

Planning Sub Committee

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2020/1361

**Ward:** Northumberland Park

**Address:** Nos. 807 High Road, N17 8ER.

**Proposal** - Full planning application for the demolition of existing buildings and the erection of a replacement building up to four storeys to include residential (C3); retail (A1); and flexible D1/B1 uses; hard and soft landscaping works including a residential podium; and associated works.

**Applicant:** Tottenham Hotspur Football Club (THFC).

**Ownership:** Private

**Case Officer Contact:** Graham Harrington

**Site Visit Date:** 30 August 2020.

**Date received:** 11 June 2020. **Last amended:** 21 September 2020.

**Plans and Document:** See **Appendix 1** to this report.

1.1 The application has been referred to the Planning Sub-committee for decision as it is a major application that is also subject to a s106 agreement.

### SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposed development allows for an incremental delivery of comprehensive proposals for site allocation NT5, in accordance with the adopted High Road West Masterplan Framework;
- The replacement of existing buildings in the North Tottenham Conservation Area with replacement high-quality new buildings would preserve and enhance the character and appearance of the Conservation Area and safeguard the setting of adjoining Locally Listed Buildings.
- The proposal is a well-designed, residential-led mixed-use scheme providing a range of residential accommodation, a new shop in the Tottenham High Road North Local Shopping Centre and a small office/dentist;
- The scheme would deliver high-quality, accessible, family and smaller sized residential units;

- The layout and design of the development would optimise the potential of the site, respect the scale and character of the surrounding area and satisfactorily safeguard the amenity of neighbours; and
- The development would provide good cycle parking to encourage cycling, incorporate on-site renewable energy technologies and be designed to link with the proposed North Tottenham District Energy Network too help reduce carbon emissions.

## 2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management or the Assistant Director Planning is authorised to issue the planning permission and impose conditions and informative and signing of a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms below and a section 278 Legal Agreement providing for the obligations set out in the Heads of Terms below.
- 2.2 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than **31 January 2021** or within such extended time as the Head of Development Management or the Assistant Director Planning shall in her/his sole discretion allow.
- 2.3 That, following completion of the agreement(s) referred to in resolution (2.1) within the time period provided for in resolution (2.3) above, planning permission is granted in accordance with the Planning Application subject to the attachment of the conditions.
- 2.4 That delegated authority be granted to the Head of Development Management or the Assistant Director of Planning to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chair (or in their absence the Vice Chair) of the Sub-Committee.

**Conditions Summary** – (the full text of recommended conditions is contained in Appendix 7 of this report).

- 1) 4-year time limit
- 2) Development to be in accordance with approved plans.
- 3) Contract for replacement building (Blocks A and B) before demolition of existing building
- 4) Accessible Housing
- 5) BREEAM Accreditation
- 6) Block A – Noise Attenuation 1
- 7) Block A – Noise Attenuation 2

- 8) Mechanical Plant Noise
- 9) Tree retention
- 10) Landscape Details
- 11) Opaque Glazing
- 12) Opaque Glazed Screen
- 13) External Materials and Details
- 14) No Plumbing on outside of buildings
- 15) No grills on outside of Block A
- 16) Secured by Design
- 17) Fire Statement
- 18) Updated Energy and Sustainability Statement
- 19) Overheating
- 20) MVHR
- 21) Domestic boilers
- 22) Land Contamination – Part 1
- 23) Land Contamination – Part 2
- 24) Unexpected Contamination
- 25) Archaeology 1
- 26) Archaeology 2
- 27) Cycle Parking Provision
- 28) Delivery and Service Plan
- 29) Residential Waste Management Plan
- 30) Construction Logistics Plan
- 31) Demolition/Construction Environmental Management Plans
- 32) Impact Piling Method Statement
- 33) Business and Community Liaison
- 34) Telecommunications

**Informatives Summary** – (the full text of Informatives is contained in Appendix 7 to this report).

- 1) Working with the applicant
- 2) Community Infrastructure Levy
- 3) Hours of Construction Work
- 4) Party Wall Act
- 5) Numbering New Development
- 6) Asbestos Survey prior to demolition
- 7) Dust
- 8) Heritage assets of archaeological interest
- 9) Written Scheme of Investigation – Suitably Qualified Person
- 10) Written Scheme of Investigation - Deemed Discharge Precluded
- 11) Composition of Written Scheme of Investigation
- 12) Disposal of Commercial Waste
- 13) Piling Method Statement Contact Details
- 14) Minimum Water Pressure
- 15) Paid Garden Waste Collection Services

- 16) Sprinkler Installation
- 17) Designing out Crime Officer Services
- 18) Land Ownership
- 19) Site Preparation Works
- 20) Tree works

**Section 106 Heads of Terms:**

- 1) **Car Free:** No Residents Parking Permits for future residents (except Blue Badge) – financial contribution to meet TMO costs (£4,000);
  - 2) **Affordable housing:** Financial contribution towards off-site provision if commercial unit on first floor of Black A is converted to residential use.
  - 3) **Energy:** (a) Submit a further revised Energy & Sustainability Statement for LPA approval; (b) design scheme in accordance with generic specification to allow connection to North Tottenham DEN, (c) Pay Initial Carbon Offset Contribution based on connection to DEN, (d) Use all reasonable endeavours to connect to DEN and (e) if not connected within 10 years, pay an additional Deferred Carbon Offset Contribution.
  - 4) **Initial Carbon Offset Contribution:** Amount to be determined in further revised Energy & Sustainability Statement (payable upon commencement);
  - 5) **Deferred Carbon Offset Contribution:** Amount to be determined in further revised Energy & Sustainability Statement (payable after 10 years, if no connection to DEN);
  - 6) **Be Seen:** Commitment to uploading data to the GLA's Energy Monitoring platform.
  - 7) **Employment & Skills Plan:** (a) Local Labour during construction, (b) Construction Apprenticeships and (c) Apprenticeship Support Contribution;
  - 8) **Construction:** (a) Commitment to Considerate Contractor's Scheme and (b) signing up to Construction Partnership.
  - 9) **Monitoring:** Borough monitoring costs in accordance with para. 5.42 of the Planning Obligations SPD (approx. £4,200).
- 2.5 In the event that members choose to make a resolution contrary to officers' recommendation, members will need to state their reasons.
- 2.6 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.2) above, the planning application be refused for the following reasons:
- i. In the absence of legal agreement securing Traffic Management Order (TMO) amendments to prevent future residents from obtaining a parking permits, the proposals would have an unacceptable impact on the safe operation of the highway network, and give rise to overspill parking

impacts. As such, the proposal would be contrary to London Plan Policies 6.9, 6.11 and 6.13, Spatial Policy SP7, Tottenham Area Action Plan Policy NT5 and DM DPD Policy DM31.

- ii. In the absence of a legal agreement securing the provision of financial contributions towards off-site affordable housing in the event that the commercial unit in Block A is converted in to a dwelling, the proposals would fail to secure affordable housing and meet the housing aspirations of Haringey's residents. As such, the proposals would be contrary to London Plan Policies 3.9, 3.11 and 3.12, Strategic Policy SP2, and DM DPD Policies DM 11 and DM 13, and Policy TH12.
  - iii. In the absence of a legal agreement securing the implementation of a further revised Energy & Sustainability Statement, including connection to a DEN, and carbon offset payments, the proposals would fail to mitigate the impacts of climate change. As such, the proposal would be unsustainable and contrary to London Plan Policy 5.2 and Strategic Policy SP4, and DM DPD Policies DM 21, DM22 and SA48.
  - iv. In the absence of a legal agreement securing the developer's participation in the Considerate Constructor Scheme and the borough's Construction Partnership, the proposals would fail to mitigate the impacts of demolition and construction and impinge the amenity of adjoining occupiers. As such the proposal would be contrary to London Plan Policies 5.3, 7.15, Policy SP11 and Policy DM1.
- 2.7 In the event that the Planning Application is refused for the reasons set out above, the Head of Development Management or the Assistant Director Planning (in consultation with the Chair of Planning sub-committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:
- i. There has not been any material change in circumstances in the relevant planning considerations, and
  - ii. The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and
  - iii. The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

## **CONTENTS**

- 3.0 PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS
- 4.0 CONSULTATION RESPONSE
- 5.0 LOCAL REPRESENTATIONS
- 6.0 MATERIAL PLANNING CONSIDERATIONS
- 7.0 COMMUNITY INFRASTRUCTURE LEVY
- 8.0 RECOMMENDATIONS

### **APPENDICES:**

- Appendix 1: Plans and Documents List
- Appendix 2: Quality Review Panel Report 6 February 2019
- Appendix 3: Planning Sub-Committee Minutes 10 February 2020
- Appendix 4: Internal and External Consultee representations
- Appendix 5: Neighbour representations
- Appendix 6: Images of the site and proposed scheme
- Appendix 7: Conditions & Informatives

### **3. PROPOSED DEVELOPMENT AND LOCATION DETAILS**

#### **3.1. Proposed Development**

- 3.2. Changes to the Use Classes Order 1987 came in to force on 1 September 2020. The Regulations that introduced the changes require Local Planning Authorities to determine applications that were submitted prior to this date in accordance with the previous use classes. This report therefore refers to the previous use classes throughout.
- 3.3. Demolition of all buildings on the site and the erection of a single building covering the whole site, comprising a four-storey Block A fronting the High Road and a four-storey Block B at the rear fronting on to Percival Court.
- 3.4. Block A would comprise a shop and covered yard area (A1) on the ground floor (running through to part of the ground floor of Block B to the rear), a commercial unit on the first floor (dentist surgery or office) (D1/B1) and one residential flat (C3) on each the third and fourth floors. The ground floor shop and covered yard would be approx. 144sqm in size and the first-floor commercial unit would be approx. 70sqm.
- 3.5. The ground floor shop unit and covered yard has been designed so that it could accommodate a funeral director, to facilitate the relocation of Co-operative Funeral Care from Nos 804-806 High Road, and the first-floor commercial unit has been designed to accommodate the dentist surgery that is currently in No. 802 High Road. Such relocations would help enable the implementation of the proposed 'cultural quarter' in Northumberland Terrace and land to the rear (Planning and Listed Building Consent applications HGY/2020/1584 and 1586), considered separately on this committee meeting's agenda). However, this is not certain and the two proposed schemes are not dependent on each other or technically linked.
- 3.6. Block B would comprise part of proposed shop's covered storage area and bin and cycle stores on the ground floor, with seven residential flats (C3) on first, second and third floors above.
- 3.7. Residential access to the proposed flats would be both from residential entrances on the High Road and Percival Court, with connecting corridors and spaces linking these entrances. Vehicular access to the proposed covered yard would be via Percival Court. A podium garden space on the roof of the single-storey covered yard would provide a communal amenity space for the proposed homes in both Blocks.
- 3.8. An off street car parking space for occupiers of the proposed 'wheelchair accessible' home would be included in Block B (accessed by Percival Court).

