

## Planning Sub Committee 21<sup>st</sup> July 2022

### ADDENDUM REPORT

#### UPDATE FOR CONSIDERATION AT PLANNING SUB-COMMITTEE Item No. 8

<b>Reference No:</b> HGY/2021/3175	<b>Ward:</b> Northumberland Park
<b>Address:</b> High Road West N17	
<b>Proposal:</b> Hybrid Planning application seeking permission for:	
1) Outline component comprising demolition of existing buildings and creation of new mixed-use development including residential (Use Class C3), commercial, business & service (Use Class E), business (Use Class B2 and B8), leisure (Use Class E), community uses (Use Class F1/F2), and Sui Generis uses together with creation of new public square, park & associated access, parking, and public realm works with matters of layout, scale, appearance, landscaping, and access within the site reserved for subsequent approval; and	
2) Detailed component comprising Plot A including demolition of existing buildings and creation of new residential floorspace (Use Class C3) together with landscaping, parking, and other associated works	
Outline:	
<ul style="list-style-type: none"><li>• Demolition of most buildings (with retention of some listed &amp; locally listed heritage assets);</li><li>• New buildings at a range of heights including tall buildings;</li><li>• Up to 2,869 new homes in addition to Plot A (including affordable housing);</li><li>• At least 7,225sqm of commercial, office, retail, &amp; community uses (incl. new library &amp; learning centre);</li><li>• New public park (min 5,300sqm) &amp; new public square (min 3,500sqm); &amp;</li><li>• Other landscaped public realm and pedestrian &amp; cycle routes</li></ul>	
Detailed:	
Plot A - Demolition of 100 Whitehall Street & Whitehall & Tenterden Community Centre and erection of new buildings of 5-6 storeys containing 60 new affordable homes & open space.	

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*(Officer note this was received today at 13:19 as such officers have not yet had the opportunity to consider or comments on its contents.*

## **1 Consultee responses-**

**The Metropolitan Police Service Security Advisor** - objects pending information being formally provided to key stakeholders for comment regarding plans relating to crowd flow management on event days. Initial concerns regarding safety and security were raised around the proposed crowd flow plans during the construction phases. LendLease have provided further information to the MPS Security Advisor. This information needs to be shared with those key stakeholders who will have the responsibility of managing the crowd flow on events days for their comment. The space between Love Lane and Tottenham High Road is considered a 'grey space' in terms of security on event days and it is imperative those stakeholders responsible for security have an opportunity to formally view the plans and provide comment to ensure safety and security can be maintained in this space.

**CCG-** Are satisfied that the proposal ensures adequate floorspace is provided but request a contribution to capital costs. (Officer comment- The floorspace re-provided must be fitted out to ensure continuity but additional floorspace would be provided to shell and core only)

**Haringey Cycling Campaign** – Subject to applicant providing the following they withdraw their objection:

1. The designated cycle routes be reviewed and augmented, to give access to Brantwood Road, via the new crossroads junction and to give an alternative more direct N/S route through the site.
2. The crossroad junction to Brantwood Road be designed to include LTN1/20 compliant cycle provision and Section 106 funding be agreed for this work as required by Haringey Council.
3. The design of designated cycle routes be reviewed to avoid sharp changes in direction and maximum legibility for users.
4. A cycle crossing or shared pedestrian/ cycle crossing facility be provided at White Hart Lane, to the satisfaction of Haringey Council.
5. Signage of local cycle routes be provided.

6. Further details be provided for means of access to 1<sup>st</sup> floor cycle parking to augment the proposed lift, for example a ramp or straight flight stair with user activated wheel channel lift.

(Officer comment- this is secured under condition 89 and amendments to HoT 19.) **Dr Jim Dickie Crowd Flow commentary on THFC objection 20<sup>th</sup> July 2022** - Dr J F Dickie has provided a response to the latest THFC objection received on 20th July 2022. The review outlines why he believes the proposals (construction phase and finality) do not expose spectators/employees/members of the public to a greater level of risk than what is currently in place. The review also acknowledges that measures to ensure acceptable levels of risk during each phase of the construction will be assessed by the Safety Advisory Group which would allow for safety matters to be duly addressed and any changes incorporated as necessary prior to the start of works.

## 2 Amendments to the report

**Paragraph 6.56** is amended as follows further consideration of how best to address the QRP comments and should read:

In respect of Block F, as set out above, concerns were raised by the QRP in respect of the massing of this Block overall, with a further expectation of a maximum 10 storey shoulder feature to respond to the Grange listed building. Careful consideration has been given to the scale of this block and how it relates to both the listed building and White Hart Lane, whilst also responding to Block D to the south. ~~It is considered appropriate to restrict the parameter height of this Block alone to be no more than 15 storey's in height with shoulders of no more than 10 storey's to protect the relationship with the listed building at this time.~~

A condition has been attached to ensure that at reserved matters stage the design of this building achieves an exceptional level of design quality by requiring a further Heritage Townscape and Visual Impact Assessment (HTVIA) to allow a robust review of the heritage and townscape impacts of any development in consultation with the Quality Review Panel.

Conditions 39 has also been amended accordingly

Para 6.9 and QRP response Table 12 The Design Code has been amended to require a 10 storey shoulder block between the tall building in Plot F and the White Hart Lane frontage and a condition has been attached controlling the ~~overall height of this building and its~~ consequent impact on the conservation area of this building and securing exceptional design quality.

### **Additional Clarification Regarding Funding position**

Following extensive discussions with the GLA and a rigorous process of due diligence undertaken by the GLA to justify their support for the Scheme, the Council secured a commitment from the GLA to provide a total funding package of £91,512,000 comprising of £70,312,000 of Affordable Housing Grant and £21,200,000 of Mayor's Land Funding.

