

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference No: HGY/2021/2304

Ward: Tottenham Hale

Address: 29-33 The Hale, London N17 9JZ

Proposal: Redevelopment of site including demolition of existing buildings to provide a part 7, part 24 storey building of purpose-built student accommodation [PBSA] (Sui Generis); with part commercial uses [retail] (Use Class E(a)) at ground and first floor; and associated access, landscaping works, cycle parking, and wind mitigation measures.

Applicant: Jigsaw PMG Tottenham Ltd

Ownership: Private

Case Officer Contact: Philip Elliott

Site Visit Date: 17/08/2021

Date received: 06/08/2021 **Last amended date:** 17/03/2023

- 1.1 The application has been referred to the Planning Sub Committee for decision as the planning application is a major application that is also subject to a s106 agreement.
- 1.2 The Planning Sub Committee made a resolution to grant planning permission for a very similar development on 5th September 2022 subject to the signing of a s106 agreement.
- 1.3 Subsequently, there has been a significant development relating to fire safety and tall buildings with the launch on 23 December of the Government consultation on the proposed amendments to Building Regulations, which proposes mandatory second staircases in buildings over 30 metres in height.
- 1.4 In this context the applicant has sought to achieve the highest standards of fire safety by amending the scheme to provide the proposed building with a secondary staircase and evacuation lift in line with emerging legislation and good practice with regards to means of escape.
- 1.5 The planning application has also been referred to the Mayor of London as it meets Category 1C (*The building would be more than 30 metres high and*

outside the City of London) as set out in the Town and Country Planning (Mayor of London) Order 2008.

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal is very similar to the scheme the Committee resolved to grant planning permission for in September last year.
- Whilst the changes reduce the total room numbers (-20) and alter the design, these changes are modest and largely comprise internal alterations. The external dimensions or building envelope would remain the same size and scale.
- The changes would have a near identical impact on neighbouring buildings as the scheme that Members resolved to grant last year.
- The changes would bring the building into line with emerging fire safety legislation and building regulations.
- The Health and Safety Executive (HSE) have considered the scheme and are content with the proposals.

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 informatives subject to signing of a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms below.
- 2.2 That delegated authority be granted to the Head of Development Management or the Assistant Director of Planning, Building Standards & Sustainability 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.
- 2.3 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than 30/06/2023 or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in their sole discretion allow; and
- 2.4 That, following completion of the agreement referred to in resolution (2.1) within the time period provided for in resolution (2.3) above, planning permission be granted in accordance with the Planning Application subject to the attachment of conditions.

Conditions (the full text of recommended conditions is contained in Appendix 2 of this report)

*The following list has been updated from the list that was included in the Officer Report for the 5th September 2022 Sub-Committee meeting. This list includes Condition 45 (Urban Greening Factor) added by Members at that meeting as well as updates and corrections to several conditions. Conditions 4, 9 and 14 are affected by proposed changes which this report will describe and assess.

- 1) 3-year time limit
- 2) Approved Plans & Documents
- 3) Basement impact mitigation measures
- 4) Accessible Accommodation
- 5) Commercial Units - Retail Opening Hours
- 6) BREEAM (PRE-COMMENCEMENT)
- 7) Commercial Units – Noise Attenuation
- 8) Noise Attenuation – Student Accommodation
- 9) Fire Statement
- 10) Landscape Details
- 11) Biodiversity
- 12) External Materials and Details
- 13) Living roofs
- 14) Energy Strategy
- 15) Overheating (Student accommodation)
- 16) Overheating (Commercial areas)
- 17) Energy Monitoring
- 18) Circular Economy
- 19) Whole Life Carbon
- 20) Low-carbon heating solution details
- 21) PV Arrays
- 22) Secured by Design
- 23) Stage I Written Scheme of Investigation of Archaeology
- 24) Stage II Written Scheme of Investigation of Archaeology
- 25) Foundation Design – Archaeology (PRE-COMMENCEMENT)
- 26) Land Contamination – Part 1
- 27) Land Contamination – Part 2
- 28) Unexpected Contamination
- 29) Cycle & Mobility Scooter Parking Details (PRE-COMMENCEMENT in part)
- 30) Delivery and Servicing Plan
- 31) Student Accommodation Waste Management Plan
- 32) Detailed Construction Logistics Plan (PRE-COMMENCEMENT)
- 33) Public Highway Condition (PRE-COMMENCEMENT)
- 34) Demolition/Construction Environmental Management Plans (PRE-COMMENCEMENT)
- 35) Management and Control of Dust (PRE-COMMENCEMENT)
- 36) Impact Piling Method Statement (PRE-PILING WORKS)
- 37) Business and Community Liaison Construction Group (PRE-COMMENCEMENT)
- 38) Telecommunications

- 39) Wind Mitigation
- 40) Foundation Design
- 41) Noise from building services plant and vents
- 42) Anti-vibration mounts for building services plant / extraction equipment
- 43) Evidence of operational public hydrants/suitable alternatives
- 44) Student Management Plan
- 45) Urban Greening Factor of 0.4 to be achieved on site/off site

Informatives

- 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) Written Scheme of Investigation – Suitably Qualified Person
- 9) Deemed Approval Precluded
- 10) Composition of Written Scheme of Investigation
- 11) Geoarchaeological Assessment and Coring
- 12) Evaluation
- 13) Disposal of Commercial Waste
- 14) Piling Method Statement Contact Details
- 15) Minimum Water Pressure
- 16) Paid Garden Waste Collection Service
- 17) Sprinkler Installation
- 18) Designing out Crime Officer Services
- 19) Land Ownership
- 20) Site Preparation Works
- 21) s106 Agreement and s278 Agreement
- 22) Revised Fire Statement required with any revised submission
- 23) Building Control
- 24) Building Regulations – Soundproofing
- 25) Cadent Gas

Section 106 Heads of Terms (HoTs):

*The following list has been updated from the list that was included in the Officer Report for the 5th September 2022 Sub-Committee meeting. This list includes changes Members requested at that meeting, namely the following:

- A restriction on who can use the accommodation outside of the academic year to reflect para. 4.15.13 of the London Plan (See HoT 3);
- The applicant will be required to use reasonable endeavours to secure a nominations agreement for part of the student accommodation on the first

letting should one for all of the accommodation not be achievable (See HoT 4); and

- The applicant shall be required to commit to being part of the borough's Construction Programme for both construction and occupation (See HoT 5).

