

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2023/0261

**Ward:** Tottenham Hale

**Address:** Berol Quarter, Ashley Road, London N17 9LJ

**Proposal:** Full planning permission for the refurbishment and extension of Berol House to include Use Class E floorspace; and the redevelopment of 2 Berol Yard to provide new residential homes and Use Class E floorspace; with associated landscaping, public realm improvements, car and cycle parking, and other associated works.

**Applicant:** Berol Quarter Limited (Berkeley Square Developments)

**Ownership:** Private

**Case Officer Contact:** Philip Elliott

**Date received:** 24/01/2023 **Last amended date:** N/A

1.1 The application has been referred to the Planning Sub Committee for decision as the planning application is a major application

#### 1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal is a well-designed mixed-use scheme which would primarily provide Build to Rent accommodation (BtR) alongside an uplift over the existing of approximately 2900sqm (GIA) of commercial space (Use Class E(a)) that fulfils the requirements of the site allocation.
- The proposal provides 35% affordable housing consisting of London Living Rent and Discount Market Rent (DMR) housing in line with Policy H11 of the London Plan and the Council's Housing Strategy.
- The proposal provides a high-quality tall building and design that is supported by the QRP and would act as a landmark within the wider area.
- The proposal provides significant new employment opportunities.
- The proposal provides an additional community space, a new bridge head to support the delivery of a potential future bridge over Watermead Way and the railway into Hale Village and would also make substantial contributions to infrastructure through the community infrastructure levy (CIL).
- The proposal provides a high quality of BtR accommodation.
- The impact on neighbouring amenity is considered to be in line with BRE guidance and acceptable.

- The proposed development would not have any further impact on the built historic environment given the context within which it would be located.
- The proposal is a car free development (except for blue badge and interim arrangements) and the impact on transportation is acceptable.
- The proposal achieves a high level of sustainability, would be zero carbon and would provide a sustainable design with provision to connect to a future district energy network (DEN).
- The proposed landscaping would enhance tree provision and greenery.
- The Health and Safety Executive (HSE) have considered the scheme and are content with the proposals.

## 2. RECOMMENDATION

- 1.1 That the Committee resolve to GRANT planning permission and that following Stage II referral to the GLA, 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.
- 1.2 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.
- 1.3 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than 01/09/2023 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
- 1.4 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)

- 1) 3-year time limit
- 2) Approved Plans & Documents
- 3) Phasing Plan
- 4) Accessible Accommodation
- 5) Commercial Units - Opening Hours
- 6) Commercial Units – Class E Only

- 7) Quantum of development
- 8) BREEAM Certificates
- 9) Residential – Noise Attenuation
- 10) Residential – Noise Attenuation from commercial/community
- 11) Fire Statement
- 12) Landscape Details
- 13) Playspace
- 14) Surface Water Drainage
- 15) Surface Water Network (Thames Water)
- 16) Water Network Capacity (Thames Water)
- 17) Flood Warning and Evacuation Plan (FWEP)
- 18) Water Efficiency Condition
- 19) Biodiversity
- 20) Lighting
- 21) External Materials and Details
- 22) Living roofs
- 23) Landscape and ecological management plan (LEMP)
- 24) Energy Strategy
- 25) DEN Connection
- 26) Overheating
- 27) Overheating Building User Guide
- 28) Circular Economy
- 29) Whole Life Carbon
- 30) Secured by Design
- 31) Written Scheme(s) of Investigation for Archaeology
- 32) Land Contamination
- 33) Unexpected Contamination
- 34) Car & Cycle Parking Management Plan
- 35) Cycle Parking
- 36) Delivery and Servicing Management Plan
- 37) Site Waste Management Plan
- 38) Waste Management Plan
- 39) Detailed Construction Logistics Plan (PRE-COMMENCEMENT)
- 40) London Underground Asset Protection (PRE-COMMENCEMENT)
- 41) Public Highway Condition (PRE-COMMENCEMENT)
- 42) Demolition/Construction Environmental Management Plans (PRE-COMMENCEMENT)
- 43) Updated Air Quality Assessment
- 44) Management and Control of Dust
- 45) Combustion and Energy Plant
- 46) Combined Heat and Power (CHP) Facility
- 47) Business and Community Liaison Construction Group
- 48) Telecommunications
- 49) Wind Mitigation
- 50) Noise from building services plant and vents
- 51) Anti-vibration mounts for building services plant / extraction equipment

## 52) Signage and wayfinding

### 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) Maximise Water Efficiency
- 11) Minimum Water Pressure
- 12) Paid Garden Waste Collection Service
- 13) Sprinkler Installation
- 14) Designing out Crime Officer Services
- 15) Land Ownership
- 16) Site Preparation Works
- 17) s106 Agreement
- 18) Revised Fire Statement required with any revised submission
- 19) Building Control
- 20) Building Regulations – Soundproofing
- 21) Thames Water - Sewage Pumping Station

### Section 106 Heads of Terms (HoTs):

#### 1) On-site affordable housing (DMR and LLR)

Affordable Housing Scheme to be submitted for approval prior to commencement of development which shall include the following:

- a. Minimum of 35% by habitable room (202 habitable rooms).
- b. Tenure mix – 30% London Living Rent (LLR) Housing and 70% Discount Market Rent (DMR) Housing.
- c. Proposed Number of Habitable Rooms by tenure: DMR = 78 (2-bed) and 64 (3-bed); LLR = 36 (2-bed) and 24 (3-bed).
- d. Triggers for provision - No occupation of the Market Rent Housing Units until all of the Affordable units have been delivered.
- e. Location of different tenures (a plan of the affordable housing showing where both DMR and LLR is located).
- f. Affordable housing residents to have access to the same communal amenity and play space as Market Rent housing.

#### 2) Affordability

- a. Tenure mix – 30% London Living Rent (LLR) Housing and 70% Discount Market Rent (DMR) Housing.

- b. DMR housing = 2 Bedroom: 75% of Market Rent and 3 Bedroom: 65% of Market Rent and a commitment to retaining rents calculated at these levels and using the same methodologies.
- c. Provide a dedicated 6-month marketing priority period for local Haringey Residents for the affordable units which shall be completed 12 to 6 months prior to Practical Completion with evidence of the marketing provided to the Council. Families shall be prioritised for the DMR family 3-bedroom units.
- d. A commitment to developing an approach to allocations jointly with the Council for both the LLR and DMR units. That process shall ensure allocations and lettings align with the Council's Intermediate Housing Policy with a commitment to prioritise households with children for the two- and three-bed DMR units, and to ringfence two- and three-bed LLR units for households with children.
- e. Evidence of the chosen tenants shall be provided to show compliance.

### **3) Viability Review Mechanism**

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

### **4) Build to Rent (BtR) Obligations**

- The homes shall be held under a covenant for at least 15 years (apart from affordable units, which shall be secured in perpetuity);
- A clawback mechanism if BTR homes are sold
- Unified ownership and management of the private and affordable elements of the scheme;
- BtR housing shall be provided in accordance with an approved BtR marketing and letting scheme to be submitted for approval 12 to 6 months prior to Practical Completion.
- Not to occupy or cause or permit the occupation of any BtR Housing Unit until a BtR Management Plan has been submitted to and approved by the Council. The BtR Management Plan shall incorporate the following requirements, unless otherwise agreed in writing with the Local Planning Authority:
  - a) Each BtR Housing Unit shall be self-contained and let separately for private Residential Use;
  - b) Rent and service charge certainty shall be provided for the tenancy period on a basis made clear before the tenancy agreement is signed including any annual increases, which should be formula-linked;
  - c) Longer tenancies (three years or more) shall be made available to all tenants;

- d) Each lease of each BtR Housing Unit shall contain a break clause allowing the tenant to end the lease with a month's notice any time after the first six months of the lease;
- e) Providers must not charge up-front fees of any kind to tenants or prospective tenants outside of deposits and rent-in-advance.
- f) The BtR Housing Units shall be managed as a whole by a single professional property manager which:
  - i. provides a consistent and quality level of housing management,
  - ii. has regular on-site presence,
  - iii. is part of an accredited ombudsman scheme,
  - iv. is a member of the British Property Federation or RICS;
  - v. complies with the RICS Private Rented Sector Code,
  - vi. has a complaints procedure.
- g) Details of the waste collection strategy for the BtR Housing Units, including a commitment to a period of monitoring (to be agreed but likely 1 year post occupation) and reporting of waste / recycling volumes and making a payment of £100,000.00 to the Council where twice weekly refuse collections are required (to cover the cost of an additional vehicle) subject to monitoring results. Details of the monitoring shall be submitted to the LPA and agreed prior to occupation as part of the s106 obligation.

**5) Additional Affordable Workspace**

In the event that the construction of Berol House has not commenced by the earlier of:

- A) June 2028, or;
- B) Practical Completion of 2 Berol Yard -

Then Retail Unit 2 (221sqm) shall be allocated as "Additional Affordable Workspace" and subject to a discount of 20% of the prevailing market rent until the later of:

- A) 3 years from the date of Practical Completion of 2 Berol Yard; or
- B) The date of Practical Completion of Berol House.

**6) Commercial Strategy**

Prior to the occupation of both buildings, provide an updated Commercial and Retail strategy which identifies how the proposed uses would complement and enhance the commercial offer in Tottenham Hale, considering the wider regeneration.

**7) Employment & Skills**

- Submission of an employment and skills plan
- No less than 20% of the peak construction workforce to be Haringey residents
- Provision of skills-based training to the 20% referenced above

- 5% of the peak workforce to be provided with traineeships
- Provision of a construction apprenticeships at one per £3m development construction cost up to a maximum of 10% of total construction workforce
- Provision of a £1,500 support contribution per apprentice
- Provision of no less than five STEM/career inspirational sessions per construction phase
- Regular liaison with the Council to allow local businesses and suppliers to tender for works
- Other requirements as agreed in discussions with the Council's Employment and Skills Officer
- A commitment to being part of the borough's Construction Programme for construction and occupation.
- Work with the Haringey Employment and Recruitment Partnership - employment and training opportunities to identify and promote construction jobs during the delivery of both Berol House and 2 Berol Yard.
- Designate a named contact to ensure efficient management and supply of local Council residents for employment and training opportunities.
- Participate in the Haringey Construction Partnership.

#### **8) Public Art**

- Not to occupy or permit the occupation of any BtR Housing Unit until a public art/lighting installation scheme has been submitted to the council, approved, and implemented.
- For a period of 10 years from the date of first occupation of the BtR Housing Units, an external space within the Berol Square, of not less than 5m x 5m shall be provided which shall be available for not less than 3 months of each year for a temporary public art installation, to showcase Tottenham talent

#### **9) Future proofing bridge connection**

- Not to occupy or permit the occupation of any BtR Housing Unit until the new public access stairway, lift, and bridgehead have been constructed as part of the 2 Berol Yard building.
- To provide a permissive path right of access for members of the public to pass, with and without bicycles to the bridge head.
- To provide a bicycle track within the public access stairway.
- To maintain the public access stairway, public access lift, and landing area at no expenses to the Council, including all lighting, cleaning, and the like.
- Prior to the construction of the future potential bridge (not by the applicant) install glazing to the external façade to provide an additional

winter garden space as an extension to the 2 Berol Yard Cultural and Arts Space (Use Class F2 Community / Affordable Workspace).

- Produce a feasibility study for the bridge over Watermead Way and the railway, the study should include design options and costings for the proposal.
- To use best endeavours to work with those constructing the bridge to ensure its delivery by guaranteeing that whenever the bridge can come forward the bridge builder can connect to their landing stairs and lift, which will be freely available for bridge users.
- Input from an accessibility expert shall be sought to determine the best arrangement of the lift and stair and a channel for bicycles should be incorporated into the stairs.

**10) Cultural and Arts Space**

- 161sqm of Cultural and Arts Space (Use Class F2 Community / Class E Affordable Workspace) floorspace to be constructed on the first floor of 2 Berol Yard - plus public gallery and winter garden area until the potential future bridge is opened.
- Not to occupy or permit the occupation of any BtR Housing Unit until the Cultural and Arts space has been constructed to CAT A standard and first refusal of a lease to be offered to the Council.
- Grant a 15-year Lease of the space, for use by Made by Tottenham (or other such nominated body involved with the arts, creative trade, local industry), or alternative occupier agreed in consultation with the Council with a minimum discount of 20% of the prevailing market rent and a rent-free period of 3 years. The Lease shall also include a right to renew for 2 further 5-year periods, subject to agreement by both parties.

**11) Public Realm**

- Public access to footpaths, cycleways, open spaces, and the Cultural and Arts Space, including the potential future bridgehead provided via a Permissive Path right for public, visitors and the like to all routes.
- Submit and implement an Approved Public Access Plan.
- Maintain development estate public realm areas in accordance with the standards of good estate practice.

**12) National Health Service (NHS) Contribution**

Provide a capped contribution of £25,000 prior to Practical Completion of 2 Berol Yard to support local NHS services.

**13) Travel Plans (Commercial and Residential Travel Plans (£3,000 contribution per plan))**

A requirement for detailed travel plans to be submitted for approval prior to occupation and must include:



- Appointment of a Travel Plan Coordinator (to also be responsible for monitoring Delivery Servicing Plan) to work in collaboration with the Council for a minimum of five years
- Provision of welcome induction packs containing public transport and cycling/walking information, map, and timetables, to every new occupant.
- A commitment to liaise with Zipcar to understand utilisation of nearby Car Club bays.

**14) Car Club**

A commitment to provide residents with three years car club membership including a £50 annual credit for those who register.

**15) Car Capping**

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.

**16) Construction Logistics/Monitoring contribution**

A payment of £20,000.00 to be paid to the Council - payable as £10,000.00 on commencement of each building.

**17) Considerate Constructors Scheme**

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

**18) Ultrafast broadband**

All rooms of accommodation and commercial spaces must have access to ultrafast broadband connections (above 100MB/s).

**19) Carbon Management & Sustainability - Future connection to District Energy Network (DEN)**

- An amended energy statement is to be provided on first occupation of the development.
- Estimated carbon offset contribution, plus a 10% management fee; carbon offset contribution to be re-calculated at £2,850 per tCO<sub>2</sub> at the Energy Plan and Sustainability stages (See Carbon Offsetting below for more detail).
- Be Seen commitment to uploading energy data
- 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.
- Submission of Energy Plan for approval by LPA
- Sustainability Review

**20) Carbon offsetting**

Provision of a contribution to offset the carbon emissions of the development where not met on site against the zero-carbon target. Estimate of the carbon offset figure is £327,750.00 for the whole development which is to be reviewed once the amended energy statement has been assessed by the Council. A management fee of 10% is also required (estimate: £32,775)

**21) Monitoring costs**

Based on 5% of the financial contribution total, and £500 per non-financial contribution.

**22) Securing Design Quality**

Retain the existing architects for both buildings as Design Guardians to safeguard the design quality.

**23) Berol House Relocation Strategy**

Submission of a relocation strategy to be submitted prior to construction to identify how existing occupants within Berol House would be supported to find new suitable premises.

1.5 In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.

1.6 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 on-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 the Build to Rent (BtR) obligations the proposals would fail to meet the requirements of London Plan policy H11 and. as such, the proposals would be contrary to that policy.
3. In the absence of a legal agreement securing financial contributions towards infrastructure provision (the Future proofing bridge connection, Cultural & Arts Space, public art, public realm, and 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 TH6. As such, the proposals are contrary to

London Plan Policy S1, Strategic Policies SP16 and SP17, Tottenham Area Action Plan Policies AAP1, AAP11 and TH6 and DM DPD Policy DM48.

4. In the absence of legal agreement securing 1) a 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.
  5. 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.
  6. In the absence of a legal agreement securing the implementation of an energy strategy, including the prioritisation of a connection to a DEN, and carbon offset payments - the proposals would fail to mitigate the impacts of climate change. As such, the proposal would be unsustainable and contrary to London Plan Policy SI 2 and Strategic Policy SP4, and DM DPD Policies DM 21, DM22 and SA48.
  7. 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.
- 1.7 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.

## **CONTENTS**

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

## **APPENDICES:**

- Appendix 1: Planning Conditions & Informatives
- Appendix 2: Plans and Images
- Appendix 3: Internal and External Consultee representations
- Appendix 4: Neighbour representations
- Appendix 5: Planning Sub-Committee Minutes 7<sup>th</sup> Nov
- Appendix 6: QRP 13<sup>th</sup> July 2022
- Appendix 7: QRP 19<sup>th</sup> Oct 2022
- Appendix 8: QRP 1<sup>st</sup> March 2023
- Appendix 9: DM Forum Notes
- Appendix 10: GLA Stage 1 Response
- Appendix 11: Plans and Documents List

### 3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

#### 3.1. Proposed development

- 3.1.1. Planning permission is sought to refurbish and extend Berol House to provide workspace and retail accommodation; and build a new mixed use building comprising Build to Rent (BtR) homes and commercial, retail, and community space at 2 Berol Yard. The description of development is as follows:

*“Full planning permission for the refurbishment and extension of Berol House to include Use Class E floorspace and the redevelopment of 2 Berol Yard to provide new residential homes, Use Class E floorspace and associated landscaping, public realm improvements, car and cycle parking and other associated works.”*

- 3.1.2. In Figure 1 below shows the application site outlined in a dashed red line with the proposed buildings highlighted red:

*Figure 1 - Berol Quarter site plan*



- 3.1.3. The proposed development has the following three main components:  
1. **Berol House**,

Retained to the west of the site. The building would be refurbished, and a three-storey extension would be erected at roof level covering the full extent of the roof plane on two of the three new floors. The third floor would be set back at the north and south and to a lesser extent to the east. An undercroft pedestrian route through Berol House (known as Berol Passage) would be added to increase west-east permeability through the building.

## **2. 2 Berol Yard,**

Located to the east of Berol House at the eastern part of the site. The building would be 32 storeys with a lift overrun core rising above the highest part of the main building, the upper floors are rotated at an angle to the ground floor.

The western elevation of the ground floor would run parallel with Berol House with a 10.5m gap forming a new street between the two. The southern elevation would run parallel with the One Ashley Road building to the south with a minimum distance of 10.2m. The eastern elevation would run parallel with Watermead Way to the east with the northern elevation running parallel with The Gessner to the north.

## **3. Public Realm.**

Comprising paving, street planting, and street furniture would connect the buildings on the ground floor. There would be a new public square located to the southwest corner of the site which would become a focal and navigation point for visitors and pedestrians.

### **Land use mix**

- 3.1.4. The scheme proposes a mix of residential and non-residential floorspace. 2 Berol Yard would comprise 604sqm of Class E accommodation which is expected to comprise shops, cafes, and restaurants at ground floor level and 160.2sqm of community space at first floor level. It would comprise 210 homes on floors 1 to 29 and associated amenity space on the podium and at level 30 in the form of a sky terrace.
- 3.1.5. Berol House will comprise 5492sqm (GIA) of Class E floorspace (3,294sqm (existing) and 2,198sqm uplift). There would also be 428sqm of amenity space on the roof. In total, the site proposes 6,359sqm (GIA) of Class E and F2 (community) floorspace.

### **Housing mix**

- 3.1.6. 210 Build to Rent (BtR) homes are proposed at 2 Berol Yard. Berol House would not include residential development. The total residential floorspace proposed at 2 Berol Yard is 24,016 sqm.
- 3.1.7. The proposed dwelling mix, unit size and unit quantity are set out in Table 1 below and would provide a mix of one, two, and three-bedroom homes. 10% of

the total homes would be provided as wheelchair accessible/adaptable homes. This equates to 22 wheelchair adaptable homes being proposed.

