

Planning Sub Committee

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference No: HGY/2021/0441

Ward: Northumberland Park

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

Proposal - Full planning application for the demolition of the existing buildings and the erection of a replacement building up to four storeys to include residential (C3), retail (Class E, a) and flexible medical/health (Class E, e) and office (Class E, g, i) 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: 28 March 2021.

Date received: 10 February 2021. **Last amended:** 06 April 2021.

Plans and Documents: See **Appendix 2** 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 revised proposal would satisfactorily address the reason for refusal for the earlier application (HGY/2020/1361) by (i) improving the quality, safety and accessibility of the development by including additional external lighting and an area of improved paving to Percival Court and by providing a more accessible and more dignified direct entrance from the proposed car parking space to an internal entrance hall and (ii) securing an accessible and appropriate waste and recycling collection solution that would safeguard the character and appearance of the North Tottenham Conservation Area and the vitality and viability of the Tottenham High Road Local Shopping Centre and keep open the option of collecting from the Percival Court in the future once the relevant phase of the High Road West Masterplan development comes forward;
- 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 to 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, Building Standards & Sustainability 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 .
- 2.2 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than **31 July 2021** or within such extended time as the Head of Development Management or the Assistant Director 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 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 6 of this report).

- 1) 3-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) Blocks A & B – 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) Land Contamination – Part 1
- 22) Land Contamination – Part 2
- 23) Unexpected Contamination
- 24) Archaeology 1
- 25) Archaeology 2
- 26) Cycle Parking Provision
- 27) Car 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 6 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) **Car Club:** two years' free membership for one household in each residential unit and £50 (fifty pounds in credit) per year for the first 2 years; and an enhanced car club membership for the proposed family-sized 3-bed unit, including 3 years' free membership and £100 (one hundred pounds in credit) per year for the first 3 years.
- 3) **Affordable housing:** Financial contribution towards off-site provision if commercial unit on first floor of Block A is converted to residential use.
- 4) **Marketing and letting material** to potential purchasers/tenants of flats in No. 807 to highlight the existence and location of the pub beer garden.
- 5) **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 from the date of planning permission being granted, pay an additional Deferred Carbon Offset Contribution.
- 6) **Initial Carbon Offset Contribution:** Amount to be determined in further revised Energy & Sustainability Statement (payable upon commencement);
- 7) **Deferred Carbon Offset Contribution:** Amount to be determined in further revised Energy & Sustainability Statement (payable after 10 years, if no connection to DEN);
- 8) **Be Seen:** Commitment to uploading data to the GLA's Energy Monitoring platform.
- 9) **Employment & Skills Plan:** (a) Local Labour during construction, (b) Construction Apprenticeships and (c) Apprenticeship Support Contribution;

10) **Construction:** (a) Commitment to Considerate Contractors Scheme and (b) signing up to Construction Partnership.

11) **Monitoring:** Borough monitoring costs in accordance with para. 5.42 of the Planning Obligations SPD (approx. £5,200).

2.5 In the event that members choose to make a decision contrary to the officer recommendation (that being that the proposed development accords with the development plan overall), members will need to state their reasons.

Presumption in Favour of Sustainable Development (PFSD)

2.6 In the event that members choose to make a different decision to that recommended it will be necessary to consider the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF). This is because the Council's delivery of housing over the last three years has been substantially below its housing target and so paragraph 11(d) of the NPPF is engaged by virtue of footnote 7 of the NPPF. Members must state their reasons including why it is considered that the presumption is not engaged.

2.7 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 T4 and T6.1 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 H4 and H5, 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 SI 3 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 SI 1 and SI 3, Policy SP11 and Policy DM1.

2.8 In the event that the Planning Application is refused for the reasons set out above, the Head of Development Management or the Assistant Director (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.

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APPENDICES:

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- Appendix 2: Plans and Documents List
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3.0 BACKGROUND

- 3.1 The Planning Sub-Committee considered a similar application for this site at its meeting on 12 October 2020 (HGY/2020/1361). The application was recommended for approval, but following consideration, the Committee resolved to refuse planning permission for the following reason:

The proposed development, by way of its access arrangements for future residents; in particular wheelchair users, and its refuse collection arrangements, would fail to provide a high quality, safe and accessible environment for future occupiers, nor provide for accessible and appropriate waste and recycling collection. This would result in an unacceptable quality of housing and an unacceptable detrimental effect on the amenities of the area and be contrary to policy SP2 of the Haringey Strategic Policies (March 2013) and policies DM1, DM2, DM4 and DM33 of the Haringey Development Management DPD (July 2017) and policy 7.2 of the London Plan (March 2016).

