it is right to discern a parallel in the present case with the circumstances in *Isaacs*. This too is a case in which the considerations arising under section 71 effectively merge with the matters to which the Council had to have regard by virtue of its fundamental duties under the planning legislation to make decisions on applications for planning permission having regard to all material considerations, including the development plan, and in accordance with the plan unless material considerations indicate otherwise. It is to be noted that no failure to go through that statutory exercise in a legally satisfactory way has been alleged by the Claimant. To my mind, this is significant in itself.”

36. The judge’s conclusion is at his paragraph 133:

“In my judgment, therefore, the Council did at least as much as it had in substance to do to comply with its duties under section 71. It did so in the pragmatic fashion endorsed by the Court of Appeal in *Baker* . . . Viewing the whole of the Council’s conduct in this case, I am satisfied that it met the substance of the statutory requirements, and thus had regard to the section 71 needs in a way that was appropriate in all the circumstances. I conclude that although the Council did not at any stage articulate the fact that it was going about the discharge of its section 71 duties as they bore on the traders in the Latin American market and on the BME communities, it achieved this end and it did so fully.”

### Conclusions

37. I am satisfied that, on the material before the council, there was sufficient potential impact on equality of opportunity between persons of different racial groups, and on good relations between such groups, to require that the impact of the decision on those aspects of social and economic life be considered. This was not a planning application, as Mr Harrison accepted, in which the impact of the decision on section

71 considerations was so remote or peripheral that the substance of the duty could be ignored. I have referred to the representations made to the council during the decision making process. They do raise issues to which the section is capable of applying. Concerns about Latin American traders or loss of housing by ethnic minorities, for example, were expressed though the representations were not put in the context of the specific statutory criteria.

38. The lack of focus in this case has to some extent affected all parties. Neither the objectors nor the council focused on the specific statutory considerations. The council argued that because the development would, as required by UDP policies, assist that part of the Borough where a large proportion of minority ethnic communities are concentrated, the duty is discharged. Some of the contrary submissions appear to me to be based on the premise that the section requires promotion of the interests of a racial minority or racial minorities. It does not; the requirements are of a specific nature; due regard to the need to promote equality of opportunity and good relations between persons of different racial groups. Neither aim is necessarily achieved by a proposal which may promote the economic interests of a particular racial group, even a deprived group. The subsection operates in a more nuanced way than has at times been advocated. The promotion of equality of opportunity and good relations *between* persons of different racial groups [my emphasis] is not the same as the promotion of the interests of a particular racial group or particular racial groups, though the two will usually be interrelated.
39. I have come to the conclusion that the section 71(1) duty was not discharged by the council when granting this planning permission. The case is distinguishable from *Baker* and *Isaacs* where policies had been adopted in a Circular whose very purpose was to address the issues addressed in section 71(1). It cannot be said that the policies cited in this case were focused on specific considerations raised by section 71. The council policies to which reference has been made may be admirable in terms of proposing assistance for ethnic minority communities, and it can be assumed that they are, but they do not address specifically the requirements imposed upon the council by section 71(1).
40. Not only is there no reference to section 71 in the report to committee, or in the deliberations of the committee, but the required ‘due regard’ for the need to “promote equality of opportunity and good relations between persons of different racial groups” is not demonstrated in the decision making process. “Due regard” need not require the promotion of equality of opportunity but, on the material available to the council in this case, it did require an analysis of that material with the specific statutory considerations in mind. It does not, of course, follow that considerations raised by section 71(1) will be decisive in a particular case. The weight to be given to the requirements of the section is for the decision maker but it is necessary to have due regard to the needs specified in section 71(1). There was no analysis of the material before the council in the context of the duty.
41. I would allow the appeal and quash the permission.
42. I reach that conclusion with some regret because of the general desire in the Borough for regeneration of this area, because of the amount of public and private resources expended on this proposal and, because the council, subject to section 71 considerations, followed a thorough and fair procedure which led, albeit by a bare

majority, to a democratic decision. Though I hope it does not, the quashing of the permission may lead to a long delay in the regenerative process in the Borough. The issues which arose on this planning application were, however, such that it was necessary for the requirements of section 71 to form in substance an integral part of the decision making process and I am unable to hold that they did.