1) Payment in lieu of on-site affordable housing

A payment of £6,525,654.00 to be paid to the Council for the provision of Affordable Housing in Haringey (This reflects the equivalent cost to the applicant of providing in excess of 40% (c.41.76%) on-site affordable student accommodation on the 431-room scheme);

2) Viability Review Mechanism

- a. Early-Stage Review if not implemented within 2 years; and
- b. Development Break review – review if construction is suspended for 2 years or more.

3) Accommodation secured for the use of students only during the academic year.

Outside of the academic year the building shall only provide accommodation for conference delegates, visitors, interns on university placements, and students on short-term education courses or any similar use at any institution approved in advance in writing by the local planning authority, acting reasonably. The temporary use shall not disrupt the accommodation of the resident students during their academic year. Any ancillary use described above shall only be for a temporary period each year and shall not result in a material change of use of the building.

4) Nominations agreement – reasonable endeavours

The applicant will be obliged to use reasonable endeavours to secure a nominations agreement prior to the first letting with a higher education institution and/or student housing provider for all of the proposed units of student accommodation and if this cannot be achieved, part of the student accommodation, but without restriction on the open market rents and tenancy terms.

5) Employment & Skills Plan

Including Construction Apprenticeships Support Contribution and Skills Contribution (to be calculated in accordance with Planning Obligations SPD). And a commitment to being part of the borough's Construction Programme for construction and occupation.

6) Travel Plan (pre-occupation and operational, as well as monitoring reports) and monitoring fee (£5,000 contribution)

The plan relates to the student accommodation element and must include:

- Appointment of a Travel Plan Coordinator (to also be responsible for monitoring Delivery Servicing Plan)
- Provision of welcome induction packs containing public transport and cycling/walking information, map, and timetables, to every new occupant.
- Details of cyclist facilities (lockers, changing rooms, showers, & drying rooms);
- a mechanism whereby the proposed mobility scooter charging spaces can be converted into spaces for larger cycles as and when required, based on regular monitoring of usage tied in with the travel surveys and surveys of cycle parking uptake; and
- the emergency cycle access arrangements via the passenger lifts should the large/cycle lift break down.

7) Car capping (£5,000 contribution)

No future occupiers will be entitled to apply for a residents or business parking permit under the terms of the relevant Traffic Management Order controlling on-street parking in the vicinity of the development. £5,000 for revising the associated Traffic Management Order.

8) Construction Logistics/Monitoring contribution

A payment of £20,000 to be paid to the Council.

9) Considerate Constructors Scheme

A commitment to sign up to the scheme for the entirety of construction works.

10) High-speed broadband connectivity

All rooms of accommodation must have access to high-quality digital connectivity for new residents through high-speed broadband connections.

11) Carbon Management & Sustainability - Future connection to District Energy Network (DEN) or alternative low carbon solution

- Prioritise connection to the DEN with an interim heating solution if phasing allows.
- Submit justification and details of the backup ASHP heating solution if not connecting to the DEN.
- Re-calculation of the carbon offset contributions prior to commencement (which is one of the requirements of the Energy Plan).
- A covenant to comply with the Council's standard DEN specification for the building DEN and for any components of the area wide DEN installed on site.
- Connection charge to be reasonable and based on avoided costs of delivering an ASHP system, details of the avoided ASHP system costs should be agreed at an earlier stage.
- Submission of Energy Plan for approval by LPA to include details of

- Sustainability Review

12) Carbon offsetting

Payment of a carbon offset contribution payable before completion (calculated as the DEN or low-carbon backup scenario)

13) Monitoring costs

Based on 5% of the financial contribution total (albeit with the payment in lieu of on-site affordable housing, as well as the carbon offsetting payment removed from this total), and £500 per non-financial contribution.

Section 278 Highways Legal Agreement Heads of Terms

14) Highways/Public realm contribution

A payment of £188,769.00 to be paid to the Council for resurfacing, street furniture, and landscaping works immediately adjacent to the site and associated project management fees. The highway works include a contribution towards the landscaping of the semi-circle of land to the front of the site (or in the surrounding area in accordance with Condition 45).

15) Disabled users' parking space along Hale Road

A payment of £77,000.00 to be paid to the Council to cover a feasibility study, design and project management fees, Traffic Management Order (TMO) and Road Safety Audit (RSA) costs (totalling £25,000.00), and a further £52,000.00 for construction works and delivery. It is noted that the construction and delivery cost would be refunded in the unexpected event that the works were found to be unfeasible.

- 2.5 In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.
- 2.6 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.3) above, the planning permission be refused for the following reasons:
1. In the absence of a legal agreement securing 1) the provision of off-site affordable housing and 2) viability review mechanisms the proposals would fail to foster a mixed and balanced neighbourhood where people choose to live, and which meet the housing aspirations of Haringey's residents. As such, the proposals would be contrary to London Plan Policies GG1, H4, H5 and H6, Strategic Policy SP2, and DM DPD Policies DM11 and DM13, and Policy TH12.
 2. In the absence of a legal agreement securing financial contributions towards infrastructure provision (Public Realm, Disabled Space, & other Transport Contributions), the scheme would fail to make a proportionate contribution

towards the costs of providing the infrastructure needed to support the comprehensive development of Site Allocation TH4. As such, the proposals are contrary to London Plan Policy S1, Strategic Policies SP16 and SP17, Tottenham Area Action Plan Policies AAP1, AAP11 and TH4 and DM DPD Policy DM48.