- 3.2 This application seeks to address the reason for refusal with an amended proposal as set out in detail below.
- 3.3 The applicant has also appealed against this decision (APP/Y5420/W/21/3268414) if this application is approved the applicant has indicated they will withdraw the appeal.

4.0 PROPOSED DEVELOPMENT

Proposed Revised Development

- 4.1 This revised planning application is largely the same as the application that was refused planning permission and as set out in Section 3 of the 12 October 2020 Planning Sub Committee (PSC) report (Appendix 1). However, the proposed scheme has been revised to address the Council's reasons for refusal and take account of changes to the Use Classes Order (1987). The differences between the current application and the refused application can be summarised as follows:
- Upgrading the road surface treatment of the part of Percival Court within the ownership of the applicant by replacing the existing tarmac/concrete surface with brick pavements;
 - Additional external lighting on the Percival Court frontage of Block B;
 - The re-positioning of the proposed car parking space and 1.2m transfer zone within the integral garage and the introduction of an additional point of access from the space to the internal corridor – to provide direct access into the internal circulation areas of the proposed housing and avoid the need for a wheelchair user to leave and then re-enter the building;

- The inclusion of an Electric Vehicle Charging Point for the proposed car parking space;
- Removal of one set of doors between the proposed bin store and cycle storage area and the covered yard;
- Minor changes to the proposed High Road shopfront and residential entrance door; and
- The formal description of development reflects changes to the Use Classes Order (1987), introduced in September 2020.

Site and Surroundings

- 4.2 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.
- 4.3 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.
- 4.4 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.
- 4.5 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.
- 4.6 Immediately opposite the site on the east side of the High Road is Northumberland Terrace, a terrace of mainly listed Georgian buildings.
- 4.7 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 the 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.

4.8 There has been a material change to the surroundings that are set out in the 12 October 2020 committee report (Appendix 1), in that the Licence for the Bricklayers Arms pub has been amended to allow for different opening hours. The current opening hours are discussed under Impact on Amenity of Future Residents and Adjoining Occupiers below.

Relevant Planning and Enforcement History

4.9 Material changes in the planning history of the site since that set out in the 12 October 2020 committee report (Appendix 1) is set out below.

No. 807 High Road

4.10 HGY/2020/1361: planning permission refused for a very similar proposed development in October 2020 (See Section 3 for full reason for refusal).

Nos.803-805 (Bricklayers Arms)

4.11 HGY/2020/3142: approval of details pursuant to condition 3 (provision of refuse and cycle storage) in relation to the above permission.

Northumberland Terrace (opposite)

4.12 HGY/2020/1584 and 1586: in October 2020, PSC resolved to grant planning permission (and Listed Building Consent as necessary) for the erection of a four storey building with flexible A1/A2/A3/B1/D1/D2 uses; external alterations to 798-808 High Road; change of use of 798-808 High Road to a flexible A1/A2/A3/B1/D1/D2 uses; demolition of rear extensions to Nos. 798, 800-802, 804-806, 808 and 814 High Road; erection of new rear extensions to Nos. 798, 800-802, 804-806 and 808 High Road.

Consultation and Community Involvement

4.13 The pre-application consultation by the applicant, consideration of Haringey's Quality Review Panel and presentation to the PSC are as set out in Section 3 of the 12 October 2020 committee report (Appendix 1).

5.0 CONSULTATION & RESPONSES

5.1 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 Licensing
- 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

5.2 An officer summary of the responses received is below. The full text of internal and external consultation responses is contained in Appendix 3.

Internal:

Carbon Management – Officers recommended that a condition requires the submission and approval of an updated Statement before the commencement of development. Subject to this, other proposed conditions and S106 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 – In support – it would be a positive investment into the High Road.

Licensing – No comments.

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.

Transportation – No objection subject to proposed conditions in relation to cycle parking, Delivery and Servicing Plan and Construction Management Plan and S106 obligations in relation to car-capped development and car club membership.