**Lady Justice Arden :**

43. I agree.

**Lord Justice Sullivan :**

44. I also agree

## APPENDIX 10

### WARDS CORNER/SEVEN SISTERS UNDERGROUND DEVELOPMENT BRIEF

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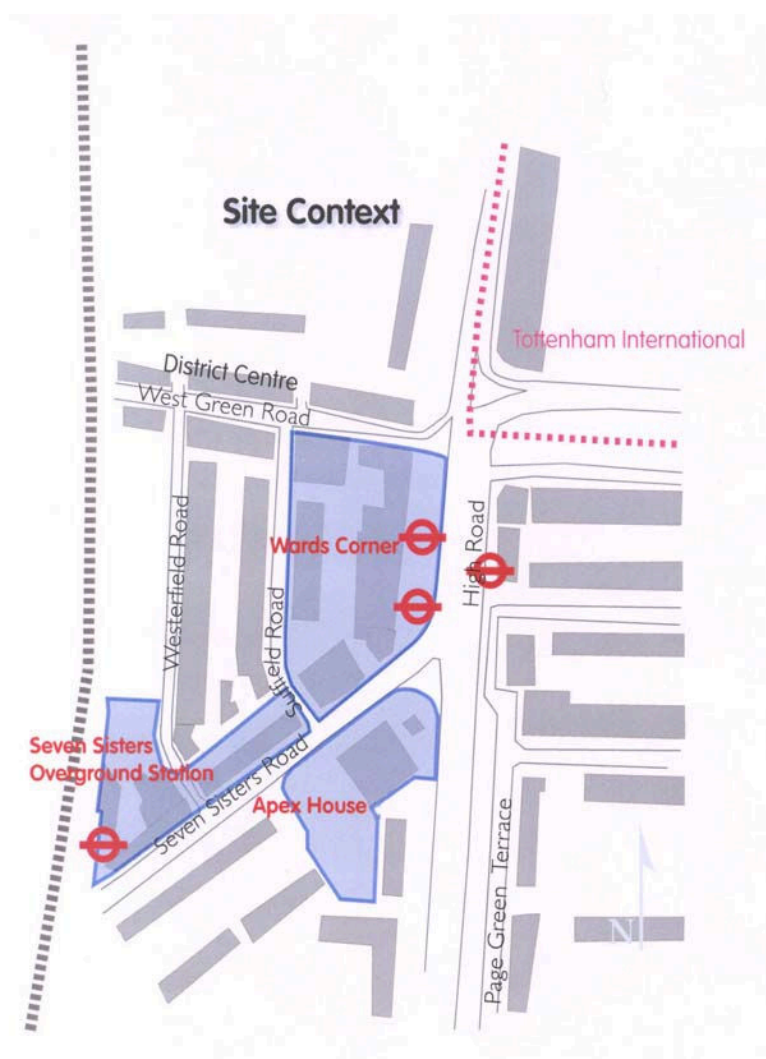


# Wards Corner/Seven Sisters Underground Development Brief.



January 2004

## 1. Background



This site comprises Seven Sisters Underground Station and its entrances and frontage buildings on Seven Sisters Road, West Green Road and Tottenham High Road, as well as the 'Apex' building to the immediate South. The area is generally referred to as 'Wards Corner' after the former Wards Department store which traded from this site. This brief focuses on the Wards Corner site, which is the one most likely to come forward in the short term. The two related sites are included for completeness in the event that they come forward at a later stage, but consideration should be given to linking the Wards Corner and Seven Sisters sites together, if at all possible.

This is widely recognised as a 'gateway' location into the borough at a very prominent location. At the current time the area is dominated by a number of vacant and derelict buildings which present a real development opportunity to upgrade the environment of the area.