Both funding streams faced high levels of competition from other boroughs and it is a reflection of the priority that the GLA places on providing support for the High Road West scheme, that such a substantial level of grant funding was provided.

Both sets of funding include Milestones and Outputs including successful ballot and Start on Site Conditions. The condition for the Start on Site date for the Affordable Housing Grant is due to be met in September 2022. There have been clear instructions from the GLA that this must be adhered to or, should a variation to this contractual position be allowed, that it will not be extended much beyond this. This is to enable them to manage their overall budgets and ensure that they can meet the required targets with the Department for Levelling Up, who ultimately provide the funding.

Should the start on site date not be met, the funding conditions would therefore not be complied with. Following the completion of the current programme of Affordable Housing Grant (2016-2023), there are no suitable alternative sources of funding that would meet the requirements of delivering the High Road West scheme. This reflects the terms of the replacement AHG funding for the 2021-2026 programme that states “Funding will not be available for units that replace homes that have been, or will be, demolished”[1].

As such, a decision regarding the Planning Application is required now in order to meet this deadline.

### **Agent of Change Principle**

Para 187 of the NPPF sets out that . Planning decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such ...sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established. Where the operation of an existing business or community facility could have a significant adverse effect on new development (including changes of use) in its vicinity, the applicant (or ‘agent of change’) should be required to provide suitable mitigation before the development has been completed.

The Site Allocation NT7 -” Tottenham Hotspur Stadium” sets out that The Council will, where appropriate, continue to work with the Football Club to ensure appropriate nearby developments capitalise on the opportunities presented by the existing and proposed stadium, which enhance the investment in the stadium and surrounding areas and respect the operational needs of the Football Club.

The Council’s approach to assessing the impact on Crowdfow satisfies the agent of change principle by ensuring that the existing queuing area will be available during and after the construction of the development. There are also significant mitigations in the Conditions and Planning Obligations to ensure there are no adverse effects on the existing stadium operations.

The site falls outside the NT7 site allocation but in any case the proposed route to and from the stadium through the application site would respect and enhance the operational needs of the Football Club.

### **Members Consideration in Determined the Application**

#### **Decision-making framework**

The framework within which Members are advised to consider this application is that set out in the National Planning Policy Framework (“NPPF”), as now interpreted by several High Court and Court of Appeal decisions. This document sets out a number of somewhat complicated

stages and officers provide the following guidance as to the appropriate decision-making process.”

The Council cannot currently demonstrate a 5 year supply of housing land and, accordingly, the so-called presumption in favour of sustainable development is engaged. Members are thus required to consider the matter through the following stages:

1. It is first necessary to consider whether the “less than substantial” level of harm to heritage assets is sufficient to provide a “clear reason”.in order to do this, members must consider whether the harm to heritage assets is outweighed 1<sup>st</sup>, by any benefit to heritage assets which may occur and thereafter whether the wider public benefits of the scheme are sufficient to outweigh the harm to heritage assets.
2. If Members do conclude that there is a clear reason for refusal based on heritage, then members must go on to perform an overall balancing act balancing exercise is to be performed on the normal basis that members simply need to consider whether the overall benefit of the scheme outweighs the overall harm.
3. If, by contrast, Members decide that there is not a “clear reason” for refusal based on the harm to heritage (as set out in paragraph 1 above), Members must then move to apply the so-called tilted balance set out in the NPPF. By contrast to the normal balancing exercise set out in paragraph 2 above, the tilted balance requires that members grant permission unless the overall harm caused by the scheme significantly and demonstrably outweighs the benefits of the scheme.

In respect of these tests, Officers have recommended as follows:

1. Whilst there is some less than substantial harm to heritage assets, officers consider that the wider public benefits of the scheme are sufficient to outweigh that harm. As such, there is no “clear reason” for refusal based on the harm to heritage assets.
2. Accordingly, the application must be decided under the so-called tilted balance considered in paragraph 3 above. Officers consider that the overall harm caused by the scheme cannot be said to significantly and demonstrably outweigh the benefits of the scheme and, accordingly, recommend approval of the scheme.

### **3 Corrections and clarifications on the main report**

The following items in **green** will show amendments/corrections/changes and **red** deletions. Existing text in the report and points of clarification are in black.

**For clarification** – the benefits referred to in the summary of key reasons for recommendation, **paragraph 4.2 and 10.42** in relation to new library and learning centre mean a new library and learning centre of between 500 and 3500 sqm (GEA) and supporting and creating new jobs mean an estimated 1,214 FTE jobs directly during construction along with a further 1,202 associated supply chain jobs and an estimated 240+ FTE Net additional jobs once operational and 93+ FTE associated supply chain jobs and creation of new affordable workspace means a proportion of the proposed 1,525 – 7,200 sqm (GEA) of Use Class E(g) floorspace.

**Paragraph 3.3** should read:

Outline planning permission is sought, for the demolition of existing buildings and the creation of a mixed-use development comprising up to 2,869 residential dwellings (Use Class C3) and at least 7,225 sqm commercial, business & service (Use Class E), [business \(Use Class B2 and B8\)](#), leisure (Use Class E), community uses (Use Class F1/F2), and Sui Generis uses together with creation of a new public square of at least 3,500 square metres, creation of a new public park of at least 5,300 sqm & associated access, parking, and public realm works. Matters of appearance, landscaping, layout and scale are reserved for subsequent approval (reserved matters) and detailed approval is sought for matters of access.