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 – The best option from a solely waste storage/collection perspective, and our default position for communal waste collections, would be Option 3 (large enclosed bin store off of the highway and within the High Road frontage). However, it is recognised that other objectives need to be considered

and, given the particular circumstances of this case, the Team understand the reasons for our default position not being accommodated in this instance. In consideration of this, the Team have identified option 2 as having the least impact of the development's waste being presented on the street. This is subject to an approved Residential Waste Management Plan ensuring that bins would only be on the High Road footway, close to the existing service bay for the minimum reasonable time possible on the day of collection.

External:

Historic England – HE has resubmitted its comments on the earlier application. 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 (GLAAS) – 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. N.B Further comments on earlier application made clear that 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) The London Fire Commissioner is satisfied with the proposals for firefighting access.

Metropolitan Police (Designing Out Crime Officer) – The DOCO has met with the design team. No objection, subject to conditions. In terms of the revised scheme, there is support for the proposed lighting, but a number of detailed internal issues need addressing.

Thames Water – (1) Developer should follow the sequential approach to the disposal of surface water. Approval is required before discharging to any sewer; (2) Request a planning condition reserving details of any piling works – in order to safeguard sewer; (3) No objection in terms of waste water or sewage treatment works infrastructure capacity; and (4) Request for informative in relation to water pressure.

Transport for London – (1) All cycle parking should be designed in line with London Cycling Design Standards – cyclist should not have to navigate more

than two doors to access internal cycle storage area (2) All short cycle parking should be provided on site (3). Query where hearses would be stored. (4) Welcomes proposed consolidation of deliveries during construction & recommends a booking system or use of a holding area. (5) A Construction Logistics Plan should be secured by condition & TfL should be consulted. (6). Queries if use class would be restricted by a condition.

6 LOCAL REPRESENTATIONS

6.1 On 11 February 2021, notification was sent to the following:

- 218 Letters to neighbouring properties
- 2 Letters to Haringey-based organisations (as noted above)

6.2 A Press Advertisement was placed in the Enfield Independent on 17 February 2021 advertising:

- Major application affecting a conservation area and Listed Buildings

6.3 On 19 February, one site notice erected in the vicinity of the site, publicising:

- Planning application
- Development affecting the setting of the North Tottenham Conservation Area and Listed Buildings

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

No of individual responses: 3
Objecting: 1 individual.
Supporting: 1 individual.

Ward Cllr: A comment was received from Cllr Bevan.

6.5 The full text of neighbour representations and the officer response are set out in Appendix 4.

6.6 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 that would have balconies and that this may lead to restrictions on use of the beer garden in the evenings. In January 2021 the owners agreed a new License with the Council for the garden and a servery to be able to trade until 10pm on every night of the week (with the current License in respect of internal areas allowing for use until 1.00am all days of the week). They also object to the impact that the proposal would have on daylight to residential windows on the upper floors of Nos. 803-805 High Road.

Support:

- This looks like a well put together and considered scheme.

Other:

- Cllr Bevan requests input from the Conservation Officer and implementation of their recommendations (in relation to proposed height in particular).

7.0 ASSESSMENT OF REVISIONS TO PROPOSED DEVELOPMENT

Overview

- 7.1 The proposed application seeks to address the previous reason for refusal through an amended ground floor layout and improvements to Percival Court (paving and external lighting). Therefore, the assessment of the proposal considers the proposed revised development scheme and whether it addresses the previous reason for refusal and changes to the policy background. Several issues were assessed in the previous report and addendum report to committee of 12 October 2020 and that assessment remains the same as in Section 6 of those reports, although policy references have been updated.

Principle of Development

- 7.2 There have been two material changes in the planning policy context since the earlier application was considered by the PSC on 12 October 2020.
- 7.3 *Policy Background.* The 2020 Housing Delivery Test (HDT) results were published on 19 January 2021 and as a result Haringey Local Planning Authority is now a “presumption authority” and paragraph 11d of the NPPF is relevant. The Council’s delivery of housing over the last three years is substantially below its housing target and so paragraph 11d of the NPPF is engaged by virtue of footnote 7 of the NPPF. Nevertheless, the proposed development has been found to be in accordance with development plan policies and, therefore, consideration of para. 11(d) is not required in this instance (but would be if the application were to be refused).
- 7.4 *The Development Plan.* The Mayor of London published the new London Plan on 2 March 2021. This means that for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004, the development plan comprises the Strategic Policies Development Plan Document (DPD), Development Management Policies DPD and Tottenham Area Action Plan (AAP) and the London Plan (2021). Officers have taken full account of this and the adopted London Plan policies when assessing this application and have updated all references to London Plan policies referred to in the PSC report on 12 October 2020 (Appendix 1) where relevant.