The Seven Sisters/Bridge New Deal for Communities (NDC) and Haringey Council wish to facilitate a high quality redevelopment and the regeneration of this key site.

## 2. Regeneration Context

The area around the station is perceived as unsafe by the local community and suffers from a high degree of crime. The range of shops and facilities in the area is considered poor and regeneration of West Green is one of the objectives of the adopted UDP.

The east of Haringey is recognised as one of the most deprived areas in London in the draft London Plan and is targeted for regeneration. This is being linked to improved transport links, training programmes and capacity building initiatives.

Haringey is taking a co-ordinated approach towards development along Tottenham High Road. This is an historic corridor which runs on the alignment of the Roman Ermin Street from the southern to the northern borders of the borough. It is split into six conservation areas which run its full length, however there has been an overall lack of investment in the building stock and the whole area suffers from high levels of deprivation. A Heritage Economic Regeneration Scheme (Hers) operates along the High Road.

Haringey has agreed a strategy for Tottenham High Road and in support of this is preparing briefs which are supplementary to the borough's draft replacement Unitary Development Plan. This will provide the context for regeneration of Tottenham High Road. The sites are also very close to the Tottenham International Area which is subject to major regeneration initiatives, in partnership with the London Development Agency.

The Seven Sisters/Bridge NDC is responsible for regeneration of the area from Seven Sisters Underground south-westwards towards the borough boundary. The area suffers from high levels of deprivation and in particular from high levels of crime. Their previous public consultation exercises have highlighted the problems surrounding this site and their determination to improve matters. The borough's Haringey Retail Capacity Assessment (September 2003) also identifies that the Wards Corner site should be the focus for redevelopment, acknowledging the need to improve West Green's shopping environment and consolidate the amount and quality of facilities.

## 3. Site Description and Context

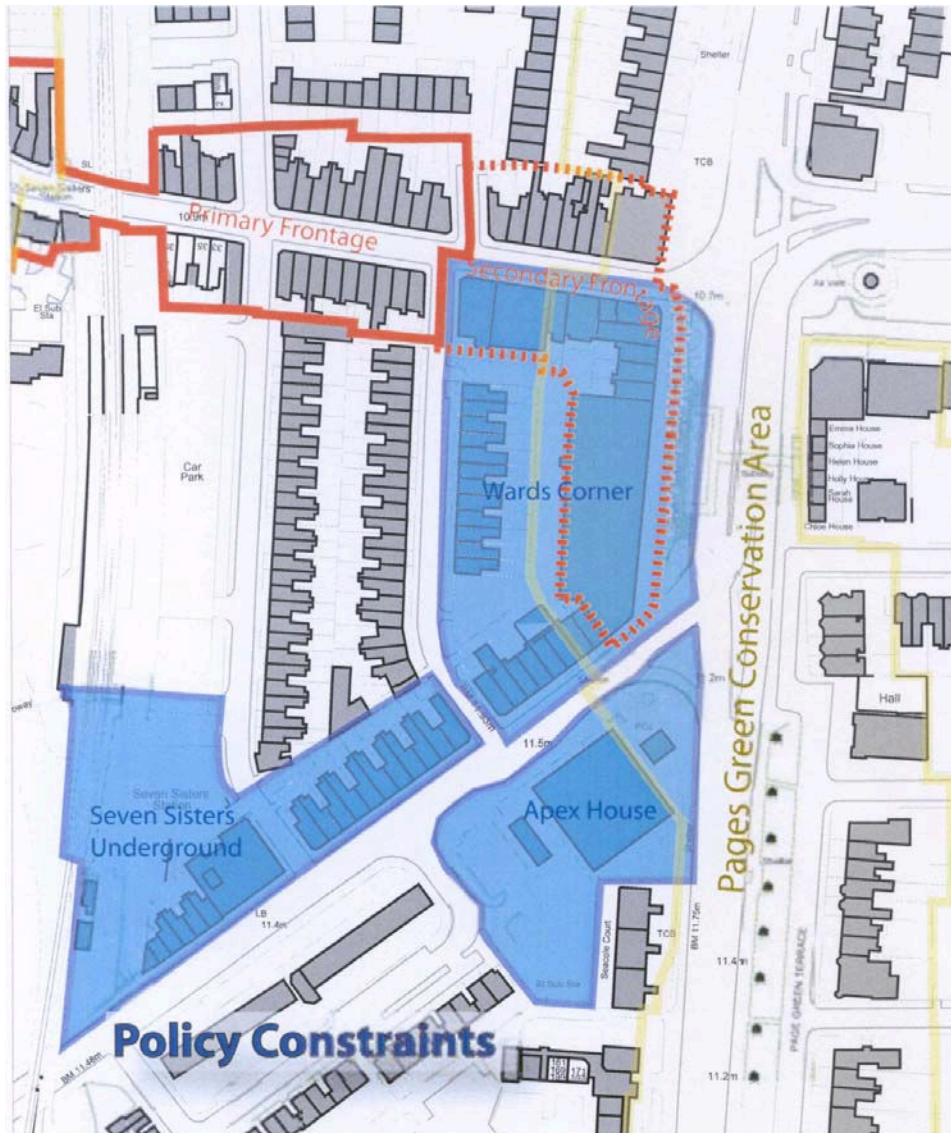
The brief area includes three separate, but geographically closely related parcels of land. The first is 'Wards Corner', bounded by the High Road, Seven Sisters Road, Suffield Road and West Green Road. The second is the Seven Sisters underground building on Seven Sisters Road, and an adjoining parade of shops. The final parcel is a Council office building on the High Road, called Apex House. In the short term, only the Wards Corner site is likely to come forward for development and so the brief focuses on this site, but opportunities to link it to the other two sites should be explored.