*Table 1 - Proposed Dwelling Mix*

Flat type	No. of homes	% of homes	Wheelchair/accessible homes
Studio	20	10%	16
1 Bed	48	23%	
2 Bed 3 Person	21	10%	0
2 Bed 4 Person	93	44%	
3 Bed 5 Person	17	8%	6
3 Bed 6 Person	11	5%	
<b>Total</b>	<b>210</b>	<b>100%</b>	<b>22 (10%)</b>

### **Affordable Housing**

3.1.8. 35% Discount Market Rent (DMR) affordable housing (by habitable room) is proposed. A total of 60 2-bed and 3-bed affordable homes would be provided. This would result in 202 affordable habitable rooms. 33% of the total two bed homes would be affordable and 78.6% of the total three bed homes would be affordable.

3.1.9. 30% of the 35% total affordable housing provision would be provided at London Living Rent (LLR). The remainder would be provided at a discount to market rent with 2-beds let at 75% of market rent, and 3-beds let at 65% of market rent. There would be twenty-six 2-beds let at 75% of market rent and sixteen 3-beds let at 65% of market rent. The LLR element would include twelve 2-beds and six 3-beds.

*Table 2 - Proposed Affordable numbers and rent cost*

Flat type	No. of homes	Rent % of market or LLR
2 Bed LLR	12	Let at LLR
2 Bed DMR	26	75%
3 Bed LLR	6	Let at LLR
3 Bed DMR	16	65%
<b>Total</b>	<b>60</b>	<b>N/A</b>

### **Height, scale, and massing**

3.1.10. Works to Berol House would comprise the addition of three new. Images of the proposed building can be seen below in Figure 2:

*Figure 2 - Berol House CGI images*



View north from Ashley Road



View of the main entrance from Berol Link



View of the south gable end from 2 Berol Yard



View from Berol Square

- 3.1.11. 2 Berol Yard would rise to 30 storeys plus the ground floor (effectively 32 storeys) with the lift overrun within the core rising above.
- 3.1.12. The building height would vary across the component blocks, details of the block heights are shown below in Table 3 with Figures 3 and 4 showing the different blocks:

*Table 3 - 2 Berol Yard Block Heights*

Block	Floors	Number of Storeys	Height (m)
A (SW facing)	17	18	62.92
B (West facing)	24	25	92.42
C (NE facing)	29	30	118.07
D (SE facing)	29	30	113.12
E (South facing)	5	6	31.67

*Figure 3 – Concept of 6 fragmented parts*



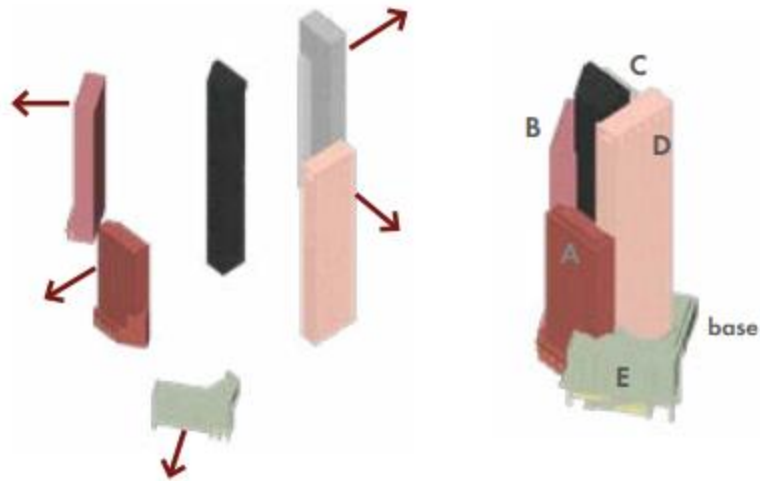


Figure 4 – Views of the different block elevations



## Materials and detailed design

### *Berol House*

- 3.1.13. Berol House would be retained and enhanced. At ground floor level a series of openings would be created to enable access between Ashley Road and Watermead Way.
- 3.1.14. A three-storey extension is proposed, the first two storeys of the extension incorporate terracotta tiling to provide a clad façade, the top floor would include a single storey glazed covering. The existing windows would be removed and replaced with powder coated metal double glazed windows.

### *2 Berol Yard*

- 3.1.15. The design proposes a materials palette includes a range of brick colours including shades of black, red, grey, and green brick to reflect the surrounding context. The character and appearance of Berol House is referenced in the

tone of the brick used for the eastern, closest block and in the building's fenestration. The ranging building heights seek to provide a stepped form and a varied scale when viewed from the surrounding context. Figure 5 below shows a model of the proposed building looking from the northeast.

*Figure 5 – Image showing a model of the proposal looking southwest from the northeast of the site.*



#### *Public realm*

- 3.1.16. The proposal provides a new square and part of the west-east connection from Tottenham High Road to Hale Village and the Lea Valley beyond.
- 3.1.17. The proposal would incorporate the construction of a bridgehead, staircase, and new lift to a potential future bridge crossing over Watermead Way and the railway line to Hale Village. The bridgehead (which would include a landing platform), staircase, and new lift would be incorporated into the 6-storey south facing block situated within/alongside the west-east Link (shown below in Figure 6).

*Figure 6 – Image looking east showing the West-East Link and 6-storey block with potential future bridge shown in red in the background*



3.1.18. The proposal would provide the landing to receive the potential future bridge, public stairs, and lift within its footprint and would be managed and maintained by the landowner/managing agent. Figures 7 and 8 respectively show the proposed entrance to the public stair from Berol Square and how the link moves through the site from west to east with the potential future bridge shown.

*Figure 7 – Image showing the public stair to the bridge landing from the Square*





*Figure 8 – Image looking north showing the stairs to the bridgehead within the site*



3.1.19. The submission indicates that the public realm has the potential to support flexible uses, accommodate temporary events and art installations, facilitate movement, and potentially support socialisation. It would include tree planting, street furniture, planters, and sculptural elements to integrate with the east-west Green Link.

### **Amenity and play space**

- 3.1.20. Communal amenity space totalling 554.2 sqm would be provided at podium level, and at levels 18 and 30 of 2 Berol Yard. The landscape design of the roof terraces seeks to create a series of different types of spaces with different functions.
- 3.1.21. The proposals include an external garden space at podium level, communal garden terrace on top of Block A at level 18 and an internal community space located at level 30. The podium level and external 18th floor rooftop gardens would be decked with raised planters with seating. The highest outdoor roof (above the eighteenth storey element) would provide a living roof beneath solar panels.
- 3.1.22. Berol House has been designed to incorporate a large private roof terrace which would be accessible to the occupants of the building.
- 3.1.23. Play provision for 2 Berol Yard would be located at the podium level and the upper roof terrace of the building accessed only by the residents. The garden would integrate 370sqm of play space for children aged 0 to 11 years old, comprising formal and informal play opportunities including, sand, balancing beams and boulders, a climbing structure and other play elements.
- 3.1.24. Play provision for over 11-year-old children would be located in Down Lane Park which is a 194m walk from 2 Berol Yard.
- 3.1.25. In addition to the communal amenity space created within the development, the homes within 2 Berol Yard would be served by private amenity space in the form of a balcony or roof terrace. Along the Watermead Way elevation of 2 Berol Yard, amenity space would be formed of internalised space.

#### **Access, servicing, and parking**

- 3.1.26. The proposal would be car-free except for accessible bays and parking. 8 accessible/blue badge parking spaces and a further 15 spaces for any potential future need. If demand increased, 12 spaces would be provided within 2 Berol Yard and three would be provided within the public realm. Car parking provision is shown in Table 4 below.

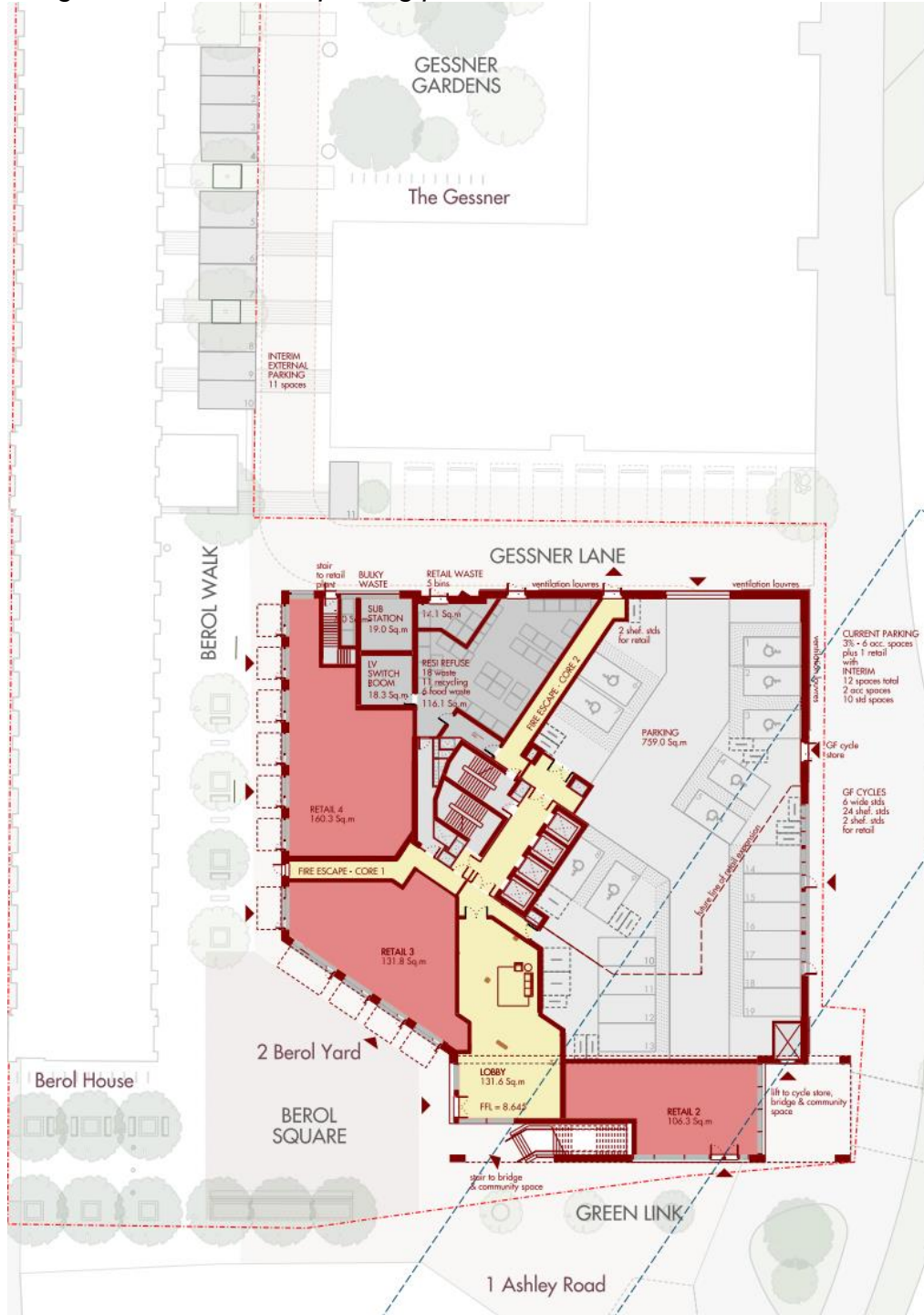
*Table 4 – Proposed Car Parking*

Building	Accessible Parking Spaces	Potential Future Spaces
Berol House	1 (commercial)	0
2 Berol Yard	7 (1 commercial/6 residential)	15 (residential)
<b>Total</b>	<b>8</b>	<b>15</b>

#### *Interim parking arrangements*

- 3.1.27. The Application is based on a phased approach to the delivery of the car parking, reflecting the obligations to the existing tenants in Berol House who have leases which provide for rights to park cars on the estate.

Figure 9 – Interim car parking provision



3.1.28. This layout would reduce the ground floor space – it would occupy Retail unit 1 (90.7sqm) and reduce the size of Retail unit 2 by 114.9sqm.

*Cycle Parking*

- 3.1.29. A total of 482 cycle parking spaces will be provided at 2 Berol Yard and Berol House. These would be provided at ground floor mezzanine level within 2 Berol Yard and ground floor level within Berol House. The cycle parking spaces would be for residents, as well as visitors and employees in the commercial and office units. Sheffield stands would be incorporated into the public realm for short term use.

*Deliveries and servicing*

- 3.1.30. Servicing and deliveries (excluding refuse collection arrangements) to the buildings would be undertaken on the servicing bays on Ashley Road and Watermead Way.

### **3.2. Site and Surroundings**

#### **Site**

- 3.2.1. The Site comprises 2 Berol Yard, which is currently a vacant plot of land adjacent to Watermead Way; and Berol House, the former Berol pencil factory, which is now an existing office building that runs north-south along Ashley Road. The site forms an L-shaped parcel of land with a total area of 2.67 hectares.
- 3.2.2. 2 Berol Yard is a vacant plot, most recently used as a construction site for neighbouring development and temporary car parking. Part of the car park is currently being utilised for the construction of the One Ashley Road scheme (part of the Related Argent 'Heart of Hale' development) to the south of the site.
- 3.2.3. Berol House is a three-storey locally listed building. The building was constructed in the early 1900s, having been constructed by 1913. The building was a former pencil factory owned by the Berol Company who produced Berol pencils at the site. Currently, Berol House is used as a serviced office building. The Berol Yard site has planning permission for redevelopment under HGY/2017/2044 which is described in the relevant planning history section below.
- 3.2.4. The site is bounded as follows:

To the north

by Cannon Factory which has permission for new homes and commercial space, as part of the Notting Hill Genesis/Home Ownership outline application (HGY/2016/4165). Beyond this the Harris Academy, which provides secondary education for 11–18-year-olds and is due to increase in capacity up to 1,500 students;

To the northeast

by 'the Gessner' which comprises 166 build to rent homes and commercial floorspace and was recently completed by the Applicant;

To the east

by Watermead Way and beyond this the railway line and Hale Village

To the south

by 'One Ashley Road', which has recently been constructed and was delivered by Related Argent as part of their 'Heart of Hale' development. One Ashley Road comprises two residential towers with the first three floors being retail and office space. Further south lies Tottenham Hale Station and the Tottenham Hale District Centre as well as Tottenham Hale Retail Park on the opposite side of Ferry Lane; and

To the west

by Ashley Road and the development plots of Ashley Gardens, Ashley House and Ashley Park which will provide new residential accommodation. Down Lane Park is located further west and northwest and is within a 2-minute walking distance of the site.

*Transport*

- 3.2.5. Vehicular access to the site is from Ashley Road to the west which connects to Hale Road (A503) / Watermead Way (A1055) to the south.
- 3.2.6. The access to Ashley Road from the south is proposed to be amended as part of wider highway improvements to the District Centre and Ashley Road. The improvement works would make the street one-way. A new loading bay adjacent to the east of the site on Watermead Way has been installed as part of works under permission HGY/2017/2044.
- 3.2.7. The site has a PTAL of 5-6a (where 1 is least accessible and 6b is most accessible). Tottenham Hale Underground Station is 180m from the site.
- 3.2.8. The site is also close to Tottenham Hale Bus Station.

*Heritage*

- 3.2.9. The closest Conservation Areas to the site are the High Road approximately 500m away to the west. Similarly, the nearest listed buildings are along the High Road as well as 62, High Cross Road N17 which is just off Monument Way approximately 450m away from the site.
- 3.2.10. The site is within Flood Zone 2 (the zone of moderate flood risk) and within an Air Quality Management Area (AQMA)The site is within the Tottenham Hale Growth Area and Tall Building Growth Area. It also falls within a Local Employment Area: Regeneration Area and allocated site TH6: Ashley Road South Employment Area within the Tottenham Area Action Plan (TAAP).



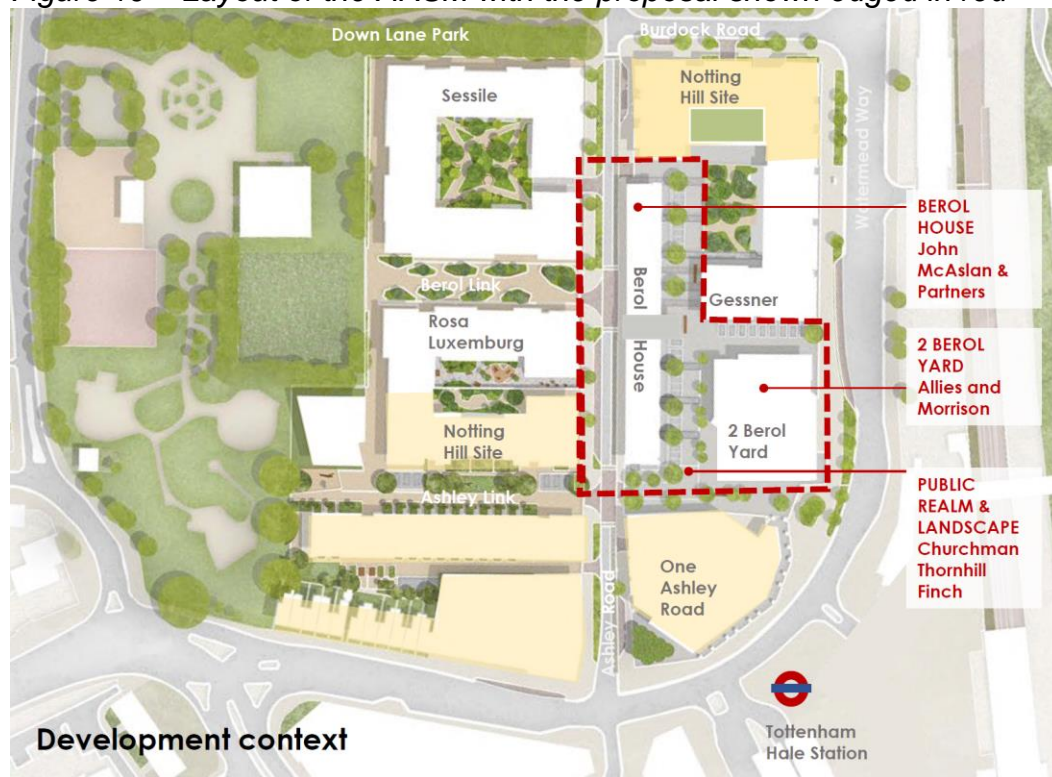
### **Surroundings**

- 3.2.11. The surrounding area is characterised by the site's immediate context within the Ashley Road South Masterplan (ARSM) and Tottenham Hale Housing Zone. The southern end of the site (south of the southern elevation of Berol House) falls within the emerging new Tottenham Hale District Centre. Figure 10 below shows the layout of the ARSM.
- 3.2.12. The allocated sites to the south of the ARSM (Ashley Road East and West) which form allocated site TH5 have been completed; with TH4 (in part) nearing completion and under construction; and TH10 (in part – eastern end) nearing completion by Related Argent for the 'Heart of Hale' District Centre redevelopment.
- 3.2.13. The site sits within the central and southeast sections of the ARSM. The ARSM is partially bounded by Down Lane Park to the north which also wraps around the western boundary and contains a children's playground, an existing nursery, tennis courts, bowling green, and BMX track. Ashley Road runs centrally through the masterplan.
- 3.2.14. On the opposite side of Ashley Road to Down Lane Park is the Harris Academy Tottenham which provides primary and secondary education. The site has been redeveloped to provide additional educational facilities for the Harris Academy (HGY/2015/3096).
- 3.2.15. The reservoirs to the east of the site (approximately 450m away) are a Site of Special Scientific Interest (SSSI) and a Special Protection Area & Ramsar site.
- 3.2.16. The buildings which form the ARSM are developed by the applicant and Notting Hill Genesis/Home Ownership, who have worked collaboratively to deliver a masterplan for the whole site. The following permissions are in place for the masterplan:
- **Cannon Factory and Ashley House** submitted by Notting Hill Genesis/Home Ownership. Permission HGY/2016/4165 was granted outline permission in 2018, with detailed planning permission granted later in the same year under reference HGY/2018/2353. The permission includes the demolition of existing buildings across the two sites and redevelopment consisting of the erection of three buildings of up to 17 storeys in height, to provide up to 3,600sqm of commercial floorspace, up to 256 homes, new public realm, landscaped amenity, and all other associated works. Construction has recently commenced.
  - **Ashley Gardens** comprises a two residential-led mixed use buildings of up to 11 storeys, providing up to 417 homes and has been developed by the Applicant. Planning permission was approved in 2017

(HGY/2017/2045) and amended in 2019 (HGY/2019/2804) and in 2021 (HGY/2021/1170). The first phase, known as Rosa Luxemburg Apartments, was completed in December 2021, and is now owned by the Council and the remainder of the scheme is nearing completion and will be named 'The Sessile'.