Policy Assessment

- 7.5 *Policy update.* Published London Plan Policy H1 and Table 4.1 set the same 10-year housing target for Haringey as Intend to Publish London Plan Policy H1 that was referred to in the report to PSC on 12 October 2020 (i.e. 19,580 homes between 2019/20 and 2028/29).

Development Design

- 7.6 *Policy updates.* Published London Plan Policies D6 (Housing quality and standards), D1 (London's form, character and capacity for growth) and D4 (Delivering good design) replace former London Plan Policies 3.5, 7.4 and 7.6 referred to in the report to PSC on 12 October 2020 (Appendix 1), but the policy objectives have not changed. Published London Plan Policies D3 (optimising site capacity through the design-led approach) and D12 (Fire safety) are the same as Policies D3 and D12 in the Intend to Publish London Plan that were also referred to in the October 2020 officer report. Published London Plan Policy D5 (Inclusive design) and Local Plan Policies SP2 (Housing) and DM2 (Accessible and Safe Environments) call for development proposals to provide accessible housing and achieve the highest standards of accessible and inclusive design and have regard to the principles set out in 'Secured by Design.'
- 7.7 *Percival Court surface treatment.* Percival Court is a private road, with the part immediately in front of proposed Block B being owned by the applicant. It is generally in a poor state of repair, comprising uneven and pot-holed tarmac. In response to the refusal of planning permission, the current application includes the provision of new block pavers to a circa 3m wide strip of Percival Court in front of the proposed entrance and integral garage of Block B and triangular area extending out to approx. 3m by the proposed vehicular access to the covered yard. This would improve the quality of the surface of Percival Court over part of its length and improve the sense of arrival at the proposed residential entrance. Officers welcome the proposed paving, which would improve the surface treatment of the Court immediately in front of the proposed development and improve the sense of arrival for future residents. It is recommended that details are secured by a planning condition.
- 7.8 *Accessibility.* To address the previous reason for refusal, the layout of the integral garage has been amended from the earlier application. The location of the parking space itself has been moved to the eastern side of the garage, thus allowing for a 'transfer zone' to be incorporated on the western side of the space and the inclusion of a door from the space in to the internal entrance hall. This would enable a driver who is a wheelchair user (if entering in forward gear) or a wheelchair user passenger to transfer into their chair and enter the entrance hall without having to exit the garage and then enter the building via the residential

entrance on Percival Court. The applicant has also confirmed that the various doors along the ground floor residential corridor areas, which are required to meet Building Regulations, would include an automatic/push button opening mechanism or alternative solution to ensure that they are accessible for wheelchair users.

- 7.9 As in the earlier application the proposed ground floor commercial unit on the High Road would have a level threshold with the back of footway and short internal ramps to negotiate a change in levels within the unit itself. This would be a significant improvement on the existing ground floor, which includes a high step formed by a raised concrete slab.
- 7.10 *Safety and lighting.* The earlier refused application had been subject of consultation with the Met Police's Designing Out Crime Officer (DCCO), who raised no objections, subject to a planning condition securing Secured by Design accreditation. In response to the refusal of planning permission, the current application includes five additional external lights mounted on the outside of Block B just below first floor window level and one light next to the entrance door, below the proposed canopy. The DCCO has welcomed the proposed external lighting, but raised a number of detailed concerns that can be addressed by the recommended Secure by Design condition. Officers welcome the proposed external lighting which would create a more welcoming and safer environment for future residents who choose to enter or leave their homes via the proposed entrance to Block B. It is recommended that details are secured by a planning condition.
- 7.11 The eastern part of Percival Court is currently overlooked by residential windows on the upper floors of Nos. 809 and 811 High Road. The flats above No. 811 are also accessed from an entrance door off of Percival Court. The proposed development would introduce additional overlooking to the central part of the Court. It should be noted that whilst pedestrians, including wheelchair users, could gain access to Block B from Percival Court, the proposed front and rear residential cores are linked internally by an accessible route, enabling people who live in Block B to access their home from the proposed High Road residential entrance. Indeed, the applicant anticipates that, prior to future phases of the High Road West Masterplan coming forward, this entrance would be the principal access for homes in Block B.
- 7.12 *Shopfront.* Whilst not stated as a reason for refusal, there was a comment from a committee member regarding the proposed shop front of 807 in proportion to its immediate neighbours on both sides. The applicant has amended the scheme to raise the height of and reduce the depth of the proposed fascia signboard to improve its relationship to the neighbouring shopfronts. This has led to minor increase in height of the top glazing panel to the proposed shopfront and residential entrance door. Officers welcome these changes.