The sites are located within the West Green Road/Seven Sisters District Centre. The buildings on West Green Road and High Street are within its secondary frontage in the adopted Unitary Development Plan, which is proposed to be redesignated primary frontage in its Replacement.

The Wards Corner site is predominately two-three storey late Victorian commercial buildings, some of which are derelict, as well as Seven Sisters Market. The

commercial buildings on the High Road frontage are all located within the Page Green conservation area, although they are considered to make a neutral contribution to its character and appearance. At the rear there is a car park and a residential terrace on Suffield Road.

Apex House is a four/five storey Council office building developed in the 1970s as part of a mixed use development. It includes a clock tower, as well as public toilets, on the Page Green frontage.



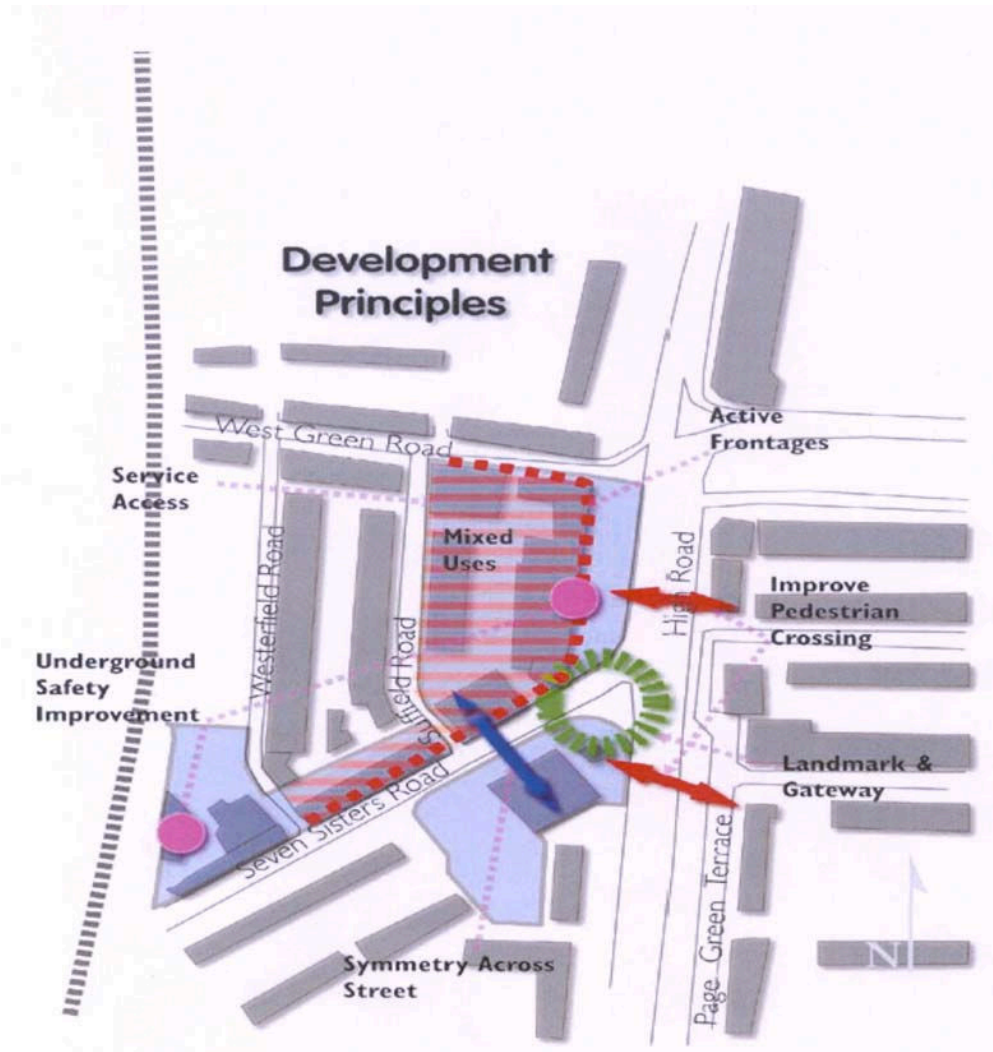
#### 4. Vision

The vision for this area is to:-

**Create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access.**

The remainder of this brief is set out in the form of development principles, which are design and planning objectives in order to bring about this vision. A planning obligation will be used, where appropriate, to help to secure these objectives.

## 5. Development Principles



### A) Urban Design

- Development must provide an attractive and high quality landmark and gateway to the Seven Sisters/Tottenham High Road area.

The sites visual prominence provides a great opportunity for an imaginative development.

On Wards Corner a development of 5-6 storeys in height may be appropriate, stepping down to three storeys on Suffield Road. On Apex Corner there is scope for a higher, landmark development, taking the opportunity presented by a corner site. The treatment of the roofline will be particularly important. There should, however, be a symmetry and consistency of architectural treatment across Seven Sisters Road, which together should act as a gateway into the Bridge community area. A public

feature of equal, or preferably greater, landmark merit as the clocktower should be included and the public lavatories should be replaced.

At the Seven Sisters Underground there is potential for an 'airrights' development (that is over the station) which also brings the station entrance further forward towards the street. Development here could be around 4 storeys in height.

- **New development should regenerate and improve the living and working environment and make best use of the opportunities presented by the site.**

The area is run-down and the buildings on the Wards Corner site in particular, are in need of physical renewal. However, the former Wards department store building itself is considered to have some architectural merit and any development scheme should reflect, and retain, the architectural features of the store, if at all possible. Any new development on the site should take the opportunity to reduce the opportunities for crime, by embracing the concepts set out in the Police's "Secured By Design".



- **Development must enhance the Page Green Conservation Area.**

The buildings at Wards Corner make only a neutral contribution to the character and appearance of the conservation area, (although the Wards store itself has some merit). In these circumstances, national policy PPG15 ("Planning & the Historic Environment") sees such sites as a spur to high quality, imaginative development. Pages Green itself has the potential to be an attractive open space which has the opportunity for environmental enhancement and much improved links to the Wards Corner area.