3. In the absence of legal agreement securing 1) a student accommodation Travel Plan and financial contributions toward travel plan monitoring, 2) Traffic Management Order (TMO) amendments to change car parking control measures the proposals would have an unacceptable impact on the safe operation of the highway network and give rise to overspill parking impacts and unsustainable modes of travel. As such, the proposal would be contrary to London Plan Policies T5, T1, T2, T3, T4 and T6. Spatial Policy SP7, Tottenham Area Action Plan Policy TH4 and DM DPD Policy DM31.
 4. In the absence of an Employment and Skills Plan the proposals would fail to ensure that Haringey residents' benefit from growth and regeneration. As such, the proposal would be contrary to London Plan Policy E11 and DM DPD Policy DM40.
 5. In the absence of a legal agreement securing the implementation of an energy strategy, including the prioritisation of a connection to a DEN or a fall-back alternative low-carbon heating solution, 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 2 and Strategic Policy SP4, and DM DPD Policies DM 21, DM22 and SA48.
 6. 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 D14, Policy SP11 and Policy DM1.
 7. In the absence of a legal agreement securing the developer's agreement to using reasonable endeavours to secure a nominations agreement with a higher education institution for all or part of the proposed units of student accommodation, the proposals would fail to meet the requirements of London Plan Policy H15 and Policy DM15.
- 2.7 In the event that the Planning Application is refused for the reasons set out in resolution (2.6) above, the Head of Development Management (in consultation with the Chair of Planning sub-committee) is hereby authorised to refuse 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 agreements contemplated in resolution (2.1) above to secure the obligations specified therein.

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APPENDICES:

- Appendix 1: Officer and Addendum Reports to the 5th September 2022 Planning Sub-Committee meeting
- Appendix 2: Planning Conditions & Informatives
- Appendix 3: Internal and External Consultee representations
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- Appendix 6: Plans of the proposed scheme
- Appendix 7: Planning Sub-Committee Minutes (5 September 2022)

3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1. Proposed development

- 3.1.1. The Officer Report and Addendum Report from the 5th September 2022 Sub-Committee meeting last year (which can be found at Appendix 1) describe the proposed development and location details, both of which have not been affected by the proposed amendments, nor have they changed in a material way since the meeting.
- 3.1.2. This report will focus on an assessment of the proposed changes and any other material changes/considerations as well as any representations made since the Committee meeting. Please refer to the 5th September 2022 Sub-Committee meeting reports for all other matters, considerations, and comments.
- 3.1.3. The purpose of the changes to the application that members made a resolution on is to provide the proposed building with a secondary staircase and evacuation lift in line with emerging legislation and good practice with regards to means of escape.
- 3.1.4. The following changes have been made to the scheme assessed by Members at the 5th September 2022 Sub-Committee meeting:
- Additional stair and evacuation lift added between levels 24 and the ground floor;
 - Realignment of external walls to the courtyard to align with site boundaries;
 - Loss of 32 cluster rooms, with provision of 12 additional post-grad rooms - Resulting in the net loss of 20 rooms;
 - The total number of student bedrooms – would now be 431 (equivalent to 172 homes), a reduction from 451 (equivalent to 180 homes);
 - Of the 20 rooms lost 5 are wheelchair accessible, the proposed scheme provides a greater range of wheelchair accessible/adaptable room types, 15% of rooms in total, in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice’.
 - Reduction of 20sqm to the communal amenity space;
 - Reduction of 45sqm to the shared kitchen lounges;
 - Reduction of 25sqm to the retail space;
 - Reduction of 11sqm to the reception / co-working space;
 - Gym reduced by 33sqm; and
 - Minor elevational adjustments – comprising an additional exit onto The Hale to enhance escape from the building and window readjustments to serve the additional stair and evacuation lift.

3.2. Site and Surroundings

- 3.2.1. Please see the Officer Report from the 5th September 2022 Sub-Committee meeting at Appendix 1 for details of the site and surroundings.

3.3. Relevant Planning and Enforcement history

- 3.3.1. As above, please see the Officer Report from the 5th September 2022 Sub-Committee meeting at Appendix 1 for history.

4.0 CONSULTATION RESPONSE

4.1. Planning Committee Pre-Application Briefing

- 4.1.1. The proposal was presented to the Planning Committee at a Pre-Application Briefing on 24 May 2021. The relevant minutes of the meeting are described in Appendix 1 under Appendix 5: Planning Sub-Committee Minutes 24 May 2021.

4.2. Quality Review Panel

- 4.2.1. The scheme has been presented to Haringey's Quality Review Panel on the 16 December 2020 and 12 May 2021. The written findings of the panel can be found within Appendix 1 under headings: Appendix 7: Quality Review Panel Report 16 December 2020; and Appendix 8: Quality Review Panel Report 12 May 2021.

4.3. Development Management Forum

- 4.3.1. The proposal was presented to a Development Management Forum on 18 May 2021.
- 4.3.2. The notes from the Forum are set out in Appendix 1 under heading: Appendix 6: Development Management Forum 18 May 2021.

4.4. Application Consultation

- 4.4.1. The plans originally submitted (under the January re-consultation) included an error which suggested the building envelope had changed and the building was closer to the neighbouring building to the south. The building envelope has not changed, and this error has been corrected in revised drawings that were consulted on in March 2023. The red line also remains the same.
- 4.4.2. The following were re-consulted on the amended scheme in January 2023 and again with corrected plans in March 2023. The following responses are largely to the January consultation, albeit several consultees confirmed their responses had not changed under the March consultation (the errors on the plans in the January consultation largely only affected the siting of the building

in relation to the building to the south so do not affect the substance of the responses). The HSE responded to both consultations:

Internal Consultees

- LBH Building Control
- LBH Carbon Management
- LBH Conservation Officer
- LBH Design Officer
- LBH Local Lead Flood Authority/Drainage
- LBH Pollution
- LBH Transportation
- LBH Waste Management

External Consultees

- Environment Agency
- Greater London Authority
- Greater London Archaeology Advisory Service (GLAAS)
- London Fire Brigade
- Metropolitan Police - Designing Out Crime Officer
- Thames Water
- Transport for London
- London Underground/DLR Infrastructure Protection
- Health and Safety Executive (HSE)
- Natural England
- Cadent Gas

The following responses were received:

Internal:

1) Building Control

This office has no objection to this planning application. This type of application is subject to the Planning Gateway One (PGO) service at HSE; and a full building regulations review will be undertaken as part of the Building Control process.