Separate covered residential and commercial cycle parking would be included in a cycle store at the bottom of Block B and in the covered yard respectively.

### 3.9. **Site and Surroundings**

- 3.10. The site is 'L' shaped and wraps around the rear of Nos. 808-811 High Road. It has frontages on both the High Road and Percival Court, which runs off from the High Road to the north. The High Road frontage building is three-storey (the third storey being in the roof slope) and two-storey buildings front Percival Court.
- 3.11. Percival Court is a narrow private shared surface access road that provides vehicular access to the site and car parking areas to the north and west and pedestrian access to homes on the upper floors of No. 813 High Road. To the rear (west) is the Peacock Industrial Estate, accessed from White Hart Lane.
- 3.12. The ground floor of the linked buildings is currently used on an ad hoc basis by THFC for training purposes for match day staff and storage. The upper floors of the buildings are vacant. It is understood that the ground floor was previously a night club and the upper floors were originally residential.
- 3.13. The site is within Tottenham North Conservation Area. The existing buildings are not listed (either statutorily or locally) and the frontage building is identified as making a neutral contribution to the character and appearance of the area. Nos. 809-811 to the north (a take-away on the ground floor and housing above) and Nos. 803-805 (The Bricklayers Arms pub on the ground floor and housing above) to the south are locally listed buildings.
- 3.14. Immediately opposite the site on the east side of the High Road is Northumberland Terrace, a terrace of mainly listed Georgian buildings.
- 3.15. The site is in Flood Zone 1 but borders Flood Zone 2, is within the Tottenham North Controlled Parking Zone and Tottenham Event Day CPZ and has a PTAL of 5. It has following development plan designations:
- North Tottenham Growth Area;
  - Site Allocation 'NT5' (High Road West), proposed for major mixed-use development;
  - The Tottenham High Road Local Shopping Centre;
  - North Tottenham Conservation Area (High Road West).
  - An Archaeological Priority Area; and
  - A Critical Drainage Area.
- 3.16. **Relevant Planning and Enforcement History**



- 3.17. HGY/2019/1743: repair and restoration work to front façade and non-illuminated fascia sign, approved in August 2019.
- 3.18. HGY/2016/0165: change of use from D2 to D1 including external alterations, approved in May 2016.
- 3.19. HGY/2015/1014 & HGY/2014/0742: two separate applications to change the use from D2 to D1 (non-residential institution), both refused in May 2014 and June 2015 respectively on the following grounds: (i) hours of use, operation and activity would have a detrimental amenity impact on adjacent occupiers; (ii) adverse highways impacts arising from increase vehicle movements.
- 3.20. HGY/2007/0850: demolition of existing buildings and erection of 3 storey office block and 3 x 2 storey two bed houses, approved in April 2007.
- 3.21. HGY/2007/0279: internal alterations associated with HGY/2006/0279 to provide an additional residential unit, approved in March 2007.
- 3.22. HGY/2006/2182: Redevelopment and erection of 2 storey rear extension at 1st/2nd floor level to create 4 self-contained flats, alongside the change of use of the ground floor from a nightclub to retail – approved in December 2006.
- 3.23. **Consultation and Community Involvement**
- 3.24. The applicant has consulted with Co-Operative Funeral Care of its possible re-location from Nos. 804-806 High Road and held discussions with the Metropolitan Police Designing Out Crime Officer. The application scheme was also presented to the THFC Business and Community Liaison Group on 18 February 2020.
- 3.25. Emerging proposals for this site and Northumberland Terrace opposite were considered by Haringey's Quality Review Panel (QRP) on 6 November 2019. The QRP Reports is attached as **Appendix 2**.
- 3.26. Emerging proposals for this site and the Northumberland Terrace opposite were presented to the Planning Sub-Committee at pre-application stage on 10 February 2020. The minutes of this item are attached as **Appendix 3**.

## 4. CONSULTATION RESPONSE

4.1. The following were consulted regarding the applications:

### Internal Consultees

- LBH Building Control
- LBH Carbon Management
- LBH Conservation Officer
- LBH Design
- LBH Drainage
- LBH Economic Development
- LBH Environmental Health/Pollution
- LBH Health in all Policies
- LBH Housing
- LBH Tottenham Regeneration
- LBH Transportation
- LBH Tree Officer
- LBH Waste Management

### External Consultees

- Greater London Archaeology Advisory Service (GLAAS)
- Historic England
- London Fire Brigade
- Metropolitan Police - Designing Out Crime Officer
- Thames Water
- Tottenham CAAC
- Tottenham Civic Society
- Transport for London

4.2. An officer summary of the responses received is below. The full text of internal and external consultation responses is contained in **Appendix 4**.

Internal:

**Carbon Management** – Officers are not wholly satisfied with the applicant's revised Energy & Sustainability Statement and it is recommended that a condition requires the submission and approval of an updated Statement before the commencement of development. However, subject to this and S016 planning obligations to facilitate connection to the proposed DEN and initial and deferred carbon offset contributions and conditions on other matters, there are no objections.

**Conservation Officer** – The proposed scheme would replace an undesignated building dating from the late 1940s and would improve this part of the North Tottenham Conservation Area through good design and a better use of its spaces. The proposed scheme is respectful of its neighbours and wider context and would provide a well-proportioned contemporary reinterpretation of a classical townhouse characterised by symmetry, well-detailed windows and an elegant shopfront to ground floor. The proposed development to the rear is more markedly contemporary and includes a well-integrated landscape design. Detailed design to include façade treatment, windows detailing and materials, especially in relation to the building fronting the High Road are fundamental to ensure a seamless insertion of the new buildings within the existing townscape. The proposed development is fully supported.

**Design Officer** – The proposals are well designed and promise to be a polite insertion into the Conservation Area and High Road frontage, including an active frontage through a well-designed shopfront, to the High Road and appropriate more private frontage to the Percival Court mews street. Above there will be decent quality residential accommodation, in a mix of smaller flat sizes appropriate to this high street and back of high street location, with a good podium level private amenity area, as well as private balconies to all flats and good outlooks and privacy. Conditions should ensure high quality brickwork and roof covering as well as sound detailing to the shopfront, windows (especially cills and lintels), parapet and gable.

**Drainage** – No objections

**Economic Development** – We note the redevelopment would have 215sqm of non-residential space, and are generally supportive of this application.

**Pollution** – No objection, subject to conditions and an informative.

**Public Health** – Overall, this is potentially a good development with open space and private amenity space for the occupants. Shared cycle space should be reviewed. No room measurements limit our response.

**Transportation** – (Subject to S106 obligations and satisfactory receipt and review of conditions relating to the cycle parking and waste/recycling collection arrangements, plus a Construction Logistics Plan, Transportation do not object to this application.

**Tree Officer** – The tree (in pub garden at Nos. 803-805) is of limited value, having been subject to poor management previously. If the tree was retained and permission was granted for the new development, it would require pruning on an annual basis. In my opinion, it would be more appropriate to remove it and plant a more suitable species further away from the wall.

**Waste Management** – (1) It is not possible for a waste collection vehicle to enter and exit Percival Court in forward gear. (2) Waste collection vehicle cannot stop at entrance of Percival Court due to traffic lights. (3) It is not possible for bins to be within 10 metres of collection vehicle. Following revisions, no objections subject to residents presenting and collecting their bins to the High Road frontage around collection times (to be secured by condition)

External:

**Historic England** – Initial comments refer to the existing building being of some merit and raise concern that there were insufficiently detailed elevations for the proposed High Road frontage building to consider the merits of the proposed replacement. Following the submission of further details, Historic England continue to consider that more work could be done to better respond to the history of the site, but raise no objections to the application (although it queries the use of different red brick for the gauged arches and recommends the use of a lighter main brick).

**Historic England – Archaeological Service (GLASS)** – The site is likely to include heritage assets of archaeological significance (The Horns, a roadside inn with very early roots and possible royal connections). Preference for archaeological investigation prior to determination, but if the LPA strongly wishes to grant permission in advance of archaeological investigation, two detailed conditions are recommended (Written Scheme of Investigation prior to demolition and foundation design).

**London Fire Brigade** – (1) Both stair cores need to have dry risers and inlets should be located on external wall within 18m of parked fire engine (2) Strong recommendation for sprinklers.

**Metropolitan Police (Designing Out Crime Officer)** – The DOCO has met with the design team. No objection, subject to conditions

**Thames Water** – No response.

**Transport for London** – (1) Welcomes separation of residential and commercial cycle parking, but concerned about security of commercial parking (2) Details needed on how conflicts between cyclists and vehicles are to be minimised – suggest signage or markings (3) A Construction Logistics Plan should be secured by condition (4) a Delivery & Service Plan should be secured by condition.

## 5 LOCAL REPRESENTATIONS

5.1. On 17 June 2020, notification was sent to the following:

- 218 Letters to neighbouring properties
- 2 Letters to Haringey-based organisations (as noted above)
- 1 site notices erected in the vicinity of the site, publicising:
  - Planning application
  - development affecting the setting of the North Tottenham Conservation Area and Listed Buildings
- Press Advertisement (placed in Enfield Independent on 24 June 2020) advertising:
  - Major application affecting a conservation area and Listed Buildings

5.2. The number of representations received from neighbours, local groups etc in response to both rounds of consultation were as follows:

No of individual responses: 4  
Objecting: 1 individual.  
Supporting: 2 individuals.  
Others: 1 comment from Tottenham CAAC

5.3. The full text of neighbour representations and the officer response are set out in **Appendix 5**.

5.4. The main issues raised in representations are summarised below.

Objections:

- The owners of the Nos. 803-805 High Road (Bricklayer's Arms) are concerned that flats would be built immediately next to a pub beer garden and that this may lead to restrictions on use of the beer garden in the evenings. They also object to two windows proposed in the party wall and the impact that the proposal would have on daylight to residential windows on the upper floors. Other concerns include impact during construction and impact on structural integrity issues.

Support:

- Local resident – general support, but need for further details and need to avoid externally mounted roller shutters
- Councillor Bevan – general support, subject to ensuring that internal shopfront shutters are used (lattice type, not solid steel).

Other:

- Tottenham CAAC – Noted that Conservation and Design officers and the Quality Review Panel are supportive. Need further detailed section of the façade.

## **6. MATERIAL PLANNING CONSIDERATIONS**

6.1 The main planning issues raised by the proposed development are:

1. Principle of the Development
2. Policy Assessment
3. Development Design
4. Heritage Conservation
5. Housing mix and residential quality
6. Impact on Amenity of Adjoining Occupiers
7. Transportation and Parking
8. Energy, Climate Change and Sustainability
9. Flood Risk, Drainage and Water Infrastructure
10. Trees
11. Ecology
12. Waste and Recycling
13. Land Contamination
14. Archaeology
15. Equalities
16. Conclusion

### **6.2 Principle of the development**

#### *6.2.1 Policy Background*

6.2.2 The National Planning Policy Framework NPPF was updated in July 2018 and minor clarifications to the revised version were published in February 2019. The NPPF establishes the overarching principles of the planning system, including the requirement of the system to “drive and support development” through the local development plan process.