- Buildings should be of a distinctive and imaginative modern design with simple and robust detailing to provide a low maintenance and sustainable solution.

On this side of the High Road there is a lack of strong context at this point. This provides the opportunity for bold and creative design.

- Development should include active frontages, and visual variety and interest, onto the West Green Road, High Road and Seven Sisters Road frontages.

Maintaining activity of the street will be particularly important, in particular more uses that are open in the evening looking out onto the street.

- Development should take its cue from the richness and diversity of the communities and small shops in the West Green Road area.

This diversity is one of the great strengths of the area. The development should add to rather than detract from this richness.

- Development should include significant and co-ordinated improvement to the public realm, including public art and street trees. A wide pavement and clear building line along the High Road should be maintained.

The current wide pavement and street tree cover, with opportunities for forecourt seating, is a strong positive feature of the area. The existing Wards Corner building line should be retained, so far as is possible, in order to maintain this sense of space. Mature trees should be protected where possible, and additional hard and soft landscaping introduced. The air duct for the underground is subject to graffiti and should be replaced or improved, if possible.

- Development should incorporate the principles of sustainable design including use of waste and recycling.

## B) Transport and Access

- Development must be designed, in conjunction with the Police and the British Transport Police, to reduce opportunities for crime, especially around the Station entrances.

The need to improve the negative perception of public safety, and reduce the opportunities for crime, both in and around buildings, and improve access and security around the underground entrances, are key considerations in the proposed regeneration of the site. Although there would be the need to secure agreement with London Underground, it is considered that the potential to develop a single, and safe, at grade pedestrian entrance and concourse, to replace the existing arrangements, should be investigated.

- It should improve access to the Seven Sisters Underground and Overground Stations, and achieve improved interchange between them. To achieve this, comprehensive development is promoted.

Seven Sisters underground station is programmed to be refurbished, under the public private partnership, in due course, with works likely to include CCTV, help points, escalator modernisation, access improvements, etc. The timetable is not known at



this stage. The Brief must be seen in the context of the plans of London Underground and the franchisees (Metronet's). However, development of the site should be seen as enabling development, with a view to improving underground access at ground level. Financial contributions to go towards these improvements will be secured by a planning obligation. Piecemeal development will be resisted. Although it would be a matter for London Underground, improvements could involve excavating a new concourse, with an entrance onto the street frontage, or alternatively a lightweight street level structure on top of the existing concourse and station entrances.

- The development should consider improvements to pedestrian access and safety in the area. Returning the gyratory to a two-way flow may facilitate this.

Transport for London (TfL) are responsible for both Tottenham High Road and Seven Sisters Road. It is their policy to phase out gyratory systems, as these have higher speeds and more accidents, as well as creating an unfriendly pedestrian environment. Although outside the remit of the Brief, studies are being undertaken by TfL, in order to identify potential modifications to the gyratory system, as part of the Tottenham International Development Framework. The study will determine the feasibility of this proposal.



- Development should include improved bus waiting and interchange facilities

This is an important interchange between tube and bus, and opportunities should be investigated as to how this interchange could be improved, for the benefit of all passengers.

- some public car parking for the shopping centre should be retained. Private car parking should be minimised.

At Westerfield Road the car park is already being reduced in size, by about half, due to London Underground development. As West Green needs to retain sufficient shoppers car parking, it is not envisaged that it will come forward for development in the short term. Any retail car parking should be shared parking for the centre as a whole.

The Councils' maximum parking standards in the replacement Unitary Development Plan apply and car parking should be kept to a minimum given the site's excellent public transport accessibility. The Council would consider "car-free" housing, controlled by legal agreement, in this location. Parking for the residential units behind Apex House will not be affected. Minimum disabled persons and cycle parking standards should be met.

All servicing for the Wards Corner site should be from Suffield Road and not the High Road.

- Development should give priority to pedestrians and cyclists.

The proposals must emphasise sustainable modes of transport, including facilities for cyclists and retaining existing streets as through routes.