- **Ashley Park** (Ashley House) comprises a part six and eight storey residential-led mixed use building by Notting Hill Genesis/Home Ownership, to deliver up to 97 homes. Planning permission was granted on appeal in April 2020 (HGY/2019/0108). Construction has recently commenced.
- **The Gessner** (1 Berol Yard) comprises a 14-storey residential-led mixed use building, developed by the applicant. The Gessner was granted in 2018 as part of a wider hybrid application (HGY/2017/2044). Works at The Gessner were completed in 2021.

Figure 10 – Layout of the ARSM with the proposal shown edged in red



### Tottenham Hale District Centre Developments

- 3.2.17. Tottenham Hale District Centre falls within Tottenham Housing Zone which has been allocated by the Greater London Authority (GLA) to provide 1,965 homes, 560 of which would be affordable.

- 3.2.18. Tottenham Hale also falls within the GLA's Upper Lea Valley Opportunity Area. This area will provide a minimum of 15,000 jobs and 20,100 new homes. The London Plan identifies a number of key growth points throughout the Upper Lea Valley including Tottenham Hale.
- 3.2.19. Table 5 below shows developments that are coming forward or have been delivered in and around Tottenham Hale. One Station Square (Millstream Tower) has been constructed within TH4: Station Square West. The Hale has a resolution to grant and is sited within that same allocation. SDP stands for Strategic Development Partnership and is the District Centre development being delivered by Related Argent and known as 'Heart of Hale'.

*Table 5 – Developments in and around Tottenham Hale*

Site	Applicant	Affordable Units	Private Homes	Student	Build to Rent	Total Homes
Ashley House and Cannon Factory	Notting Hill Genesis	133	123			256
One Station square (aka Millstream Tower)	BSD	117	11			128
Hale Wharf	Muse Developments Limited and the Canal and River Trust	177	220		108	505
Ashley Gardens	BSD	141	276			417
Berol Yard	BSD	14	4		166	184
Hale Village SW Plot (Anthology)	Anthology London	43	236			279
Monument Way	Newlon	54	0			54
Ashley Park	Notting Hill Genesis	35	62			97
SDP site	Argent	239	797			1036
Ashley Road Depot	LB Haringey	136	136			272
The Hale	Jigsaw PMG Tottenham Ltd		0	189		189
	<b>Sub Total</b>	<b>1089</b>	<b>1865</b>	<b>189</b>	<b>274</b>	
	<b>Total Housing (ex the Hale)</b>					<b>3228</b>
	<b>Total</b>					<b>3417</b>
	<b>Percentage Split</b>		32%	55%	6%	8%
	<b>Percentage Split (ex the Hale)</b>		34%	58%	0%	8%

### 3.3. Relevant Planning and Enforcement history

- 3.3.1. The site is subject to extant planning permission (HGY/2017/2044), which includes 1 Berol Yard, 2 Berol Yard (formerly the college site) and Berol House. Planning permission was granted on 8 June 2018 for:

*“Full planning permission for the demolition of the existing buildings within the Berol Yard site and retention of Berol House. Erection of two buildings between 8 and 14 storeys providing 166 homes, 891 sqm (GEA) of commercial floorspace (Class A1/A3/B1/D1), 7,275 sqm (GEA) of education floorspace (Class D1), car and cycle parking, open space, landscaping and other associated works.*

*Outline proposals (all matters reserved) for the alteration/conversion of ground, first and second floors of Berol House with up to 3,685 sqm (GEA) of commercial floorspace (A1/A3/B1/D1) and the introduction of a two storey roof*

*level extension introducing up to 18 homes, cycle parking and other associated works. Amendments to scheme including replacement of accommodation with "build-to-rent" and reconfiguration of internal residential and commercial layout."*

- 3.3.2. Reserved Matters for appearance, landscaping, layout, scale and access in relation to Berol House (pursuant to Condition 1 of planning permission HGY/2017/2044) were approved in 2020 (HGY/2020/0080). Since the original planning permission was granted there have also been several non-material amendments (under section 96a) that have been made to the scheme and conditions approved to enable part of the development.
- 3.3.3. The residential component at 1 Berol Yard (now known as The Gessner) and associated public realm has been completed and has been in operation since 2021. The remaining two plots of the original hybrid planning application, the development of which has not commenced, comprise 2 Berol Yard or the College Site (approved for education floorspace) and Berol House (approved for commercial floorspace and some residential in a roof level extension).
- 3.3.4. Case Reference HGY/2023/0241 is a linked Section 73 application for minor material amendments to the permitted scheme at Berol Yard, Ashley Road, London, N17 9LJ (planning permission ref: HGY/2017/2044). This application seeks to delete and amend existing conditions and add a condition to ensure that phases 3, 4, and 5 would be severed from HGY/2017/2044 upon implementation of any new planning permission being granted in respect of these phases.
- 3.3.5. The phasing strategy for Berol Yard was approved under HGY/2018/2164. Phases 1 and 2 involved the construction of The Gessner, hard landscaping from Ashley Road and between Berol House and The Gessner, and the delivery of the layby on Watermead Way. Phase 3 involved the Berol House refurbishment & extension, 4 completion of the public realm, and 5 construction of ADA College.
- 3.3.6. The granting of HGY/2023/0241 would effectively close off the outstanding phases of HGY/2017/2044 to allow any permission granted under this application to proceed without both applications being able to be constructed at the same time.

## **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 07 November 2022. The minutes of the meeting can be found in Appendix 5 Planning Sub-Committee Minutes 07 November 2022.

## **4.2. Quality Review Panel**

- 4.2.1. The scheme has been presented to Haringey's Quality Review Panel on the 13 July 2022, 19 October 2022, and 01 March 2023. The written findings of the panel can be found within Appendices 6, 7, and 8.

## **4.3. Development Management Forum**

- 4.3.1. The proposal was presented to a Development Management Forum on 06 October 2022.
- 4.3.2. The notes from the Forum are set out in Appendix 9.

## **4.4. Application Consultation**

- 4.4.1. The following were consulted on the application:

### Internal Consultees

- LBH Building Control
- LBH Carbon Management
- LBH Conservation Officer
- LBH Design Officer
- LBH Lead Local Flood Authority/Drainage
- LBH Pollution/Air Quality/Contaminated Land
- LBH Transportation
- LBH Waste Management/Cleansing
- LBH Arboricultural
- LBH Education
- LBH Housing
- LBH Regeneration
- LBH Economic Regeneration
- LBH Nature Conservation
- LBH Streets and Spaces Consultant
- LBH Construction Logistics

### 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
- Network Rail
- Health and Safety Executive (HSE)
- Natural England
- NHS North Central London
- L.B. Waltham Forest
- National Grid Asset Protection Team

The following responses were received:

Internal:

**1) Building Control**

No comment received at time of publication. It is noted that 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**

Conditions and heads of terms recommended.

**3) LBH Conservation Officer**

The proposed development would very positively retain the locally listed Berol House, would conserve, and unveil its heritage significance and would improve the urban quality of its setting, without any negative impact on the legibility, primacy, and significance of other heritage assets in the borough, and while delivering much needed improvements to the urban character of its locality. The proposed development is supported from the conservation perspective.

**4) LBH Design Officer**

Supports the proposal

**5) LBH Lead Local Flood Authority/Drainage**

Based on the details provided I can confirm that the comments raised by us (LLFA) have been adequately addressed. Conditions are recommended.

**6) Pollution (Carbon Management)**

No objection to the proposed development in respect to air quality and land contamination subject to planning conditions.

**7) Transportation**

No objections subject to conditions and heads of terms recommended.

**8) Waste and Street Cleansing**

The operational waste plan and management strategy for Berol Quarter is a detailed plan and provides clear information about how waste will be managed within individual units and externally. Sizing of the bin store appears to have been based on a twice weekly collection of waste and recycling from the outset. The store should be sufficient to store waste for one week.

**9) LBH Housing**

We support the new proposals for rents on the DMR units to be set at 75% for two-beds, and 65% for three-beds as it aligns much better with our policy position on affordability. We would like to see a commitment to retaining rents calculated at these levels and using the same methodologies going forward.

We also welcome the commitment to develop an approach to allocations jointly with the Council and would like to see that approach covering both LLR and DMR units. That process will need to ensure allocations and lettings align with our Intermediate Housing Policy. We would also like a commitment to prioritise households with children for the two- and three-bed DMR units, and to ringfence two- and three-bed LLR units for households with children.

**10) LBH Education**

These comments are from a school place planning perspective: There is sufficient primary and secondary capacity in Planning area 4 where this development is located to fulfil the potential child yield this development may result in.

**11) LBH Regeneration**

Observations relate to:

- Detail of the design of the Green Link adjacent to Watermead Way, and access to the future bridge link (these must be generous and welcoming)
- Landscaping materials and specification in relation to the wider Tottenham Hale (TH) context.
- Ensuring accessibility and inclusivity through adequate and user-friendly cycle storage and accessible vehicle parking.
- Clarity required on wayfinding/signage strategies to be developed in conjunction with emerging TH strategies.

**12) LBH Economic Regeneration**

The team, along with the Regeneration team, seeks a 25-year lease for the Cultural and Arts Space and for the Public Art, a peppercorn rent for the space and relief on auxiliary and service costs for the full term of the

lease, as well as a payment to contribute to the staffing and activation budget for the first 5 years.

Additional Affordable Workspace is sought at a peppercorn rent (along with relief on auxiliary and service costs) for the duration of the term. A payment plan is also sought which would contribute to the staffing and activation budget for this space.

**13) LBH Streets and Spaces Consultant**

We hope that with further engagement with the designers and landowner we can make adaptations to ensure the scheme and the way it relates to our planter and cycle lane in Watermead Way work together. The paving within the site should also match that adopted around the rest of the Tottenham Hale public realm. Other than the above we feel that the distances provided within the highway are adequate and that the proposals will contribute positively to this section of the Tottenham Hale scheme.

External:

**14) Environment Agency (EA)**

This application falls outside of our remit for comment. Although this site falls within Flood Zone 2, the advice falls under our national Flood Risk Standing Advice (FRSA).

**15) Mayor for London / Greater London Authority (GLA)**

(See Appendix 10 for full report)

Strategic issues summary

**Land use principles:** The development of this brownfield site for a high-density, mixed-use development is acceptable in principle

**Affordable housing:** Overall, the affordable housing offering would comprise 35% Discount Market Rent housing, of which, 30% would be at London Living Rent levels and the remaining 70% at Discount Market Rent. With an appropriate tenure split between DMR and LLR the proposal is generally considered to be Fast Track compliant.

**Urban design:** Whilst the site is within a location identified as appropriate for tall buildings, there are some concerns about height, massing, separation distances and width of the green link, which indicates potential over-development.

**Transport:** Further information on the strategic transport issues arising from this development will be required to ensure full compliance with the London Plan.

Other issues on **sustainable development** and **environment** also require resolution prior to the Mayor's decision-making stage.



The GLA Officer subsequently commented following sight of the latest QRP comments: GLA Officers are now generally satisfied that the urban design considerations in relation to height, massing, separation distances are appropriately resolved. Nevertheless, a full assessment against Policy D9 (including functional and environmental impacts) should be provided within the planning committee report and will be considered by GLA Officers at Stage 2.

The GLA Officer subsequently commented: The whole life carbon matters and circular economy matters are, on balance, considered to be largely addressed. Whilst some minor points have been raised within the attached spreadsheets, I am satisfied that these matters are acceptably resolved in this circumstance and no further work is required on behalf of the applicant team. I would recommend that the WLC Assessment Report (dated 25/05/2023) and the Detailed Circular Economy Statement (dated 25/05/2023) be included as an approved document on the draft decision notice.

**16) Greater London Archaeology Advisory Service (GLAAS)**

I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. Condition and Informative recommended.

**17) Metropolitan Police - Designing Out Crime Officer**

No comment received at time of publication – However, a secured by design condition is recommended which would ensure that the proposed development would meet the principles of secure by design.

**18) Thames Water**

A condition relating to surface water is recommended and an informative due to closeness to a Thames Water Sewage Pumping Station. A condition is also recommended relating to ensuring the existing water network infrastructure has sufficient capacity to accommodate the development.

**19) Transport for London**

Further information on the strategic transport issues arising from this development will be required to ensure full compliance with the London Plan.

**20) London Underground/DLR Infrastructure Protection**

Though we have no objection in principle to the above planning application, there are a number of potential constraints on the redevelopment of a site situated close to London Underground railway infrastructure. Therefore, we request that the grant of planning permission be subject to conditions to be discharged in a phased manner as and when they are completed.

**21) Health and Safety Executive (HSE)**

Following a review of the information provided with this consultation, HSE is content with the fire safety design, to the extent that it affects land use planning.

**22) Natural England**

Natural England has no comment on this application with regards to designated sites.

**23) NHS North Central London**

Using information on the proposed housing mix in the Planning Statement, the NHS HUDU Planning Contributions Model (HUDU Model) has been used to formulate a request for a minimum s106 contribution of £233,335.00 to “increase capacity of health infrastructure serving the proposed development”.

**24) L.B. Waltham Forest**

No comment.

**25) Crossrail 2**

No comment.

**26) National Grid Asset Protection Team**

No comment.

**5.0 LOCAL REPRESENTATIONS**

5.1 The following were consulted:

- 888 Neighbouring properties
- 7 site notices were erected close to the site.

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

No of responses:

- Objecting: 2

- Supporting: 2
- Comments: 1

5.3 The issues raised in these representations are detailed in Appendix 4 (Neighbour representations).

## 6.0 MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the proposal are:

1. Principle of the development
2. Policy Assessment
3. Housing, Affordable housing and Policy H11 (Build to Rent)
4. Impact on the amenity of adjoining occupiers
5. Design and tall building assessment
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. Archaeology
19. Fire Safety and Security
20. Conclusion

### 6.2 Principle of the development

#### Policy Background

- 6.2.1 The current National Planning Policy Framework NPPF was updated in July 2021. The NPPF establishes the overarching principles of the planning system, including the requirement of the system to “drive and support development” through the local development plan process.
- 6.2.2 For the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004 the Local Plan comprises the Strategic Policies Development Plan Document (DPD), Development Management Policies DPD and Tottenham Area Action Plan (TAAP) and the London Plan (2021).
- 6.2.3 A number of plans and strategies set the context for Tottenham’s regeneration. These documents should be read in conjunction with the TAAP. The application

site is located within a strategically allocated site – TH6 (Ashley Road South Employment Area).

- 6.2.4 The site allocation provides detailed site requirements and development guidelines to ensure the site's potential is realised. The TAAP states that this forms a transition site between the denser District Centre and the surrounding residential area.
- 6.2.5 The Council is preparing a new Local Plan and consultation on a Regulation 18 New Local Plan First Steps document took place between 16 November 2020 and 1 February 2021. The First Steps document sets out the key issues to be addressed by the New Local Plan, asks open questions about the issues and challenges facing the future planning of the borough and seeks views on options to address them. It has very limited material weight in the determination of planning applications.
- 6.2.6 The Council at the present time is unable to fully evidence its five-year supply of housing land. The 'presumption in favour of sustainable development' and paragraph 11(d) of the NPPF should be treated as a material consideration when determining this application, which for decision-taking means granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusal or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.
- 6.2.7 Nevertheless, decisions must still be made in accordance with the development plan unless material considerations indicate otherwise (of which the NPPF is a significant material consideration).

*The London Plan*

- 6.2.8 The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. The London Plan (2021) sets a number of objectives for development through various policies. The policies in the London Plan are accompanied by a suite of Supplementary Planning Guidance (SPGs) and London Plan Guidance that provide further guidance.

*Upper Lea Valley Opportunity Area Planning Framework*

- 6.2.9 The Upper Lea Valley Opportunity Area Planning Framework (OAPF) (2013) is supplementary guidance to the London Plan. A Development Infrastructure Study (DIFS) in relation to the OAPF was also prepared in 2015. The OAPF sets out the overarching framework for the area, which includes the application site.
- 6.2.10 The OAPF notes that Tottenham Hale is expected to be subject to substantial change, including for it to be designated as a District Centre. It notes that there is an opportunity to deliver new homes and jobs, a high-class transport interchange

with traffic calming; improved connections to the Lee Valley Regional Park and River Lee; and new retail and commercial spaces all set within a vastly improved public realm.

### *Strategic Policies*

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

6.2.12 SP1 requires development in Growth Areas to maximise site opportunities, provide appropriate links to, and benefits for, surrounding areas and communities, and provide the necessary infrastructure whilst being in accordance with the full range of the Council's planning policies and objectives.

### *Tottenham Area Action Plan*

6.2.13 The Tottenham AAP sets out a strategy for how growth will be managed to ensure the best quality of life for existing and future Tottenham residents, workers, and visitors. The plan sets area wide, neighbourhood and site-specific allocations. The AAP indicates that development and regeneration within Tottenham will be targeted at four specific neighbourhood areas including Tottenham Hale.

### *TH6 (Ashley Road South Employment Area)*

6.2.14 The site allocation seeks to create an employment-led mixed-use quarter north of a new District Centre, creation of a new east-west route linking Down Lane Park and Hale Village, and enhanced Ashley Road public realm. Residential use will be permitted to cross subsidise improvements to employment stock.

6.2.15 The commentary states that this area has the potential to become a mixed-use precinct to the north of the new Tottenham Hale District Centre. New development should complement the range of business uses already operating from Berol House and create new commercial floorspace for knowledge-based firms to operate from.

6.2.16 The introduction of a tertiary education provider linked to the IT sector is a key intervention that the Council is looking at bringing into this area. This site will also form one edge of an east-west route linking Down Lane Park and Tottenham Hale Station.

6.2.17 The TH6 site requirements are as follows:

- The site is within a Designated Employment Area: Regeneration Area and proposals for mixed-use employment-led development will be supported,

where appropriate. It is anticipated that the redevelopment of this site will not create a net reduction in employment floorspace.

- The introduction of a tertiary education provider providing education in the technology sector will be supported on this site.
- Residential development will only be acceptable for the purpose of making viable the re-provision of employment floorspace.
- The proximity of the new Harris Academy to the north and Down Lane Park to the north and west make the area particularly suitable for larger units along those edges.
- Ashley Road will form the key public and movement spine, with pedestrian access to Tottenham Hale District Centre from enhanced workspaces optimised.
- Active frontages will be expected on both sides of the Ashley Road frontage at ground floor level.
- Good quality buildings, including, but not limited to Berol House and 16 Ashley Rd should be retained and adapted for flexible, and affordable employment use. Further employment will be supported, with cross subsidization from residential.
- The site has a key role to play in laying out the Green Grid. Along the southern edge of the site and east-west link will be provided to connect into Down Lane Park to the west and to the Lee Valley in the west. Developments should positively benefit this route by providing active frontages along its length.
- The delivery of superfast broadband to the employment area will be supported.