2) LBH Carbon Management

The design changes do not have any material impact on the development previously presented to Planning Sub Committee in September 2022. All previous recommended planning conditions and heads of terms remain unchanged and relevant, apart from the revised Energy Strategy condition which has been drafted to reflect the calculation amendments.

3) LBH Conservation Officer

No comment (The amendments include only minimal changes to the exterior of the building and do not affect the materials, massing, and finishes).

4) LBH Design Officer

The latest changes to this application make no significant or meaningful alteration to its design, appearance, amenity standards or impact on neighbours, and I can therefore see no reason to change my previous comments.

5) LBH Local Lead Flood Authority/Drainage

We have no further comments to make on the application. We are content that the impact of surface water drainage has been addressed adequately.

6) Pollution (Carbon Management)

Please be advised that we have no objection to the proposed development in respect to air quality and land contamination subject to planning conditions.

7) Transportation

There are no transport objections regarding the proposed revisions.

8) Waste and Street Cleansing

There is no update concerning the waste arrangements, previous comments = This is a detailed and well considered waste management plan. The waste generated from this development will be classed as commercial and will require a commercial waste management company to make collections.

The calculations and containment capacity are accurate. Separately collected food waste is positive. Sizing of the bin store is based on a twice weekly collection of waste and recycling from the outset. Many of the parameters set out in the plan align with the Council's guidance, for example drag distances of bins to the waiting lorries from the student accommodation.

External:

9) Environment Agency (EA)

No comments on amendments, previous comments - This application has low environmental risk and therefore the EA have no comments. The site is located in Flood Zone 2 and therefore Flood Risk Standing Advice (FRSA) applies for this application. The site is also located in Source Protection Zone 2; however, the previous use of the site is of low polluting

potential and therefore the EA have no comments with respect to contaminated land.

10) Mayor for London / Greater London Authority (GLA) - 13/02/2023
Energy and Whole Life-Cycle Carbon

The applicant has responded to some of the outstanding queries but there are items still to be addressed. The GLA WLC Team that they have no further queries (13/04/2023)

Air quality

Response to Stage 1 comments by the AQ consultants AECOM (circulated to GLA Officers on 10/01/2023) are considered sufficient. The conditions proposed in Stage 1 stand and no further action from AECOM is required to fulfil AQ requirements.

Flood risk

No additional information has been provided regarding previous comment on the requirement to include rainwater harvesting. This remains outstanding and should be addressed.

Fire safety

A revised fire statement has been provided to the Council which confirms the qualifications of the assessor involved in its assessment (CEng, BEng, MIFireE).

Compliance with Policy D5(b5) should be secured by condition.

The Council should confirm that the LFB has been consulted in respect of this proposed arrangement.

Inclusive access

The GLA has recently published a practice note which provides clarification on the accessibility requirements of the London Plan 2021 for self-contained and non-self-contained student accommodation. I have attached the note to this email for your information and reference.

The Council should ensure the submitted scheme accords with the requirements set out in Policy E10 Part H of the London Plan.

Officer note:

- *Energy matters have been considered by the Council's Carbon Management team who have recommended conditions and heads of terms. Any responses to queries will be shared with the GLA as and when they are available.*

- *The scheme includes a rainwater storage tank to manage run off rates, but the constrained nature of the site does not allow for meaningful harvesting.*
- *Compliance with Policy D5(b5) will be secured by the relevant recommended condition and the LFB have been consulted.*
- *Recommended conditions would ensure the submitted scheme accords with the requirements set out in Policy E10 Part H of the London Plan.*

11) Greater London Archaeology Advisory Service (GLAAS)

The new material does not consider archaeology further - comments remain the same.

12) London Fire Brigade (LFB)

No comment received at time of drafting. However, the Commissioner was satisfied with the proposals for firefighting access as contained within the fire statement documents submitted originally. They stated that provided the proposals were delivered in accordance with what was highlighted within the fire service section it would provide satisfactory firefighting facilities. Sprinklers were recommended which the applicant has committed to providing.

13) Metropolitan Police - Designing Out Crime Officer

No objection subject to a secured by design condition - I have reviewed the LB Haringey planning portal and do not see the addition of a second lift and stair core as an issue for Secured by Design on the project as long as the existing SbD advice is followed where door sets and access control is concerned.

14) Thames Water

No objection in terms of surface and foul water. Piling details condition(s) required due to proximity to a strategic sewer and water main. A further condition requesting details of foundations is required to ensure the foundation design poses no risk to groundwater resources.

15) Transport for London

It does not appear that the design updates contain any material changes to transport and access-related matters which are of concern to TfL. Considering the design amendments required to accommodate the secondary staircase and evacuation lift, there is a very minor improvement to the cycle space ratio by virtue of the loss of student accommodation rooms and reduction of retail space.

16) London Underground/DLR Infrastructure Protection

I can confirm that London Underground/DLR Infrastructure Protection has no comment to make on this planning application as submitted.

17) Health and Safety Executive (HSE)

Headline response – ‘content’. It is noted that a revised fire statement by Aecom dated 16/03/2023 and revised plans have been added to the planning register. This provides detail of the design changes submitted with the previous consultation, i.e., the addition of a stair core (ground – level 23) providing a minimum of two stairs at all residential levels. Following a review of the information provided in the revised fire statement, HSE is satisfied with the fire safety design, to the extent that it affects land use planning. Fire Safety is addressed later in the report in Section 6 from para 6.21.

18) Natural England

The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.

19) Cadent Gas

No objection, informative note required.

5.0 LOCAL REPRESENTATIONS

5.1 The following were consulted on the January and March 2023:

- 355 Neighbouring properties
- Friends of Down Lane Park and Living Under One Sun (LUOS) were also consulted.
- 1 site notice was erected close to the site for the January 2023 re-consultation and 3 were erected for the March 2023 re-consultation (more were erected for clarity in March following Sage Housing’s objection letter (dated February 2023) which asserted that the January re-consultation had not been the subject of the requisite site notices.

5.2 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application in January and March 2023 were as follows:

- No of responses:
- Objecting: 4
- Supporting: 0
- Comments: 1

5.3 The following made similar objections to the January consultation:

- Argent Related (adjacent developer/landowner)
- Sage Housing (Future occupants of Building 3 in Argent Masterplan)

5.4 The issues raised in these representations (dated February 2023) are summarised as follows:

- The 2023 amendments to the block dimensions bring the proposed development closer to Building 3 by 710mm.
- The amendments also change the red line site boundary and may encroach onto the public highway.