#### *6.2.3 The Development Plan*

6.2.4 For the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004 the Local Plan comprises the Strategic Policies Development Plan Document (DPD), Development Management Policies DPD and Tottenham Area Action Plan (AAP) and the London Plan (2016).

6.2.5 A number of plans and strategies set the context for Tottenham’s regeneration. These documents should be read in conjunction with the AAP. The application

site is located within a strategically allocated site - NT5 (High Road West). A key policy requirement of the site allocation is that proposed development within NT5 should accord with the principles set out in the most up-to-date Council-approved masterplan. This is the High Road West Masterplan Framework (HRWMF), which is discussed in detail below.

### *The London Plan*

- 6.2.6 The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. The consolidated London Plan (2016) sets a number of objectives for development through various policies. The policies in the London Plan are accompanied by a suite of Supplementary Planning Guidance (SPGs) that provide further guidance.
- 6.2.7 In December 2019, the Mayor published an ‘Intend to Publish London Plan’. On 13 March 2020, the Secretary of State issued Directions to change a number of proposed policies. In line with paragraph 48 of the NPPF, the weight attached to this Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF. Whilst the published London Plan (2016) remains part of Enfield’s Development Plan, given the advanced stage that the Intend to Publish version of the London Plan has reached, significant weight can be attached to it in the determination of planning applications (although there is greater uncertainty about those draft policies that are subject to the Secretary of State’s Direction).
- 6.2.8 Following an Examination in Public into the submission version of the Plan and modifications, in December 2019 the Mayor published his Intend to Publish London Plan. On 13 March 2020, the Secretary of State issued Directions to change a number of proposed policies. In line with paragraph 48 of the NPPF, the weight attached to this Plan should reflect the stage of its preparation; the extent to which there are unresolved objections to relevant policies; and the degree of consistency of the relevant policies in the emerging Plan to the NPPF. Given the advanced stage that the Intend to Publish version has reached, significant weight can be attached to it in the determination of planning applications (although there is greater uncertainty about those draft policies that are subject to the Secretary of State’s Direction).

### *Upper Lea Valley Opportunity Area Planning Framework*

- 6.2.9 The Upper Lea Valley Opportunity Area Planning Framework (OAPF) (2013) is supplementary guidance to the London Plan. A Development Infrastructure Study (DIFS) in relation to the OAPF was also prepared in 2015. The OAPF sets out the overarching framework for the area, which includes the application site.

6.2.10 The OAPF notes the redevelopment of the High Road West area is supported by a comprehensive masterplan. The OAPF sets out the ambitions for the High Road West area to become a thriving new destination for north London, with a sports, entertainment and leisure offer supported by enhanced retail, workspace and residential development.

#### *The Local Plan*

6.2.11 The Strategic Policies DPD sets out the long-term vision of how Haringey, and the places within it, should develop by 2026 and sets out the Council's spatial strategy for achieving that vision. The Site Allocations development plan document (DPD) and Tottenham Area Action Plan (AAP) give effect to the spatial strategy by allocating sufficient sites to accommodate development needs.

#### *Strategic Policies*

6.2.12 The site is located within the High Road West Area of Change as per Haringey's Spatial Strategy Policy SP1. The Spatial Strategy makes clear that in order to accommodate Haringey's growing population, the Council needs to make the best use of the borough's limited land and resources. The Council will promote the most efficient use of land in Haringey.

6.2.13 SP1 requires that development in Growth Areas maximises site opportunities, provides appropriate links to, and benefits for, surrounding areas and communities, and provides the necessary infrastructure and is in accordance with the full range of the Council's planning policies and objectives.

#### *Tottenham Area Action Plan*

6.2.14 The Tottenham AAP sets out a strategy for how growth will be managed to ensure the best quality of life for existing and future Tottenham residents, workers and visitors. The plan sets area wide, neighbourhood and site-specific allocations.

6.2.15 The AAP indicates that development and regeneration within Tottenham will be targeted at four specific neighbourhood areas including North Tottenham, which comprises the Northumberland Park, the Tottenham Hotspur Stadium and the High Road West area.

#### *NT5 Site: High Road West*

6.2.16 The site allocation for the wider area (NT5 – High Road West) covers approx. 11.69ha and calls for a master planned, comprehensive development creating a new residential neighbourhood (with a net increase of 1,200 dwellings) and a new leisure destination for London. The residential-led mixed-use development is expected include a new high-quality public square and an expanded local



shopping centre, as well as an uplift in the amount and quality of open space and improved community infrastructure.

6.2.17 The NT5 site allocation contains site requirements, development guidelines and sets out the steps for undertaking estate renewal. These are set out below. The application of relevant site requirements, development guidelines and estate renewal steps to the application site is set out in the sections following.

### NT5 Site Requirements

- The site will be brought forward in a comprehensive manner to best optimise the regeneration opportunity.
- Development should accord with the principles set out in the most up-to-date Council-approved masterplan.
- Creation of a new residential neighbourhood through increased housing choice and supply, with a minimum 1,400 new homes of a mix of tenure, type and unit size (including the re-provision of existing social rented council homes, the offer of alternative accommodation for secure tenants, and assistance in remaining within the area for resident leaseholders from the Love Lane Estate).
- Creation of a new public square, connecting an enhanced White Hart Lane Station, and Tottenham High Road, to complement the redeveloped football stadium.
- New retail provision to enlarge the existing local centre, or create a new local centre, opposite to and incorporating appropriate town centre uses within the new stadium, including the new Moselle public square. This should complement not compete with Bruce Grove District Centre.
- Enhance the area as a destination through the creation of new leisure, sports and cultural uses that provide seven day a week activity.
- Improve east-west pedestrian and cycling connectivity with places such as the Northumberland Park Estate and Lee Valley Regional Park.
- The site lies within the North Tottenham Conservation Area and includes listed and locally listed buildings. Development should follow the principles under the 'Management of Heritage Assets' section of the APP.
- Where feasible, viable uses should be sought for existing heritage assets, which may require sensitive adaptations and sympathetic development to facilitate.
- Deliver new high-quality workspace.
- Increase and enhance the quality and quantity of community facilities and social infrastructure, proportionate to the population growth in the area, including:
  - A new Learning Centre including library and community centre;
  - Provision of a range of leisure uses that support 7 day a week activity and visitation; and

- Provision of a new and enhanced public open space, including a large new community park and high-quality public square along with a defined hierarchy of interconnected pedestrian routes.

### NT5 Development Guidelines

- Produce a net increase in the amount and the quality of both public open space and private amenity space within the area.
- To deliver transport improvements including a new, safe and attractive entrance to White Hart Lane Station and improved rail connectivity.
- Re-provision of employment floorspace lost as a result of the redevelopment as new leisure, sports and cultural floorspace and as modern, flexible workspaces.
- This could be achieved by workspaces with potential to connect to High Road retail properties, and/or through the creation of workspace behind the High Road and the railway arches.
- This central portion of the site is in an area of flood risk, and a Flood Risk Assessment should accompany any planning application.
- This site is identified as being in an area with potential for being part of a Decentralised Energy (DE) network. Development proposals should be designed for connection to a DE network, and seek to prioritise/secure connection to existing or planned future DE networks, in line with Policy DM22.
- Create a legible network of east-west streets that connect into the surrounding area, existing lanes off the High Road, and open spaces.
- Establish clear building frontages along the High Road and White Hart Lane to complement the existing character of the Local Centre.
- Incorporate a range of residential typologies which could include courtyard blocks of varying heights and terraced housing.
- In the part of the site facing the new stadium, development should respond to both the existing High Road Character and the greater heights and density of the new stadium. This needs to be carefully considered given the height differential between the existing historic High Road uses and future stadium development.
- Larger commercial and leisure buildings should be located within close proximity to the new public square linking the station to the stadium.
- Due to the size of the site and scale of development envisaged, particular consideration of the effect of the works on the nearby communities, including how phasing will be delivered. This is referenced in the High Road West Masterplan Framework (HRWMF).
- Where development is likely to impact heritage assets, a detailed assessment of their significance and their contribution to the wider conservation area should be undertaken and new development should respond to it accordingly.
- The Moselle runs in a culvert underneath the site and will require consultation with the Environmental Agency.

6.2.18 The THFC Stadium is the first stage of wider regeneration, and the intention is for it to be fully integrated within the comprehensive regeneration of High Road West and Northumberland Park. The priority is to ensure that on match and non-match days, the area is lively and attracts people to make the most of the stadium development, the High Road, and wider urban realm improvements that will take place as part of this development. Provision is therefore proposed for new community facilities and leisure orientated retail development to further build and cement the area's reputation as a premier leisure destination within North London.

#### *High Road West Master Plan Framework (HRWMF)*

6.2.19 Policy AAP1 (Regeneration and Master Planning) indicates that the Council expects all development proposals in the AAP area to come forward comprehensively to meet the wider objectives of the AAP. To ensure comprehensive and coordinated development is achieved, masterplans will be required to accompany development proposals which form part of a Site Allocation included in the AAP.

6.2.20 The current approved High Road West Master Plan Framework (HRWMF) is that prepared by Arup in September 2014. This highlights opportunities for improvement and change in the subject area and identifies where housing, open space and play areas, as well as community, leisure, education and health facilities and shops could be provided. The HRWMP also helps to demonstrate how the growth and development planned for High Road West could be delivered through strategic interventions over the short to longer term.

6.2.21 The Council has entered into partnership with Lendlease who is preparing alternative proposals for a more intensive development in the same Site Allocation (including the application site). Nevertheless, little weight can be accorded to those draft proposals until there is a new Council-approved masterplan and/or a planning permission for a development different from that envisaged in Policy NT5 and the HRWMF.

### **6.3 Policy Assessment**

#### *Principle of Comprehensive Development*

6.3.1 Policy AAP1 (Regeneration and Master Planning) makes clear that the Council expects all development proposals in the AAP area to come forward comprehensively to meet the wider objectives of the AAP. It goes on to state that to ensure comprehensive and coordinated development is achieved, masterplans will be required to accompany development proposals which form part of a Site Allocation included in the AAP and that applicants will be required to demonstrate how any proposal:

- a) Contributes to delivering the objectives of the Site, Neighbourhood Area, and wider AAP;
- b) Will integrate and complement successfully with existing and proposed neighbouring developments; and
- c) Optimises development outcomes on the site

6.3.2 Policy DM55 states: “Where development forms part of an allocated site, the Council will require a masterplan be prepared to accompany the development proposal for the wider site and beyond, if appropriate, that demonstrates to the Council’s satisfaction, that the proposal will not prejudice the future development of other parts of the site, adjoining land, or frustrate the delivery of the site allocation or wider area outcomes sought by the site allocation”.