- 7.13 *Covered Yard.* Following comments from TfL, one set of doors between the proposed covered yard and the proposed bin storage and residential corridor/cycle stand has been removed so that cyclists using this route would not need to navigate more than two sets of doors to get to and from the proposed cycle storage area. This would also make it easier to move bins to and from the proposed bin storage area and the High Road or, in the future, a new service route to the west of the site when the relevant phase of the wider High Road West development is built.
- 7.14 Officers are satisfied that, subject to the recommended planning conditions reserving details of external materials, shopfront/shutter, cill, lintel, gable details, paving materials and lighting, the proposed development would represent a high quality and sensitive development in this part of the Conservation Area that would provide a safe and accessible environment for future occupiers and the previous reason for refusal has been overcome.

Waste and Recycling

- 7.15 *Policy update.* Published London Plan Policy SI 8 (Waste capacity and net waste self-sufficiency) continues the Mayor's commitment to reducing waste and facilitating a step change in the way in which waste is managed that was in the previous London Plan Policy 5.16 (referred to in the report to PSC on 12 October 2020 (Appendix 1)). Local Plan Policy DM4 (Provision and Design of Waste Management Facilities) calls for adequate on-site provision for general waste, recyclable materials and organic material in accessible and safe storage facilities, both for occupiers and collective operatives.
- 7.16 The earlier application proposed a centrally placed bin store in the covered yard area to accommodate 10 x 360L Wheelie Bins (7 for general waste and 3 for recycling) and 1 x 140L Wheelie Bin for food waste. The bin store was within 30m horizontal distance of homes in Blocks A and B and proposed storage and collection arrangements were based on future residents taking their refuse and recyclables to this area and a Residential Waste Management Plan (secured by condition) requiring a third-party to take out refuse/recycling sacks to the High Road frontage, for collection by the Council's waste collection service using the existing 'Flats above Shops' scheme. Members considered this arrangement unacceptable and it was one of the reasons why the earlier application was refused.
- 7.17 The current application is based on the same proposed storage arrangements (i.e. a centrally located bin store), although one set of doors between the proposed bin store and the covered yard have been removed – which would make it easier to move bins on to the Percival Court frontage should this be the preferred collection point in the future. Planning officers have liaised with officers in the Waste Client Team and the applicant to identify more appropriate collection arrangement that takes account of the Council's drive to

reduce/remove bin sacks from being left on streets – something that is unsightly, can provide an obstacle to pedestrians and results in leakages/stains on the footway. This has included considering the four options identified in Table 1 below.