**Table 2:** Proposed illustrative phasing plan should read:

Phase 3: Plot B, C, E and Moselle Square - [2029 – 2032](#) not ~~2024—2032~~

Phase 4: Plot M2, L1, L2, H1, H2, H3 - [2022- 2024](#) not ~~2022-2025~~

Phase 6: Plot K2, M3, L2 and Peacock Park – [2026 – 2028](#) not ~~2025—2028~~

Phase 7: Plot K1, J2 and rest of Peacock Park – [2026 – 2029](#) not ~~2025—2029~~

Phase 8: Plot I1, I2 and I3 – [2027 – 2029](#) not ~~2025—2029~~

**Paragraph 3.14** should read:

...The

outline part of the application site includes the site areas for the existing Goods Yard and Depot Site extant consents (references HGY/2018/0187 and HGY/2019/2929), [807 High Road \(HGY/2021/0441\) and Printworks \(HGY/2021/2283\)](#).

**Paragraph 4.19** should read:

The proposed loss of the existing out-of-centre large retail store and smaller retail units is consistent with the development plan's 'town centres first' approach to retail provision and

the Site Allocation, therefore is acceptable in principle. The proposed scheme includes between ~~6,225~~ 6,025 and 22,000 sqm (GEA) of flexible commercial (E Class) uses, between 4,000 and 7,800 sqm (GEA) is proposed in the E (a-c) Use Classes, discussed below. The exact quantum and distribution of this floorspace is not known at this stage but is likely to predominantly comprise of smaller retail units and larger food and beverage units, suitable for independent local businesses. The existing floorspace, by use class, minimum floorspace parameters and net change in floorspace provision, by use class, is set out in table ~~4~~ 5 below. This is in line with the AAP aspiration of providing up to 11,740 sqm of Town Centre Uses within the masterplan area, notwithstanding the proposed net loss of between 1,200 sqm and 9,195 (GEA) retail floorspace. It is envisaged that the proposed residential development would provide further support for the existing and proposed commercial units in the locality, contributing positively to the vitality and viability of the Local Centre.

**Paragraph 4.44** should read:

The extant Goods Yard consented scheme has a density of 253 homes/hectare (based on the maximum number of dwellings (316) being delivered on the 1.25 hectare site)

~~(270 homes/hectare)~~ and the extant Depot consented scheme has a density of 275 homes/hectare (based on the maximum number of dwellings (330) being delivered on the 1.2 hectare site). The refused Goods Yard and Depot

Scheme proposed a density of ~~1,116 habitable rooms/ha (353~~ 347 homes/hectare (based on the maximum number of dwellings (867) being delivered on the 2.5 hectare site). Officers are satisfied that the proposed residential density of up to 341.7 homes/hectare (based on the maximum number of dwellings (2,929) being delivered on the 8.57 hectare

site) can be satisfactorily accommodated on the site and is necessary to facilitate the delivery of the proposed public benefits, including but not limited to, affordable housing, new pedestrian and cycle links, new commercial and community floorspace, public open space and new public realm.

Table 6 rows 3 and 4 should read:

Table 7 should read:

Tenure	Units	Hab Rooms	% Hab Rooms
Social Rent	500	1730	<del>59.8%</del> <u>23.61%</u>
Shared Ownership	416	1164	<del>40.2%</del> <u>15.87%</u>
Total	916/ <u>2,612</u>	2894/ <u>7333</u>	39.84%

**Paragraph 5.20** should read:

In accordance with London Plan Policy H5 and H8, it is recommended that s106 planning obligations secure an Early-Stage Viability Review, mid stage and late-stage review. It is also recommended that these secure a Development Break Review – requiring a review if an approved scheme were implemented, but then stalled for 30 months or more. These reviews would enable the provision of affordable housing to increase ~~up to 40% (by habitable room)~~ subject to future market conditions and delivery timescales. It is also recommended that a planning condition is attached requiring viability addendum reports to be submitted with the reserved matters submissions.



**Paragraph 6.36** should read:

Tottenham Hotspur Football Club have objected to the proposed development on the grounds of inadequacies in the submitted Crowd Flow Study. Notably, that a focus on space provision is not appropriate given the potential safety impacts of managing crowds through a construction site, including, but not limited to the implication for emergency vehicle access and crowds being trapped between large hoardings with limited emergency escape routes. The Study has been reviewed by the Council's independent crowd flow expert who considers that the current and proposed queuing provision is sufficient to enable safe management and movement of spectators at events between the stadium and White Hart Lane Station during premier league football fixtures. Excessive queues can be experienced for concerts, boxing matches, occasional football matches with late finishes in the current queuing arrangements however this can be safely resolved through the Event Management Plan with measures such as effective communication to spectators.

**Paragraph 6.38** should read:

The submitted parameters and illustrative masterplan can accommodate the spatial requirements required to enable the successful management of crowd flows on event days. The proposed indicative layout would improve the existing queue management, circulation and wayfinding on event days by having a design purpose built to accommodate crowd flow, improving legibility to the stadium, increasing areas available for queuing and reducing pinch points in the approach to the stadium. The detailed layout of the site and an interim crowd flow management strategy (i.e. queue areas and geometry, contraflow lane and access to residences) during construction will be secured at reserved matters stage along with an event management plan. This will include further crowd flow studies and be subject to Safety Advisory Group (SAG) review and engagement with relevant stakeholders. These will be secured by planning condition.

Paragraph 10.19, 10.36 and 10.44 - for clarification references to specialist conservation advisor, heritage specialist and Conservation Expert. These titles have been used synonymously with Conservation Officer.