- Development should be accessible to all

The development should be accessible to the whole community irrespective of age or disability. (see Haringey Council's SPG4 "Access for All – Mobility Standards".)

## C) Land Uses and Development

- The development is suitable for a range of land uses, including retail uses to promote the vitality and viability of the West Green Road/Seven Sisters District Centre.

Development should be for a vital mix of land uses. As a District Centre, development suitable to its scale and function would be welcomed, providing it fulfils a qualitative need. Replacement of the covered market, although outside the remit of the Brief, would be welcomed.

Housing is suitable as part of the range of uses, especially at above ground floor level. Any housing lost on Suffield Road should be replaced as part of the overall scheme. Affordable housing, meeting the needs of the borough will be secured, although it is unlikely that pure social housing would be sought. Key worker or shared

ownership would be encouraged, which is supported by the Tottenham High Road Strategy. The amount of affordable housing should be in accordance with the policies of the Council, but will take account of the other planning benefits being enabled by the development and of commercial viability.

The One-Stop-Shop at Apex house should be retained or replaced as part of the development, as this provides a vital service to the South Tottenham area.

- **Development of the Wards Corner Site should take place comprehensively secured by compulsory purchase if necessary**

The objectives of the brief, in particular improvement of the underground and providing new retail facilities, are highly unlikely to be achieved by piecemeal development of the Wards Corner site. Although it is likely that the landowners will co-operate to secure this, compulsory purchase cannot be ruled out at this stage.

The entire Bridge NDC area was declared a Housing Renewal Area in 2003. Housing Renewal status provides the Council with additional powers for land clearance and forms part of the renewal strategy to regenerate a particular rundown area.

## 6. Delivery

The London Borough of Haringey, through its ownership of the Council offices and 713 Seven Sisters Road, is in a key position to secure a comprehensive and successful development.

Consultants have carried out discussions with all of the principal landowners and the majority are enthusiastic about bringing forward development. However, the possibility of using proactive planning powers to secure the whole site cannot be ruled out at this stage.

The Council are aware that the London Transport Board has secured easements, or rights of passage, over/under a number of properties, for the purpose of "using the subsoil or maintaining in or through such subsoil or under surface tunnels or works authorised by the 1955 British Transport Commission Act together with the space occupied by such tunnels and works etc.". These rights have been secured over the properties at:

711,713,715,717,719,721,723,727/249,247,251/259 Seven Sisters Road

## 7. Planning Obligation

The vision of the project will be secured, in part, by a planning obligation, negotiated through the planning process.

The priorities include improving underground station access, reducing opportunities for crime, securing safer pedestrian crossing of principal roads, ensuring adequate affordable housing to meet the Borough's needs, improving the environmental quality of the area, provision of public art and securing local employment benefits, through training and local labour schemes.

## 8. Content of a Planning Application

Any planning application should be accompanied by sufficient information to enable the application to be determined. On major cases, Haringey strongly encourages applicants to undertake their own consultation and to include a statement of the outcome of this in their application.

The scheme should include:-

- Urban Design Statement
- Full drawings including perspective and illustrative drawings
- Policy statement, including retail policy
- Statement as to how the affordable housing will be delivered
- Transport Assessment.
- Conservation assessment of any buildings in the conservation area proposed to be demolished.

## 9. Further Information

This Development Brief gives guidelines on how the site could be satisfactorily redeveloped. Haringey Council's Planning Applications Sub-Committee (PASC) in December 2003 considered the results of the public consultation that took place on the Brief and it was agreed by the Executive of the Council in January 2004 for adoption as the approved Brief for the site. Once adopted, the Brief becomes a material consideration in determining any future planning application on the site and Supplementary Planning Guidance, as part of the review of the Haringey Unitary Development Plan.

The UDP is undergoing a review and the guidelines set out in this Development Brief will be adopted by the emerging plan and become policy for the site.

The Council considers that the development scheme for the site should be the subject of a design competition, in order to secure high quality redevelopment, that would lead to the overall enhancement, and regeneration, of the area.



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