Officer note:

- *The plans originally submitted (under the January re-consultation) included an error which suggested the building envelope had changed and the building was closer to the neighbouring building to the south. The building envelope has not changed, and this error has been corrected in revised drawings. The red line also remains the same.*

5.5 Sage Housing made revised comments (April 2023) following the re-consultation that was carried out on the corrected drawings (the March 2023 re-consultation) that showed no movement/extension of the building and no changes to the red line site boundary. Their comments raised the following issues:

- The objector asserts that the correct course of action in this case would be for the Council to ask for a withdrawal of the current application and submission of a new one so that the impact of the proposed development can be properly considered with the benefit of full consultation.
- Our client still maintains that the assessment on the impact of the proposed development on daylight and sunlight in their property is flawed and based on misleading information (see our letter dated 17 November 2022).

Officer note:

- *The amendments are largely internal and have been consulted on in the usual way for amendments – through a 14 day consultation period.*
- *The reiteration of objections made in the 17 November letter are responded to below.*

5.6 Sage Housing through their representative DMH Stallard LLP submitted a letter dated 17 November 2022 after the resolution at the 5th September 2022 Sub-Committee meeting. The letter asserted that the scheme should be re-considered by the Sub-Committee due to the following reasons:

- Revisions to the mirror massing assessment from the original submission were unjustified.
- The extent of Sunlight/Daylight breaches was not fully reported.
- Increased impacts were also not fully reported.
- BRE Guidance was not applied to the Proposed Development.
- The design is not inclusive.

Officer note:

- *The comparison with the mirror scheme was addressed in the 05/09 Officer Report and considered by members – this consideration was based on the latest version of the mirror massing presented by the applicant.*
- *The 05/09 Officer Report was explicit on how the BRE guidance was being applied in terms of how it characterised breaches of VSC and that approach was sufficiently explained to members.*
- *The comparative impact of building 4 in the masterplan and the mirror scheme were reported in the Officer Report and during the discussion during the meeting. The Officer Report has to be read as a whole and the amenity conclusions were that the impact of the proposed development “when compared with the mirror massing and the masterplan proposal show this proposal would largely provide better impacts to B3 on the whole than the mirror building and other than the upper floors the masterplan building”.*
- *Para C17 of the new BRE guidance was not directly referenced in the previous 05/09 Officer Report. However, this part of the new guidance is dealt with in section 6.0 of this report.*
- *Inclusive design issues are considered by reference to London Plan policy D5 in paras 6.6.60-6.6.63 of the 05/09 Officer Report – whereby Officers considered the site to be accessible and inclusive.*

6.0 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the revisions are:

1. Principle of the development
2. Policy Assessment
3. Compliance with DM15 and London Plan 2021 policy H15 (PBSA)
4. Impact on the amenity of adjoining occupiers
5. Design
6. Impact on heritage assets including affected conservation areas
7. Quality of Residential Accommodation
8. Social and Community Infrastructure
9. Transportation, parking, and highway safety
10. Air Quality
11. Energy, Climate Change and Sustainability
12. Urban Greening and Ecology
13. Trees and Landscaping
14. Wind and Microclimate
15. Flood Risk and Drainage
16. Waste and Recycling
17. Land Contamination
18. Basement Development
19. Archaeology

6.2 Principle of the development

- 6.2.1 After the 5th September 2022 Sub-Committee meeting on 23 September 2022 a further consultation response was received from the HSE. The headline response from the HSE was that its advice was “significant concerns” (which contrasts with the response dated 9 September 2021 which had been expressed as “some concerns”).
- 6.2.2 The concerns discussed included issues relating to the means of escape and the fact that the single staircase “connects with ancillary accommodation and places of special fire hazard” and continues down into the basement.
- 6.2.3 The second consultation response was unsolicited. The response followed a notification to the HSE of the committee meeting on 5 September 2022 which was incorrectly recorded by the HSE as a request for a consultation response (due to an administrative error on the part of the HSE).
- 6.2.4 After receipt of the additional HSE response, a government consultation on the proposed amendments to Building Regulations launched on 23 December - this proposes mandatory second staircases in buildings over 30 metres in height. The Mayor of London supports the proposed strengthened requirements and clear direction of travel towards mandatory second staircases in new residential buildings over 30m.
- 6.2.5 In this context and given the requirements of London Plan policy D12 (that all developments should achieve the highest standards of fire safety) the GLA now require all planning applications which involve residential buildings over 30 metres in height to be designed to provide two staircases before they are referred at Stage 2 for the Mayor’s decision.
- 6.2.6 In this context the applicant has sought to achieve the highest standards of fire safety by amending the scheme to provide the proposed building with a secondary staircase and evacuation lift in line with emerging legislation and good practice with regards to means of escape.
- 6.2.7 In principle, the amendments are supported given the likely benefits to the fire safety of the building through improved and additional means of escape.
- 6.2.8 However, this must be balanced against any knock-on implications from the changes which are likely to include reductions in usable floorspace resulting in a possible decrease in housing numbers, employment floorspace, amenity space, and quality of accommodation amongst other aspects such as impacts on

neighbouring buildings from elevational alterations. This report will consider these and any other material aspects.

6.3 Policy Assessment

- 6.3.1 There have been no policy changes since the 5th September 2022 Sub-Committee meeting. However, the emerging requirement under existing planning policy is for there to be mandatory second staircases in new residential buildings over 30m.
- 6.3.2 The policy assessment within the Officer Report and Addendum Report for the 5th September 2022 Sub-Committee meeting therefore still stands and should be referred to in this regard. The remainder of this report will assess the policy implications of the amendments.