6.3.3 Policy NT5 makes clear that ‘development should accord with the principles set out in the most up-to-date Council approved masterplan’, which as discussed above, is the approved HRWMF prepared by Arup in September 2014. This is therefore an important material consideration when determining planning applications.

6.3.4 Paragraph 4.6 of the AAP states that Haringey wants to ensure development proposals do not prejudice each other, or the wider development aspirations for the Tottenham AAP Area whilst enabling the component parts of a site allocation to be developed out separately. The various sites north of White Hart Lane are expressly set out in Table 2 of Policy AAP1 as requiring a comprehensive redevelopment approach.

6.3.5 Paragraph 4.9 of the AAP states that a comprehensive approach to development will often be in the public interest within the Tottenham AAP area. It goes on to state that whilst incremental schemes might be more easily delivered, the constraints proposed by site boundaries, neighbouring development or uses and below-ground services all have potentially limiting consequences for scale, layout and viability.

6.3.6 Although the HRWMF seeks to ensure that the site is brought forward in a comprehensive manner, the phasing provisions of the HRWMF explicitly recognise existing land ownership and incremental development that does not prejudice delivery of the masterplan as a whole has been accepted.

6.3.7 The site itself is not identified for any particular land use within the HRWMF, nor is it allocated for development either in isolation or as part of a wider phase of regeneration. Rather, the HRWMF notes that the High Road is to be enhanced through a programme of refurbishments to the existing Victoria buildings stock in a manner that is complementary to the rest of the masterplan area to its west, as part of creating an attractive shopping destination for location people and visitors, with a broad mix of shops, a wider range of foods and service that better service

the local community and attract new visitors. Officers consider that the proposed scheme is consistent with the HRWMF.

*Principle of the Proposed Non-residential Uses*

- 6.3.8 Policy SP10 seeks to protect and enhance Haringey's town centres, according to the borough's town centre hierarchy and Policy DM41 promotes new retail in town centres. Policy DM43 designates the Tottenham Road North Local Shopping Centre (34) and encourages retail use of ground floors with active frontages. AAP Site Allocation NT5 seeks to enlarge the Tottenham Road North Local Centre or create a new local centre.
- 6.3.9 Strategic Policy SP8 supports the provision of office space as part of mixed-use development in town centres. Policy DM45 seeks to optimise the use of land and floorspace within town centres by encouraging new mixed-use development including new shops and commercial premises, having regard to (amongst other things) the role and function of the town centres, compatibility with existing and proposed uses and provision of separate access to residential.
- 6.3.10 Strategic Policy SP16 sets out Haringey's approach to ensuring a wide range of services and facilities to meet community needs are provided in the borough. Policy DM49 supports proposals for new social and community facilities where (amongst other things), they are accessible by public transport, are located within the community that they are intended to serve, protect residential amenity.
- 6.3.11 The proposed retail use would have an active frontage on to the High Road and ground floor, and incorporate separate access to proposed dentist/office and housing in Blocks A and B. As such, it accords with Policy SP10, Policies DM 41 and 43 and the Site Allocation and Local Plan Policy DM43. The proposed small dentist/office space on the first floor of Block A would provide a replacement or new facility in the town centre that would be accessible to all by lift and, subject to noise mitigation measures, safeguard the amenity of existing and proposed residents. As such, it accords with Strategic Policies SP8, SP16 and Policies DM 43 and 45.

*Principle of Provision of Housing*

- 6.3.12 London Plan Policy 3.3 sets a target for the Council to deliver a minimum of 15,019 homes per year in the period 2015-2025. The Intend to Publish London Plan Policy H1 and Table 4.1 of the draft London Plan sets Haringey a 10-year housing target of 19,580 homes between 2019/20 and 2028/29. Policy SP2 states that the Council will maximise the supply of additional housing to meet and exceed its minimum strategic housing requirement.
- 6.3.13 The Tottenham AAP identifies and allocates development sites with the capacity to accommodate new homes. The wider High Road West area is allocated in the

AAP (NT5) as an appropriate place for residential development alongside a mix of other uses and call for a minimum of 1,400 homes and a net increase of 1,200 homes). Of the 1,400 dwellings anticipated, 222 homes have already been developed in the form of the Cannon Road housing area (HGY/2012/2128). In addition, planning permission has been granted for 316 homes on the Goods Yard site (HGY/2018/0187) and 330 homes on the site of Nos. 867-879 High Road. This leaves 532 dwellings still to be provided. The application scheme would make a small but welcome contribution towards this number, resulting in a net increase of 7 homes (assuming that the vacant upper floors of Block A previously accommodated 2 flats).

6.3.14 Given the above, the principle of the provision of new homes on the site (alongside a mix of other uses) is acceptable. All of the proposed homes would be private for sale or rent. An assessment of the amount of proposed housing and the dwelling mix is set out below.

6.3.15 Policy DM13 makes clear that the Council will seek the maximum amount of affordable housing when negotiating on schemes with site capacity to accommodate more than 10 dwellings. It goes on to state that the affordable housing requirement will apply to (amongst other things) additional residential units proposed above that provided by unimplemented permitted development. At approx. 70sqm, the proposed dentist/office space on the first floor of Block A could be converted to one/two-bedroom residential flat in the future. It is important to ensure that a contribution towards the provision of affordable housing is made should this happen. Officers recommend that subject to viability, a s106 planning obligation secures appropriate financial contributions towards the off-site provision of affordable housing should the applicant convert this space to a residential dwelling.

#### *Principle of the Development – Summary*

6.3.16 The further incremental development of Site Allocation NT5 is acceptable in principle, as it should not prejudice the future development of adjoining land, or frustrate the delivery of Site Allocation NT5 or wider area outcomes sought by the site allocation or the HRWMF. The provision of housing, with a ground floor shop and a small dentist/office unit is acceptable in principle. Provision needs to be made for a financial contribution towards affordable housing, should the 10-unit threshold be reached in the future.

## **6.4 Development Design**

### *Policy Background*

6.4.1 The revised NPPF should be considered alongside London Plan Policies 3.5, 7.4 and 7.6, Local Plan Policy SP11, and Policy DM1. Policy DM1 states that all development must achieve a high standard of design and contribute to the

distinctive character and amenity of the local area. Further, developments should respect their surroundings by being sympathetic to the prevailing form, scale, materials and architectural detailing. Local Plan Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use.

- 6.4.2 The HRWMF shows a retained Percival Court forming a new east-west route, with new small courtyard blocks with communal roof terraces developed behind the High Street.

#### *Quality Review Panel Comments*

- 6.4.3 Haringey's Quality Review Panel (QRP) has assessed the scheme in full at pre-application stage (on 6 November 2019). At that time, the applicant was intending to retain the High Road façade and re-build behind. The Panel's view was the existing façade of 807 High Road was not an original building and not significant enough to merit retention, which is a very costly and complex technical process. It would encourage the design team to instead invest those resources in the creation of a high-quality new building for 807 High Road. Exploration of either a contemporary architectural approach or a contextual approach would be supported. The proposed loss of the existing building is discussed under Heritage below.

#### *Building Scale, Form and Massing*

- 6.4.4 Local Plan Policy DM9 makes clear that, where sensitive redevelopment of sites and buildings in Conservation Areas are acceptable in principle, proposed development must be compatible with and/or complement the special characteristics and significance of the area.
- 6.4.5 The proposed two linked four-storey blocks with a shared courtyard space would provide an active ground floor frontage to the High Road, with a separate pedestrian access for the residential and commercial uses at upper floors and to Block B at the rear. Block B would introduce much needed natural surveillance of Percival Court, whilst safeguarding the development potential of buildings/land to the west and (subject to recommended planning conditions discussed under Noise and Trees below), the commercial activity and residential amenity of occupiers of Nos. 803-805 and No. 809 High Road. As such, officers consider that the proposed layout is a good response to site constraints and opportunities and is considered acceptable.
- 6.4.6 Whilst the proposed High Road frontage building (Block A) would be a storey taller than the existing three-storey building it would replace, the proposed fourth-storey would be set in the roof space back behind a parapet line that would be the same height as the existing parapet height of Nos. 803-805. The proposed roof that would extend above this line would include 'chimney stacks' on either edge

of the building three dormers that would be visible above the parapet. The raised parapet would be above the existing parapet to No. 809. The submitted drawings and photomontages show how this increased building height and the proposed flank wall and 'chimney stack' would be seen rising above the roof line of No. 809. However, these demonstrate that this would be consistent with other terraces along the western side of the High Road, which are characterised by terraces that include buildings of varying height.

- 6.4.7 The first-floor rear elevation of Block A would open out on to the proposed communal garden space sitting on top of the covered yard and external balconies would provide private amenity space at second and third floor levels. A protruding covered staircase would sit against and rise above a rear return to Nos. 803-805 High Road.
- 6.4.8 The proposed fourth-storey of Block B, in the form of a light-weight series of east-west roof pitches, would be set in behind a parapet from the Percival Court elevation and would present a brick elevation to the Court (with a long-perforated metal panels to the ground floor covered yard). Similarly, the fourth storey would also be set in from the elevation to the pub garden at the Bricklayers Arms (Nos. 803-805 High Road). The southern brick elevation to the pub garden would include a number of small windows (with opaque glazing) at first and second storey level, and other windows inset behind balconies.
- 6.4.9 The drawings and photomontages also demonstrate the proposed four-storey rear building (Block B) (which would be 2-3m taller than Block A) would not be seen from the footway on the eastern side of the High Road, and if glimpsed at all from further back along Northumberland Park, it would not be prominent. Its visibility and impact from when seen from the west from the existing Peacock Industrial Estate/wider High Road West site would also be acceptable.
- 6.4.10 The existing High Road building includes a high internal step formed by a raised concrete slab. The proposed replacement building would remove this and would provide a more accessible ground floor.

#### *Development Density*

- 6.4.11 London Plan Policy 3.4 indicates that a rigorous appreciation of housing density is crucial to realising the optimum potential of sites. This approach to density is reflected in the Tottenham AAP. However, Intend to Publish London Plan Policy D3 proposes to remove the density matrix and advocates a design-led approach to optimising development, based on responding to context, public transport accessibility and social infrastructure needs.
- 6.4.12 A key principle of the HRWMF is to achieve appropriate residential densities corresponding to guidelines set out by the Mayor in relation to public transport accessibility levels.



- 6.4.13 The applicant proposes 9 residential units, the site is 0.06 Hectares (Ha) in size and has a PTAL rating of 4/5. The proposal would contain 23 habitable rooms. This would amount to a density of 150 units per hectare (u/ha) and 383 habitable room/hectare (hr/ha).
- 6.4.14 The adopted London Plan sets a target range of 70-260 u/ha and 200–700 hr/ha for schemes with an average hr/unit of 2.7-3.0, a PTAL of 4-6 and an ‘Urban’ character. The proposed density sits within the London Plan’s relevant indicative range. Furthermore, the proposed density is the product of a design-led, contextual approach that makes provision for social infrastructure. As such, officers consider it to be acceptable.