**Paragraph 10.23** should read:

Officers consider that the height and scale of the proposed towers would stand out in the background of heritage assets as prominent, contemporary structures in juxtaposition to the architectural and urban qualities of the Listed Buildings and also of the locally listed buildings at Nos. 823 to 829. As such, they consider that the proposed towers would cause a medium



level of less than substantial harm to the setting of ~~no.819 – 821 High Road and a low level of less than substantial harm to the setting of no. 797 – 799 High Road and~~ no.823 - 829 High Road.

No. 34 White Hart Lane (Listed Grade II). The nearest proposed plots to the building are the I plots. The ES concludes that the proposal would have a minor beneficial impact as a result of the demolition of nos 24-30 White Hart Lane and public realm improvements within its setting. The Conservation Officer notes that the demolition of No. 24 – 30 White Hart Lane and the introduction of new buildings of an increased height would result in medium to high level of less than substantial harm to the setting of the listed building. In addition, the tall buildings as part of the extant permissions at Goods Yard would also result in harm. The cumulative harm to the Grange would be considered as high.

**Paragraph 10.24** should read:

No.7 White Hart Lane (Listed Grade II). The ES sets out that the setting of this building is formed by poor quality C19/C20 development. The proposed plot G is to the south west and the I plots opposite. The ES concludes that proposal will have a Minor adverse impact on this building. Owing to the scale of the plot G maximum parameters, together with impact of the taller buildings near White Hart Lane Station and their its juxtaposition with the heritage asset, the proposal would result in a high level of less than substantial harm to the setting of the listed building.

**Paragraph 10.25** should read:

Nos. 867-869 High Road (Listed Grade II). Due scale of the proposed new buildings within the setting of the heritage asset, the proposal would result in a medium level of less than substantial harm to the setting of the asset. The scale of some of the proposed new buildings is reflective of the buildings that have the benefit of planning permission pursuant to Goods Yard and Depot consents.

Paragraph 10.26 should read:

North Tottenham Conservation Area. ~~The site includes Nos. 867-869 High Road High Road, which forms part of Sub Area A of the Conservation Area and marks the entrance to the Conservation Area from the north. It also includes the adjoining surface level car park and mature London Plane trees (as well as other mature London Plane trees in the High Road footway which fall outside of the Conservation Area). The proposal includes the demolition of buildings identified in the Conservation Area Appraisal as making a positive contribution to the character of the Conservation Area. There are several listed and locally listed buildings included within the Conservation Area. Whilst certain parts of the Site are considered to detract from the setting of these assets and the conservation area itself, the proposal would involve the demolition of some buildings identified as ‘positive contributors’.~~ This along with proposing buildings of a greater scale, the proposal would result in a high level of less than substantial harm to the Conservation Area.

**Paragraph 10.29** should read:

Station Master’s House (Locally Listed). The proposed scheme includes new buildings in close proximity to Station Master’s House. The ES concludes that the significance of the

building and its appreciation would not be materially affected by the proposed tall buildings and identifies a Negligible effect. Officers disagree, and consider that, whilst the proposed improvements to the public realm could result in heritage benefits, the scale of the proposed new buildings in its immediate setting would result in a low level of less than substantial harm to the setting of the locally listed building.

**Paragraph 10.30** should read:

Church of St Francis de Sales High Road (Locally Listed). ~~The proposal would introduce tall buildings in close proximity to the non-designated heritage asset further reducing its prominence in the street scape, to the detriment of its setting.~~ Block C of the proposed masterplan would lie immediately north of the building. As per the design codes, the proposal would be required to respond to the scale of the building and be within three and six storeys. It is likely that the higher parameters would have an impact on the setting of the Church and would ~~The proposal would~~ result in a mid-level of less than substantial harm to the setting of the building.

**Paragraph 10.31** should read:

No. 793 – 795, No. 801 – 805 High Road, No. 809 – 811 High Road, No 813 – 817 High Road, No. 841 – 843 High Road, No. 847 – 853 High Road (Locally Listed). Proposed buildings in behind these assets. The upper parts of the proposed buildings would be visible in long views along the high road that would reduce the assets prominence and linearity resulting in a low level of less than substantial harm. In respect to no. 865 High Road block K2-3 would be immediately to the south of the building and would be of a comparable height reinforcing the street frontage which is considered to be a heritage benefit. Block K2-1 and K2-2 to the rear of the site would form a greater massing in the setting of the heritage assets resulting in a medium level of less than substantial harm. Owing to the benefit Block K2-3 provides, overall, the proposal is considered to result in a low level of less than substantial harm on the locally listed building.

**Paragraph 10.41** should read:

As such, taking full account of the Council's statutory duty under sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras 196 and 202 of the NPPF this harm has been given less than substantial weighting and requires a balancing exercise against public benefit.

**Paragraph 29.6** should read:

In this case, the impact on designated heritage assets, subject to design detailing, has the potential to result in an upper level of 'less than substantial harm', with the value of the Conservation Area having already been eroded irrevocably as a result of the stadium development. However, it is considered that this harm has been clearly outweighed by the public benefits of the proposed development as set out in paragraph 10.42. It is therefore considered that paragraph 11d(i) ~~this impact could~~ provides a clear reason for refusal for the purposes of Paragraph 11d(ii).

**Paragraph 30** should read:

The conclusion that heritage matters (finding less than substantial harm) ~~could~~ does not provide a clear reason for refusal which disapplies the presumption in favour of sustainable development and the tilted balance (paragraph 11d(ii)). Accordingly, a normal planning balance exercise must be undertaken.