6.4 Compliance with DM15 and London Plan 2021 policy H15 (Purpose Built Student Accommodation - PBSA)

- 6.4.1 The analysis of Compliance with DM15 and London Plan 2021 policy H15 regarding Purpose Built Student Accommodation (PBSA) within the Officer Report (inclusive of the addendum report) for the 5th September 2022 Sub-Committee meeting remains relevant.
- 6.4.2 However, the 5th criteria (The accommodation provides adequate functional living space and layout) is affected by the proposal given that the internal changes to accommodate additional means of escape have reduced the internal floorspace for student use.
- 6.4.3 The room sizes would not be affected by the changes, albeit the total number of rooms would be reduced by 20 from 451 to 431. The proposed amendments would reduce the size of the communal amenity space; the shared kitchen lounges; the retail space; the reception / co-working space; and the gym.
- 6.4.4 However, the original provision was generous, and the proposed reductions are modest given the overall provision and scale of development. Therefore, the development would still provide high quality private and communal accommodation for students and comply with London Plan 2021 policy H15.
- 6.4.5 The payment in lieu of on-site affordable housing had been calculated based on the equivalent cost of providing 180 units (40% of 451 units) at affordable student rental levels.
- 6.4.6 This figure could be reduced commensurately to reflect the current proposal for 431 units, but instead it is proposed to maintain the offer. This would upgrade the 40% equivalency to in excess of 40% (c.41.76%) and would further add to the justification for the exclusion of a late-stage review with a higher upfront payment

that is considered to better achieve policy objectives by maximising public benefit through a higher proportionate contribution.

6.5 Impact on the amenity of adjoining occupiers

- 6.5.1 The building envelope, floorspace and massing remains the same as the 5th September 2022 Sub-Committee meeting scheme. As such, the assessment of the impact of the proposal on the amenity of adjoining occupiers in the Officer Report for that meeting remains valid.
- 6.5.2 The only changes that could potentially have an impact on neighbours would be the external alterations which comprise an additional exit onto The Hale and window readjustments to the south elevation to serve the additional stair and evacuation lift.
- 6.5.3 The additional exit would be a minor alteration that would have a negligible impact and the window readjustments would alter the window arrangement slightly but would have no material impact on the privacy adjacent occupiers would experience.

6.6 Design

- 6.6.1 As noted above, the design of the building would by and large remain the same with there being no changes to the material palette. As such, the assessment of the design of the proposal in the Officer Report for the 5th September 2022 Sub-Committee meeting remains valid. Only the minor elevational changes would have an impact on the assessment.
- 6.6.2 The additional exit would be a minor alteration that would have a negligible impact and the window readjustments would alter the window arrangement slightly but would have no material impact on the overall design of the building.

6.7 Impact on heritage assets including affected conservation areas

- 6.7.1 Similarly, due to the modest nature of the external alterations, the assessment of the impact of the proposal on heritage assets including affected conservation areas in the Officer Report for the 5th September 2022 Sub-Committee meeting remains valid.

6.8 Quality of Residential Accommodation

- 6.8.1 As noted in the '*Compliance with DM15 and London Plan 2021 policy H15 (PBSA)*' section above, the London Plan requires student accommodation to provide adequate functional living space and layout. These factors have been assessed under that section and found to be acceptable.

- 6.8.2 DM DPD policy DM15 also requires that the accommodation is of a high quality, and provision is made for disabled students. The functional living space and layout section addresses quality and finds it to be high and therefore acceptable.
- 6.8.3 The London Plan does not specify a percentage of rooms that must be accessible and/or wheelchair adaptable, however, DPD policy DM15 requires provision to be made for units that meet the needs of students with disabilities.
- 6.8.4 A Practice Note on Wheelchair Accessible and Adaptable Student Accommodation was issued by the GLA in November 2022. The note indicates that the Building Regulations make clear that student accommodation is to be treated as hotel/motel accommodation.
- 6.8.5 As such, for the purposes of ensuring provision of accessible student accommodation, in addition to London Plan policy D5, the relevant part of Policy E10 Part H also applies to development proposals for new non-self-contained student accommodation. The relevant part of E10 Part H states that development proposals for serviced accommodation should provide either:
1. 10 per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52 incorporating either Figure 30 or 33 of British Standard BS8300- 2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice; or
 2. 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice'
- 6.8.6 The proposed scheme provides a greater range of wheelchair accessible/adaptable room types, 15% of rooms in total, in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice'.
- 6.8.7 This has been achieved via the following:
- 24 rooms (5.6%) are wheelchair accessible;
 - At least 5% have an en-suite that could meet the requirements of people with ambulant impairments (all of the standards en-suites could meet this requirement); and
 - 21 rooms (4.9%) are easily adaptable (this is the new room created by the addition of the new stair core).
- 6.8.8 Condition 4 has been updated from the Officer Report for the 5th September 2022 Sub-Committee meeting to reflect the GLA Practice Note on Wheelchair Accessible and Adaptable Student Accommodation. As recommended, it would ensure that the proposal delivers on the practice note, complies with the London Plan, and caters for all.

- 6.8.9 Furthermore, level access would be provided from the street into the main reception area, the bike store and all the retail units. There would be a dedicated automatic opening door adjacent to the main entrance revolving door with appropriately located accessible facilities and required room, hallway, and door widths.
- 6.8.10 A large amount of both external and internal shared amenity space is still proposed for the student use within the building. Each cluster would have its own amenity space consisting of a kitchen and lounge area totalling 1,044sqm across the development.
- 6.8.11 In addition to amenity space specific to each cluster, the development also proposes communal amenity space, which would be open to all residents, totalling 416sqm of internal communal amenity space.
- 6.8.12 There would be 302sqm of external amenity space which would provide 0.7sqm per student. In summary, the proposals are considered to provide a high standard of student accommodation and amenity for occupants.
- 6.8.13 The applicant has submitted an Internal Daylight & Sunlight Report which demonstrates that 91% of the rooms would achieve their assigned target illuminance value appropriate for the principal usage over at least 50% of the room area. In relation to internal sunlight amenity, 49% of rooms will have sufficient access to sunlight and would comply with BRE Guidance.
- 6.8.14 Paragraph C17 of the BRE guidance on student accommodation (BR 209) suggests that the higher level of 150 lux (usually for living rooms) should be used for bed sitting rooms in student accommodation if students would often spend time in their rooms during the day.
- 6.8.15 The applicant has used 100 lux which is considered to be acceptable given the other spaces available for studying in the building which are well lit. The building has study space available in the co-working space on the ground floor and in the communal lounges on the seventh and twenty-fourth floors. Or they could use any of the shared kitchen/lounges on floors 8 and above.
- 6.8.16 If the living room target of 150 lux is applied as per C17, since many of the rooms of accommodation are orientated to the north facades where there is little to no obstruction, a high compliance rate of 88% is still achieved.
- 6.8.17 Paragraph C17 of the BRE guidance states that local authorities can use discretion in the application of the guidance. For example, the target for a living room could be used for a combined living/dining/kitchen area. The applicant has used a 150 lux target for living/kitchen/dining (LKD) areas because of the broader

use of these rooms to include an additional living space (e.g. communal living rooms).