#### *Building Appearance and Materials*

- 6.4.15 The proposed elevation to the High Road is a five-bay symmetrical composition, centred around central windows at first and second storey level and a centralised dormer window in the roof space above. The brick façade would also include a centralised recessed brick panel, to emphasis this symmetry and bring texture to the faced.
- 6.4.16 Revisions made in response to comments made by officers and Historic England have provided further details of the proposed High Road and northern elevation of Block A, including sections through the proposed parapet/roof line. The detailed design comprises English bond stock brickwork with flush pointing in white mortar, two ‘chimney stacks’ and pots, a slate roof with metal sided dormer windows, painted timber window frames set within reveals, red gauged brick window lintels, concrete window cills and a timber shopfront (with roller shutters concealed behind the fascia panel). These are also considered acceptable, subject to recommended planning conditions reserving details (including shop shutters, to ensure perforated/lattice, rather than solid) and the final choice of external brick.
- 6.4.17 Block B would present a brick elevation to Percival Court (with a long-perforated metal panels to the ground floor covered yard and proposed car parking space), with the metal profiled light-weight fourth floor rising above. The rear elevation of Block A would also use metal cladding for the proposed top floor and protruding staircase. Following comments by officers, the application has been revised to include an external canopy and lighting above the proposed residential entrance to Block B, to make housing here more attractive and safer.
- 6.4.18 Officers are satisfied that, subject to the recommended planning conditions reserving details of external materials, shopfront/shutter, cill, lintel and gable details, the proposed development would represent a high quality and sensitive development in this part of the Conservation Area.

#### *Landscaping*

6.4.19 The proposed communal amenity space at first floor level provides the opportunity to incorporate tree and other planting to help introduce welcome urban greening to the area. It is recommended that details are reserved by planning condition.

*Secured by Design*

6.4.20 Local Plan Policy DM2 states that new development should have regard to the principles set out in 'Secured by Design'. Crime rates are relatively high across the borough and are particularly high in Northumberland Park Ward. The applicant's design team has met with the Metropolitan Police's Designing Out Crime Officer, who has identified a number of site-specific issues, including: the proposed joint residential and commercial pedestrian access.

6.4.21 Revisions following comments by TfL mean that residential and commercial cycle parking area are now separate. In addition, given the current lack of natural surveillance of and potential nefarious activities in Percival Court. Revisions to the application include the introduction of a glazed canopy above the proposed pedestrian entrance on Percival Court and it is recommended that a planning condition requires details of this canopy and external lighting to ensure that they help provide an attractive and safe entrance to homes in Block B and to the proposed covered yard area. It is recommended that planning conditions require Secured by Design accreditation.

*Fire Safety and Security*

6.4.22 Policy D12 in the Intend to Publish London Plan makes clear that all development proposals must achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement.

6.4.23 The submitted Fire Strategy notes that a fire engine parked on the High Road would be more than the recommended 45m away from some parts of the proposed buildings. As such, both stair cores require dry risers to be installed. The London Fire Brigade has commented that inlets for the risers should be located on the external wall of the building within 18m of a parked fire engine. The applicant has confirmed that the nearest stair core to the High Road would include an inlet in the external wall, which would be within 18m of the High Road and visible from a parked fire engine.

6.4.24 The London Fire Brigade strongly recommends the installation of sprinklers. The applicant has responded that the proposed western stair core would be greater than 18m from the dry riser inlet and in order to give the fire service more time to arrive at the flat of fire origin a Category 3 sprinkler system to BS9251 would be provided to Block B as a compensatory feature with minimum operational water supply of 30 minutes and control the fire until fire service arrival.

6.4.25 It is recommended that the implementation of the submitted Fire Strategy is secured by condition, in accordance with the Mayor of London's emerging guidance.

*Building Regulations approval*

6.4.26 The development would be required to meet the Building Regulations in force at the time of its construction – by way of approval from a relevant Building Control Body. As part of the plan checking process a consultation with the London Fire Brigade would be carried out. On completion of work, the relevant Building Control Body would issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.

*Development Design – Summary*

6.4.27 The proposals are well designed and promise to be a polite insertion into the Conservation Area and High Road frontage, including an active frontage through a well-designed shopfront, to the High Road and appropriate more private frontage to Percival Court. Above there would be good quality residential accommodation, in a mix of smaller flat sizes appropriate to this high street and back of high street location, with a good podium level private amenity area, as well as private balconies to all flats and good outlooks and privacy. It is recommended that conditions reserve details and external materials. The proposed density is consistent with a design-led approach to optimising development potential.

## 6.5 Heritage Conservation

6.5.1 Paragraph 196 of the revised NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

6.5.2 London Plan Policy 7.8 is clear that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. The draft London Plan Policy HC1 continues this approach and places an emphasis on integrating heritage considerations early on in the design process.

6.5.3 Policy SP12 of the Local Plan seeks to maintain the status and character of the borough's conservation areas. Policy DM6 continues this approach and requires proposals affecting conservation areas and statutory listed buildings, to preserve or enhance their historic qualities, recognise and respect their character and appearance and protect their special interest.

6.5.4 Local Plan Policy DM9 D states 'Subject to (A-C) above the Council will give consideration to, and support where appropriate, proposals for the sensitive

redevelopment of sites and buildings where these detract from the character and appearance of a Conservation Area and its setting, provided that they are compatible with and/or complement the special characteristics and significance of the area.'

- 6.5.5 Policy AAP5 speaks to an approach to Heritage Conservation that delivers “well managed change”, balancing continuity and the preservation of local distinctiveness and character, with the need for historic environments to be active living spaces, which can respond to the needs of local communities.
- 6.5.6 Policy NT5 requires consistency with the AAP’s approach to the management of heritage assets. The High Road West Master Plan Framework’s approach to managing change and transition in the historic environment seeks to retain a traditional scale of development as the built form moves from the High Road to inward to the Master Plan area.
- 6.5.7 The HRWMF promotes the adaptable reuse of heritage assets with appropriate future uses identifying how various individual buildings will be used, what works they will require including restoration and refurbishment works to adapt to the proposed use.

#### *Legal Context*

- 6.5.8 The Legal Position on the impact of heritage assets is as follows. Section 72(1) of the Listed Buildings and Conservation Areas Act 1990 provides: “In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.” Among the provisions referred to in subsection (2) are “the planning Acts”.
- 6.5.9 Section 66 of the Act contains a general duty as respects listed buildings in exercise of planning functions. Section 66 (1) provides: “In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.”
- 6.5.10 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) intended that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”

- 6.5.11 The judgment in the case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council says that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area or a Historic Park, it must give that harm considerable importance and weight.
- 6.5.12 The authority's assessment of likely harm to the setting of a listed building or to a conservation area remains a matter for its own planning judgment but subject to giving such harm the appropriate level of weight and consideration. As the Court of Appeal emphasized in Barnwell, a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted.
- 6.5.13 The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the strong statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 6.5.14 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail.

#### *Assessment of Significance*

- 6.5.15 The North Tottenham Conservation Area is included in Historic England's Heritage at Risk Register (2015), which records the Area's condition as 'very bad', but recognises that the overall trend is 'improving'. Significant development has taken place in and close to the Conservation Area in recent years (most notably THFC's stadium and improvements to Listed Buildings in the Club's ownership) and the Area is the subject of the Townscape Heritage Initiative, which is grant-funding façade improvement projects along the High Road.
- 6.5.16 The Council's North Tottenham Conservation Area Appraisal identifies No.807 (or at least the frontage building, plus the single-story rear extension as far back

as the back of No. 809-11) and the whole of the single-story rear extension alongside along the northern boundary to be “Neutral”. Other buildings on the site are not assessed in the appraisal. Map regression research shows that an original building with coach entrance to a rear courtyard was replaced between 1936 and 1956 and that it is very likely that the current buildings were erected at the end of the 1940’s. It has been altered since this date.

- 6.5.17 In its original advice letter, Historic England noted that the existing High Road building has the appearance of a Victorian commercial building, highlights some good quality detailing at first floor level and considers that the this building makes a limited-positive contribution to the Conservation Area, though the ground floor shop front is much altered and of poor quality. Officers maintain that whilst the High Road frontage building was sensitively built to blend in with the mixed informal character of the west side of the road, the existing buildings are of relatively little architectural or historic merit and are not considered to be a ‘heritage asset’ (as defined in the glossary of the NPPF).

*Loss of the existing buildings*

- 6.5.18 Planning permission was granted in 2006 for the redevelopment of the site and whilst this permission has now lapsed, it reflected the assessment of the value of the existing buildings made at that time. Officers continue to consider that the modest quality and contribution to the Conservation Area offered by the existing High Road frontage building at No. 807, as well as its deep, poorly developed rear site, means that a high-quality replacement infill building is acceptable in principle. The existing buildings that front Percival Court are low quality and their loss is also acceptable in principle.
- 6.5.19 Paragraph 1.2.3 of the North Tottenham – Conservation Area Appraisal and Management Plan states that “In spite of [these] changes the townscape retains a high degree of historical continuity, maintaining a contained linear street pattern forming a sequence of linked spaces and sub spaces, and with a notable variety and contrast in architectural styles and materials. The street width and alignment very much still follow the form established by the mid-19th century. There are good surviving examples of buildings dating from the 18th and 19<sup>th</sup> centuries including outstanding groups of Georgian houses and mid and late-Victorian shopping parades illustrating the changes to this building type in scale and style, together with examples of the inter-war style of the mid-20th century.”
- 6.5.20 The principle of redevelopment is supported by the QRP, (see para. 6.4.3) above and whilst Historic England consider that the existing High Road frontage building is of some merit (believing that it represents a highly contextual response to the historic townscape that contributes to local character), it does agree that it could be replaced subject, to the design quality of its replacement. The Conservation Area Committee raises no objection to the loss of the existing buildings.

### *Quality of the proposed replacement building*

6.5.21 The design of the proposed buildings is discussed under Design Development above. Following assessment of the scheme as submitted and taking account of the initial comments from Historic England and those of the Conservation Area Committee, officers requested more detailed drawings and material specification for the eastern (High Road) and northern facades (where the building would rise above its neighbour at No. 809-811) of Block A. The application as revised provides a good level of detail and officers are satisfied that, subject to the recommended planning conditions reserving details of external materials, shopfront/shutter, cill, lintel and gable details, the proposed development would represent a high quality and sensitive development in this part of the Conservation Area.

6.5.22 In response to Historic England's residual concerns in relation to gauge arches and choice of the proposed main brick, the recommended conditions would allow further detailed consideration of these elements.

