

# **MINUTES OF THE MEETING OF THE PLANNING SUB COMMITTEE HELD ON TUESDAY, 1ST NOVEMBER, 2016**

## **PRESENT:**

**Councillors: Natan Doron (Chair), Vincent Carroll (Vice-Chair),  
Dhiren Basu, David Beacham, Clive Carter, Toni Mallett, Peter Mitchell,  
James Patterson and Ann Waters**

### **38. FILMING AT MEETINGS**

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein.

### **39. APOLOGIES**

Apologies for absence were received from Cllr Mann and from Cllr Bevan, who was attending the meeting to make representations on the application relating to Hale Wharf, and was therefore not participating as a Member of the Committee.

### **40. URGENT BUSINESS**

There were no items of urgent business.

### **41. DECLARATIONS OF INTEREST**

Councillors Patterson, Waters, Beacham, Basu, Carter, Mitchell and Mallett advised that they had been approached by objectors to the application relating to Hale Wharf, but confirmed that they had not expressed an opinion on the application in response.

### **42. HALE WHARF FERRY LANE N17**

The Committee considered a report on the application for outline planning permission (for the entire site) for a residential led mixed use development at Hale Wharf, Ferry Lane N17, with all matters reserved in respect of the pedestrian footbridges and Phase 2 and 3 buildings, and detailed planning permission for the Phase 1 buildings, comprising the demolition of existing buildings, the construction of buildings ranging from 16 to 21 storeys to accommodate 249 residential units and 307m2 of flexible retail or business uses, modification works to the existing vehicular access and associated highway works, infrastructure, landscaping and public realm works, new servicing arrangements, car/cycle parking and associated and facilitating works. The report set out details of the proposed development and location, consultation responses, local representations and material planning considerations and recommended to grant planning permission, subject to conditions, section 106 agreement and subject to referral to the Mayor of London.

Planning officers gave introductory presentations setting out the key aspects of the application and the ambitions for this particular site within the wider regeneration context of the Tottenham Hale area.

Several objectors addressed the Committee and raised the following points in respect of the application:

- The site was located within the Lee Valley Regional Park, which had a unique remit. All new developments should respect the quality and amenity of this location. It was felt that the design of Block A did not respond to its setting, being unremarkable in design, excessively large and dominating.
- The scale and massing of the proposals along Ferry Lane did not respond to its location as part of the regional park; it was felt that a sense of openness should be retained here and that more weight should have been given to the Lee Valley Regional Park Authority's Landscape Sensitivity Study (2013).
- The application represented overdevelopment; this was not the right location for this size of building.
- Any application here should firstly take into consideration the location, environment, community and strategic importance of London's waterways and it was felt that this was not the case with this application, which also did not take into account the long term future of the site.
- It was not felt that the appearance of this development would enhance its setting; local waterways were classified as open spaces in the same way as parks, and it was not felt that such a development would be proposed for a parkland setting.
- The need for more housing was recognised, but it was emphasised that this should not be at any price. The proposed Block A was felt to be too high and unattractive, and gave no consideration to the local community who would have to live alongside it.
- The application did not comply with Haringey's own policy on tall buildings. It was suggested that a maximum height of 11 storeys would be appropriate at the South of the site, with the height tapering down towards the green belt.
- Concerns raised during the consultation period had not been taken into account, particularly in respect of air quality and loss of daylight. Contrary to the assertion within the report that the nearest property to the proposed development was 80 metres away, the closest moored boat was only 8 metres from the site.
- Concern was expressed regarding the potential conflict of interest identified on page 28 of the report in respect of the scheme architects also advising the Council on the District Centre Framework (DCF). While the report stated that this site was not specifically addressed by the district centre framework masterplan, the December 2015 version of the DCF indicated the potential for a tall building on precisely the location of the proposed Block A, despite Hale Wharf not being included within the area identified as suitable for tall buildings.
- The proposal would create a 'wall' between the local community and the green belt.
- The application breached Haringey's planning guidance, in particular the Area Action Plan (AAP), the character study supporting the AAP and DM6 (tall

- buildings policy). The breaches of policies were felt to be such that a decision to grant permission would be subject to challenge.
- The Committee was urged to reject the application.