#### 6.2.18 The Development Guidelines are as follows:

- The most suitable use on the Watermead Way frontage is considered to be employment use, which may include an educational use.
- Development should utilise and improve the amenity and respect the character of Down Lane Park with a street edging the park, with buildings providing an edge to that street and fronting the park to the west and north-west.
- This site forms a transition site between the generally denser District Centre, and the surrounding residential environment.
- The existing industrial character on Ashley Road should be maintained and enhanced, encouraging new businesses to come into the area.
- Ashley Road itself should be pedestrian and cycle friendly and provide a legible route to the new District Centre to the south. Measures to improve the activity onto Ashley Road will be supported on this site, including the orientation of sites to open onto Ashley Road with frequent front doors.
- Additional permeability should be provided through the addition of pedestrian and local access routes passing east-west through the site.
- Studies should be undertaken to understand what potential contamination there is on this site prior to any development taking place. Mitigation of

and improvement to local air quality and noise pollution should be made on this site.

- Parking should be minimised on this site due to the excellent local public transport connections.
- This site is identified as being in an area with potential for being part of a Decentralised Energy (DE) network. Development proposals should be designed for connection to a DE network and seek to prioritise/secure connection to existing or planned future DE networks, in line with Policy DM22.
- Studies should be undertaken to understand what potential contamination there is on this site prior to any development taking place. Mitigation of and improvement to local air quality and noise pollution should be made on this site.
- This site is in an area of flood risk, and a Flood Risk Assessment should accompany any planning application.

#### *Tottenham Hale District Centre Framework (DCF) 2015*

6.2.19 The District Centre Framework acted as an evidence base to inform the TAAP to allow for the implementation of proposals for the Tottenham Hale District Centre. The framework helped to form the strategy for development within the Tottenham Hale District.

6.2.20 The DCF Section 4.1.1 (Building Height and Tall Buildings) identifies the site as suitable for medium rise buildings. Section 4.5.1 (Ashley Road South) identifies the TH6 site as being suitable for mixed-use schemes of high-density businesses and homes occupying converted and new purpose-built accommodation.

#### Policy background summary

6.2.21 National, regional and Local Planning policy is supportive of new residential and employment development which optimises delivery and makes the best use of land. Policy supports the provision of higher density development within this location given the site designations for growth, opportunity area allocation, tall building growth area and proximity to public transport, provision of employment, and other supporting infrastructure to provide suitable development to meet the housing and employment demands of the Borough.

### **6.3 Policy Assessment**

#### Principle of residential use

6.3.1 Policy GG4 (Delivering the Homes Londoners Need) of the London Plan, Policy DM10 of the DPD, and policy AAP3 of the TAAP encourage the delivery of new homes. Policy GG4 supports the need to optimise the delivery of housing delivery on suitable and available brownfield land, such as the site.

6.3.2 London Plan policy GG4 requires the creation of new mixed and inclusive communities with good quality homes and high standards of design to meet

varying needs. The proposal would provide homes in the form of BtR homes including studios, 1-beds, 2-beds, and 3-beds.

*London Plan Policy H11 (Build to Rent)*

- 6.3.3 Policy H11 (Build to Rent) of the London Plan supports BtR development. The main components of the housing stock emerging in Tottenham Hale are conventional private sale, low-cost rent, and intermediate homes. These constitute c.87% of the 3,417 homes granted in Tottenham Hale during recent years.
- 6.3.4 BtR accommodation (and accompanying DMR homes) is approx.8% of the approved homes and the remaining 5% is for student accommodation within the area. Consequently, the introduction of c. 210 additional BtR homes would complement and balance the established and emerging housing stock in Tottenham Hale.
- 6.3.5 The site is part of a wider site allocation promoting mixed use redevelopment including employment generating workspace and housing. The proposed housing component is supported by the site allocation and would contribute meaningfully towards pressing strategic and local need. The principle of delivering new homes at the site and the delivery of BtR housing on the site are supported by the development plan.

*College site (2 Berol Yard)*

- 6.3.6 The college building and educational use/floorspace on the 2 Berol Yard part of the site has planning permission under HGY/2017/2044 but has not come forward. Ada, the National College for Digital Skills (NCDS) was unable to fund or deliver the building and could not fulfil the contract with the applicant to provide the facility.
- 6.3.7 The applicant has undertaken a marketing exercise in an attempt to identify an alternative occupant and operator for the approved building. The report has been submitted alongside the application and confirms there was limited interest despite marketing the building for 32 months and targeting 650 central London agents, delivering two presentations, and extending the marketing to ten life science providers.
- 6.3.8 The report indicates that in total there were 25 end users who engaged in the exercise and whilst they considered it a positive scheme, they did not consider the location to be their preferred choice as it does not have the amenities for students and users did not foresee future demand in this location.
- 6.3.9 The life science operators confirmed they prefer to cluster in Cambridge or Kings Cross and prefer to target existing buildings. Further, the bespoke nature of the college was not considered suitable for end uses who considered it would be too costly to deliver.



- 6.3.10 The report concludes there is limited appeal in the market for an educational use at this location and it poses a high risk being built out as an educational facility. Therefore, there is little prospect of the NCDS, or an alternative college facility being delivered at the site. Consequently, a more appropriate alternative use is sought for 2 Berol Yard.
- 6.3.11 The college building has not been developed and is not in established use as an education or community facility. Consequently, policies which protect against the loss of community and education facilities are not directly relevant to this proposal - including Policy S3 (Education and Childcare Facilities) of the London Plan 2021 and Policy DM49 of the DPD.
- 6.3.12 Whilst the college facility could have played an important role in the ARSM and in the regeneration of Tottenham Hale more generally as a destination and a generator of activity & vibrancy in the District Centre, the proposal would deliver the restoration/extension of Berol House, create activity and permeability at ground level, and introduce a landmark mixed-use building at 2 Berol Yard. As such, many of the benefits of the extant permission would still be realised.
- 6.3.13 Given that there is no demonstrable likelihood of an educational facility being delivered on the site, the proposed residential development is considered to be acceptable for the purpose of making viable the re-provision of employment floorspace. The proposed residential development allows for Berol House (and its industrial character) to be retained, extended & enhanced, and adapted for a significant quantum of flexible employment use.
- 6.3.14 The proposal would also introduce active frontages on Ashley Road, within, and around the site and would ensure that it plays a key role in laying out the Green Grid and increasing west-east permeability. A west-east link would be provided at the southern edge of the site alongside Berol House and through the 6-storey block which would provide the access to the potential future bridge. This would deliver on the aims and objectives of TH6

*Policy DM38: Local Employment Area – Regeneration Areas*

- 6.3.15 Whilst the scheme would have more residential floorspace than employment, Berol House would be at the heart of the scheme and the changes from the previous permission would maximise the employment floorspace within that building – with more E Use Class floorspace as opposed to residential units as permitted under HGY/2017/2044.
- 6.3.16 The previous permission included the following uses and floorspaces Class E 4,100 sqm and Education use 7275 sqm. The new application includes 867 sqm of Class E in 2 Berol Yard and 5492 sqm in Berol House which would be a total of 6,359 sqm.

- 6.3.17 Overall in terms of commercial floorspace there would be an additional 2,259sqm of floorspace. The allocation sought to deliver 15,300sqm across whole masterplan. There is a provision of 12,176sqm of commercial floorspace already permitted/delivered. When the proposed commercial floorspace from the new scheme is added, this increases to 18,535sqm. Whilst this is an approximate calculation, it is anticipated that the redevelopment of this site would provide a net increase in employment floorspace.
- 6.3.18 Furthermore, the additional quality of the commercial floorspace proposed in comparison to the extant scheme must be acknowledged, as well as the fact that the new scheme would result in additional employment.
- 6.3.19 Given the marketing exercise carried out by the applicant it is clear that an educational use is highly unlikely to come forward on the site. As such, the current proposals are considered to maximise the amount of employment floorspace given this context and current viability considerations.
- 6.3.20 The proposals would also deliver high quality flexible space and provide demonstrable improvements in the site's suitability for continued employment and business use through the activation across the ground floor, increase in permeability and enhancement of the public realm including the creation of the public square.
- 6.3.21 The proposals would complement and enhance the continued employment function of the site, the ARSM, and nearby employment sites within the District Centre, it would add a space with a small square and commercial uses that does not currently exist within or near to the District Centre.

#### *Masterplanning*

- 6.3.22 Policy DM55 of the DM DPD and policy AAP1 require that where developments form only a part of allocated sites, a masterplan shall be prepared to demonstrate that the delivery of the site allocation and its wider area objectives would not be frustrated by the proposal.
- 6.3.23 The remainder of the site allocation has been masterplanned with permissions having been granted for all parts of the site.
- 6.3.24 The applicant has shown how the proposal has evolved the previous master plan and would complement the newly constructed development and enhance this part of the site allocation and support the delivery of its aims and objectives.

#### *Commercial and District Centre Uses*

- 6.3.25 The site is partially located within the Tottenham Hale District Centre. Local policies AAP4, DM41 & DM45 as well as London Plan Policies SD6, SD7, SD8 and SD9 support mixed use development in town centres.

- 6.3.26 Additionally, London Plan Policies E1 and E2 support new office provision and mixed-use development, with the focus on identified geographic areas and town centres; and states that new offices should consider the need for a range of suitable workspace, including lower cost and affordable workspace.
- 6.3.27 TH6 envisaged the wider site for an employment-led mixed-use quarter north of the District Centre, with capacity for 444 homes and 15,300sqm of commercial floorspace. Approximately 6,500sqm of non-residential floorspace has been constructed, or has been granted, as part of the other schemes permitted within the allocation.
- 6.3.28 Ground level non-residential uses would provide enhanced activation to the public realm. The increase in non-residential uses in Berol House would contribute to the site allocation aim of a mixed-use quarter. The proposals would deliver significant qualitative improvement in the commercial space on the site, replacing low grade accommodation with high quality units designed to appeal to a range of prospective end users.
- 6.3.29 As part of previous permissions in the masterplan area Commercial and Retail strategies have been sought through the s106 legal agreement to identify how the proposed uses would complement and enhance the commercial offer in Tottenham Hale, considering the wider regeneration. This is again sought under this application.
- 6.3.30 A relocation strategy is also sought through the s106 for the existing businesses in Berol House to ensure that all is done to support them in finding alternative accommodation.

#### *Additional Affordable Workspace*

- 6.3.31 The Berol House part of the development makes a significant contribution to the employment aspect of the scheme and the realisation of the aims and objectives of the site allocation. A restriction that would prevent the occupation of 2 Berol Yard until Berol House is completed would not be possible due to existing leasing arrangements in Berol House which means works cannot come forward until these have lapsed.
- 6.3.32 The applicant acknowledges the importance of 2 Berol Yard, but existing lease arrangements limit their ability to implement immediately and therefore they have committed to providing additional affordable workspace within the proposed 2 Berol Yard building (Retail Unit 2 - 221sqm) in the event construction of Berol House has not commenced by the earlier of A) June 2028, or; B) Practical Completion of 2 Berol Yard. June 2028 follows the end of the existing leases in Berol House.
- 6.3.33 If the Additional Affordable Workspace is triggered, then it would be subject to a discount of 20% of the prevailing market rent until the later of: A) 3 years from the

date of Practical Completion of 2 Berol Yard or B) The date of Practical Completion of Berol House. This obligation would encourage the delivery of Berol House and provide a public benefit should it not come forward at the earliest feasible opportunity.

*Policy assessment summary*

- 6.3.34 Delivery of a mixed-use scheme including 210 homes is supported given the unlikelihood of the previously permitted educational facility being delivered. The scheme would provide a significant quantum of Class E floorspace in a refurbished and extended Berol House and at ground floor level in 2 Berol Yard with enhanced activation and permeability throughout the site.
- 6.3.35 Whilst the college would have brought benefits, this scheme would provide significant employment floorspace of a high quality as well as new public realm to complete the Ashley Road South Masterplan.
- 6.3.36 Whilst occupation restrictions cannot be put on 2 Berol Yard due to existing lease arrangements, the applicant has committed to providing additional affordable workspace should Berol House not come forward at the earliest opportunity. This would compensate for any delay.

**6.4 Housing, Affordable housing and Policy H11 (Build to Rent)**

- 6.4.1 The Council expects affordable housing to be provided in accordance with Policy SP2 of the Local Plan: Strategic Policies and DM13 of the Development Management DPD (40% affordable housing provision), with the exception of the affordable tenure split (DM13 A(b)) which in the Tottenham AAP area should be provided at 60% intermediate accommodation and 40% affordable rented accommodation.
- 6.4.2 London Plan Policy H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%.
- 6.4.3 London Plan Policy H5 outlines that schemes can follow the 'fast track' viability route and are not required to submit viability information nor be subject to a late-stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; and meet other relevant policy requirements and obligations to the satisfaction of the Council and the Mayor.
- 6.4.4 London Plan Policy H11 and the Mayor's Affordable Housing and Viability SPG recognises the contribution of Build to Rent in addressing housing needs and increasing housing delivery, and establish a set of requirements for this tenure,

which would need to be secured in the section 106 agreement for any permission, including:

- The homes must be held under a covenant for at least 15 years (apart from affordable units, which must be secured in perpetuity);
- A clawback mechanism must be put in place to ensure that there is no financial incentive to break the covenant;
- The units must be self-contained and let separately;
- There must be unified ownership and management of the private and affordable elements of the scheme;
- Longer tenancies (three years or more) must be available to all tenants with break clauses for tenants;
- Rent and service charge certainty for the tenancy period on a basis made clear before the tenancy agreement is signed including any annual increases, which should be formula-linked;
- On-site management;
- Providers must have a complaints procedure in place and be a member of a recognised ombudsman scheme; and
- Providers must not charge up-front fees of any kind to tenants or prospective tenants outside of deposits and rent-in-advance.

6.4.5 London Plan Policy H11 states that where a Build to Rent development meets these criteria, the affordable housing offer can be solely Discounted Market Rent (DMR) at a genuinely affordable rent, preferably London Living Rent level. DMR homes must be secured in perpetuity.

6.4.6 To follow the fast-track viability route, Build to Rent schemes must deliver at least 35% affordable housing, and the Mayor expects at least 30% of DMR homes to be provided at an equivalent rent to London Living Rent, with the remaining 70% at a range of genuinely affordable rents. Schemes must also meet all the other requirements of Policy H5. Further guidance is provided in the Affordable Housing and Viability SPG.

6.4.7 35% Discount Market Rent (DMR) affordable housing (by habitable room) is proposed. A total of 60 2-bed and 3-bed affordable homes would be provided. This would result in 202 affordable habitable rooms. 33% of the total two bed homes would be affordable and 78.6% of the total three bed homes would be affordable.

6.4.8 30% of the 35% total affordable housing provision would be provided at London Living Rent (LLR). The remainder would be provided at a discount to market rent with 2-beds let at 75% of market rent, and 3-beds let at 65% of market rent. There would be twenty-six 2-beds let at 75% of market rent and sixteen 3-beds let at 65% of market rent. The LLR element would include twelve 2-beds and six 3-beds.

- 6.4.9 The proposals would therefore comply with the London Plan and would be considered to be Fast Track eligible. Qualification for fast track is subject to the other caveats being met including securing the affordability, and other requirements listed under Policy H11, these can be secured through the s106.
- 6.4.10 The 60 affordable homes would make a significant contribution to the delivery of intermediate affordable housing including family homes. The applicant has also committed to prioritise families in lettings. This meets the TAAP objective of addressing high levels of population churn by providing more family housing and long leases will be provided giving stability to tenants not available in the wider rental market.
- 6.4.11 The applicant has committed to a dedicated 6-month marketing priority period for local Haringey Residents for the affordable units which shall be completed 12 to 6 months prior to Practical Completion with evidence of the marketing provided to the Council.
- 6.4.12 The applicant has made a commitment to prioritise households with children for the two- and three-bed DMR units, and to ringfence two- and three-bed LLR units for households with children. The affordable homes would be let in accordance with the Council's Intermediate Housing Policy (as amended). This would be secured through the s106, and evidence of the chosen tenants shall be provided to show compliance.

*Housing, Affordable housing, & BtR summary*

- 6.4.13 The proposal would deliver 210 homes as part of a mixed-use scheme. It would provide a London Plan compliant level of affordable housing which would include intermediate homes that would be marketed to Haringey residents with priority given to families. The proposal would provide significant public benefits in terms of housing.

## **6.5 Impact on the amenity of adjoining occupiers**

- 6.5.1 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, and states that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.
- 6.5.2 Policy DM1 of the DM DPD states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid material levels of overlooking and loss of privacy and detriment to amenity of neighbouring resident.

- 6.5.3 The Council will support proposals that provide appropriate sunlight, daylight, and open aspects (including private amenity space where required) to all parts of the development and adjacent buildings and land to provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development.
- 6.5.4 All layouts have been designed to ensure that intervisibility between the proposed homes and neighbouring dwellings in adjacent buildings are minimised to provide privacy. There is approximately 12 metre separation distance to the closest point to the Gessner building which is considered acceptable on the basis that any north facing openings are secondary windows to living spaces and those facing the north-east are angled away, increasing the distance as the elevation runs southeast.
- 6.5.5 Overlooking and views between the proposal and Ashley Road East/1 Ashley Road would be commensurate with the context, with only a portion of the 6-storey building facing the building and the distances between the buildings largely reflecting those of the existing permission with similar distances. The taller tower would be angled in a way so as to make views oblique and minimise mutual overlooking.

*Noise and vibration*

- 6.5.6 Conditions are attached which would ensure noise and vibration would be mitigated so that neighbouring properties would not be unduly impacted by the proposals in this regard.

*Daylight and sunlight*

- 6.5.7 A daylight and sunlight assessment has been undertaken for the proposed development in accordance with the guidelines set out in the BRE Report (Second Edition).
- 6.5.8 There are some impacts from the proposal on existing neighbouring buildings, those under construction, and those with planning permission but not yet started. Many of these impacts must be assessed in the context of this site being currently undeveloped, so the neighbours achieve a much higher level of daylight than would reasonably be expected, although assessment comparing this proposal to the day and sunlight effect of the previously approved college shows that there is still a noticeable loss in many cases, albeit much reduced from the current undeveloped situation.
- 6.5.9 Whilst the closest developments The Gessner and Ashley Road East/1 Ashley Road have residents, it should also be noted that many of the other neighbours assessed are not yet inhabited, being under construction or merely planned, so residents would never experience the better day and sunlight levels without this development, or not for very long.

6.5.10 The Mayor of London's Housing SPG acknowledges. that the BRE Guide itself states that it is written with low density, suburban patterns of development in mind and should not be slavishly applied to more urban locations; as in London.

6.5.11 In particular, the 27% VSC recommended guideline is based on a low-density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable. Paragraph 2.3.29 of the GLA Housing SPD supports this view as it acknowledges that natural light can be restricted in densely developed parts of the city. Therefore, full or near full compliance with the BRE Guide is not to be expected.

6.5.12 Overall, the effects of the proposed development on the neighbouring properties are in line with area expectations. Whilst some localised transgressions do occur it can be seen that they are predominantly driven by the limitations placed by the use of projecting and recessed balconies on the neighbouring buildings tested and by the comparison with the values achieved with the site undeveloped.

6.5.13 Review of the assessments undertaken with the extant scheme in place shows that the proposed development would have a limited additional impact and that the properties would maintain appropriate daylight. So whilst there would be additional harm from the proposal, the degree of harm would be limited over the extant scheme and would result in outcomes that are to be expected in a context such as this.

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

## **6.6 Design and tall building assessment**

6.6.1 The NPPF (July 2021) makes beauty and placemaking a strategic national policy, includes an expectation that new streets are tree-lined and places an emphasis on granting permission for well-designed development and for refusing it for poor quality schemes, especially where it fails to reflect local design policies and government guidance contained in the National Design Guide (January 2021) and, where relevant, National Model Design Code (July 2021).

6.6.2 London Plan Policy D4 encourages the use of masterplans and design codes and 3D virtual modelling and thorough scrutiny by officers and the design review process to help ensure high quality development (particularly, as in this case, the proposed development would include a tall building).