### *Setting*

6.5.23 The two neighbouring properties on both sides of the application site on the High Road frontage, Nos. 803-805 (The Bricklayers public house) and No. 809-11 (Domino's Pizza) are both Locally Listed. The neighbouring property to the immediate west of the application site, a two-story flat roofed building which appears to open off Chapel Place, a yard that opens off White Hart Lane to the south-west of the site, is also not assessed in the appraisal, although the former Catholic Chapel beyond it is also Locally Listed. Officers consider that photomontages submitted in support of the application demonstrate that the proposed buildings would not harm the setting of these buildings, or of the wider part of the Conservation Area when viewed from the High Road and that Building B at the rear would not be visible at pedestrian level from the eastern side of the High Road opposite or along Northumberland Park.

6.5.24 The proposed High Road frontage building would be directly opposite Northumberland Terrace, including the early 18<sup>th</sup> Century Georgian town houses Nos. 808-812 High Road (Grade II\* Listed), Victorian infill buildings at Nos. 804-806 High Road (Conservation Area Contributor), and mid-18<sup>th</sup> Century buildings (Grade II Listed) at Nos. 798 to 802, the refurbished No. 796 High Road (Percy House – Grade II\*), No. 794 High Road (Grade II); No. 792 High Road (Grade II); and No. 790 High Road (Dial House – Grade II\*). Officers are satisfied that the proposed development would not harm the setting of this important collection of heritage assets.

### *Heritage Conclusion*

6.5.25 The loss of the existing buildings is acceptable in principle and the proposed replacement buildings represent high-quality contextual response the surrounding area. The proposed development would safeguard the character and appearance of North Tottenham Conservation Area and the setting of adjoining Locally Listed Buildings and the mainly Listed Northumberland Terrace on the east side of the High Road. Given this, the proposal complies with relevant policies and as no harm is identified, there is no need to engage with paragraph 196 of the NPPF. It is recommended that a planning condition requires that a contract or contracts have been let to build the replacement buildings before the existing buildings are demolished.

## 6.6 Housing mix and residential quality

### *Dwelling Unit Mix*

6.6.1 London Plan Policy 3.8 requires new residential developments to offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors. Strategic Policy SP2 and Policy DM11 of the Council's Development Management DPD continue this approach.

6.6.2 Policy DM11 states that the Council will not support proposals which result in an overconcentration of 1 or 2 bed units overall unless they are part of larger developments or located within neighbourhoods where such provision would deliver a better mix of unit sizes. A key principle around homes set out in the HRWMF is provision for a mix of housing sizes, types and tenures.

6.6.3 The dwelling mix for the scheme is set out below in Table 1 below

**Table 1: Dwelling mix.**

<b>Bedroom Size</b>	<b>No. of Units</b>	<b>% by unit</b>	<b>Hab. rooms</b>	<b>% by Hab. rooms</b>
1 bed 2 person	5	55.5%	10	43.5%
2 bed 3 person	2	33.5%	9	39%
2 bed 4 person	1			
3 bed 5 person	1	11%	4	17.5%
<b>Total</b>	<b>9</b>	<b>100%</b>	<b>23</b>	<b>100%</b>

6.6.4 Officers consider that the proposed mainly one-bed mix is appropriate for the characteristics of a small, relatively constrained site next to the High Road.

6.6.5 London Plan Policy 3.5 sets out housing quality, space, and amenity standards, with further detail guidance and standards provided in the Mayor's Housing SPG. This approach is continued in the draft London Plan by Policy D4. Strategic Policy SP2 and Policy DM12 reinforce this approach at the local level.



### *Unit Aspect*

- 6.6.6 With the exception of Flat 4, a 1-Bed home on the second floor of Block B, which would be single-aspect east facing, all proposed homes would be dual aspect. The orientation and dual aspect nature of the proposed housing would help ensure high-quality accommodation.

### *Indoor and Outdoor Space Standards*

- 6.6.7 All of the proposed flats would provide private amenity space in the form of balconies and terraces, in accordance with the minimum size and spatial qualities called for adopted London Plan Policy 3.5 and Intend to Publish London Plan Policy D6. In addition to the proposed private balconies, a central landscaped podium would be provided between the two blocks, providing dedicated amenity space for residents (Approx. 111.5sqm of communal amenity space alongside an additional 10.52sqm of additional play space).

### *Accessible Housing*

- 6.6.8 Local Plan Policy SP2 and Policy 3.8 of the adopted London Plan require that at least 10% of all new homes meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and that all other dwellings meet Building Regulation M4(2) 'accessible and adaptable dwellings.'
- 6.6.9 Flat 8 (2-bed 3-person) on the third floor of Block B would be built to be 'wheelchair user dwelling'. This would represent 11% of the proposed flats. All other flats would be built to be 'accessible and adaptable dwellings.' Flat 8 would be served by a single lift in Block B and would have access to a disabled parking space in an integrated garage accessed from Percival Court.

### *Child Play Space*

- 6.6.10 Policy 3.6 of the London Plan seeks to ensure that development proposals include suitable provision for play and recreation and Intend to Publish London Plan Policy S4 continues this approach. Local Plan Policy SP2 requires residential development proposals to adopt the GLA Child Play Space Standards and Policy SP13 underlines the need to make provision for children's informal or formal play space. The Mayor's SPG indicates at least 10 sqm per child should be provided.
- 6.6.11 Using the GLA's Population Yield Calculator (October 2019), the proposed dwelling mix for private homes with a PTAL of 5-6 would generate 1.5 children (1 between 0 and 5-years old). The proposed communal amenity space, incorporating dedicated play space, meets the policy requirements.

### *Daylight/Sunlight/overshadowing – Future Occupiers*

6.6.12 The submitted Daylight and Sunlight Assessment finds that a number of proposed rooms fail VSC (notably some windows on the first floor of Block B). However, generally the proposed development performs well in terms of daylight with 100% of rooms tested achieving the NSL and 95% of rooms achieving the ADF levels required under the BRE guidance. The Assessment also finds that the proposed development performs well in terms of sunlight, with most of the relevant rooms achieving the recommended APSH criteria. The proposed podium level communal amenity space falls marginally below BRE guidelines (receiving 2 hours sunlight over 43% of its area on March 31, as opposed to the guideline standard of 50%. Overall, officers are satisfied that the proposed housing would benefit from a good level of daylight and sunlight.

### *Noise – Future Occupiers*

6.6.13 The submitted Noise Impact Assessment is based on a noise survey that was carried out in February 2020 (before the COVID-19 lockdown), so measurements should be representative of 'normal' traffic. The Assessment considers the likely requirements for the specification of both building fabric and glazing for proposed flats and office use in Block A and it is recommended that details of these are secured by way of a planning condition.

6.6.14 The non-residential unit of the first floor of Block A could be used as a dentist surgery. This raises concern about adverse noise impacts on residents of existing flats either side (in Nos. 805 and 809 High Road) and the proposed new flat directly above. The submitted Noise Impact Assessment recommends that, to mitigate against the noise of high-speed dental drills, the structure around the surgery room would need to have a noise reduction requirement of 60dB, which would necessitate a continuous, reinforced concrete slab of at least 300mm thickness, walls of solid concrete blockwork and a suitably designed lobby as an entrance into the surgery. It is recommended that details of such measures are secured by way of a planning condition, before any dentist practice occupies this space.

6.6.15 A standard condition is recommended to control noise from any mechanical plant associated with the proposed uses.

### *Housing mix and Residential Quality - Summary*

6.6.16 Officers consider that the proposed mainly one-bed mix is appropriate for the characteristics of a small, relatively constrained site next to the High Road. The proposed homes would provide high-quality accommodation, being mainly dual aspect, meeting indoor and outdoor space requirements (including one 'wheelchair accessible' home) and providing sufficient play space. Subject to conditions, the proposal would also ensure a satisfactory residential environment in terms of daylight, sunlight and noise.

## 6.7 Impact on Amenity of Adjoining Occupiers

- 6.7.1 London Plan Policy 7.6 states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Policy DM1 states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours.

### *Overlooking/privacy*

- 6.7.2 The southern elevation of Block B would have 4 small obscure glazed windows in the boundary wall looking on to the Bricklayers Arms pub garden. It is recommended that a planning condition ensures that these are installed and retained in this manner and this should safeguard the privacy of both the customers of the pub and future residents.
- 6.7.3 The proposed homes in Block B would face on to existing homes on the upper floors of No. 805 and Nos. 809-811 High Road.
- 6.7.4 A small secondary kitchen widow in proposed flats 2 and 5 on the first and second floors of Block B would be approx. 9m away from existing windows on the upper floors of No. 805 High Road. However, it is proposed that these would be fitted with opaque glazing and, subject to a planning condition securing this, officers consider this to be acceptable. There would also be a less direct outlook from the proposed main living room windows (approx. 7m) and balconies of the proposed flats and existing homes on the upper floors of No. 805. However, subject to a condition requiring an opaque glazed screen along the southern edge of the proposed balconies, this proposed relationship is also considered acceptable.
- 6.7.5 Proposed Flats 1 and 3 on the 1<sup>st</sup> and second floors of Block B would be between 14 and 15m away from existing homes on the upper floors of Nos. 809-811 High Road (with balconies being closer). However, the proposed landscaping and parapet walling at first floor level the proposed balcony details at second floor level would help ensure that privacy is safeguarded.

### *Daylight/Sunlight Assessment*

- 6.7.6 The impacts of daylight provision to adjoining properties arising from proposed development is considered in the planning process using advisory Building Research Establishment (BRE) criteria. A key measure of the impacts is the Vertical Sky Component (VSC) test. In conjunction with the VSC tests, the BRE guidelines and British Standards indicate that the distribution of daylight should be assessed using the No Sky Line (NSL) test. This test separates those areas of a 'working plane' that can receive direct skylight and those that cannot.

- 6.7.7 If following construction of a new development, the no sky line moves so that the area of the existing room, which does receive direct skylight, is reduced to less than 0.8 times its former value, this will be noticeable to the occupants and more of the room will appear poorly lit.
- 6.7.8 The BRE Guide recommends that a room with 27% VSC will usually be adequately lit without any special measures, based on a low-density suburban model. This may not be appropriate for higher density, urban London locations. The NPPF 2019 advises that substantial weight should be given to the use of 'suitable brownfield land within settlements for homes...' and that LPAs should take 'a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site'. Paragraph 2.3.47 of the Mayor's Housing SPG supports this view as it acknowledges that natural light can be restricted in densely developed parts of the city. Officers consider that VSC values in excess of 20% are reasonably good and that VSC values in the mid-teens are deemed acceptable.
- 6.7.9 The acceptable level of sunlight to adjoining properties is calculated using the Annual Probable Sunlight Hours (APSH) test. In terms of sunlight, the acceptability criteria are greater than 25% for the whole year or more than 5% between 21st September and 21st March.
- 6.7.10 The submitted Daylight and Sunlight Assessment also tests the likely impacts on existing homes in neighbouring properties either side of the site (Nos. 803, 805, 811 and 813 High Road) and opposite on the east side of the High Road (Nos. 804/06 and 808/810/812).
- 6.7.11 Of the 63 windows tested in terms of daylight (VSC), 61 or 97% pass. The two windows that fail and would suffer a minor adverse impact are first floor windows to homes in Nos. 803 and 805 High Road. However, the window at No. 803 only marginally fails (being left with 77% of existing light, as opposed to 80%) and the window at No. 805 would be left with 69% of its former value and a VSC of 24.07 (when 27% is the nation-wide guideline and 15% has been considered acceptable in dense urban contexts). Furthermore, the applicant has confirmed its understanding that this room is a bedroom and that the room would be likely to achieve an Average Daylight Factor (ADF) of 1% post development and the impact is considered to be negligible.
- 6.7.12 Of the 63 windows tested in terms of sunlight (APSH), 60 or 95% pass. The three windows that fail and would suffer a minor adverse impact are in No. 803. However, given that these rooms would have acceptable internal daylight, a minor adverse impact on sunlight is considered acceptable.