The Committee asked a number of questions in response to the points raised by the objectors, and the following answers were provided as follows:

- The legal advisor to the Committee confirmed that he was not aware of any reason why a decision to grant permission would be legally unsafe. The Committee had been given information on the relevant policies as set out in the report, and had a duty to give due weight to these in reaching its decision.
- In response to a question regarding the proposed height of Block A, officers confirmed that the maximum height of 21 storeys, stepping down to 4 to 9 storeys for the majority of the rest of the site, had been reached in negotiation with the applicant following an original proposed height of 25 storeys; judgement on what was considered to be an appropriate height had been exercised, taking into account the relevant planning policies. It was noted that the height had been considered in long view as being very similar to that of the already consented tower at Hale Village.
- In response to concern regarding the proposed level of parking, officers noted the excellent PTAL rating for this site, proposals for car club provision and cycle parking, which would limit the demand for car ownership on the site. Parking spaces for blue badge holders were allocated for the accessible units, and it was confirmed that if there was full take-up of these spaces, the remaining spaces could be allocated to other residents on the basis of need. In respect of parking for visitors, works and delivery vehicles, it was confirmed that there was no visitor parking allocated, but that the internal road layout would incorporate wider sections where service and delivery vehicles could stop.
- The Committee questioned the sufficiency of two car club bays for 505 residential units, and it was confirmed that this had been confirmed as adequate by car club providers who had been consulted.
- In response to a question from the Committee regarding the change in the Quality Review Panel's (QRP) views on parking arrangements between its two meetings, it was confirmed that parking was not the Panel's specialism – their initial concern had been with the potential design impact of parking arrangements, if this was not appropriately managed.
- The Committee asked how the application was felt to respond positively to the neighbouring environment. Officers advised that the tall buildings were only proposed for the extreme South of the site, with buildings on the rest of the site being much lower and gradually stepping up and then back down again to the frontage onto Ferry Lane. Ferry Lane had been identified as a suitable location for tall buildings; there was extensive open space to the south of the site, and this development would form part of an identifiable line of tall buildings marking the entrance to the borough, as set out in the urban characterisation study.
- Officers confirmed that the DCF and characterisation study were background documents to the AAP and were not in themselves adopted planning policies. They therefore had no weight or status as planning documents. The application was felt to be in line with the adopted planning policies, namely the AAP and the Development Management Policies, and was felt by officers to meet the necessary criteria in relation to tall buildings.

- The Committee asked why the Townscape, Heritage and Visual Impact Assessment was provided by the applicants and was not an independent assessment. Officers confirmed that it was a requirement for such an assessment to be undertaken by the applicant, and that it was for the Local Authority to give consideration to the assessment provided. In this case, the Local Authority accepted the methodology used by the applicant in producing its assessment and felt that the representations produced therefore provided an accurate basis on which to assess the visual impact of the scheme.
- The Committee asked about the principle of stepping up to tall buildings, and how this related to Block A, which would be the first building in Tottenham Hale as one approached from the east. Officers advised that there were smaller buildings between the Ferry Boat Inn and the site, and that there were a number of potential development sites in this location, which would provide stepping up to the taller buildings characterising the urban centre of Tottenham Hale. Around four or five tall buildings, including Block A and the consented Hale Village tower, would be clustered around Tottenham Hale station.
- In response to a question from the Committee regarding the proximity of the station, and whether this was the basis for proposing tall buildings in this location, it was confirmed that the site was around 300-400m from the station, and that the proposed bridges would shorten the distance between the site and station. The high PTAL rating for the site was a basis for encouraging higher density development in this location and this principle was supported in the London Plan and local policy.
- In response to a question regarding the outline aspect of the application, it was confirmed that this established the parameters for the rest of the site, including the maximum height and footprint of the buildings and the design code. It was confirmed that detailed proposals, adhering to the parameters agreed in the outline permission, would be brought back to the Committee for approval, including the detailed proposals for the bridges.
- In response to the concerns regarding the potential conflict of interest identified by the objectors, officers confirmed that it was not unusual for architects to work on a masterplan and then on an individual application within that masterplan. A decision had been taken for the architects not to look at this particular site as part of the masterplanning work, and in any event there was no conflict of interest in bringing this application forward.

The Chair thanked the objectors for their contributions to the meeting.

Councillor Rice, Councillor Reith and Councillor Bevan addressed the Committee in objection to the application, and raised the following points:

- A block of 21 storeys in a semi-rural location such as this was unacceptable to the residents of Tottenham.
- The site was designated as an employment area – this proposal would reduce the number of small businesses in the area, limiting employment options for local people and limit their ability to afford to live in the housing proposed.
- The Committee was urged to reject the application on the basis it was inappropriate, too large, too tall and unattractive.
- While the affordable housing contribution was welcomed, the height and design of both Blocks A and B would have an adverse impact on the surrounding

green belt land. The tall buildings policy indicated that such buildings were suitable for an urban centre location and it was not felt that this site was such a location.