Table 1: Waste storage and collection arrangements

Option	Pros & Cons
<p>1. Application scheme – 1 x centrally located store, with sacks being taken to High Road by third party for collection</p>	<p>Pros</p> <ul style="list-style-type: none"> - Retains car parking space for proposed wheelchair accessible home - Store within 30m horizontal distance of all homes - Percival Court store could be serviced from the west in the future (when the relevant phase of the wider High Road West site is developed) <p>Cons</p> <ul style="list-style-type: none"> - Sacks on street for a limited period
<p>2. Variation of current application scheme – 1 x centrally located store, with Wheelie Bins being taken to High Road by third party for collection</p>	<p>Pros</p> <ul style="list-style-type: none"> - Retains car parking space for proposed wheelchair accessible home - Store within 30m horizontal distance of all homes - Centrally located store could be serviced from the west in the future (when the relevant phase of the wider High Road West site is developed) <p>Cons</p> <ul style="list-style-type: none"> - Wheelie Bins on street, within an identified holding area, for a limited period
<p>3. Alternative Option 02 – 1 x large store on High Road frontage</p>	<p>Pros</p> <ul style="list-style-type: none"> - Allows for direct weekly collection of Wheelie Bins by Veolia staff, via the loading bay if possible or from kerb (if loading bay is unavailable) <p>Cons</p> <ul style="list-style-type: none"> - Homes in Block B would be more than 30m horizontal distance away from store - Approx. 30% of High Road frontage would be taken up by the store - Does not lend itself to being serviced from the west in the future (when the wider High Road West site is developed) - 'Dead frontage' affecting the viability & vitality of the proposed shop and the Tottenham High Road Local Shopping Centre - Unattractive frontage that would harm the character and appearance of this part of the North Tottenham Conservation Area.

Option	Pros & Cons
4. Alternative Option 03 1 x smaller store on High Road frontage & 1 x store on Percival Court frontage	<p>Pros</p> <ul style="list-style-type: none"> - Allows for direct collection of Wheelie Bins serving homes in Block A by Veolia staff only, via the loading bay on the High Road if possible or from kerb (if loading bay is unavailable). - Stores within 30m horizontal distance of all homes - Percival Court store could be serviced from the west in the future (when the relevant phase of the wider High Road West site is developed) <p>Cons</p> <ul style="list-style-type: none"> - Sacks/or Wheelie Bins from the Block B would still need to be presented to the High Road frontage for collection (with a carry distance of approx. 75m). - Approx. 20% of High Road frontage would be taken up by a store - High Road storage is not large enough for weekly collections (so a second collection would be needed, with no established mechanism for recovering these additional costs) - 'Dead frontage' affecting the viability & vitality of the proposed shop and the Tottenham High Road Local Shopping Centre - Unattractive frontage that would harm the character and appearance of this part of the North Tottenham Conservation Area.

7.18 There is no option that provides direct collection of general waste, recyclables and food waste from the High Road, therefore keeping sacks/bins off the street at all times, that is acceptable to the applicant and would not harm the viability and vitality of the proposed shop/Local Centre or the character and appearance of the Conservation Area. Currently, the flats-above-shops scheme would collect waste here between 9.00am and 11.00am on the day of collection, so allowing for an hour either side, this should mean that bins would only be on the footway between 8.00am and 12.00 noon one day a week. The applicant has identified an area of the footway outside of No.807 (the application site) and next to the existing service bay. This would retain a clear footway width of approx. 3.5m, so should not cause an obstacle to pedestrians.

7.19 Taking account of the above, the statutory duty to pay special attention to preserving or enhancing the character or appearance of conservation areas and the importance of safeguarding the vitality and viability of the Local Centre, officers consider that, subject to the recommended planning condition, Option 2 is the best option and, subject to securing a Residential Waste Management

Plan, would provide accessible and appropriate waste and recycling collection arrangements that satisfactorily address the reason for refusal of the earlier application for the site. Officers recommend a more detailed Residential Waste Management Plan than the one recommended in relation to the earlier application) which ensures the following:

- A third party would be responsible for taking out Wheelie Bins or Euro Bins (keeping options open) to the High Road frontage to an identified holding area next to the existing loading bay;
- Bins would be taken out on the morning of collection (so not left out overnight) and taken back in to the store within a specified time after collection; and
- These arrangements would be reviewed once the relevant phase of the wider High Road West development has been developed, with the objective of switching collection from Percival Court or a new street to the west, if possible.

7.20 Proposed arrangements for commercial waste would be as previously proposed in the earlier application, including a store within the proposed covered yard to the shop, with commercial tenants to arrange their own waste collection.

7.21 Proposed arrangements for construction waste would be as previously proposed – with the submitted Site Waste Management Plan (SWMP) setting out a framework for future SWMP a plan and describing 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.