- 6.6.3 Local Plan Strategic Policy SP11, and Policies DM1 and DM6. Local Plan Policy DM1 states that all development must achieve a high standard of design and contribute to the distinctive character and amenity of the local area. Further, developments should respect their surroundings by being sympathetic to the prevailing form, scale, materials, and architectural detailing.
- 6.6.4 Local Plan Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe, and easy to use.
- 6.6.5 SP11 goes on to say applications for tall buildings will be assessed against the following criteria (summarised): adopted Area Action Plan (AAP) or masterplan framework, assessment supporting tall buildings in a Characterisation Study compliance with DM policies and all the relevant recommendations in the CABE / English Heritage "Guidance on Tall Buildings" 2007 (since superseded in 2015 and 2022).
- 6.6.6 DM6 part C sets out detailed policy requirements for tall buildings; being in an area identified as suitable, represent a landmark by which its distinctiveness acts as a wayfinder or marker, is elegant and well proportioned, visually interesting when viewed from any direction, positively engage with the street environment, consider impact on ecology and microclimate, going onto requiring where tall buildings are in close proximity to each other they avoid a canyon effect, consider their cumulative impact, avoid coalescence and collectively contribute to the vision and strategic objectives for their area.
- 6.6.7 London Plan Policy D9 requires that tall buildings are only developed in locations that are identified as suitable in Development Plans. It goes on to set out a number of visual, functional, and environmental impacts of tall buildings that should be considered in planning decisions.
- 6.6.8 The Upper Lee Valley Opportunity Area Framework proposes that future tall buildings will generally be in well-defined clusters in identified urban growth centres. Strategic Policy SP11 requires all new development to 'enhance and enrich Haringey's built environment and create places and buildings of high quality'. Policy AAP6 states that, in line with DM6, Tottenham Hale and North Tottenham as growth areas have been identified as being potentially suitable for the delivery of tall buildings.

*Quality Review Panel (QRP)*

- 6.6.9 The scheme has been presented to Haringey's Quality Review Panel on the 13 July 2022, 19 October 2022, and 01 March 2023. The written findings of the panel can be found within Appendices 6, 7, and 8.
- 6.6.10 The full QRP Report of the latest review on 01 March 2023 is attached at Appendix 8. The Report's summary is as follows:

*The proposals for Berol Quarter have been through a number of iterations and have now developed into a scheme that the panel warmly supports. Berol House sensitively safeguards the character of the area and animates the public realm. This review focused on 2 Berol Yard, which the panel is now convinced will contribute to a successful new neighbourhood.*

*The panel’s initial concerns about the appropriateness of the tower’s scale in this context have been addressed by creating a skilful relationship with the emerging surrounding buildings, and by the quality of residential accommodation. However, the bridge over Watermead Way, not only the landing, should be delivered to justify the height of this proposal in terms of public benefit. The bridge should be formally tied in with this scheme through a Section 106 agreement. The design of the bridge landing is developing well. Input from an accessibility expert should be sought to determine the best arrangement of the lift and stair. A channel for bicycles should be incorporated into the stairs, and two lifts could be provided to take pressure off the lift.*

*More mature trees with larger canopies should be included in the landscape design and enough space should be allowed for events. The panel enjoys the historical references used in the seating designs. These could also work as play structures. They should be made from robust, high-quality materials, and offer a good opportunity for co-design with local artists and the community. All private and shared rooftop amenity spaces should be analysed to ensure they are usable in windy conditions. The internal layout of the cores is working well. The panel commends the integration of sustainability considerations into the design, especially through solar shading. Overheating should be tested against extreme summer temperatures. The materials palette is promising. The revisions to the residential entrance experience are also positive improvements.*

6.6.11 A summary of the QRP concerns and responses are listed below:

<b>QRP Comment</b>	<b>Officer Response</b>
<p>The bridge over Watermead Way, not only the landing, should be delivered to justify the height of this proposal in terms of public benefit. The bridge should be formally tied in with this scheme through a Section 106 agreement.</p>	<p>The developer is contributing to the bridge through the development of the bridgehead, landing platform and access routes within their building which would be secured in the s106.</p> <p>The bridge over Watermead Way would be delivered at a later point through other means. The proposed contribution is proportionate and fair given CIL payments and given the contributions of other developments nearby.</p>

	The height of the scheme is justified by its exemplary architecture and its role in marking the Green Link and the station.
Input from an accessibility expert shall be sought to determine the best arrangement of the lift and stair and a channel for bicycles should be incorporated into the stairs.	This is secured in the s106.
More mature trees with larger canopies should be included in the landscape design and enough space should be allowed for events.	A landscaping condition is recommended that would require submission of these details. An external space within the Berol Square, of not less than 5m x 5m shall be provided which shall be available for not less than 3 months of each year for a temporary public art installation, to showcase Tottenham talent
All private and shared rooftop amenity spaces should be analysed to ensure they are usable in windy conditions	The wind assessment submitted alongside the application has been independently peer reviewed and found to be sound. Conditions are recommended to ensure ongoing compliance and mitigate against any undue impacts.
Overheating should be tested against extreme summer temperatures.	Conditions are recommended that seek a revised Overheating report that would ensure overheating risk is minimised and any necessary mitigation measures are implemented prior to construction, and maintained, in accordance with London Plan (2021) Policy SI4 and Local Plan (2017) Policies SP4 and DM21.

*Building Scale, Form and Massing*

6.6.12 London Plan Policy D3 states that development proposals should provide active frontages and positive relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest. They should encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes and legible entrances to buildings.

6.6.13 The existing footprint of Berol House would largely remain unchanged whilst 2 Berol Yard would form a roughly square shape building to the east. This would allow for the creation of the new public space, Berol Square. The new position of Berol Square (compared to that permitted under HGY/2017/2044) allows for the square to be activated by retail frontages and to become a destination point.

- 6.6.14 The southern footprint of the building, which projects out with a 6-storey element, has been intentionally designed to provide a more comfortable enclosed square and to draw people up into the 6-storey building into the landing platform and the potential future bridge.
- 6.6.15 The GLA Officer initially raised concerns about the projection filling the Green Link. However, they subsequently commented, following sight of the latest QRP comments, that they are now generally satisfied that the urban design considerations in relation to height, massing, and separation distances are appropriately resolved.
- 6.6.16 London Plan Policy D9 (A) calls on development plans to define what is considered a tall building for specific localities, based on local context (although this should not be less than 6-storeys or 18 metres above ground to the floor level of the uppermost storey).
- 6.6.17 The Local Plan (Strategic Policies 2013-2026) included a borough-wide definition of 'tall building' as being those which are substantially taller than their neighbours, have a significant impact on the skyline, or are of 10-storeys and over (or otherwise larger than the threshold sizes set for referral to the Mayor of London).
- 6.6.18 The strategic requirement of London Plan Policy D9 (Part B) is for a plan-led approach to be taken for the development of tall buildings by boroughs and makes clear that tall buildings should only be developed in locations that are identified in development plans. The Upper Lee Valley Opportunity Area Framework proposes that future tall buildings will generally be in well-defined clusters in identified urban growth centres.
- 6.6.19 London Plan Policy D9 (Part C) sets out a comprehensive set of criteria for assessing the impacts of proposed tall buildings and these are discussed in detail below. Part D calls for free publicly accessible areas to be incorporated into tall buildings where appropriate, but officers do not consider it appropriate for residential towers.
- 6.6.20 Strategic Policy SP11 requires all new development to enhance and enrich Haringey's built environment and create places and buildings of high quality. It makes clear that applications for tall buildings will be assessed against a number of criteria, including the following: an adopted Area Action Plan or masterplan framework for a site (i.e. the Tottenham Area Action Plan and the ARSM); assessment supporting tall buildings in a Characterisation Study; compliance with the Development Management Policies; and compliance with all relevant recommendations as set out in the CABE/English Heritage "Guidance on Tall Buildings" (2007 since superseded in 2015 and 2022).

6.6.21 Policy DM6 provides further criteria for the design of tall buildings, including to conserve and enhance the significance of heritage assets, their setting and the wider historic environment that would be sensitive to taller buildings.

6.6.22 The policy also seeks to protect and preserve existing locally important and London-wide strategy views in accordance with Policy DM5 (with Figure 2.1 confirming that the site does not directly interact with any locally significant views and vistas). An urban design analysis is required to be submitted with applications for tall buildings assessing the proposal in relation to the surrounding context.

6.6.23 Policy AAP6 states that, in line with Policy DM6 (Figure 2.2), the Tottenham Hale Growth Area has been identified as being potentially suitable for the delivery of tall buildings.

#### *Proposed Tall Building*

6.6.24 Given that London Plan Policy D9 is the most up-to-date development plan policy on tall buildings and includes the most comprehensive set of impact criteria and covers nearly all the criteria covered in Haringey's own tall buildings policies, this has been used as a basis of an assessment. It incorporates most of the relevant criteria set out in Local Plan Policy DM6, although specific criteria from this policy are also addressed below.

6.6.25 Location - As stated above, there is clear and specific policy support for the principle of tall buildings in the Tottenham Hale Growth Area albeit the DCF Section 4.1.1 (Building Height and Tall Buildings) identifies the site as suitable for medium rise buildings.

6.6.26 Visual impacts – Part C (1) of London Plan Policy D9 sets out the following relevant criteria that are addressed in turn.

*(a) (i) long-range views – the top of proposed tall buildings should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views.*

*(a) (ii) mid-range views - the form and proportions of tall buildings should make a positive contribution to the local townscape in terms of legibility, proportions and materiality.*

The development forms part of an emerging cluster of tall buildings, including taller buildings that are already permitted, under construction, or completed around Tottenham Hale. London and Borough Strategic View Corridors all happen to be distant from this development, and therefore are not considered to be affected by this development.

Given the number of other tall buildings already approved (including some now built) in the cluster immediately around this site, there would be few locations where this proposal would be visible, but the other currently approved tall buildings would not be.

A number of close and distant views of the proposals have been produced, in each case including a version at the time of assessment and with the “cumulative impact” from other approved but unbuilt or unfinished buildings collaged in.

The applicants most recent and accurate views demonstrate that the proposal would sit within the cluster of built, under construction and planned tall buildings marking the centre of Tottenham Hale. It would not stand out but would sit assertively as one of the tallest buildings around the station square, also marking the green link and potential future bridge.

As such it would contribute appropriately to the legibility and distinctiveness of this important emerging centre and help make the cluster attractive and appealing in longer, medium, and local views.

*(a) (iii) immediate views from the surrounding streets – the base of tall buildings should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy.*

The application scheme would relate well with adjacent buildings within the ARSM and adjacent sites. The ground floor would be activated and support activity on the accompanying public realm. The staggered heights of the blocks would support a sympathetic transition in scale, with the taller blocks sited adjacent to Watermead Way.

*(b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding.*

The main justification for the significant height increase is in landmark creation for wayfinding, re-analysis of the tall building cluster, and the quality of architectural and landscape design. The tall building would be embedded within a podium and shoulder blocks, tying them into the wider grain and street pattern, and mitigating their scale, wind, daylight, and sunlight effects.

The 32-storey tower at 2 Berol Yard would relate to Related Argent’s tallest building (yet to be constructed) and Hale Works as a triangle of well-spaced tall buildings, straddling and pinpointing the station, with its shoulder elements relating to the medium-tall neighbours and lower shoulder to Berol House, the mansion blocks to the west and lower elements of neighbouring buildings.

It would be capable of being considered a “Landmark” by being a wayfinder or marker for the west-east Green Link, location of the potential future bridge, and the heart of the new town centre.

It would also be capable of being considered a “Landmark” by being elegant, well-proportioned, and visually interesting when viewed from any direction, by virtue of its “clustered” design of distinct angled fragments. The different fragments are designed to relate to their different context; lower ones to immediate neighbours, with matching brick colours and angles of façade, whilst taller fragments relate more to their longer views to the marshes and to central London;

*(c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan.*

The materiality of 2 Berol Yard responds to the different fragments and their differing relationships. Brick colours relate to the buildings they face, whilst the tones get lighter as their height increases, so that the lowest block will be a unique dark green brick relating to the Green Link, the second fragment a darker red relating to the Related Argent building opposite it, the third a red-buff relating to Berol House, the fourth a lighter grey-brown relating to The Gessner and the fifth a light pink buff, with the core where it rises above being a darker material uniting the composition.

The fenestration pattern is of orderly, gridded facades of identical rectangular window openings, with the modelling providing interest, but fenestration varies where the columns of larger balcony openings occur and most of all at the top floor with the larger still openings for the communal facilities. The window design may be repetitive, but it is a carefully designed window design, based on the classic “Chicago” window of a larger central pane with two narrower side panes, enlivened by louvres and sun shading relating to function and aspect to avoid overheating and allow flexible opening options to provide good daylight and ventilation levels without being difficult to use.

The overall architectural approach, especially the gridded facades and use of brick, will also match the other new high and lower rise buildings making up this vibrant new District Centre at Tottenham Hale.

Although precise materials and details will be secured by condition, those proposed in the application, would be beautiful, durable, and complementary to the existing and emerging context.

*(d) proposals should take account of, and avoid harm to, the significance of London’s heritage assets and their settings. Proposals resulting in harm will*

*require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm.*

The 2 Berol Yard building would positively contribute to the character of the area. The potential impacts on above ground heritage assets are addressed under Impact on heritage assets including affected conservation areas below. In summary, officers consider that the proposed building, when visible from the built heritage assets in the vicinity of the application site and beyond, would be seen and experienced in the context of the wider regeneration of the area and the cluster of other tall buildings.

*(g) buildings should not cause adverse reflected glare.*

The 2 Berol Yard building has been appropriately designed to respond to its use, the range of internal environments proposed, and the surrounding context. Given the predominately masonry elevations and staggered massing of the proposal, there is unlikely to be adverse reflected glare.

*(h) buildings should be designed to minimise light pollution from internal and external lighting.*

There are no proposals to externally illuminate the proposed tall buildings and officers do not consider that there would be any significant adverse effects from internal lighting for this site given the emerging form of development in the area.

6.6.27 Functional impacts – Part C (2) of London Plan Policy D9 sets out the following relevant criteria that are addressed in turn:

- *(a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants.*

Fire safety is addressed below and is considered acceptable subject conditions.

- *(b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process.*

The London Plan (supporting text 3.4.9 for Policy D4) stresses the importance of these issues for higher density developments. Vehicular servicing is discussed under Transportation, parking, and highway safety below and is considered acceptable subject to a Delivery and Servicing Plan (which is recommended by planning condition).



- *(c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas.*

The proposed buildings would be accessed from generously sized entrances from Ashley Road and from within the site from Berol Walk and Berol Square/Green Link, which is considered acceptable. The proposed entrances are prominent and legible, which is welcomed. The retail and commercial ground floor uses would activate the adjacent public spaces.

- *(d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building.*

The capacity of the transport network is addressed under Transportation, parking, and highway safety below. In summary, this is considered to be acceptable.

- *(e) jobs, services, facilities, and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area and maximises the role of the development as a catalyst for further change in the area.*

The proposed ground floor commercial units and associated economic activity/job opportunities would make a positive contribution towards the regeneration of the area, as would the occupants who would use local shops and services.

- *(f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings.*

The site is not within an 'aerodrome safeguarding' zone and subject to the inclusion of aircraft warning lights (on construction cranes and completed buildings) required by regulations, the proposed tall buildings are considered acceptable.

Proposed roof-top PV arrays are addressed under Energy, Climate Change & Sustainability below and are considered acceptable (there are no existing PV arrays on buildings in the area that would be adversely affected).

6.6.28 Environmental impacts – Part C (3) of London Plan Policy D9 sets out the following relevant criteria that are addressed in turn:

- *(a) wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces around the building.*

In summary, subject to conditions ensuring that all necessary wind mitigation measures are incorporated into the proposed scheme beyond those incorporated into the design itself; and that landscaping is managed and maintained, no likely significant residual wind effects are predicted and the likely resultant wind environment for future residents is considered acceptable.

Wind is addressed in full under the Wind and Microclimate section below.

Daylight and sunlight impacts on neighbouring properties is assessed under the *impact on the amenity of adjoining occupiers* section; and temperature conditions are assessed under *Energy, Climate Change and Sustainability*.

- *(b) air movement affected by the building(s) should support the effective dispersion of pollutants, but not adversely affect street-level conditions.*

Potential air quality impacts are addressed under Air Quality below and are considered to be acceptable.

- *(c) noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building.*

Potential noise and vibration impacts on future occupants are addressed under *Quality of Residential Accommodation* below, with the affect on neighbours assessed under *impact on the amenity of adjoining occupiers* above and are considered to be acceptable, subject to approval of details (which is to be reserved by a recommended planning condition).

6.6.29 Cumulative impacts – Part C (4) of London Plan Policy D9 requires the cumulative visual, functional, and environmental impacts of proposed, consented and planned tall buildings in an area to be considered when assessing tall building proposals.

6.6.30 The Townscape and Visual Impact Assessment (TVIA) takes account of subsequent permissions and the application scheme. The study area for the assessment of townscape effects has been set at a 2-kilometre (km) radius from the application site and assesses impacts on 5 Townscape Character Areas surrounding the site.

6.6.31 The purpose of the assessment is to identify an area across which the proposed development would likely impact and effect the townscape and people's views. The proposed study area is considered to be proportionate to the proposed

development and whilst it may be perceived beyond the study area, it is assessed that it would not result in townscape or visual effects, due to the combination of distance and intervening features.

6.6.32 As outlined above, London Plan Policy D9 identifies most of the relevant criteria in Local Plan Policy DM6. However, a number of specific Local Plan criteria are addressed below:

- *Policy DM6 (D) (a) requires tall buildings within close proximity to each other to avoid a canyon effect and Policy DM6 (D) (c) requires tall buildings to avoid coalescence between individual buildings.*

The proposed 2 Berol Yard building, because of its fragmented form, would avoid creating a canyon effect. The tallest elements of 2 Berol Yard would be angled away from neighbouring buildings. There is also a focus on streets and public spaces within the site with the formation of Berol Walk and the 6-storey building within the Green Link.

The podium addresses the street, and the gaps create comfortable relationships and defined streets that would prevent a feeling of enclosure or a canyon effect. The distances between buildings are similar to the distances between other buildings in the District Centre and also similar to distances between buildings in other high-density locations across London.

2 Berol Yard is one of a cluster of tall buildings that are meant to be seen together to indicate the location of Tottenham Hale District Centre and mark the west-east Green Link. The variation in form, design, and materiality means that the different buildings can be distinguished. The form and gaps around the building ensures that there is relief between the nearest neighbouring buildings.

- *Policy DM6 (D) (d) requires applications for tall buildings to demonstrate how they collectively contribute to the delivery of the vision and strategic objectives for the area.*

The submitted TVIA and DAS do this, and officers have taken account of these assessment when considering the proposals.

- *Policy DM6 (E) – requires the submission of a digital 3D model to assist assessment.*

This has been submitted and officers have used this to help them consider the proposals.

#### *Townscape and Visual Effects*

6.6.33 London Plan Policies D9 and HC4 make clear that development should not harm Strategic Views, with further detail provided in the Mayor's London View

Management Framework (LVMF) SPG. At the local level, Policy DM5 designates local views and the criteria for development impacting local view corridors.

6.6.34 The Townscape and Visual Impact Assessment (TVIA) considers likely significant townscape and visual effects across the study area. This has also helped inform the assessment of likely significant effects on built heritage, which is addressed below under ‘Impact on heritage assets including affected conservation areas’.

6.6.35 As part of the TVIA, 17 verifiable or representative views have been produced. The site does not fall within any Strategic Views identified in the Mayor’s London View Management Framework (LVMF) or within any Locally Significant Views as identified in Policy DM5.