**Paragraph 30.1** should read:

As set out in paragraph ~~34~~29.1 above, the proposal departs from the HRWMF Development Plan in a number of respects, however, is considered to broadly comply with the HRWMF and in accordance with the adopted development plan when read as a whole. ~~regard needs to be given to benefits of the scheme overall.~~

**Paragraph 30.2** should read:

In the first instance, the scheme seeks to bring forward the entire regeneration area set out in Policy NT5 in a clear and comprehensive manner originally envisaged within the High Road West Masterplan. The scheme ~~will~~could deliver in excess of 1200 ~~1700~~ dwellings more than originally envisaged within Policy NT5 In approaching the proposals in this manner and at the densities and scale proposed, the scheme is eligible for in the region of £90m of grant funding that ensures it is both deliverable and that the Love Lane estate regeneration can occur within the foreseeable future. Any delays in obtaining a planning permission will likely result in the loss of this funding and render the scheme undeliverable.

Paragraph 31.2 should read:

The scheme does have its some negative aspects. However, it has clear and demonstrable benefits that weigh heavily in its favour, largely resulting from the comprehensive redevelopment approach advocated by this proposal and the negative aspects would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the NPPF as a whole. It is considered that this represents a prime opportunity, mostly as a result of the significant level of funding available, to demonstrably improve this environment for existing and future residents, such that it is the opinion of Officer's that the scheme should be considered favourably.

#### **4 - Representations**

A summary of comments compiled at various residents' consultation events has been received from Public Voice (the Independent Tenant & Leaseholder Advisor for the Love Lane Estate). The letter contains comments of support from 14 addresses within the site/ the local area and one comment of concern.

Further objections have been received from Peacock Estates Management Limited, Haringey Defend Council Housing, and Tottenham Hotspur Football Club.

<b>Comment</b>	<b>Officer response</b>
<b>Public Voice</b>	
The new community and new homes are welcome	Noted.

The process needs to be sped up	Not a material planning consideration.
The new homes need to be spacious	The new homes will meet or exceed the Nationally Described Minimum Space Standards.
The design is positive	Noted.
The current homes are beyond repair and need to be demolished and rebuilt	Noted.
A preference for the height to be limited to 4/5 stories should avoid hidden areas to deter antisocial behaviour.	Whilst the heights of the buildings proposed exceed that envisaged in the High Road West Master Plan Framework (2014) a precedent for taller buildings on the site has been established via existing consents on the Goodsyard and Depot sites (HGY/2018/0187 and HGY/2019/2929). Officers are satisfied that the scale of the proposed buildings are acceptable, as set out in the report.
<b>Peacock Estate Management Limited</b>	
<p>Contradictions in floor space provision for B2, B8 and E(g)</p> <p>The ability of occupiers of the Industrial Estate to relocate within the proposed development.</p> <p>Inadequacy of the business relocation strategy.</p> <p>Loss of Jobs</p> <p>Adverse Equalities Impacts</p>	<p>The reserved matters submissions would need to comply with the contents of all 3 control documents (parameters plans, development specification and design code). The proposal commits to a minimum of 4,686 sqm (GEA) of B2, B8 and E(g) uses. The control documents allow for up to 22,000 sqm (GEA) of flexible commercial floorspace and up to 8,000 sqm (GEA) of B2/B8 floorspace. The floorspace ranges allow the proposal to respond to demand as the reserved matters come forward and the development progresses. In addition, the legal agreement secures a proportion of the proposed commercial floorspace as affordable space.</p> <p>It is likely that not all business that currently exist within the site will be able to relocate within the proposed development. To mitigate the impact, provision of a business relocation strategy has been made that includes support for business that need/want to relocate off site to find suitable premises. The detailed business relocation</p>

	<p>strategy is to be secured by legal agreement. The proposal will likely have a minor adverse impact on existing business which is considered to be acceptable in light of the benefits delivered by the development.</p> <p>Whilst the proposal could result on the loss of 85 businesses and associated estimated 690 FTE jobs, with the operational phase estimated to deliver a minimum of 392 FTE jobs on site, when additionality adjustments are applied and retained businesses are taken into consideration it is estimated that the proposal will deliver a minimum net increase of 240 FTE jobs. Whilst there will be some negative impacts associated with lost jobs and business displacement, positive impacts will arise from the provision of additional jobs which could be taken up by individuals in priority groups. When mitigation is taken into account, including the business relocation strategy and the benefits associated with new high quality dwellings (including affordable housing), public realm enhancements, provision of temporary construction jobs, the proposal is considered to have an overall beneficial impact on priority groups.</p>
<b>THFC</b>	
<p>Officer report fails to properly and fairly set out all the issues raised by THFC in its representations dated 4, 14 and 16 March and 30 June 2022.</p>	<p>Officers consider the report and appendices provide a fair and proportionate summary of the previous objections.</p> <p>For transparency the full objection has been appended to this addendum in any case.</p>
<p>Crowd Flow and Safety – notable during the construction phases and how the proposed arrangements are inadequate for safety reasons surrounding emergency vehicle access and the enclosure of crowds during an emergency and provision of rights for THFC staff and spectators to cross the site.</p>	<p>The submitted interim crowd flow arrangements and development phasing are indicative. Both of which are subject to planning conditions and/or legal agreement arrangements. The Council’s Independent Crowd Flow expert has confirmed that the proposed queue provision arrangements are</p>