- The regeneration ambitions for Tottenham needed to take into consideration the local community and not just buildings; this proposal risked undermining regeneration efforts as there was the risk of losing the trust of local residents.
- The scale of Block A was excessive, it would dominate views across the regional park and did not respect the area or provide visual interest. The local planning authority should give substantial weight to the site's location within the green belt and designated Lee Valley Regional Park.
- The application was 10% above the GLA density guidelines, 12% of residential windows fell beneath the required standard for daylight and 11% of residential windows fell beneath the required standard for sunlight, moreover, only 80% of units met the internal daylight conditions. The nearest play space for children was 400-800 metres away, with no play space on the site itself. The privacy and overlooking standard was 18-22 metres, whereas in the documentation the distance between proposed units averaged between 12 and 17 metres. There were therefore adequate grounds on which to reject the application.

Councillor Strickland addressed the Committee in support of the application, in his capacity as Cabinet Member for Housing, Regeneration and Planning, and raised the following points:

- It was acknowledged that this was a sensitive site, and an expensive site to develop due to the difficulties associated with providing utilities at this location. It had therefore taken a number of years to bring a viable scheme forward.
- Benefits of the scheme included the level of affordable housing, opening up links to the area and making the waterfront more accessible, and a welcome source of funding to improve the Paddock.
- In negotiation with the applicant, the height of the development had been reduced, the level of affordable housing increased, the bridges confirmed, good wheelchair accessibility had been secured and changes to the design had been agreed, based on the comments of the QRP.
- Within the wider context of other developments in the area, and the Crossrail 2 station, it was felt that this was an important application which would bring a major contribution to the area, and the Committee was urged to support it.

The Committee asked a number of questions of the Councillors who had made representations, and the following points were raised in discussion:

- In response to a question from the Committee regarding whether the provision of affordable housing should take precedence over other planning considerations, Cllr Strickland responded that this was not the case and that good mixed-use sites such as this proposal were able to deliver more widely.
- The Committee noted the comments in the report regarding the lack of play space, and asked what weight was given to this. The Committee also asked whether the resources to be provided for the Paddock were genuinely for improvements to this space or to mitigate a lack of play space for older children. Cllr Strickland advised that the investment for the Paddock was to improve its accessibility and safety, to make it more attractive and to enhance

this local nature reserve. Officers advised that the provision of play space should be a priority, and that elsewhere in the report it was confirmed that the level of provision for children aged 0 to 5 was sufficient, and that other spaces could be considered in respect of play space for older children. There was no intention that the investment in the Paddock was to mitigate for any lack of play space.

- In response to a question about future employment levels at the site, officers advised that this would vary depending on whether Block K was used for office space or residential (office use was to be encouraged in the first instance, but if it was established that there was no demand for such a use, then this would be a further residential block). There would be a reduction in employment of the site of between 11 to 95 FTE, depending on the final use of Block K. Cllr Strickland advised that under the portfolio approach to regeneration in this area, this site had been identified as being a contributor primarily in respect of housing provision, with increased employment opportunities being provided at other sites in Tottenham Hale.
- The Committee asked about the density of the proposal, and the comment that this exceeded the GLA guidelines. Officers noted that indicative density ranges were set out, but that there needed to be a balance between optimising density and looking at the creation of good quality homes, the provision of parking, play space and amenity space and that on this basis it was felt that the proposed density was acceptable. It was further noted that these were guidelines and not absolute policy – this scheme was felt to meet the majority of criteria and where it did not, there was mitigation for that.
- The Committee asked Cllr Reith to give some detail regarding parking provision in the area, from the perspective of a local ward councillor. Cllr Reith advised that there were significant parking issues, and that while she agreed with the aspiration to encourage greater use of public transport and reduce car ownership, this was not practical for all. The experience at Hale Village was that, far from blue badge spaces being under-subscribed, the provision of spaces was insufficient and caused tension for local residents who were unable to park.

The Chair thanked the Councillors for addressing the Committee. Cllr Bevan remained in the meeting room for the remainder of the meeting.

The applicants addressed the Committee, and raised the following points:

- Muse Developments and the Canal and Rivers Trust (CRT) formed a partnership which aimed to deliver long term improvements to sensitive sites close to waterways. Half of the profits from this project would go to the CRT, for investment in the nation's waterways. This represented the sixth such project brought forward via this partnership.
- The application would transform a polluted and under utilised brown-field site and open it up to the public.
- The design had been remodelled in response to feedback, with the taller buildings situated away from the northern end of the site and the wetlands and towards the more urban setting of Ferry Lane. The materials proposed were traditional, to reflect the waterside heritage.