6.6.36 The assessment has considered the effects on 17 representative views as summarised in Table 6 below. It is representative of the main visual receptors in the surrounding area. It found that there would be views of the proposed development in long views from open spaces on higher ground at Alexandra Palace and Springfield Park, from Markfield Park and from the open areas of wetlands and reservoirs in the Lea Valley. There would also be long views along Bruce Grove.

*Table 6 – Summary of visual effects*

Ref	Location	Sensitivity	Degree of Change	Visual Effect	Cumulative Degree of change	Cumulative visual effect
1	Alexandra Palace	High	Low	Minor Beneficial	Low	Minor Beneficial
2	Bruce Grove/Lordship Lane junction	Low to Medium	Medium	Neutral	Medium	Neutral
3	Bruce Grove	Low to Medium	Very Low	Negligible	Medium	Neutral
4	High Road/Chesnut Road junction	Low to Medium	Medium	Minor to Moderate Beneficial	Medium	Minor to Moderate Beneficial
5	High Road/Monument Way junction	Low to Medium	Low to Medium	Neutral	Low to Medium	Neutral
6	High Road/Broad Lane junction	Low to Medium	Nil (s)/ Low (w)	Neutral	Very Low	Neutral
7	Markfield Park	Low to Medium	Very Low (s)/ Low (w)	Negligible to Minor Beneficial	Medium	Minor to Moderate Beneficial
8	Springfield Park	Medium	Medium	Moderate Beneficial	Medium	Moderate Beneficial
9	East Warwick Reservoir	Medium	Medium	Moderate Beneficial	Medium	Moderate Beneficial
10	Forest Road	Low to Medium	Low	Minor Beneficial	Medium	Minor to Moderate Beneficial
11	Lockwood Reservoir	Medium	Medium	Moderate Beneficial	Medium	Moderate Beneficial
12	Tottenham Marshes	Medium	Medium	Moderate Beneficial	Medium	Moderate Beneficial
13	Down Lane Park	Medium	Medium	Moderate Beneficial	Medium	Moderate Beneficial
14	Chesnut Road towards Park View Road	Low	Medium	Minor Beneficial	Medium	Minor Beneficial
15	Monument Way towards Park View Road	Low	Medium	Minor Beneficial	Medium	Minor Beneficial
16	Tottenham Hale Station entrance	Low	High	Moderate Beneficial	High	Moderate Beneficial
17	Watermead Way	Low	High	Moderate Beneficial	High	Moderate Beneficial

6.6.37 The TVIA states that in long range views the tower of 2 Berol Yard would be seen in conjunction with existing tall buildings at Tottenham Hale. There would

generally be Minor or Moderate Beneficial visual effects as a result of the improvements to the legibility of Tottenham Hale within the wider urban landscape. Along Bruce Grove, there would be Neutral visual effects where taller buildings are characteristic of the wider townscape but where the proposed development would be seen in the context of historic townscape elements in the foreground.

6.6.38 In the long range views the proposals would have an attractive slender profile, distinctive stepping form and varied materials. It would relate well to other tall and mid-rise elements in the townscape and would reinforce the location of Tottenham Hale station, surrounding regeneration area and the potential future pedestrian footbridge. In conjunction with the surrounding cumulative schemes it would create a coherent cluster of tall buildings and a clear focal point in the townscape.

6.6.39 In medium range views from the surrounding urban area, there are views along streets aligned with the proposed development and from urban open spaces such as Down Lane Park. There would be a range of Minor and Moderate Beneficial effects where the introduction of taller buildings would enhance the legibility of the area and Neutral effects where the general character of the view would remain the same. Where seen, the articulation of the built form, definition of the core and high quality of the materials would be clearly seen.

6.6.40 In local views along Watermead Way and from the station, the proposed development would be a positive addition to the frontage to Watermead Way, providing well-proportioned frontages that define the frontage and entrance to the Green Link or Ashley Link. The use of green brickwork on the lower block would further add to the distinctiveness of this element and contribute to local wayfinding.

6.6.41 The summary findings of the submitted TVIA are considered to be accurate. In that it is considered that the visual effects of the proposed development would be acceptable. It would generally be a positive element in the wider urban scene and would not harm the visual amenities of people in the surrounding area.

*Townscape effects – Berol House & 2 Berol Yard*

6.6.42 The TVIA notes that the site includes the historic pencil factory – Berol House – that contributes positively to the local townscape and has Medium sensitivity to change. The proposed development would successfully retain and incorporate the building within a residential-led mixed use scheme. A new connection through the centre would improve the permeability of the existing block and link to a new network of pedestrian routes and attractive areas of public realm.

6.6.43 These would tie into connections to the wider area including the Ashley Link and a potential future pedestrian footbridge. The development would provide active frontages to Ashley Road and high-quality new pedestrian areas with a mix of

retail, community, and commercial uses as well as the entrances to the flats above. The residential and commercial uses would contribute to the vitality of the surrounding public realm. Berol House would be enhanced through sympathetic refurbishment and the roof level extension.

6.6.44 2 Berol Yard has been carefully designed in its form, massing, details, and materials to create a distinctive and high-quality new addition to the townscape that would help to positively define the new streets and spaces. The TVIA has found that the proposed development would have a Major Beneficial effect on the site itself and would retain and enhance a positive townscape receptor.

6.6.45 There would be a range of beneficial changes to the townscape character of the surrounding area. There would be a Moderate Beneficial effect as a result of a range of improvements to the permeability, legibility and public realm of the site and the way it connects to the wider area. The 2 Berol Yard building would help to provide orientation and wayfinding to Tottenham Hale Station as well as marking Ashley Link, Berol Square, and the potential future bridge link.

6.6.46 In combination with existing buildings and consented schemes the proposed development would create a coherent townscape reflecting the mix of uses and accessible location.

#### *Visual effects*

6.6.47 The assessment found that the visual effects of the proposed development would be acceptable. It would generally form a positive addition to the wider urban scene and would not harm the visual amenities of people in the surrounding area.

6.6.48 The proposals would have an attractive slender profile, distinctive stepping form and varied materials. It would relate well to other tall and mid-rise elements in the townscape and would reinforce the location of Tottenham Hale station, surrounding regeneration area and potential future pedestrian footbridge.

6.6.49 In conjunction with the surrounding cumulative schemes it would create a coherent cluster of tall buildings and a clear focal point in the townscape. The nature of change arising from the proposed development in combination with the cumulative schemes would generally be of the same order with only a few locations increasing the extent of development seen.

#### *Inclusive Design*

6.6.50 London Plan Policies GG1, D5 and D8 call for the highest standards of accessible and inclusive design, people focused spaces, barrier-free environment without undue effort, separation, or special treatment.

- 6.6.51 The proposed scheme has been designed to meet inclusive design principles and good practice. All external routes, footway widths, gradients and surfacing would respect the access needs of different people. The proposed amenity spaces are designed to be safe at different times of the year.
- 6.6.52 Building access, internal corridors and vertical access are capable of meeting Building Regulations. Blue badge parking has been incorporated into the scheme and proposed cycle parking includes spaces for 'adaptive' and large bikes/mobility scooters.
- 6.6.53 Overall, officers are satisfied that the proposed scheme would be accessible and inclusive. The particular requirements in relation to wheelchair accessible accommodation is discussed under Quality of Residential Accommodation below.

*Secured by Design*

- 6.6.54 London Plan Policies D1-D3 and D8 stress the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages and minimising inactive frontages.
- 6.6.55 The proposed layout incorporates a good front to back relationship and includes active ground floor frontages in the form of commercial units, concierge/reception with front doors on the streets. This should all help ensure a safe and secure development and an active public realm.
- 6.6.56 The detailed design of the public realm, including proposed landscaping and lighting, are also considered acceptable. The proposed roof top private communal amenity spaces have been suitably designed to safeguard safety and security.
- 6.6.57 A condition is recommended which would require Secured by Design accreditation and ensure The Metropolitan Police's Designing Out Crime Officer's (DOCO) continued involvement in detailed design issues.

*Development Design – Summary*

- 6.6.58 The proposed scheme would refurbish and extend a locally listed building in a sensitive way that would put it at the heart of the development and celebrate its industrial heritage. It would also include a well-designed and architecturally interesting tall building that would provide a wayfinding function for the station and the Green Link.
- 6.6.59 The proposal would make significant improvements to the public realm, introducing a new public square and new streets that would activate this part of Tottenham Hale and increase permeability. The proposal would contribute to a potential future bridge and would help realise the aims and objectives of the site allocation with high quality buildings and public spaces.

## **6.7 Impact on heritage assets including affected conservation areas**

- 6.7.1 Paragraph 196 of the revised NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.7.2 Policy SP12 of the Local Plan seeks to maintain the status and character of the borough's conservation areas. Policy DM6 continues this approach and requires proposals affecting conservation areas and statutory listed buildings, to preserve or enhance their historic qualities, recognise and respect their character and appearance and protect their special interest.
- 6.7.3 Policy AAP5 speaks to an approach to Heritage Conservation that delivers "well managed change", balancing continuity and the preservation of local distinctiveness and character, with the need for historic environments to be active living spaces, which can respond to the needs of local communities.
- 6.7.4 Policy HC1 of the London Plan states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.
- 6.7.5 The policy further states that development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the statutory duties for dealing with heritage assets in planning decisions.
- 6.7.6 In relation to listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses" and in relation to conservation areas, "special attention should be paid to the desirability of preserving or enhancing the character or appearance of that area".
- 6.7.7 The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.
- 6.7.8 This application follows previous permissions for tall buildings in the wider area of the application site, including buildings within the Argent Masterplan Area, adjacent to the site. The impact of these buildings on the built historic environment has been assessed as part of the relevant applications.



- 6.7.9 The Conservation Officer notes that the comprehensive townscape visual assessment supporting the application provides a clear understanding of the changing character of The Hale as experienced in the background of views across and out of Alexandra Palace Park, South Tottenham CA and Markfield park.
- 6.7.10 The visual impact views include the cumulative schemes located within Tottenham Hale East as will be seen, among others, in views taken from various viewpoints along the Bruce Grove and Tottenham Green conservation areas along the Tottenham historic corridor.
- 6.7.11 It is evident that there is already an ongoing high degree of change in scale and built form in the background of those views taken across the Tottenham Conservation areas and looking towards the Tottenham Hale station, and the transformation of this area is due to continue.
- 6.7.12 The Conservation notes that the proposed development would only be visible in the far background of the views across and out of the conservation areas and related heritage assets as part of a group of tall new elements of various heights and taller built forms such as the Millstream Tower, will be more prominent than the proposed development in some of these views, and particularly in the winter.
- 6.7.13 In views along Bruce Grove, where taller buildings are already characteristic of the wider townscape, the proposed development would be seen without harm in the context of historic townscape elements in the foreground.
- 6.7.14 In the long range views the new development would have a slender profile, stepping form and varied materials it would create a coherent cluster of tall buildings and a clear focal point in the townscape thus reinforcing the location of Tottenham Hale station.
- 6.7.15 The Conservation Officer notes that the 2 Berol Yard building would signpost, in conjunction with an emerging townscape of taller buildings around Tottenham Hale, the new urban character and spatial hierarchy of the area, where the proposed development would become part of a new, varied skyline that will define Tottenham Hale town centre through a 'wave' skyline profile as envisaged in the council vision for the area.
- 6.7.16 The Conservation Officer concludes that The District Centre has and is experiencing extensive redevelopment, including the construction of tall new buildings, some of which have already been constructed or are in the process of construction.
- 6.7.17 The proposed building, when visible from the built heritage assets in the vicinity of the application site and beyond, would be seen and experienced in the context

of the wider regeneration of the area and the cluster of other tall buildings, some of which are taller than the proposed development.

- 6.7.18 In terms of the proposed refurbishment and three storey roof extension to Berol House, to provide office uses and an external terrace the Conservation Officer notes that this constitutes an opportunity to sustainably retain, enhance and put into beneficial use the locally listed building while carefully reconfiguring it within its emerging new context.
- 6.7.19 The building will be provided with new entrances and new internal route at ground level to improve permeability and will host retail and commercial uses at ground and first floor thus offering a more active frontage to Ashley Road.
- 6.7.20 The Conservation Officer notes that the proposed additional two storeys will be sympathetically clad in terracotta tiles with dark powder coated frames and detailing and will be crowned by a further, setback, top floor with double glazed curtain walling that will positively complement and improve the design of the host building and will sustain its use.
- 6.7.21 The urban regeneration of this area will rest on a careful and integrated reconfiguration of buildings and places, such as the new pedestrian link 'Berol Walk' with trees connecting Berol House and 2 Berol Yard with The Gessner and One Ashley Road, or the new 'Gessner Lane' to the north, or the new public space designed to the south of Berol House and 2 Berol Yard that will host a winter garden until when it will connect in the future to a bridge link across Watermead Way as part of the masterplan aspiration to connect the Lea valley and Tottenham High Road.
- 6.7.22 The Conservation Officer concludes that the proposed scheme will altogether contribute to define the new urban character of the area through both the creation of a tall building on the existing car park backing Berol House and by conserving the built memory of the historic industrial use of the area as exemplified by Berol house.
- 6.7.23 The re-design and extension of Berol House respects and complements the industrial heritage character of the host building while providing distinctive and well-composed improvements to the host building. The new building at 2 Berol Yard building would successfully complement both the existing and emerging context through its articulated elevations, materials and variations in height that would help to break up the scale and form of the building and would frame, together with Berol House, new public spaces, and pedestrian routes.
- 6.7.24 The new public realm would benefit from high quality finishes and hard and soft landscaping. The new frontages and uses proposed to ground floor will provide increased activity and visual interest with an overall positive effect on the

townscape character of the development site and on the setting of the locally listed Berol House.

- 6.7.25 The Legal Position on the impact of heritage assets is as follows. Section 72(1) of the Listed Buildings and Conservation Areas Act 1990 provides: "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." Among the provisions referred to in subsection (2) are "the planning Acts".
- 6.7.26 Section 66 of the Act contains a general duty as respects listed buildings in exercise of planning functions. Section 66 (1) provides: "In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."
- 6.7.27 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) intended that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."
- 6.7.28 The judgment in the case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council says that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit.
- 6.7.29 If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area or a Historic Park, it must give that harm considerable importance and weight.
- 6.7.30 The authority's assessment of likely harm to the setting of a listed building or to a conservation area remains a matter for its own planning judgment but subject to giving such harm the appropriate level of weight and consideration. As the Court of Appeal emphasised in Barnwell, a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted.

- 6.7.31 The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the strong statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 6.7.32 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit needs to be assessed individually in order to assess and conclude on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail.
- 6.7.33 The proposed development would very positively retain the locally listed Berol House, would conserve, and unveil its heritage significance and would improve the urban quality of its setting, without any negative impact on the legibility, primacy, and significance of other heritage assets in the borough, and while delivering much needed improvements to the urban character of its locality.
- 6.7.34 For the reasons above, it is considered that the proposed development would not have any further impact on the built historic environment given the context within which it would be located. Therefore, the proposed development would not result in any further harm to the significance of the built heritage assets in the borough.

## **6.8 Quality of Residential Accommodation**

- 6.8.1 London Plan Policy D6 sets out housing quality, space, and amenity standards, with further detail guidance and standards provided in the Mayor's Housing SPG. Strategic Policy SP2 and Policy DM12 reinforce this approach at the local level.

### *Accessible Housing*

- 6.8.2 London Plan Policy D7 and Local Plan Policy SP2 require that all housing units are built with a minimum of 10% wheelchair accessible housing or be easily adaptable to be wheelchair accessible housing. London Plan Policy D5 requires safe and dignified emergency evacuation facilities, including suitably sized fire evacuation lifts.
- 6.8.3 The proposal is compliant with the London Plan policy D7 (Accessible housing). Of the 210 homes, 90% would be in accordance with Part M (2) of Approved Document M of the Building Regulations and 10% (21 dwellings) would be in accordance with Part M4(3) as wheelchair adaptable homes. A condition is recommended that would secure this and proportional distribution across the tenures.

- 6.8.4 Level pedestrian access would be provided to the residential and commercial units in and around the site within 2 Berol Yard and Berol House in accordance with requirements of Building Regulations, Part M.

*Indoor and Outdoor Space Standards*

- 6.8.5 All of the proposed homes would meet the minimum internal space and floor to ceiling heights (2.5m) standards require by London Plan Policy D6. Proposed layouts are generally good and the number of homes per core would be in accordance with the adopted Mayoral guidance.

- 6.8.6 All flats would have private amenity space in the form of a balcony or roof terrace. Along the Watermead Way elevation amenity space would be provided in the form of internalised space. In addition, all homes would also have access to a proposed communal amenity space provided at podium level, and at levels 18 and 30 of 2 Berol Yard.

*Unit Aspect, outlook, and privacy*

- 6.8.7 The majority of the homes would be dual aspect and the remaining single aspect homes would be enhanced through additional windows facing onto their recessed balconies. 33% of the units would be single aspect (albeit all enhanced with glazing located on a second facade to the balcony), 65% would be dual aspect, with the remaining 2% being triple aspect.

- 6.8.8 This approach is considered acceptable in line with Policy D6 (Housing quality and standards) of the London Plan which requires proposals to maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings.

- 6.8.9 The approach to providing some single aspect homes is considered appropriate given the site constraints. Single aspect dwellings have only been provided where it is considered a more appropriate design solution to meet the requirements of Part B in Policy D3 (Optimising site capacity through the designed approach).

*Daylight/Sunlight – 2 Berol Yard*

- 6.8.10 The layouts of the new homes maximise access to daylight in living, dining, working, and sleeping areas with the bathrooms, storage, and utility areas being located in the deeper parts of the plan. This arrangement, alongside repeated floors, allows for the stacking of uses to safeguard against neighbouring noise impacts. This is promoted by Policy D6 of the London Plan and in the Mayor of London's Housing SPG (March 2016).

- 6.8.11 Analysis of the proposed residential accommodation shows that daylight and sunlight levels are appropriate for this type of development with the majority of rooms seeing full compliance with the BRE Report daylight guidance. Sunlight levels must be considered in the context of the urban nature of the site and the

area intentions. As with most urban sites of this nature direct sunlight amenity within some rooms will be limited.

6.8.12 Given the character and form of the property and its urban location the daylight and sunlight amenity of the proposed development is considered to be acceptable. The assessment demonstrates that the development is appropriate in the context of the BRE guide and relevant policy, particularly having regard to the flexibility inherent to the BRE guide and its suburban basis, the urban character of the site and its surroundings and the character of the proposed development.

6.8.13 Additionally, analysis of the DLSL of the internal space within the proposed scheme concludes that the daylight and sunlight amenity is above expectations with the majority of rooms seeing compliance with the BRE Report guidance. The proposed development therefore accords with the London Plan policy D6 (Housing quality and standards).

#### *Noise*

6.8.14 The applicant's Noise Impact Assessment sets out sound insulation requirements to ensure that the internal noise environment of homes meets the relevant standards and recommends that background ventilation is provided by mechanical ventilation with heat recovery. It is recommended that further details of the proposed system and mechanical ventilation are secured by way of a planning condition to ensure acceptable internal noise levels.

6.8.15 It is recommended that conditions are attached to a planning permission to control mechanical plant noise by way of a standard planning condition (calibrated to reflect the site-specific noise environment).

6.8.16 Conditions are also recommended to secure adequate mitigation to prevent undue noise transmission between the proposed ground floor commercial units and the proposed homes above and to limit the hours of use of any commercial use to 07.00 to 23.00 (Monday to Saturday) and 08.00 to 23.00 (Sundays and Public Holidays).

#### *Amenity space and play space*

6.8.17 Communal amenity space totalling 554.2 sqm would be provided at podium level, and at levels 18 and 30 of 2 Berol Yard. The landscape design of the roof terraces seeks to create a series of different types of spaces with different functions.