### *Noise*

- 6.7.13 Noise associated with the possible dentist surgery use of the first floor of Block A and mechanical plant, discussed in relation to the amenity of future occupiers, is also relevant for the amenity of existing neighbouring residents.
- 6.7.14 The site is next to the Bricklayers Arms pub, which has a rear beer garden. Proposed Flats 4, 7 and 9 in Block B would be located adjacent to the garden and could suffer from noise, including when LBTH fans gather to watch screened games. London Plan Policy D12 (Agent of Change) puts the onus on applicants to demonstrate that their proposed development is designed to take account of existing uses, so that it does not threaten established businesses.
- 6.7.15 The submitted Noise Impact Assessment reports on a noise survey undertaken during a screening of a THFC European cup match and concludes that the proposed buildings would need to incorporate the same type of double glazed windows on the rear and side facades as required for the High Road façade, together with secondary glazing panels, 100mm inside the double-glazed units, which could be designed to slide away when not required. It is recommended that details of such measures are secured by way of a planning condition.

#### *Amenity Impacts – Summary*

- 6.7.16 Amenity impacts must be considered in the overall planning balance, with any harm weighed against expected benefit. There would be some adverse impacts on amenity, as outlined above. However, officers consider that, subject to the recommended planning conditions, the level of amenity that would continue to be enjoyed by neighbouring residents is acceptable, given the benefits that the proposed scheme would deliver.

## **6.8 Transportation and Parking**

- 6.8.1 The revised NPPF (February 2019) is clear at Paragraph 108 that in assessing development proposals, decision makers should ensure that appropriate opportunities to promote sustainable transport modes have been taken up.
- 6.8.2 London Plan Policy 6.1 seeks to support development that generates high levels of trips at locations with high levels of public transport accessibility. This policy also supports measures that encourage shifts to more sustainable modes and promotes walking by ensuring an improved urban realm. London Plan Policies 6.9 and 6.10 address cycling and walking, while Policy 6.13 sets parking standards.
- 6.8.3 Policy SP7 states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This approach is continued in DM Policies DM31 and DM32.

- 6.8.4 DM Policy (2017) DM32 „Parking“ states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development parking is provided for disabled people; and parking is designated for occupiers of developments specified as car capped
- 6.8.5 A key principle of the High Road West Master Plan Framework (HRWMF) is to create a legible network of east-west streets that connect into the surrounding area, existing lanes off the High Road pocket parks and other open spaces.

#### *Accessibility*

- 6.8.6 The site is located directly adjacent to a northbound bus stop on High Road, with the southbound stop less than 100m from the site on the other side of the High Road. There are also bus stops on Northumberland Park and White Hart Lane within 400m of the site. The High Road is served by four high-frequency bus routes (Nos. 149, 259, 279, 349) and night bus No. N279. White Hart Lane is served by night-bus No. W3. White Hart Lane London Overground Station is located about 250m to the south and Northumberland Park is approx. 1km to the east. The site has a PTAL of 5 and the Cycle Superhighway 1 is accessible from Church Road, approx. 400m to the south.

#### *Site Access*

- 6.8.7 Percival Court, a private shared access ‘lane’, is immediately to the north of the site creates a non-signalised junction with the High Road, within an Advanced Cycle Stopline on the High Road approach arm. Percival Court is two-way, but is 2.78m wide at its narrowest point and can only facilitate vehicular movements in one direction at a time. The Court would provide a frontage to the proposed covered yard and Block B.
- 6.8.8 The submitted Transport Assessment includes a swept path plot that details the manoeuvres made to enter and leave the proposed covered yard a car and, given the potential use of the proposed shop unit as a funeral director, a hearse. These demonstrate that these movements could be made in forward gear. However, a hearse or similar longer wheelbase van would need to sweep out in to the right-hand northbound lane on the High Road to make the manoeuvre. The submitted Transport Assessment states that this would be restricted to off-peak periods. However, vehicles must be expected to enter or leave the yard at any time and it would not be appropriate to seek to restrict access to certain times. Whilst not ideal, given the likely limited number of movements, such manoeuvres would be acceptable.

### *Car Parking*

- 6.8.9 The site is located within the Tottenham North Controlled Parking Zone (CPZ) (restrictions Monday-Saturday, 08.00 to 18.30) and within the Tottenham Event Day (TED) CPZ. A single disabled persons parking bay is proposed within the covered yard for use by the commercial occupier.
- 6.8.10 As there are less than 10 residential units, there is no policy requirement to provide a blue badge car parking space for the proposed 'wheelchair accessible' home. Nevertheless, the proposed covered residential car parking space for the proposed 'wheelchair accessible' home is welcomed.
- 6.8.11 The Transport Assessment refers to the covered yard possibly accommodating two hearses, and swept path analysis shows how two hearses/large cars could access and be accommodated within the covered yard.
- 6.8.12 It is recommended that a s106 planning obligations ensure that residents, other than Blue Badge holders, are not able to secure a parking permit to park on public highways (meeting the Council's costs of £4,000).

### *Cycle Parking*

- 6.8.13 To meet Intend to Publish London Plan Policy T5 requirements, 16 long-stay cycle parking spaces and 2 short- stay visitor spaces are proposed, together with 6 long/short-stay commercial parking spaces.
- 6.8.14 Initially a single cycle storage room was proposed for both residential and commercial cycle parking spaces. However, following comments by officers, TfL and the Designing out Crime Officer, the proposed scheme has been revised so that the proposed storage room is exclusively for residential cycle parking spaces (with provision for 20 cycles, including provision for 5% larger cycles), with 4 long-term commercial spaces proposed within the covered yard. The expected low car trip numbers, good visibility, space planning and ground markings of the yard space makes this acceptable.
- 6.8.15 The proposed scheme has also been revised to incorporate the four required short-stay commercial cycle parking spaces (2 x Sheffield cycle stands) within the proposed covered yard space.
- 6.8.16 These revised arrangements are acceptable, subject to a recommended planning condition reserving details of the proposed cycle parking system proposed for the residential cycle parking store room

### *Delivery and Servicing*

- 6.8.17 South of the access to Percival Court is a service lay-by which offers 40-minute loading period 7:00am- 8:30pm (no return within 1 hour). The servicing demands

arising from the development are likely to be small in terms of total numbers of movements for both the residential and commercial uses (with the Transport Assessment estimating one or two vans per day and perhaps one or two large HGVs per week). It is expected that the loading bay would be used most of the time for visiting service vehicles and some service vehicles (of appropriate size) may take the opportunity to access Percival Court.

- 6.8.18 It is not expected that large HGVs such as refuse vehicles would enter Percival Court to collect waste or make deliveries. As discussed below under Waste, collection of residential waste and recycling would need to be from the High Road.

#### *Construction Activities*

- 6.8.19 It is recommended that a Construction Logistics Plan (CLP) (to comply with relevant TfL guidance) is required by planning condition, to help ensure safe and reliable deliveries and reduced congestion/environmental impact.

#### *Transportation - Summary*

- 6.8.20 Subject to the recommended planning conditions and s106 planning obligations referred to above, the proposals would be acceptable from a transportation perspective.

### **6.9 Energy, Climate Change and Sustainability**

- 6.9.1 The NPPF and London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, and Policy SP4 sets out the approach to climate change and requires developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment. The London Plan requires all new homes to achieve a 35 per cent carbon reduction target beyond Part L 2013 of the Building Regulations (this is deemed to be broadly equivalent to the 40 per cent target beyond Part L 2010 of the Building Regulations, as specified in Policy 5.2 of the London Plan for 2015). Local Plan Policy SP4 requires a minimum of reduction of 20% from on-site renewable energy generation.
- 6.9.2 The London Plan sets a target of 25% of the heat and power used in London to be generated through the use of localised decentralised energy systems by 2025. Where an identified future decentralised energy network exists proximate to a site it will be expected that the site is designed so that it can easily be connected to the future network when it is delivered.

#### *Lean Carbon Savings*

- 6.9.3 The proposed energy efficiency measures include levels of insulation beyond Building Regulation requirements, low air tightness levels, efficient lighting as well



as energy saving controls for space conditioning and lighting. These measures achieve overall regulated CO2 emission reductions of 16.79% for the proposed housing and 36.4% for the proposed non-residential space (above the Intend to Publish London Plan target of 10% regulated CO2 emission reductions for housing and 15% reduction for non-residential uses).

#### *Clean Carbon Savings*

- 6.9.4 The Council has committed plans to deliver a North Tottenham District Energy Network (DEN). This facility has an anticipated development programme to be ready to deliver heat to developments in 2023 (subject to change).
- 6.9.5 The proposed scheme has been designed so that it could be connected to the proposed DEN, via a pipe route from the High Road into the entrance corridor and on to the proposed plantroom at either ceiling level along the corridor, or via a floor trench with removable covers. The proposed plant room provided sufficient space for the future installation of a DEN manifold and associated controls, by the removal of the buffer vessel which would not be needed.
- 6.9.6 It is recommended that s106 planning obligations secure the following: (a) Submit a further revised Energy Strategy for LPA approval; (b) design scheme in accordance with generic specification to allow connection to North Tottenham DEN, (c) Pay Initial Carbon Offset Contribution based on connection to DEN, (d) Use all reasonable endeavours to connect to DEN and (e) if not connected within 10 years, pay an additional Deferred Carbon Offset Contribution.

#### *Green Carbon Savings*

- 6.9.7 The applicants intend to use centralised Air Source Heat Pump (ASHP) condensers to service the heating and hot water requirements for the residential and retail spaces located in the proposed main plant spaces. The proposed plantroom would contain an air source heat pump buffer vessel and pump set which would distribute heating water to the proposed flats (each flat containing its own heating interface unit).
- 6.9.8 The applicant is also proposing a 21-panel facing array would be provided on the south facing roof slopes of Building B. It is recommended that details of these panels are reserved by condition
- 6.9.9 The proposed green technologies would save 45.57% in emissions over the Building Regulations (2013) Part L standards.