6.8.18 The lower levels of the building do have bedrooms and LKDs with windows to the southern elevation that have internal daylight amenity that falls below target levels. The room at levels 2-16 with one southern facing window (Room type 6) would have lux levels well below the target.

6.8.19 The internal daylight amenity lux targets are not achievable in these rooms due to the constrained nature and awkward shape of the site. Factors providing mitigation against the lower lux levels include: access to alternative study spaces and amenity spaces, as well as the desk spaces in the most affected rooms being located where lux levels are highest next to the window.

6.8.20 There are also benefits in having a higher number of rooms of accommodation, such as more bedspaces for students and a higher contribution to affordable housing as a result. On the whole, the proposal provides a high level of compliance with lux targets and all students would have access to well-lit spaces to study, cook, and relax.

6.8.21 Condition 8 is recommended which would ensure that there would be a satisfactory internal noise environment for occupiers of the rooms of accommodation by ensuring that the glazing specification and mechanical ventilation would be assessed by the LPA and required to meet British Standards relating to sound insulation and noise reduction.

6.8.22 Condition 7 would also ensure appropriate noise insulation is provided between the accommodation and commercial uses at the lower floor levels.

6.8.23 Condition 44 is also recommended which would ensure the development is implemented and operated in accordance with the submitted Student Management Plan which identifies how the building would be managed and maintained.

6.8.24 Overall, the quality of accommodation would be high for the intended use and the recommended conditions would ensure that this high standard is secured in perpetuity.

6.9 Social and Community Infrastructure

6.9.1 The assessment under Social and Community Infrastructure in the Officer Report for the 5th September 2022 Sub-Committee meeting remains valid. The contributions sought would be the same as the previous scheme, which would be acceptable given that there has been no change to the building envelope, floorspace and massing.

6.10 Transportation, parking, and highway safety

- 6.10.1 As noted above, the design of the building would by and large remain the same with there being minimal changes to matters affecting transportation, parking, and highway safety. As such, the assessment of the design of the proposal in the Officer Report for the 5th September 2022 Sub-Committee meeting remains valid.
- 6.10.2 Only the modest changes to the accommodation numbers would have an impact on the assessment. The reduction in resident numbers would have a beneficial impact on cycle parking as there would be proportionally more available. TfL have confirmed they have no concerns given the changes since the Sub-Committee resolved to grant permission last September.
- 6.10.3 At the 5th September 2022 Sub-Committee meeting concerns were raised by members about students moving in and out and the potential impact this would have on the highway network given the constrained nature of the site. Part (d) has been added to recommended condition 30 (Delivery and Servicing Plan) which requires the applicant to identify how moving in and out would be coordinated so as not to put undue pressure on the highway network and parking within the immediate area.

6.11 Air Quality

- 6.11.1 In terms of air quality, the changes would have no undue impacts over and above the scheme considered by members in September 2022. Therefore, the assessment of the impact of the proposal on air quality in the Officer Report for the 5th September 2022 Sub-Committee meeting remains valid.

6.12 Energy, Climate Change and Sustainability

- 6.12.1 Overall, the design changes do not have any material impact on the development previously presented to Planning Sub Committee in September 2022 in terms of energy, climate change and sustainability. Therefore, the analysis in the Officer Report for the 5th September 2022 Sub-Committee meeting in this regard remains valid.
- 6.12.2 All previous recommended planning conditions and heads of terms remain unchanged and relevant, apart from revisions to the recommended Energy Strategy condition which has been drafted to reflect the calculation amendments.

6.13 Urban Greening and Ecology

- 6.13.1 The proposed design changes would have a minimal impact on the Biodiversity Net Gain (BNG) assessment and therefore the Officer Report for the 5th

September 2022 Sub-Committee meeting remains valid in relation to its assessment of impacts on ecology.

6.13.2 London Plan Policy G5 sets out the concept and defines Urban Greening Factor (UGF) as a tool used to evaluate and quantify the quality of urban greening provided by a development and aims to accelerate greening of the built environment, ensuring a greener London as it grows. It calls on boroughs to develop their own UGF targets, tailored to local circumstances, but recommends an interim target score of 0.40 for proposed development that is predominantly residential.

6.13.3 The development achieves an Urban Greening Factor of 0.36, which complies with the interim minimum target of 0.30 for non-residential developments (which includes student housing) in London Plan Policy G5. However, at the 5th September 2022 Sub-Committee meeting members voted to attach an additional condition which would require the applicant to achieve a higher UGF of 0.4.

6.13.4 A condition (number 45) is therefore recommended which requires the applicant to submit an illustrative scheme/schedule of greening that achieves an Urban Greening Factor of 0.4 for approval. Any greening that is required to be provided off-site would need to be delivered in the surrounding area by the Council at the owner/developer(s) expense.

6.14 Trees and landscaping

6.14.1 The amendments have no material impact on trees and landscaping. A condition is again recommended which would secure full details of the proposed landscaping details of amenity areas including details of planting plans, written specifications, and implementation programmes, as well as details of all hard surfacing materials and any relevant SUDS features (including management and maintenance proposals), details of all furniture and storage units, and details of all functional services.

6.15 Wind and Microclimate

6.15.1 The findings of the Officer Report for the 5th September 2022 Sub-Committee meeting in relation to wind and microclimate remain valid given that the building envelope, floorspace and massing remain unchanged. The minor elevational adjustments would have no material impact on the findings of the assessment.