6.8.18 The proposals include an external garden space at podium level, communal garden terrace on top of Block A at level 18 and an internal community space located at level 30. The podium level and external 18th floor rooftop gardens would be decked with raised planters of informal plantings of grasses and perennials. Seating would be integrated with the planter edges. The highest

outdoor roof (above the eighteenth storey element) would provide extensive wildflowers growing beneath solar panels.

6.8.19 Internal community space will be provided at roof level 30. The space would be enclosed and glazed offering views to the north, south and east of the site. The room would provide immediate access to an inset balconied area providing external amenity space to the northeast and southwest of the floor. Berol House has been designed to incorporate a large private roof terrace which will be accessed by occupiers.

#### *Play Space*

6.8.20 In accordance with the requirements of GLA's Play and Informal Recreation Supplementary Planning Guidance, suitable play space provision is proposed. A child yield and play space calculation has been applied to the 210 homes proposed. Play provision for over 11-year-old children is located in Down Lane Park which is a 194m walk from 2 Berol Yard and soon to undergo substantial investment funded by recent developments in the area.

6.8.21 Play provision for 2 Berol Yard is located at the podium level and the upper roof terrace of 2 Berol Yard accessed only by the residents. The garden integrates 370sqm of play space for children aged 0 to 11 years old, comprising formal and informal play opportunities including, sand, balancing beams and boulders, a climbing structure, and other play elements.

### **6.9 Social and Community Infrastructure**

6.9.1 The NPPF (Para. 57) makes clear that planning obligations must only be sought where they meet the tests of necessity, direct relatability and are fairly and reasonably related in scale and kind to the development. This is reflected in Community Infrastructure Levy (CIL) Regulation 122.

6.9.2 London Plan Policy S1 states adequate provision for social infrastructure is important in areas of major new development and regeneration. This policy is supported by a number of London Plan infrastructure related policies concerning health, education, and open space. London Plan Policy DF1 sets out an overview of delivering the Plan and the use of planning obligations.

6.9.3 Strategic Policy SP16 sets out Haringey's approach to ensuring a wide range of services and facilities to meet community needs are provided in the borough. Strategic Policy SP17 is clear that the infrastructure needed to make development work and support local communities is vital, particularly in the parts of the borough that will experience the most growth.

6.9.4 This approach is reflected in the Tottenham Area Action Plan in Policies AAP1 and AAP11. DPD Policy DM48 notes that planning obligations are subject to viability and sets a list of areas where the Council may seek contributions. The

Planning Obligations SPD provides further detail on the local approach to obligations and their relationship to CIL.

- 6.9.5 The Council expects developers to contribute to the reasonable costs of new infrastructure made necessary by their development proposals through CIL and use of planning obligations addressing relevant direct impacts. The Council's Annual Infrastructure Funding Statement (December 2021) sets out what Strategic CIL can be used for (infrastructure list) and how it will be allocated (spending criteria).

*Health – NHS Contribution request*

- 6.9.6 The NHS has requested a S106 contribution of £233,335.00 to “increase capacity of health infrastructure serving the proposed development” based on calculations from their HUDU Planning Contributions Model (HUDU Model).
- 6.9.7 The NHS acknowledge that the primary care element of the demand created by the development would be able to be accommodated within the new Welbourne Centre which would serve 20,000 registered patients. However, the concern is with the other demands on health infrastructure including acute, mental health, and community infrastructure.
- 6.9.8 Whilst the need for such expansion of capacity for acute, mental health, and community infrastructure is acknowledged, it is noted that the adopted Community Infrastructure Levy (CIL) Charging Schedule (2022) sets a rate of £100.00 per square metre for the proposed development on the basis it is Build to Rent.
- 6.9.9 This is double the charge for a conventional residential scheme composed of housing for sale. The evidence base supporting the CIL charging schedule is found in the Community Infrastructure Levy: Eastern Haringey Viability Update Study (2021), prepared by BNP Paribas (BNPP) on behalf of the Council.
- 6.9.10 In setting the adopted CIL rate for Build to Rent schemes, BNPP included an allowance of £1,000 per unit for s106 costs. Para. 4.28 of BNPP's evidence states that “the figure [£1,000 per unit] is considered by the Council to be a reasonable proxy for the likely sums to be sought.” Any material increases above this level could potentially render the scheme unviable and affect the provision of affordable housing and/or other public benefits.
- 6.9.11 Given the proximity of the new Welbourne Centre to the proposal (within Tottenham Hale District Centre to the southwest of the site) and its potential to offer services other than primary care, the requested contribution from the NHS is considered to be disproportionate.
- 6.9.12 Given this context it would be unreasonable to seek the full requested NHS contribution. However, the applicant has committed to providing a capped



contribution of £25,000 prior to Practical Completion of 2 Berol Yard to support local NHS services.

*Future proofing bridge connection*

- 6.9.13 It is not yet possible to deliver the bridge over Watermead Way and the railway into Hale Village given that the station and railway is safeguarded for Crossrail 2. The costs of the entire bridge will need funding from a wide range of sources beyond this single project.
- 6.9.14 Whilst the development would not warrant such a significant infrastructure contribution, the height of the tower and the key role the proposed building would play in marking the Green Grid does warrant a contribution to it. As such, the developer has committed to delivering a public access stairway, lift, and bridgehead constructed as part of the 2 Berol Yard building.
- 6.9.15 The contribution would provide a permissive path right of access for members of the public to pass, with and without bicycles to the bridgehead. A bicycle track within the public access stairway would also be provided. The applicant would also maintain the public access stairway, lift, and landing area at no expense to the Council (including all lighting, cleaning, etc.).
- 6.9.16 Prior to the construction of the future potential bridge, glazing to the external façade to provide an additional winter garden space as an extension to the 2 Berol Yard Cultural and Arts Space (Use Class F2 Community / Affordable Workspace) would be installed.
- 6.9.17 The applicant has submitted costings for the works which are equivalent to £518,700.00. This contribution is considered to be proportionate to the scheme and would not include the management and maintenance costs which would also be covered by the applicant/landowner.

*Cultural and Arts Space*

- 6.9.18 The Regeneration team has requested a 25-year lease for the Cultural and Arts Space and for the Public Art, as well as a peppercorn rent for the space and relief on auxiliary and service costs for the full term of the lease, as well as a payment to contribute to the staffing and activation budget for the first 5 years.
- 6.9.19 Whilst there is no policy requirement for such a space or for the length of leases and rents requested the applicant acknowledges the need for a community use. The proposal includes 161sqm of Cultural and Arts Space (Use Class F2 Community) floorspace to be constructed on the first floor of 2 Berol Yard. The space also has the potential to be used as Affordable Workspace should that better suit the needs of the community at the time.
- 6.9.20 The space would also be extended to include the public gallery and winter garden area until the potential future bridge is opened. The Cultural and Arts

space would be constructed to CAT A standard, and a lease would be offered to the Council and other prospective operators prior to occupation of the BtR element.

6.9.21 The proposed 15-year lease reflects the lease associated with BtR covenant; the applicant has stated that they would be unable to viability provide a longer lease which is accepted given the policy context.

6.9.22 In any event a lease would be offered to Haringey Council for use by Made by Tottenham (or other such nominated body involved with the arts, creative trade, or local industry) with a discount of 20% of the prevailing market rent and a rent-free period of 3 years. The Lease would also include a right to renew for 2 further 5-year periods after the initial 15 year period, subject to agreement by both parties.

6.9.23 These commitments, to be secured through the s106, would support the delivery of a community space that would provide a decent rent-free period to a well-fitted out space at the heart of the new development. This would be a public benefit to the scheme and the wider area.

#### *Public Art*

6.9.24 In addition to the Cultural and Arts Space the applicant has committed to delivering public art within the proposed new square for a period of ten years from the date of occupation of the BtR element. The public art would include lighting and would be of a suitable size (5m x 5m) to be sufficiently impactful.

6.9.25 The space for the public art would be available for not less than 3 months of each year to showcase Tottenham talent.

#### *Social and Community Infrastructure summary*

6.9.26 The proposal would make proportionate contributions to infrastructure in terms of a new bridgehead and associated access, and through a Cultural and Arts Space and Public Art in the proposed public square. A contribution would also be made to the NHS. These contributions, secured by s106, would deliver public benefits that fairly and reasonably related in scale and kind to the development. There has been significant investment in the area from other developments to improve the public realm and Down Lane Park to deliver the ambitions of the Tottenham AAP.

### **6.10 Transportation, parking, and highway safety**

6.10.1 The NPPF (Para. 110) makes clear that in assessing applications, decision makers should ensure that appropriate opportunities to promote sustainable transport modes have been taken up and that the design of streets and other transport elements reflect national guidance (including the National Design Guide).

- 6.10.2 London Plan Policy T1 sets a strategic target of 80% of all trips in London to be by foot, cycle, or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards and Policies T6 and T6.1 to T6.5 set out car parking standards.
- 6.10.3 Other key relevant London Plan policies include Policy T2 – which sets out a ‘healthy streets’ approach to new development and requires proposals to demonstrate how it will deliver improvements that support the 10 Healthy Street Indicators and Policy T7 – which makes clear that development should facilitate safe, clean, and efficient deliveries and servicing and requires Construction Logistics Plans and Delivery and servicing Plans.
- 6.10.4 Policy SP7 states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking, and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This approach is continued in DM Policies DM31 and DM32.
- 6.10.5 DM Policy (2017) DM32 states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development, parking is provided for disabled people, and parking is designated for occupiers of developments specified as car capped.

#### *Transport Assessment*

- 6.10.6 The site has a PTAL of 5-6a (where 1 is least accessible and 6b is most accessible). Tottenham Hale Underground Station is 180m from the site. The site is also located in The Hale CPZ. The application is supported by a Transport Assessment (TA), Residential and Commercial Framework Travel Plan, a Delivery and Servicing Plan and an Outline Construction Logistics Plan.

#### *Car Parking*

- 6.10.7 The proposed development would be car free (not including blue badge and the interim scenario) which would be acceptable given the excellent public transport accessibility of the site. This is supported both by London Plan policy T6 (Car parking) and the Tottenham Area Action Plan (site allocation TH6).
- 6.10.8 2 Berol Yard includes the provision of 8 accessible car parking spaces (one for retail and 6 for residential), with a further 15 accessible residential parking spaces designed into the scheme, should the demand for additional accessible spaces be required. Berol House provides one accessible parking space.

6.10.9 The Transport Planning team have raised concerns regarding the proposed level of Blue Badge Parking for Berol House (1 space). However, the GLA in their stage 1 response have confirmed that this would be policy compliant. The provision is therefore accepted.

6.10.10 The Applicant has highlighted that it expects the residential Blue Badge parking provision not to exceed demand, based on the results of Blue Badge parking surveys for other sites that show low utilisation of such bays. This provides a potential opportunity to increase Blue Badge parking for the commercial use by converting unused residential Blue Badge parking spaces, if required. A condition is recommended which would seek details of the works.

6.10.11 The scheme therefore accords with the London Plan policies T6 (Car parking), T6.1 (Residential parking), T6.2 (Office parking), T6.3 (Retail parking) and T6.5 (non-residential disabled persons parking). Further to this, the provision of car parking spaces also accords with the Local Plan policies SP7 (Transport), DM32 Parking and the Tottenham AAP (TH6) site allocation requirements.

6.10.12 The Application is based on a phased approach to the delivery of the car parking, reflecting the obligations to the existing tenants in Berol House who have leases which provide for rights to park cars on the estate. The temporary car parking arrangements have been designed to be removed and replaced with additional retail spaces, including a new unit facing Watermead Way.

6.10.13 Once the leases have expired, car parking would be removed from the ground floor to create Retail unit 1 (90.7sqm) and increase the size of Retail unit 2 by 114.9sqm. A condition is recommended which would seek details of the works.

#### *Cycle parking*

6.10.14 The proposed development provides a total of 482 cycle parking spaces. The proposed level of provision would be in accordance with London Plan standards and policy T5 (Cycling).

6.10.15 The Transport Planning team have highlighted that they would not support proposals for two-tiered cycle parking with aisle widths less than 2.5m. The proposals currently assume an aisle width of 2.5m which would be sufficient given the proposed type of stacking system (Josta® 2-Tier Cycle Rack) which requires less space than older 2-tier stacking systems.

#### *Servicing & Cyclist/Pedestrian access*

6.10.16 All servicing (excluding refuse collection arrangements) of the buildings would be undertaken on the servicing bays on Ashley Road and Watermead Way, with the majority of deliveries to be made by LGV's (Large Goods Vehicles). In order to ensure compliance and management of servicing and deliveries, this

would be monitored and reviewed regularly and would be implemented in line with a Delivery and Servicing Plan.

- 6.10.17 Monitoring would be provided as part of the Travel Plans (one for the commercial and one for the residential elements) secured through the s106. A Delivery and Servicing Management Plan would also be required through the recommended conditions which would set out the predicted impact of the development upon the local highway network and both physical infrastructure and day-to-day policy and management mitigation measures.
- 6.10.18 This would ensure that delivery and servicing activities are adequately managed such that the local community, pedestrian, cycle and highway networks and other highway users experience minimal disruption and disturbance, and so that deliveries and servicing are as efficient as possible to comply with London Plan policy T7 (Deliveries, servicing, and construction).
- 6.10.19 The infrastructure works under HGY/2017/2044 have already been fully delivered. This included an oversized loading bay on Watermead Way. The large length was delivered on the premise that it was going to host coaches for the college. The loading bay provided would be sufficient for any loading requirements of this scheme as outlined in the Transport Assessment.
- 6.10.20 As such, there are no proposed changes that would affect the existing section 278 / 106 Highways obligations relating to HGY/2017/2044. The use of a booking system for delivery slots would be used to minimise instances whereby multiple deliveries arrive at the same time, serving the same unit.
- 6.10.21 Further detail on management of deliveries would be provided within the detailed Delivery & Servicing Plan, that would be secured via the recommended conditions. This would include commentary on opportunities to liaise with other surrounding businesses with a view to minimising any adverse impacts associated with deliveries.
- 6.10.22 The proposal would introduce the undercroft pedestrian route through Berol House (known as Berol Passage) and deliver the pedestrian boulevard (known as Berol Walk) located along the eastern side of Berol House. The improvements to the Green Link or Ashley Link to the south of Berol House would also enhance pedestrian movement.
- 6.10.23 The accesses for the site would integrate and fall on desire lines with the pedestrian and cycle improvements on Ashley Road that are being delivered. The integrated approach takes into consideration the emerging developments and proposed works around the site, whilst improving the access and provision within the site area.

- 6.10.24 Public access to footpaths, cycleways and open spaces and the community space, including the future bridgehead would be provided via a Permissive Path right for public, visitors and the like. This would be secured through the s106. The s106 would also require the submission and implementation of an Approved Public Access Plan. Furthermore the landowner or their managing agent would be required to maintain the public realm areas in accordance with the standards of good estate practice.
- 6.10.25 TfL have requested that all year-round access is provided, and all routes are made to be public rights of way. Berol Passage, and the wider Berol Yard estate roads / public realm (including the Berol Square) are already subject to the existing Section 106 agreement which has secured public access, via the Public Access Plan – this was part of the existing planning permission granted in 2018 (HGY/2044/2018).
- 6.10.26 The Public Access Plan includes permissive path rights and allows for good estate management practice, whilst also enabling the Freeholder to comply with the rights of the Leaseholders who are already tenants on the remainder of the Estate.
- 6.10.27 All of the public realm is part of the wider estate management strategy which is carefully managed by the Freeholder to provide safe pedestrian access, whilst also maintaining servicing, deliveries, parking, and emergency access, along with retained rights by the Leaseholders for access and use.
- 6.10.28 Due to these existing rights, it is not legally possible for the applicant to formerly commit to the Public London Charter. Nevertheless, the principles established in the Charter are reflected in the existing Public Access Plan and secured through the existing Section 106 Agreement and the proposed Section 106 Heads of Terms include a commitment to extend this.

*Healthy Streets TA and Active Travel Zone (ATZ) Assessment*

- 6.10.29 The applicant has provided a Healthy Streets TA and ATZ assessment as part of the submission document. The ATZ assessment has chosen several key routes from the site to an array of locations.
- 6.10.30 After requests from TfL the applicant updated the ATZ assessment to include an 'onsite on street' assessment (undertaken 9th June 2023) which included a new route to Bright Gem Nursery (Journey 6). This updated ATZ assessment concludes that the route is attractive, easy to access, and appropriate for pedestrians and cycles. TfL also sought an on-site assessment which the applicant has now carried out.
- 6.10.31 As part of the on-site request TfL sought a reconsideration of routes to Cycleway 1 and assess whether these meet the TfL Cycle Route Criteria. The updated ATZ assessment has included an onsite review of this route and also

includes alternative routes to Cycleway 1 (Journeys 2,3 & 4). The ATZ assessment findings conclude that the quality of the route is suitable to accommodate pedestrians and cycle trips.

*Trip generation and impact*

- 6.10.32 TfL has requested that the applicant should conduct link load analysis of Tottenham Hale Station as the cumulative impact of all small-scale developments may cause a major impact to the system. The applicant has identified that the proposed development would have a negligible impact on the operation of Tottenham Hale Station, particularly when compared to the number of trips that were permitted to use the station as part of the previously permitted scheme.

*Safeguarding and Infrastructure Protection*

- 6.10.33 London Underground Infrastructure protection team have no objection in principle to the planning application. There are a number of potential constraints on the redevelopment of a site situated close to London Underground railway infrastructure. Conditions are recommended to ensure the infrastructure is protected.

*Construction Logistics Plan*

- 6.10.34 The applicant has provided an Outline Construction Logistics Plan (CLP). A further plan is required by recommended condition which would ensure that construction details including the expected number of trips, vehicle routing, working hours and practices are provided. The plan would ensure the safety of road users and minimise disruption to the transport network.

*Car Club*

- 6.10.35 The applicant has confirmed that it intends to provide residents with three years car club membership including a £50 annual credit for those who register. This would be secured through the s106.

- 6.10.36 The Applicant highlights that Chapter 4 (Part 8) of the Transport Assessment (TA) includes an overview of nearby Car Club bays and likely walking routes to access these bays. In addition to those listed, it is important to note that as part of the original application (HGY/2017/2044), an agreement to provide an additional Car Club bay on Ashley Road is also proposed, that future residents of the site can benefit from. These are to be delivered by the Local Authority as part of the funded improvements to Ashley Road and the surrounding area associated with the original application.

- 6.10.37 The applicant has obtained feedback from Zipcar who operate the nearby Car Clubs. They recommend that the provision of the Car Club bay on Ashley Road which was agreed under the original consented scheme would be sufficient, based on a review of utilisation of the existing Car Club bays. It is proposed that as part of the Travel Plan process, there is a commitment to liaise with Zipcar to

understand utilisation of nearby Car Club bays. As such, the level of car club provision is considered to be acceptable.

### *Transport Conclusion*

6.10.38 Taking account of the exceptional (and improving) public transport accessibility of the site, the proposed restraint-based approach to car parking, its high level of cycle parking provision, and the enhancement of the pedestrian environment, the proposal would encourage sustainable travel behaviour amongst all residents, employees, and visitors. This would be further encouraged through the adoption of the Framework Travel Plan secured through the s106.

6.10.39 Other conditions and s106 obligations would ensure that the scheme meets the Transport requirements of local and London planning policy.

## **6.11 Air Quality**

6.11.1 London Plan Policy SI1 requires development proposals to meet a number of requirements to tackle poor air quality, protect health and meet legal obligations. Policy DM23 of the Haringey DM DPD requires all development to consider air quality and improve or mitigate the impact on air quality in the borough and users of the development.