#### *Overall Carbon Savings*

- 6.9.10 The Applicant's revised Energy Statement sets out how the three-step Energy Hierarchy has been implemented and estimates that site-wide regulated CO2

savings would be 74.8% over Part L Building Regulations (2013), more than double the 35% called for by planning policy.

- 6.9.11 The proposed scheme would achieve 74.19% carbon savings on the domestic element of the scheme and 50.9% savings on the non-domestic scheme. To achieve 'zero carbon' for the residential portion of the scheme, the applicant's revised Energy Statement estimates that a total of 2.7 tonnes per annum of regulated CO<sub>2</sub>, equivalent to 81 tonnes over 30 years needs to be offset by financial contributions (81 x £95 per tonne = £7,695). The proposed non-domestic portion of the scheme achieves 35% carbon reduction and no carbon offset is therefore required.
- 6.9.12 However, officers are not wholly satisfied with the applicant's revised Energy and Sustainability Statement and it is recommended that a condition requires the submission and approval of an updated Statement before the commencement of development. It is also recommended that S016 planning obligations require the payment of an initial carbon offset amount upon commencement with a further deferred carbon offset payment made if no connection to a DEN is made within 10 years.
- 6.9.13 In accordance with Intend to Publish London Plan Policy SI 2, which introduces a fourth step 'Be Sean' to the Mayor of London's Energy hierarchy, it is recommended that a s106 planning obligation requires the applicants to submit data on energy use to the GLA, in accordance with the Mayor's 'Be seen' energy monitoring guidance' (currently pre-consultation guidance, April 2020).

### *Sustainability*

- 6.9.14 The applicant's submitted BREEAM Accredited Professional Stage 2 Report – Concept Design (pre-assessment) demonstrates that the non-residential element of the proposed scheme could achieve a BREEAM Rating of 74.41% - 'Excellent'. However, the applicant is unwilling to commit to this and it is recommended that a planning condition requires the issue of an accreditation certificate to certify for that a 'Very Good' rating has been achieved, in line with policy.

## **6.10 Flood Risk, Drainage and Water Infrastructure**

- 6.10.1 Development proposals must comply with the NPPF and its associated technical guidance around flood risk management. London Plan Policy 5.12 continues this requirement. London Plan Policy 5.13 and Local Policy SP5 expects development to utilize Sustainable Urban Drainage Systems (SUDS). Policy 5.14 requires proposals to ensure adequate wastewater infrastructure capacity is available.
- 6.10.2 Policies DM24, 25, and 29 continue the NPPF and London Plan approach to flood risk management and SUDS to ensure that all proposals do not increase the risk of flooding. DM27 seeks to protect and improve the quality of groundwater.

- 6.10.3 The site is predominantly located within Flood Zone 1 (Low Risk), but the eastern edge borders Flood Zone 2 (Medium Risk). It is also within a Critical Drainage Area. This potential flooding is associated with the culverted Moselle watercourse which runs under White Hart Lane and the High Road south of White Hart Lane. The risk of flooding from pluvial, groundwater (including over ground flow) and artificial sources has also been assessed and found to be low.
- 6.10.4 Flooding could be to a depth of 0.41m and 1.0m in the 1 in 100 year plus 20% climate change and 1 in 1000-year scenarios respectively. However, the proposed retail A1 ground floor use is classified as 'less vulnerable' and, in line with policy, it is acceptable for these areas to be subjected to flooding. The proposed 'more vulnerable' residential use is located at first floor and above, which would be at least over 3m above the potential modelled flood levels. It is recommended that a planning condition ensures that appropriate resilient measures to ground floor area are taken (such as the raising of electrical sockets and providing flood resilient construction materials).
- 6.10.5 It is proposed that runoff rates would be restricted to 1.8 l/s (which is three times the 1 in 100-year greenfield rate plus 40% climate change of 0.6 l/s). This would provide a betterment of approximately 77% when compared to the existing discharge rate (7.8 l/s). The applicant considers that this as close to the greenfield runoff rate as is practicable using SuDs and ensuring gravity discharge. In order to provide this restriction (which take account of a, a total attenuation volume of 43.2 cubic metres).
- 6.10.6 LBH Drainage officers raise no objection and no comments have been received from the Environment Agency or Thames Water.

## 6.11 Trees

- 6.11.1 The submitted Arboricultural Impact Assessment notes that the only tree of note within influencing distance of the property is an adjacent ash tree located within the rear beer garden of the Bricklayers Arms. The tree is of 'low quality and value' (being assessed as Category C). It has previously been topped at 3m and is growing immediately next to the boundary brick wall.
- 6.11.2 The Assessment proposes that the tree is removed, or if the Council or the owner do not agree to this, that it is heavily pollarded. The Council's Tree Officer comments that the tree is of limited value, having been subject to poor management previously and that it would be more appropriate to remove it and plant a more suitable species further away from the wall.
- 6.11.3 The proposed scheme enables the existing tree to be kept and also allows for the retention of the existing boundary wall to the pub beer garden, subject to further structural analysis of the wall, ground conditions and future Party Wall actions. It is recommended that planning conditions require the approval of details to protect the existing tree.

## 6.12 Ecology

6.12.1 Adopted London Plan Policy 7.19 indicates that whenever possible development should make a positive contribution to the protection enhancement creation and management of biodiversity. Local Plan Policy SP13 states that all development must protect and improve sites of biodiversity and nature conservation.

6.12.2 The site is currently devoid of vegetation and of no ecological value. The proposed communal amenity space provides the potential for some urban greening. It is recommended that landscaping details are reserved by planning condition to ensure that this maximises opportunities and that bird boxes and 'insect hotels' are incorporated.

## 6.13 Waste and Recycling

6.13.1 London Plan Policy 5.16 indicates the Mayor is committed to reducing waste and facilitating a step change in the way in which waste is managed. Local Plan Policy SP6 and Policy DM4 require development proposals make adequate provision for waste and recycling storage and collection.

6.13.2 The revised scheme incorporates separate residential bin and bulk storage areas in the covered yard area, within 25m of the High Road, enabling future residents to take out their waste and recyclables to the High Road frontage, near an existing lay by, on bin day. It is recommended that a Residential Waste Management Plan that makes clear who is responsible for doing this.

6.13.3 A commercial waste store is included within the proposed covered yard to the shop. It would be for commercial tenants to arrange their own waste collection.

6.13.4 The submitted Site Waste Management Plan (SWMP) sets out a framework for future SWMP a plan and describes the measures to be implemented to ensure that the development is acceptable in terms of managing waste during the demolition and construction phases. It is recommended that a detailed plan to maximise the re-use and recycling of waste is secured by planning condition.

## 6.14 Land Contamination

6.14.1 Policy DM32 require development proposals on potentially contaminated land to follow a risk management-based protocol to ensure contamination is properly addressed and carry out investigations to remove or mitigate any risks to local receptors.

6.14.2 The submitted Preliminary Risk Assessment concludes that, given the proposed end use, the overall risk rating for the site is assessed as 'low' and that given the Site history and the proposed development, intrusive investigation to further

quantify the contamination status of the site is not required. However, it goes on to recommend, amongst other things, that a watching brief should be carried out during the construction phase and that a Construction Environmental Management Plan (CEMP) should be prepared and construction materials should be appropriately stored.

6.14.3 Given the above and comments from Environmental Health, it is recommended that planning conditions secure the above.

## 6.15 Archaeology

6.15.1 The revised NPPF states that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. London Policy 7.8 states that development should incorporate measures that identify record, interpret, protect and, where appropriate, preserve a site's archaeology. This approach is reflected at the local level.

6.15.2 The application is supported by an Archaeological Desk Based Assessment. This notes that the site was one occupied by "The Horns" inn and that there is medium potential for related remains, which would likely be of medium to high significance. In response to comments by the Greater London Archaeological Advisory Service (GLAAS) would prefer that investigative work is carried out before determination of this application. However, the applicant is not willing to do this and officers consider that it is reasonable to require post determination archaeological field work in this case and it is recommended that this is secured by way of planning conditions (which have been drafted with the help of GLAAS).

## 6.16 Equalities

6.16.1 In determining this planning application, the Council is required to have regard to its obligations under equalities legislation including obligations under the Equality Act 2010. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and to foster good relations between persons who share a protected characteristic and persons who do not share it. Members must have regard to these duties in taking a decision on this application.

6.16.2 The proposed development provides a range of socio-economic and regeneration outcomes for the Tottenham area including additional housing, which would add to Haringey's stock of market homes and a retail use within the North Tottenham Local Centre.

6.16.3 An employment skills and training plan, recommended to be secured by a S106 obligation, would ensure a target percentage of local labour is utilised during

construction. This would benefit priority groups that experience difficulties in accessing employment. Assistance would also be provided for local tenders and employment skills and training. A financial contribution regarding apprenticeships is also recommended to be secured by a S106 obligation, as per the Heads of Terms above.

6.16.4 The proposed development would add to the stock of wheelchair accessible and adaptable dwellings in the locality in accordance with London Plan and local planning policy requirements.

## 16.17 Conclusion

16.17.1 In conclusion:

- The proposed development allows for an incremental delivery of comprehensive proposals for site allocation NT5, in accordance with the adopted High Road West Masterplan Framework;
- The replacement of existing buildings in the North Tottenham Conservation Area with replacement high-quality new buildings would preserve and enhance the character and appearance of the Conservation Area and safeguard the setting of adjoining Locally Listed Buildings.
- The proposal is a well-designed, residential-led mixed-use scheme providing a range of residential accommodation, a new shop in the Tottenham High Road North Local Shopping Centre and a small office/dentist;
- The scheme would deliver high-quality, accessible, family and smaller sized residential units;
- The layout and design of the development would optimise the potential of the site, respect the scale and character of the surrounding area and satisfactorily safeguard the amenity of neighbours; and
- The development would provide good cycle parking to encourage cycling, incorporate on-site renewable energy technologies and be designed to link with the proposed North Tottenham District Energy Network too help reduce carbon emissions.

## 7 COMMUNITY INFRASTRUCTURE LEVY (CIL)

7.1 Based on the information given on the plans, the estimated Mayoral CIL (£60 per square metre, £59.64 with indexation) would be £78, 849 and (based on the current Haringey CIL charge rate for the Eastern Zone of £15 per square metre (£20.96 with indexation) the estimated Haringey CIL charge would be £19,179, giving a total estimate of £98,029.

7.2 The CIL will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to

indexation in line with the construction costs index. An informative will be attached advising the applicant of this charge and advising the scheme is judged to be phased for CIL purposes.

- 7.3 The Council is proposing to increase the current Haringey CIL charge rate for the Eastern Zone of the borough from £15 to £50 per square metre and consulted on a Draft Charing Schedule between 18 December 2019 and 11 February 2020. The proposed development would be liable to pay the Haringey CIL rate that is in effect at the time that permission is granted.

## **8 RECOMMENDATIONS**

- 8.1 GRANT PLANNING PERMISSION subject to conditions in **Appendix 7** and a Section 106 Legal Agreement.