- The affordable housing level had been increased to 30%, with an emphasis on the provision of larger units.
- The applicants had worked closely with Natural England and the Environment Agency, to preserve the ecology of the site, and the application would improve the existing drainage at the site.
- The bridges proposed as part of the application would connect the centre of Tottenham Hale to the Lee Valley regional park, and would address the current condition of the Paddock, which had been indicated as a concern.
- The development would deliver high quality housing, leisure space and employment, and was intended to deliver a positive, long-term sustainable contribution to the local area.
- The architectural design of the scheme aimed at delivering a sustainable design, and to make the maximum opportunity of the high level of transport accessibility. This would make the waterside more accessible to the public, as well as opening up space within the site, and would create links to the green grid and create more green spaces than at present.
- The proposal responded to the urban context, with the greatest density close to Ferry Lane, stepping down towards the north of the site. All homes would be designed to the latest standards, the buildings would have active frontages, with private amenity and active ground floor spaces. The proposed use of brick was sustainable, long lasting and easy and cost-effective to maintain, and robust detailing would reference London's waterside architecture and dynamic skyline.
- The site had a number of environmental constraints, including the close proximity to Walthamstow Marshes, which had helped to shaped the proposed design. A comprehensive Environmental Impact Assessment (EIA) and a number of other studies had been undertaken, as part of which there had been extensive consultation with statutory bodies including Natural England, the Environment Agency and the local authority. Feedback from this process had informed the mitigations put forward in the application.
- Lighting would be carefully controlled to respond to the most environmentally sensitive areas of the site, formal foul drainage and surface water attenuation was included, which would improve the water quality of the run-off into the neighbouring waterways, and the scheme had been sensitivity tested against the latest Environment Agency climate change flood requirements, to the Agency's satisfaction. The scheme would deliver play space and significant additional landscaping; while there may be some adverse effects during the construction phase which would be mitigated, the long term effects of the scheme on the local environment would be positive.

The Committee asked questions of the applicants, and covered the following issues in their discussion:

- In response to a question from the Committee regarding infrastructure such as schools, it was reported that this had been looked at as part of the EIA, and that wider provision of facilities came within the AAP. School places would be met by the local Harris Academy, and funding for a medical centre in Tottenham Hale had also been agreed.

- The Committee asked about the design of the blocks, in particular the slanted roofs, and how these had been arrived at. The applicants advised that the design responded to the challenge set by the client and represented something new, creating a dynamic skyline and reflecting the influence of traditional waterside design and wider London architectural references.
- The Committee asked why agreement had been reached to reduce the height of Block A to 21 storeys, given that the Mayor of London had indicated that greater density would be acceptable on this site. It was reported that this had been a balance between the support of the Mayor for greater density and the reservations expressed by the local authority, reflecting the opinions of local stakeholders. The proposed solution was intended as a collaborative compromise that it was hoped people would be able to support.
- Given the size and ecological qualities of the site and the significant opportunity this represented, the Committee asked about the potential for close working with a range of stakeholders, including Groundwork UK, the RSPB, the London Wildlife Trust and the Woodland Trust, in order to do something special here, working alongside the local community. The applicants confirmed that they would be happy to agree to an informative setting out the need to involve these organisations in the landscape design process.
- In response to a question from the Committee regarding the impact of Crossrail on this site, the applicants responded that this would increase the ability for people to travel from Tottenham Hale to central London. Officers advised that the Crossrail station would be on the same site as the existing station, and would provide additional capacity, a greater frequency and number of services from Tottenham Hale, which might anticipate increased density of developments close to the station in future.

Questioning of all parties having been concluded, Cllr Carroll advised that he proposed to move a motion to reject the application on the grounds of excessive height, that it did not respond appropriately to the surrounding area, that the density was in excess of the London Plan guidance, visual impact, daylight and sunlight deficiencies, insufficient play space provision, lack of parking and poor quality of design.

The Assistant Director, Planning, gave advice to the Committee on the reasons proposed and whether it was likely that these would stand up at appeal, and this advice was endorsed by the legal adviser to the Committee. It was clarified that any decisions made without strong policy grounds to support them would be overturned on appeal and lead to costs being awarded against the Council.

Cllr Carroll moved that the application be rejected on the grounds of excessive height, visual impact, quality of design and lack of parking. The motion was seconded by Cllr Carter and on a vote of 7 in favour of the motion and 2 against it was:

## **RESOLVED**

That planning application HGY/2016/1719 be refused on the grounds of excessive height, visual impact, quality of design and lack of parking.

**43. DATE OF NEXT MEETING**

3 November 2016, 7pm  
14 November 2016, 7pm

The meeting closed at 9.40pm.

CHAIR: Councillor Natan Doron

Signed by Chair .....

Date .....