6.16 Flood Risk and Drainage

6.16.1 The findings of the Officer Report for the 5th September 2022 Sub-Committee meeting in relation to flood risk and drainage remain valid given that the proposed design changes relate to the superstructure only with no change to the ground floor and basement footprint and ground floor landscaping.

6.17 Waste and Recycling

6.17.1 The findings of the Officer Report for the 5th September 2022 Sub-Committee meeting in relation to waste and recycling remain valid given that the waste arrangements remain unchanged.

6.18 Land Contamination

6.18.1 The proposed design changes relate to the superstructure with no change to the ground floor and basement footprint and depth. No changes are proposed to the foundation depths, buried utility locations, and ground floor landscaping plans. Therefore, the conclusions relating to contamination in the Officer Report for the 5th September 2022 Sub-Committee meeting remain valid.

6.19 Basement Development

6.19.1 As noted above, there are no changes to the basement footprint and depth under these proposals. As such, the conclusions relating to basement development in the Officer Report for the 5th September 2022 Sub-Committee meeting remain valid.

6.20 Archaeology

6.20.1 As above, there are no changes to the basement footprint and depth under these proposals and as such the recommendations in the Officer Report for the 5th September 2022 Sub-Committee relating to archaeology are valid. Therefore, suitably worded conditions are recommended which would ensure evaluation works are undertaken post-grant of any planning permission. This would reflect the conditions attached to permissions at neighbouring sites.

6.21 Fire Safety and Security

6.21.1 London Plan Policy D12 makes clear that all development proposals must achieve the highest standards of fire safety and requires all major proposals to be supported by a Fire Statement. The Mayor of London has published draft guidance of Fire Safety (Policy D12(A), Evacuation lifts (Policy D5(B5) and Fire Statements (Policy D12(B)).

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

- 6.21.3 In respect of the building specification, the façade would be constructed in unitised panels which are brick faced with a concrete backing, spaces on all floors would be fully sprinklered and linked to an intelligent fire and smoke detection system which would be monitored 24/7 by the on-site management team.
- 6.21.4 Also cooking within the building undertaken by the students would be restricted to the shared kitchen lounge on the seventh floor and within the kitchen/lounges within the clusters which are positioned at the 'far end' of each cluster to maintain safe egress in the event of a fire.
- 6.21.5 The amendments to the scheme since the committee meeting last year have sought to address the updated HSE comments and the recent GLA requirements for all planning applications involving residential buildings over 30 metres in height to be designed to provide two staircases before they are referred at Stage 2 for the Mayor's decision.
- 6.21.6 In this context the applicant has sought to achieve the highest standards of fire safety by amending the scheme to provide the proposed building with a secondary staircase and evacuation lift in line with emerging legislation and good practice with regards to means of escape. The HSE are now content with the proposals and the scheme complies with all current and emerging fire legislation at this stage.
- 6.21.7 The application is supported by a Fire Statement that, following revisions, meets the requirements of a Fire Statement required by London Plan Policy D12 B. A compliance condition which requires the development to be implemented in accordance with the submitted fire statements would ensure that the development incorporates the necessary fire safety measures in accordance with London Plan Policies D12 and D5.
- 6.21.8 An informative is also recommended which advises the applicant that if there are any changes to the scheme which require subsequent applications following the grant of any planning permission, an amended Fire Statement should also be submitted which incorporates the proposed scheme amendments so that the content of the Fire Statement always remains consistent with the latest scheme proposals.

6.22 Conclusion

- 6.22.1 The proposal is a well-designed mixed-use scheme which would primarily provide purpose-built student accommodation (PBSA) alongside 568sqm (GIA) of commercial retail space (Use Class E(a)) in an appropriate location near to Tottenham Hale train station and the District Centre. It would provide housing provision equivalent to 172 homes as well as 3 retail units on the last remaining undeveloped parcel of land on North Island.

6.22.2 Tottenham Area Action Plan (AAP) Policy TH4: Station Square West supports town centre ground floor uses, with residential above; and identifies that tall buildings may be acceptable within the site allocation. The proposal would make a significant contribution towards affordable housing via a payment in lieu totalling £6,525,654.00 and would also make contributions to public realm improvements and to infrastructure through the community infrastructure levy.

6.22.3 The proposal provides a high quality of student accommodation. It would be a car free development and the impact on the transport network would be acceptable. The proposal would provide a sustainable design with provision to connect to a future district energy network. It would also provide landscaping that would enhance tree provision and greenery.

6.22.4 On balance, the impact on neighbouring amenity is considered to be in line with BRE guidance and acceptable. The proposal provides a high-quality tall building and design that is supported by the QRP. The proposed development would not have any further impact on the built historic environment given the context within which it would be located.

6.22.5 The proposal would meet the requirements of London Plan policy D12 and would provide a secondary staircase and evacuation lift in line with emerging legislation and good practice with regards to means of escape. Therefore, the proposal is considered to be acceptable, and it is recommended that planning permission is granted subject to conditions and the signing of legal agreements.

6.22.6 All other relevant policies and considerations, including equalities, have been considered when making the recommendation. Section 149 of the Equality Act 2010 created the public sector equality duty. Section 149 states:

- 1) A public authority must, in the exercise of its functions, have due regard to the need to:
 - a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Officers have taken this into account and given due regard to this statutory duty, and the matters specified in Section 149 of the Equality Act 2010 in the determination of this application. There are no known equality implications arising directly from this development.

6.22.7 Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION under section 8.0.

7.0 COMMUNITY INFRASTRUCTURE LEVY

Based on the information given on the plans, the Mayoral CIL charge will be approximately £835,159.80 (13,919.33sqm x £60) and the Haringey CIL charge will be approximately £1,111,120.00 (13,317.33sqm x £85). This will be collected by Haringey should the scheme be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the construction costs index.

These figures are approximate and are subject to change at the confirmation of liability stage and will need to consider the latest indexed figures in the Annual CIL Rate Summary and the ability to discount existing floorspace that is demonstrated to have been in use for a continuous 6 months in the past 36 months. An informative will be attached advising the applicant of this charge.

8.0 RECOMMENDATION

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 informatives subject to signing of a section 106 Legal Agreement and a section 278 Legal Agreement.