	<p>acceptable subject to appropriate event management. The detailed arrangements both during construction and operation are subject to reserved matters and/or discharge of conditions approval whereby relevant interested parties will be consulted. Given the size of the site, Officers are satisfied that it will be possible to phase the development and arrange any necessary construction hoarding/ barrier and access arrangements in a way that would enable the safe and efficient management of crowds during event days. Officers consider that it is lawful for the Council to utilise appropriate planning conditions and legal agreement terms to mitigate impacts of development and subsequently enable a decision to be lawfully made on the application.</p> <p>The legal agreement will provide an appropriate mechanism(s) to secure the necessary access rights to enable crowds to move through and be appropriately and safely managed through the site.</p>
<p>Dr Dickie's advice has been provided late in the process.</p>	<p>Dr Dickie has provided an independent assessment to the Council of the applicant's submissions the objectors have been able to review and comment on his response so have had adequate time.</p>
<p>Not appropriate to focus on quantum of queueing space...</p>	<p>Officers consider that Spaces where queueing occurs will always need to be effectively managed by those tasked with crowd management. If this is done effectively the space provided would provide sufficient space for queueing.</p>
<p>Construction phase boundary treatments and crowds trapped between hoardings with no means of emergency escape...</p>	<p>As set out above the Council's independent advisor Dr Dickie has advised (appendix 2) that the information provided demonstrate the proposals do not expose spectators/employees/members of the public to a greater risk than existing arrangements.</p> <p>The officer report lists on p33 the Mayor's Office for Policing and Crime and the Metropolitan Police (Designing Out Crime)</p>

	<p>as consultees with no objections received at the point of its publication.</p> <p>The Metropolitan Police had already suggested conditions including related to counter terrorism activities and crowd control as set out on pp338-9 of the officer report which are then adapted for the officer's recommended conditions in the officer report. This addendum includes further enhancements to the conditions to explicitly include consultation with the Metropolitan Police Service Security Advisor and emergency services.</p> <p>As each phase comes forward in the RMAs a detailed interim crowd flow report would need to be submitted that would have to meet the requirements of interested parties prior to development. In any event, the applicant has shown illustratively how crowds could disperse during an incident and how emergency access and safe haven points could be delivered. The Metropolitan Police Service Security Advisor has since considered clarifications to address their concerns but object pending information being formally provided to key stakeholders for comment. Key stakeholders will have this opportunity when the interim crowd flow reports are submitted as part of Reserved Matters / conditions.</p>
<p>Does not agree with approach that details could be secured by Reserved Matter and condition. The Council may only lawfully impose such a condition if...</p>	<p>That information has been provided. The clarification received dated 20/07/2022 (appendix 5) demonstrates how the differing crowd routes throughout the phasing of the development could provide safe havens/emergency access points. The applicant has identified how the interim and end scenarios would function effectively in terms of providing a suitable space for crowd flows on event days.</p>
<p>Officer report does not refer to the NPPF agent of change principle or principle in the TAAP Policy NT7</p>	<p>As noted in the additional para above the NPPF agent of change principle and TAAP Policy NT7 principle are satisfied.</p>

	<p>In any case the end scenario would have benefits to the operations and safety and a satisfactory solution would be achieved during construction (subject to details at Reserved Matters / conditions).</p>
<p>Non-sport events have been monitored by the applicant's crowd flow consultants Buro Happold but have not factored into the Crowd Flow Study</p>	<p>Concerts occurred only very recently and are a new event hosted by the club. There can always be more analysis and investigation which could carry on via consideration of the details at Reserved Matters / conditions stages and even for every new event or game if appropriate and proportionate. However, the conclusions the applicant's crowd flow consultants have put forward are robust and based on sound evidence. This has been considered by the Council's independent expert on these matters who agrees with the findings.</p>
<p>Dr Dickie provides no assessment of how a queue of up to 6000 people...</p>	<p>Dr Dickie does not suggest such a thing should ever happen. If there were no management in place then it is predicted that this number could be reached. Clearly effective crowd control would identify a queue developing and would then inform those joining the queue of the likely wait times and alternatives.</p> <p>Further assessment of possible scenarios can be considered via the details at Reserved Matters / conditions stages.</p>
<p>Need legal binding rights of access across the construction site. Draft S106 doesn't provide enough certainty on this</p>	<p>Rights of access would be given to the club for all areas required in the management of crowds these rights of access will be granted on reasonable terms.</p>
<p>Relevance of grant funding</p> <p>The officer report states funding "ensures" delivery but doesn't explain how</p> <p>No explanation is provided to members why "any delays in obtaining planning</p>	<p>The grant funding is part of the FVA and is a crucial component of the finances of the scheme. Further details on the funding position are provided above.</p>



<p>permission” will mean the funding is lost and the scheme is undeliverable</p>	
<p>Heritage impacts</p> <p>Inconsistency and omissions</p> <p>Unclear public benefits and quantum to assess</p>	<p>The Officer report including this addendum provides an accurate assessment of the heritage impacts of the proposed development. The harm identified to them has been described in the report and balanced against the public benefits of the scheme when making a recommendation. Officers consider that the duties under Planning (Listed Buildings and Conservation Areas) Act 1990 have been discharged and therefore members can make a lawful decision on the application.</p> <p>d</p>
<p>Reference to Conservation Officer means Ms Chakraborty or “Conservation Officer’s own views have not been made publicly available”?</p>	<p>References to Conservation Officer should read heritage advisor.</p>
<p>Paragraph 29.6 of the officer report concludes that the heritage harm caused by the High Road West Application constitutes “a clear reason for refusal”</p>	<p>The Officer Report alongside this addendum correctly applies paragraph 11(d) of the NPPF. For clarity, the less than substantial heritage harm identified does not provide a clear reason for refusal and subsequently the titled balance is engaged. The benefits of the proposed development are substantial and outweigh the small number of adverse impacts arising. It is therefore recommended that planning permission is granted.</p>
<p>Reliance on future reserved matters applications and consistency in decision making</p> <p>Consistency with how the council assesses Open Space between the proposal and the Goods Yard proposal, and the condition does not “ensure” compliance with policy DM20</p>	<p>As set out in paragraph 6.18 of the Committee Report, for the cumulative development there would be a requirement of 10.51ha for the entire development area.</p> <p>As landscaping is a reserved matter, the extant requirement for publicly accessible open space can be determined at reserved matters stages.</p> <p>Each phase of development will be subject to its own reserved matters application(s). Depending on the breakdown of the submissions will depend on whether the</p>