Transportation and Parking

7.22 Policy updates. Published London Plan Policy T1 (Strategic approach to transport) continues to support development that generates high levels of trips at locations with high levels of public transport accessibility and encourages shifts to more sustainable modes and promotes walking by ensuring an improved urban realm (effectively replacing Policy 6.1 in the previous London Plan, as referred to in the report to PSC on 12 October 2020 (Appendix 1)). Similarly, Published London Plan Policies T2 (Healthy Streets), T5 (Cycling) and T6 (Car parking) replace previous London Plan Policies 6.9, 6.1 and 6.13 and former Intend to Publish London Plan Policy T5. In doing so, they continue to promote walking and cycling and require 16 long-stay cycle parking spaces and 2 short-stay visitor spaces are proposed, together with 6 long/short-stay commercial parking spaces.

- 7.23 As outlined under Development Design, the layout of the proposed integral garage is different from that included in the earlier application and includes a 1.2m transfer zone and doorway that enables direct access for a wheelchair user from the car parking space and the internal entrance area. The applicant has submitted swept path analysis to demonstrate that it is possible for cars to satisfactorily access and exit the space in both forward gear and reverse. This means that a wheelchair user who is either the driver or front passenger in a car could take advantage of the proposed transfer zone and direct access to the building.
- 7.24 The inclusion of an Electric Vehicle Charging Point for the proposed car parking space is welcomed and it is recommended that this is secured by condition.
- 7.25 The removal of one set of doors between the proposed cycle storage area and the covered yard, as suggested by TfL, is welcome.
- 7.26 Given the essentially 'car free' nature of the proposal, it is recommended that a planning obligation secures free membership for one household in each residential unit and £50 (fifty pounds in credit) per year for the first 2 years; and an enhanced car club membership for the proposed family-sized 3-bed unit, including 3 years' free membership and £100 (one hundred pounds in credit) per year for the first 3 years. This is an additional Heads of Terms from what was recommended previously, in respect of the earlier application.

Housing mix and residential quality

- 7.27 *Policy updates.* Published London Plan Policies D4 (Delivering good design) and D6 (Housing quality and standards) are the same as Policies D4 and D6 in the Intend to Publish London Plan that are referred to in the report to PSC on 12 October 2020 (Appendix 1). Local Plan Policies SP2 (Housing) calls for development proposals to provide accessible housing.
- 7.28 As previously proposed, Flat 8 (2-bed 3-person) on the third floor of Block B would be a lift-served 'wheelchair user dwelling' that would have access to a disabled parking space in an integrated garage accessed from Percival Court and all other homes would be built to be 'accessible and adaptable dwellings.' However, the changes discussed under Design Development and Transportation and Parking above, would result in a more inclusive development by allowing for a direct, more dignified route to and from the car parking space and the persons' home. As such, they are welcomed.

Heritage Conservation

- 7.29 *Policy update.* Published London Plan Policy HC1 (Heritage conservation and growth) is the same as Policy HC1 in the Intend to Publish London Plan that is referred to in the report to PSC on 12 October 2020 (Appendix 1).

- 7.30 The proposed minor changes to the proposed High Road shopfront and residential entrance door and paving of a small area of Percival Court are welcome and the proposed external lighting should not harm the character and appearance of the Conservation Area or locally Listed Building at Nos. 809-811. Consequently, the assessment of the current application against the Council's legal duties and development plan policies remain as set out in the officer report to PSC on 12 October 2020 (Appendix 1).

Impact on Amenity of Future Residents and Adjoining Occupiers

Relationship with Nos. 803-805 High Road (Bricklayers Arms)

- 7.31 For the avoidance of doubt, the revised application scheme does not include windows in the southern flank wall of Block B, where it abuts the Bricklayers Arms pub garden. Such windows were included in the earlier application as originally submitted, but were omitted from the earlier scheme in the run up to it being considered by the PSC on 12 October 2020. Otherwise, the proposed scheme is as described in the officer report to PSC on 12 October 2020 (Appendix 1).

Overlooking/privacy and Daylight/Sunlight Assessment

- 7.32 The assessment of overlooking/privacy daylight and sunlight impacts on existing neighbouring homes (including Nos. 803-805 High Road) remain as set out in the officer report to PSC on 12 October 2020 (Appendix 1).

Noise

- 7.33 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 THFC 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. The licensing situation for the Bricklayers Arms has changed since the Committee considered the earlier proposal. The current License (as varied in January 2021) allows for the pub garden to be used up until 10.00pm (Monday to Sunday) and the internal bar and other areas up to 01.30am.
- 7.34 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 double-glazed windows, 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. In addition, it is recommended that a planning obligation also requires that marketing and

letting material to potential purchasers/tenants of flats in No. 807 to highlight the existence and location of the pub beer garden.