	<p>DM20 requirement for open space is triggered.</p> <p>For example, only plots G, H I, J1, J2, K1, L1, L2, M1 and M2 fall within an area of deficiency. As the application is in outline only, the housing mix is only illustrative and as such may be subject to change. The illustrative housing mix for these would generate 1,523 people which would generate a public open space requirement of 2.5ha.</p> <p>As set out in paragraph 6.19 of the Committee Report, the outline scheme demonstrates a delivery of between 3.5ha and 4.73ha of public open space. It is therefore evident that there is sufficient scope for reserved matters to deliver adequate open space provision based on DM20. The inclusion of the proposed condition ensures matters of public open space are dealt with in subsequent applications.</p>
<p>Consistency with how the council assesses single aspect units between the proposal and the Goods Yard proposal</p>	<p>This development is in outline and subject to further reserved matters where further consideration will be given to ensure single aspect units are minimised.</p>
<p>Inconsistency between the condition limiting Block F1 to 20 storeys and paragraph 6.56 of the report limiting to 15 storeys and impact on viability and public benefits</p>	<p>This Addendum proposes an amendment to this condition to correct the inconsistency and achieve the objective that, at Reserved Matters stage, the heritage and townscape impacts will be assessed via a Heritage and Townscape Visual Impact Assessment (HTVIA) and reviewed in consultation with the Quality Review Panel to achieve an exceptional quality of design.</p>
<p>Approach to assessment and weighing of public benefits</p>	<p>See above.</p>
<p>Concerns of peer reviewers on Environmental Statement</p>	<p>Whilst the WSP Environmental Statement Review comments included comments about difficulties in interpreting the ES due to the volume of information, lack of focus on pertinent issues and the number of different development scenarios proposed. WSP did</p>

<p>The ES assesses a scenario where the southern phase of the development come forward alone but this is not assessed in the officers report.</p>	<p>not find fault with the methodology used in the Environmental Statement and concluded that 'they have not identified any issues of non-compliance in the way the EIA has been undertaken'. And that 'If the developer's intent remains to develop the site as a whole, the October '21 ES remains the key document, and the Design Code should provide the detail and certainty through which strategic aims are delivered.' Officers are satisfied that the Environmental Statement has allowed for a proper and lawful assessment of the likely significant environmental effects of the development to be undertaken in accordance with the EIA Regulations.</p> <p>The EIA has explored a variety of ways in which the development might be delivered given the planning history and landownership. However, the planning balance relates to the proposals when taken as a whole as the application is for the full application area and all the development that sits within it which is considered to be the correct approach.</p>
<p>Unclear whether the minimum size of 500 sqm Library and Learning Centre has been considered in the balancing exercise.</p>	<p>The balancing exercise has considered the worst case scenario of 500sqm.</p>
<p>Weighting of public benefits for potential loss of employment space and jobs</p>	<p>The proposal, in the worst-case scenario of providing the minimum amount of commercial floorspace permissible in a mix of commercial floorspace that generates the fewest jobs is expected to deliver a net increase of 240 FTE jobs in the operational phase and a further 93 FTE associated supply chain jobs. These numbers take into account jobs that will be displaced rather than lost. This is a benefit arising from the development and has been appropriately addressed in the report and this addendum.</p>
<p>Council's case for Goods Yard appeal has maintained that to assess an outline</p>	<p>The report is clear with respect to the illustrative nature of the illustrative scheme.</p>

application it is necessary to assess the 'worst case' scenario'	The report is based on an assessment of the maximum parameters and worst case scenario's, as appropriate. The wind section is based on the illustrative scheme as this is considered more representative of the likely impacts of the development than the maximum parameters.
Inconsistency in using illustrative scheme vs maximum parameters and density	
Concerns regarding density calculations	This addendum corrects/ clarifies the density and method of calculating density of the proposed development relative to that of the existing Goods Yard and Depot consents as well as the refused Depot and Goods Yard Scheme.
Inconsistent / incorrect approach to the balancing exercise	The Officer Report alongside this addendum correctly applies paragraph 11(d) of the NPPF. For clarity, the less than substantial heritage harm identified does not provide a clear reason for refusal and subsequently the titled balance is engaged. The benefits of the proposed development are substantial and outweigh the small number of adverse impacts arising. It is therefore recommended that planning permission is granted.
Departure from the Development Plan	<p>The proposal is not a departure from the development plan the NT5 site allocation requires-</p> <p><i>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.</i></p> <p>The proposal is considered to accord with the adopted development plan, when read as a whole. As such there is no requirement to refer the application to the Secretary of State.</p>
Council's evidence to Goods Yard appeal references the proposal "would be written up for approval" in proof of evidence in advance	The publicly-available recommendation in March was for approval, albeit that was changed to deferral at the Committee meeting. It is therefore not unreasonable for the Council's expert witness to expect the