External lighting

- 7.35 The location of the proposed additional external lighting on the Percival Court frontage of Block B means that it should not adversely affect the amenity of occupiers of existing homes above No. 809 High Road or No. 813 High Road. As discussed above, officers consider the proposed external lighting to be acceptable, subject to the prior approval of details, which is recommended to be secured by a planning condition.

Amenity Impacts – Summary

- 7.36 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 existing neighbouring residents (in terms of overlooking/privacy, daylight and sunlight impacts and external lighting) is acceptable, given the benefits that the proposed scheme would deliver. In addition, officers are satisfied that, subject to the recommended planning conditions and obligation, the proposed new housing on the site has been designed to take account of the Bricklayers Arms and its pub garden and that it should provide acceptable new housing that would not threaten this established business.

Other matters

- 7.37 *Policy updates – other topics.* For completeness, set out below are updates on London Plan published policies for those topics where no relevant changes to the earlier application have been made and where the officer's assessment in the report and addendum report to committee of 12 October 2020 is unchanged:

- Energy, Climate Change and Sustainability. Former adopted London Plan Policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11 have been replaced by published London Plan Policies SI 2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure) and SI 4 (Managing heat risk). These continue and strengthen the approach to climate change and require 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.
- Flood Risk, Drainage and Water Infrastructure. Former London Plan Policies 5.12, 5.13 and 5.14 have been replaced by published London Plan Policies SI 5 (Water infrastructure), SI 12 (Flood risk management) and SI 13 (Sustainable drainage) and continue to call for development to utilise

Sustainable Urban Drainage Systems (SUDS) and ensure adequate wastewater infrastructure capacity is available.

- Ecology. Former adopted London Plan Policy 7.19 has been replaced by published London Plan Policy G6 (Biodiversity and access to nature) which continues to indicate that whenever possible development should make a positive contribution to the protection enhancement creation and management of biodiversity.
- Archaeology. Former London Policy 7.8 has been replaced by published London Plan Policy HC1 (Heritage conservation and growth) which continues to state that development should incorporate measures that identify record, interpret, protect and, where appropriate, preserve a site's archaeology.

7.38 Following discussion at the PSC on 12 October, when the officer recommendation on the earlier application had been to allow for a 4-year life, officers are recommending that the life on any planning permission be limited to the standard 3-years.

7.39 The opportunity has been taken to make a number of minor improvements to the wording of some of the recommended conditions in Appendix 6 and a number of reasons for the recommended conditions have been updated to reflect the publication of the new London Plan.

Equalities

7.40 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.

7.41 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.

7.42 An employment and skills 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.

7.43 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. The revised application would provide a safer and more accessible environment than proposed in the earlier application.

Conclusion

7.44 In conclusion:

- The revised proposal would satisfactorily address the reason for refusal for the earlier application (HGY/2020/1361) by (i) improving the quality, safety and accessibility of the development by including additional external lighting and an area of improved paving to Percival Court and by providing a more accessible and more dignified direct entrance from the proposed car parking space to an internal entrance hall and (ii) securing an accessible and appropriate waste and recycling collection solution that would safeguard the character and appearance of the North Tottenham Conservation Area and the vitality and viability of the Tottenham High Road Local Shopping Centre and keep open the option of collecting from the Percival Court in the future once the relevant phase of the High Road West Masterplan development comes forward;
- 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.

8.0 COMMUNITY INFRASTRUCTURE LEVY (CIL)

8.1 Based on the information given on the plans, the estimated Mayoral CIL2 (£60 per square metre, £60.55 with indexation) would be £80,047 and (based on the

current Haringey CIL charge rate for the Eastern Zone of £15 per square metre (£20.90 with indexation) the estimated Haringey CIL charge would be £19,123, giving a total estimate of £99,170.

- 8.2 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 RICS CIL Index. An informative will be attached advising the applicant of this charge and advising the scheme is judged to be phased for CIL purposes.

9.0 RECOMMENDATION

- 9.1 It is recommended to Grant Permission as set out in section 2 above.**