of the expiry of the most recent consultation period	same recommendation to follow the previous recommendation. However, in any case the expert witness has not played any part in formulating the recommendation before the committee.
<b>Defend Council Housing</b>	
Lack of support from QRP Lack of detail regarding location of homes and architecture	This is addressed in the Officer report. The application has been submitted, in part, in outline form with all matters reserved except access and officers are satisfied that the control documents provide an appropriate framework to live a high quality mixed used development that would have positive regenerative impacts on the local area. Future reserved matters will be subject to further design and amenity analysis, scrutiny through reserved matters submissions.
Non-viability	The financial viability appraisal that accompanies the submission confirms that the development is viable, albeit, with a lower profit margin than industry standard target profits. This is a commercial risk that the applicant is willing to accept. Viability will be subject to further reviews as the development progresses.
Applicant not owning the all the land on the site.	This is not a material planning consideration.
Affordable housing	The levels of affordable housing will be secured in the legal agreement. The phasing of the development and location of new affordable housing will be secured by condition.
Service charges	This is not a material planning consideration.
Environmental damage – existing homes should be retrofitted and not demolished	As set out in the report, the proposal is for highly water and energy efficient new dwellings and the delivery of substantial environmental benefits.
Faulty Ballot	This is not a material planning consideration.

## 5 – Conditions

### Amended Condition

### **39. Block F1**

#### **Replace-**

Notwithstanding the details shown on plan ref 0311-SEW-ZZ-ZZ-DR-T-001004 Rev P2, the height of Block F1 shall be limited to 20 storeys, the proposed development shall be carried out in accordance with the following plans in all other respects: Plans refs 0311-SEW-ZZ-ZZ-DR-T-001004 Rev P2

Reason: For the avoidance of doubt and in the interest of visual amenity, neighbour amenity, limiting the impact of the development on heritage assets and to ensure that the development conforms with the aspirations and principles of the AAP and HRWMF

#### **With**

Reserved Matters for Block F1 shall include a further HTVIA to review the heritage and townscape impacts of any development effecting the Heritage Assets. Any reserved matter in this regard shall be fully reviewed in consultation with the Quality Review Panel and should achieve an exceptional quality of design.

Reason: For the avoidance of doubt and in the interest of visual amenity, limiting the impact of the development (in particular in relation to height and exceptional design quality) on heritage assets with specific regard to the provisions of paragraphs 199 and 202 of the NPPF and to ensure that the development conforms with the aspirations and principles of the AAP and HRWMF.

### **62. Crowd control (PRE COMMENCEMENT)**

Prior to the commencement of any Phase south of White Hart Lane (excluding Plot A) an Interim Crowd Flow Management Report will be submitted to and approved by the Council. Such report (to include queue configurations, locations **and hoarding / barrier design**) will confirm that the interim access and space for visitors to the stadium across the development is no less than the situation as at the date of grant of this planning permission in terms of minimum queue widths, minimum areas for queuing and general queue safety such as tripping hazards and ensuring queue configurations and locations meet the necessary requirements for crowd safety.

Both the Interim Crowd Flow Management Reports and the Final Crowd Flow Management Report will be consulted upon with the Safety Advisory Group, the Metropolitan Police, the Council's Building Control officers and Tottenham Hotspur Football Club. All measures in the approved reports shall be implemented for the life of the Development.

**Condition 63-** Replace drawing reference 0311-SEW-ZZ-00 -DR -T- 000034 p 000036.

79. Delivery and servicing plan (PRE OCCUPATION) - Remove "(excluding Plot A)" and moved to 'Conditions applicable to both detailed and outline elements' section

71. Highway pre-condition survey (PRE COMMENCEMENT) - Remove "(excluding Plot A)" and moved to 'Conditions applicable to both detailed and outline elements' section.

#### **Additional conditions:**

### **87. Development on Third Party Land (PRE-COMMENCEMENT ON THE RELEVANT PHASE)**

No development can commence on that part of the development site shown coloured yellow on drawing 0311-SEW-ZZ-00-DR-T-000035 until the owner of that land has confirmed in a deed under s106 Town and Country Planning Act 1990 that its land is bound by the section 106 Agreements dated [ ] in relation to development on that part of the site.

REASON: In the interest of proper planning and to ensure that necessary mitigation is secured.

### **89 Business and Community Liaison Construction Group (PRECOMMENCEMENT)**

(a) For the duration of the demolition and construction works the developer and its contractors shall establish and maintain a Liaison Group having the purpose of:

- i. informing local residents and businesses of the design and development proposals;
- ii. informing local residents and businesses of progress of preconstruction and construction activities;
- iii. considering methods of working such as hours and site traffic;
- iv. providing local residents and businesses with an initial contact for information relating to the development and for comments or complaints regarding the development with the view of resolving any concerns that might arise;
- v. providing advanced notice of exceptional works or deliveries; and
- vi. providing telephone contacts for resident's advice and concerns.

The terms of reference for the Liaison Group, including frequency of meetings, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development. The development shall thereafter be carried out in accordance with the approved details.

REASON: In order to ensure satisfactory communication with residents, businesses and local stakeholders throughout the construction of the development.

### **90. Cycling Infrastructure (RESERVED MATTERS)**

Each reserved matter(s) application for access, layout, landscaping scale and appearance shall include where applicable:

Full details of designated cycle routes including reviewing north / south connectivity and avoiding sharp changes in direction. Details shall also include signage of local cycle routes. Such details to be consulted upon with the Haringey Cycling Campaign (or any successor). .

Reason: To ensure local cycling routes and facilities best meet local need.

## **6 Head of Terms**

## **Additions to HoTs-**

### **HoT 20**

Contribution to TfL for bus improvement measures **£1,187,500**

Hot 19- Add

In consultation with TfL, explore the feasibility and design of cycle infrastructure related to:

- the junction of the High Road and Brantwood Road
- cycle crossing options on White Hart Lane