6.11.2 The proposed development is located within an area of poor air quality and therefore it has been designated as an Air Quality Management Area (AQMA). As such, an Air Quality Assessment ('AQA') was prepared to support the planning application and considered the impacts of the development during the construction phase, the operational phase, and the potential for future residents to be exposed to poor air quality.

6.11.3 The assessment within the AQA of construction phase impacts identified a risk of dust soiling impacts and increases in particulate matter concentrations due to construction activities but through the implementation of mitigation measures, the effect of dust and particulate matter releases would be significantly reduced and the residual effects of the construction phase on air quality would be negligible.

6.11.4 The Council's Carbon Management Team (Pollution) have reviewed the report and raised no objection to its conclusions subject to conditions such as a construction environmental management plan and control of non-road mobile machinery securing appropriate mitigation measures. These conditions would be imposed should planning consent be granted.

6.11.5 The AQA also considered the potential air quality impacts associated with emissions from combustion plant associated with the operational phase and the pollutant considered in this part of the assessment was nitrogen dioxide (NO<sub>2</sub>).



- 6.11.6 To safeguard against additional unnecessary impacts to air quality, a further condition is recommended to mitigate future impacts during the operational phases of the development, including details to protect the internal air quality of the buildings as well as a requirement for ultra-low carbon dioxide boilers.
- 6.11.7 With regard to the potential for future residents of the proposed development to be exposed to poor air quality, given the site's location in an Air Quality Management Area, the AQA demonstrates the proposed development would cause a negligible impact when considering concentrations of NO<sub>2</sub> and as such the residual effects of the proposed development are not significant given concentrations of NO<sub>2</sub> would be below the relevant UK Air Quality Strategy objectives.
- 6.11.8 In conclusion, the proposal is not considered an air quality risk or harm to nearby residents or future occupiers and subject to the above conditions would be acceptable in this regard.

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

- 6.12.1 London Plan Policy SI2 sets out the Mayor of London's energy hierarchy: Use Less Energy (Be Lean); Supply Energy Efficiently (Be Clean); Use Renewable Energy (Be Green) and (Be Seen).
- 6.12.2 It also sets a target for all development to achieve net zero carbon, by reducing CO<sub>2</sub> emissions by a minimum of 35% on-site, of which at least 10% should be achieved through energy efficiency measures for residential development (or 15% for commercial development) and calls on boroughs to establish an offset fund (with justifying text referring to a £95/tonne cost of carbon).
- 6.12.3 London Plan Policy SI2 requires developments referable to the Mayor of London to demonstrate actions undertaken to reduce life-cycle emissions.
- 6.12.4 London Plan Policy SI3 calls for major development in Heat Network Priority Areas to have a communal low-temperature heating system, with the heat source selected from a hierarchy of options (with connecting to a local existing or planned heat network at the top).
- 6.12.5 London Plan Policy SI4 calls for development to minimise overheating through careful design, layout, orientation, materials and incorporation of green infrastructure, designs must reduce the risk of overheating and need for active cooling in line with the Cooling Hierarchy.
- 6.12.6 London Plan Policy SI5 calls for the use of planning conditions to minimise the use of mains water in line with the Operational Requirement of the Buildings Regulations (residential development) and achieve at least BREEAM 'Excellent' standard for 'Wat 01' water category or equivalent (commercial development).

- 6.12.7 London Plan Policy SI7 requires applications referable to the Mayor of London to submit a Circular Economy Statement demonstrating how it promotes a circular economy within the design and aim to be net zero waste.
- 6.12.8 Local Plan Strategic Policy SP4 requires all new development to be zero carbon (i.e., a 100% improvement beyond Part L of the 2013 Building Regulations) and a minimum reduction of 20% from on-site renewable energy generation. It also requires all non-residential developments to achieve a BREEAM rating 'Very good' (or equivalent), although developments should aim to achieve 'Excellent' where achievable.
- 6.12.9 Haringey Policy SP6 requires developments to seek to minimise waste creation and increase recycling rates, address waste as a resource and requires major applications to submit Site Waste Management Plans.
- 6.12.10 Policy DM21 of the Development Management Document requires developments to demonstrate sustainable design, layout, and construction techniques. The Sustainability section in the report sets out the proposed measures to improve the overall sustainability of the wider scheme, including transport, health and wellbeing, materials and waste, water consumption, flood risk and drainage, biodiversity, climate resilience, energy and CO2 emissions and landscape design.

#### *Energy*

- 6.12.11 The principal target is to achieve a reduction in regulated CO2 emissions over Part L 2013 Building Regulations. The London Plan requires the 'lean', 'clean', 'green' and 'seen' stages of the Mayor of London's Energy Hierarchy to be followed to achieve a 'Zero Carbon' Standard (100% reduction over Building Regulations Part L), targeting a minimum onsite reduction of 35%, with 10% domestic and 15% non-domestic carbon reductions to be met by energy efficiency. All surplus regulated CO2 emissions must be offset at a rate of £95 for every ton of CO2 emitted per year over a minimum period of 30 years.
- 6.12.12 'Be Lean.' The applicant has proposed a saving of 57.5 tCO2 in carbon emissions (17%) through improved energy efficiency standards in key elements of the build, based on SAP10 carbon factors. This goes beyond the minimum 10% and 15% reduction respectively set in London Plan Policy SI2, so this is supported.
- 6.12.13 The windows in Berol House would be replaced and sealed to improve the fabric efficiency and air tightness. The addition of the extension on top of the refurbished part of the development would remove the roof which would limit the heat transfer to the outside as the upper-level extensions would further improve the insulation. The details of Mechanical Ventilation with Heat Recovery (MVHR) units would be sought through the recommended Energy strategy condition.

- 6.12.14 'Be Clean.' The applicant is intending to connect to the Tottenham Hale District Energy Network (DEN). Temporary connection to gas boilers until the DEN comes online is supported as an interim measure. The submitted DEN connection route is supported but would need to be designed to consider the following: detailed building entry design, expansion and stress – the straight N-S section may need an expansion loop, coordination with other buried services e.g. drainage, and coordination with above ground aspects.
- 6.12.15 As the commercial units are <500m<sup>2</sup>, the non-residential space should be connected to a single site wide network. Berol House and 2 Berol Yard should also be provided with a connection to the 2 Berol Yard energy centre. A DEN Connection condition is recommended which would ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan policies SI2 and SI3, and Local Plan policies SP4 and DM22.
- 6.12.16 'Be Green.' The application has reviewed the installation of various renewable technologies. The report concludes that only solar photovoltaic (PV) is suitable for the proposed development with the district heat network in place to deliver the Be Green requirement. A total of 6.7tCO<sub>2</sub> (1.9%) reduction of emissions are proposed under Be Green measures.
- 6.12.17 The proposed roof mounted PV array would cover an area of 140m<sup>2</sup> and 250m<sup>2</sup> on the roof of 2 Berol Yard and Berol House respectively. Other roof space would be occupied with amenity space and features. A living roof has been proposed under the solar panels. Recommended conditions would ensure the PVs are delivered and maintained effectively.
- 6.12.18 'Be Seen.' An energy monitoring system is proposed for the energy use and generation, and sub-metering/energy display devices in each apartment would allow residents to monitor and reduce their energy use. It is recommended that a planning condition requires the development owner to submit monitoring results to the GLA for at least 5 years post-occupation (in accordance with the Mayor of London's Be Seen Energy Monitoring guidance).

#### *Carbon Offsetting*

- 6.12.19 Despite the adoption of the 'Lean', 'Clean' and 'Green' measures outlined above, the expected carbon dioxide savings fall short of the zero-carbon policy target for proposed domestic and non-domestic uses. A carbon shortfall of 115 tCO<sub>2</sub>/year remains. The remaining carbon emissions would need to be offset at £95/tCO<sub>2</sub> over 30 years.
- 6.12.20 Based on 30-years of annual carbon dioxide emissions costed at £95 per tonne, this amounts to an estimated and approximate figure of £327,750.00. A 10% management fee would also be added to the final sum (approx.

£32,775.00). It is recommended that s106 planning obligations secure this indicative sum or any revised agreed sum that may be appropriate in the light of additional carbon savings that arise from further detailed design.

#### Energy conclusion

6.12.21 The overall anticipated on-site carbon emission reductions over Building Regulations (2013) (SAP10 carbon emission factors) of 72% and associated offsetting payment would meet London Plan Policy SI2. The proposed connection to an off-site DEN would also meet London Plan Policy SI4.

6.12.22 The proposed 'Lean' savings goes beyond the minimum 10% and 15% reduction respectively set in London Plan Policy SI2, so this is supported. The intended connection to the DEN with interim temporary connection to gas boilers is also supported.

6.12.23 The proposed '1.9% 'Green' savings would be below the 20% called for by Local Plan Strategic Policy SP4. However, officers are satisfied that the amount of proposed roof top PV arrays have been optimised, given other demands for roof-top space. Other renewable energy technologies would not be suitable for this site as the development is connecting to the DEN.

#### Overheating

6.12.24 In accordance with the Energy Assessment Guidance, the applicant has undertaken a dynamic thermal modelling assessment in line with Chartered Institution of Building Services Engineers (CIBSE) TM59 for residential and TM52 for non-residential with TM49 weather files (London Weather Centre), and the cooling hierarchy has been followed in the design.

6.12.25 The report has modelled 35 habitable rooms, 24 spaces and 2 corridors for the residential part of the development and 9 commercial spaces for the non-residential part. All residential zones pass the overheating requirements for 2020s DSY1 (moderately warm summer) and all non-residential zones pass the overheating requirements. Whilst the residential and non-residential zones would pass current requirements the performance in future years would be low. As such, a condition is recommended which requires further modelling of mitigation measures required to pass future weather files.

6.12.26 The assessment does not report the overheating assessment for the refurbishment and extension part of the development, and noise and air quality constraints in relation to the overheating risk require further assessment. An overheating condition is therefore recommended that would require an overheating assessment for the refurbishment and extension part of the development and remodelling at the locations where noise pollution is a constraint with closed windows.

#### Overheating conclusion

6.12.27 With recommended conditions attached the proposal would enable the Local Planning Authority to assess overheating risk and to ensure that any necessary mitigation measures are implemented prior to construction, and subsequently maintained, in order to effectively reduce the impacts of climate change in accordance with London Plan policy SI4 and Local Plan policies SP4 and DM21.

*Environmental sustainability*

6.12.28 Policy DM21 of the Development Management Document requires developments to demonstrate sustainable design, layout, and construction techniques.

6.12.29 The sustainability section in the report sets out the proposed measures to improve the sustainability of the scheme, including transport and access, materials and waste, water consumption, flood risk and drainage, biodiversity, climate resilience, energy, CO2 emission and pollution management.

6.12.30 Intensive as well as extensive green roofs, standard trees, flowering perennial plants, unplanted detention basins, permeable paving, sealed surfaces are proposed as urban greening and biodiversity enhancement measures. 100% active Electric Vehicle Charging Points are also proposed.

*Non-Domestic BREEAM Requirement*

6.12.31 Policy SP4 requires all new non-residential developments to achieve a BREEAM rating 'Very Good' (or equivalent), although developments should aim to achieve 'Excellent' where achievable.

6.12.32 The applicant has prepared a BREEAM Pre-Assessment Report for the commercial units. Based on this report, a score of 57.5% is expected to be achieved, equivalent to 'Very Good' rating. A potential score of >65% could be achieved.

*Whole Life-Cycle Carbon*

6.12.33 Policy SI2 requires developments referable to the Mayor of London to submit a Whole Life-Cycle Carbon (WLC) Assessment and demonstrate actions undertaken to reduce life-cycle emissions.

6.12.34 The percentage assumption for the mechanical, electrical, and plumbing (MEP) was revised by the applicant and maintenance (B2) and repair (B3) were added in line with the GLA guidance. The revised total calculated emissions based on the GIA (without grid decarbonisation) is estimated in Table 7 below:

*Table 7 - Whole Life-Cycle Carbon Assessment*

	<b>Estimated carbon emissions</b>	<b>GLA benchmark RESIDENTIAL</b>	<b>Embodied carbon rating (Industry-wide)</b>
<b>Product &amp; Construction</b>	414 kgCO <sub>2</sub> e/m <sup>2</sup>	Meets GLA benchmark (<850 kgCO <sub>2</sub> e/m <sup>2</sup> ) but	Modules A1-A5 achieve a band rating

<b>Stages</b> Modules A1-A5 (excl. sequestration)		misses the aspirational target (<500 kgCO <sub>2</sub> e/m <sup>2</sup> ).	of 'C', meeting the LETI 2020 Design Target.
<b>Use and End-Of-Life Stages</b> Modules B-C (excl. B6 and B7)	269 kgCO <sub>2</sub> e/m <sup>2</sup>	Meets GLA target (<350 kgCO <sub>2</sub> e/m <sup>2</sup> ) and aspirational benchmark (<300 kgCO <sub>2</sub> e/m <sup>2</sup> ).	
Modules A-C (excl B6, B7 and incl. sequestration)	658 kgCO <sub>2</sub> e/m <sup>2</sup>	Meets GLA target (<1200 kgCO <sub>2</sub> e/m <sup>2</sup> ) and the aspirational benchmark (<800 kgCO <sub>2</sub> e/m <sup>2</sup> ).	Modules A1-B5, C1-4 (incl sequestration) achieve a letter band rating of 'A', meeting the RIBA2030 Design Target.
<b>Use and End-Of-Life Stages</b> Modules B6 and B7	461 kgCO <sub>2</sub> e/m <sup>2</sup>	N/A- This is the Modules B6 and B7 only. The End of Life Stage (C1-4) figure is reported separately and is 40 kgCO <sub>2</sub> e/m <sup>2</sup>	
<b>Reuse, Recovery, Recycling Stages</b> Module D	-236.16kgCO <sub>2</sub> e/m <sup>2</sup>	N/A	

6.12.35 Further information was submitted to the GLA on whole life carbon matters and the officer responded (June 15, 2023) to say that WLC matters are, on balance, considered to be largely addressed. Whilst some minor points have been raised within correspondence, the officer was satisfied that these matters are acceptably resolved in this circumstance and no further work is required on behalf of the applicant team. They recommended that the WLC Assessment Report (dated 25/05/2023) is included as an approved document on the draft decision notice.

#### *Circular Economy*

6.12.36 Policy SI7 requires applications referable to the Mayor of London to submit a Circular Economy Statement demonstrating how it promotes a circular economy within the design and aim to be net zero waste. Haringey Policy SP6 requires developments to seek to minimise waste creation and increase recycling rates, address waste as a resource and requires major applications to submit Site Waste Management Plans.

6.12.37 The GLA confirmed (June 15, 2023) that circular economy matters are, on balance, considered to be largely addressed. Whilst some minor points have been raised within correspondence with the applicants, the GLA officer was satisfied that these matters are acceptably resolved in this circumstance and no further work is required on behalf of the applicant team. They recommended that the Detailed Circular Economy Statement (dated 25/05/2023) be included as an approved document on the draft decision notice.

#### *Construction waste*

6.12.38 A condition is recommended which requires a Site Waste Management Plan (SWMP) to be submitted for approval to reduce and manage/re-use waste during demolition and construction.

## 6.13 Urban Greening and Ecology

6.13.1 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. All development sites must incorporate urban greening within their fundamental design and submit an Urban Greening Factor Statement, in line with London Plan Policy G5.

6.13.2 The proposed development presents a well-considered approach to integrating green infrastructure and urban greening. This includes the incorporation of biosolar green roofing which supports multifunctionality, in accordance with policy G1 of the London Plan. The site forms part of a new green link within the Tottenham Hale District Centre Framework would support the realisation of this.

6.13.3 As highlighted by the GLA in the stage 1 response, the planning statement supporting the application sets out that the proposals are a mix of residential and commercial, therefore it is considered that this application meets the target of 0.3 set by policy G5 of the London Plan.

### *Living roofs*

6.13.4 All development sites must incorporate urban greening within their fundamental design, in line with London Plan Policy G5.

6.13.5 The development is proposing living roofs in the development. All landscaping proposals and living roofs should stimulate a variety of planting species. Mat-based, sedum systems are discouraged as they retain less rainfall and deliver limited biodiversity advantages.

6.13.6 The growing medium for extensive roofs must be 120-150mm deep, and at least 250mm deep for intensive roofs (these are often roof-level amenity spaces) to ensure most plant species can establish and thrive and can withstand periods of drought. Living walls should be rooted in the ground with sufficient substrate depth. Living roofs are supported in principle, subject to detailed design. Details for living roofs will need to be submitted as part of recommended planning conditions.

### *Ecology*

6.13.7 London Plan Policy G6 and Local Plan Policy DM21 require proposals to manage impacts on biodiversity and aim to secure a biodiversity net gain. It is recommended the applicant provide quantitative evidence that the proposed development secures a net biodiversity gain in accordance with Policy G6(D).

6.13.8 A condition is recommended which would require the submission of evidence to show the scheme would secure a biodiversity net gain. The condition would also

require provision of bird and bat boxes in trees and buildings to encourage biodiversity.

6.13.9 Furthermore, a condition is recommended which would require the preparation of an Ecological Management Plan (EMP) to support long-term maintenance and habitat creation.

## **6.14 Trees and landscaping**

6.14.1 The NPPF (Para. 131) stresses the importance of trees and makes clear that planning decisions should ensure that new streets are tree lined. London Plan Policy G7 makes clear that development should seek to retain and protect trees of value and replace these where lost.

6.14.2 The extent of existing vegetation on the current application site was covered in a wider Ecology Assessment as part of the Environmental Statement for the extant permission (Ref: HGY/2017/2044) for the Gessner Building to the northeast which together with the current application site formed the above consented hybrid application.

6.14.3 Mature and semi-mature trees are present adjacent to but beyond the application site boundaries. These trees were included in the ecology assessment as their root protection zones span the Berol Yard and Ashley Gardens sites. None of the proposed buildings as part of the current application would impact on the root protection zones of these trees.

6.14.4 London Plan Policy G5 states that development proposals should integrate green infrastructure to contribute to urban greening and the public realm by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls, and nature-based sustainable drainage. It is considered that green infrastructure forms an integral part of the wider landscape proposals and as such be in accordance with the above policy.

6.14.5 Haringey Local Plan Policy SP11 promotes high quality landscaping on and off-site and Policy SP13 seeks to protect and improve open space and providing opportunities for biodiversity and nature conservation. Further, Policy DM1 of the Haringey DM DPD requires proposals to demonstrate how landscape and planting are integrated into the development and expects development proposals to respond to trees on or close to a site.

6.14.6 The application incorporates a wider landscape proposal with substantial new planting and elements to encourage wider use of the space and improve its biodiversity. The application site is located in the southeast corner of the Ashley Road South Masterplan (ARSM), which sought to create a green link along this southern boundary to connect with Ashley Link to the west and the potential footbridge to the east.



- 6.14.7 The current proposals include new trees and planting to the east of the proposed public square so as to integrate with Ashley Link to the west, whilst trees and planting is also proposed to the south and east as the site meets Watermead Way. Further trees and landscaping are proposed in the open space between the two buildings proposed on site (Berol House and Berol Yard) as the site moves to the north.
- 6.14.8 The new landscaping and further trees are also incorporated further north in the open space between the refurbished Berol House and the Gessner building which forms part of a previous consented permission. Finally, the rooftops of both Berol House and Berol Yard would consist of extensive bio-solar, biodiverse and podium gardens as part of the overall landscaping strategy.
- 6.14.9 Subject to the imposition of conditions requiring details with regard to hard and soft landscaping, biodiversity and living roofs, it is considered that the proposals would be in accordance with the development plan policies outlined above in relation to landscaping and trees. There are no existing trees on the site.

## **6.15 Wind and Microclimate**

- 6.15.1 The London Plan Policy D8 seeks to ensure that public realm areas are well-designed, including, ensuring that microclimate considerations such as wind is considered to encourage people to spend time in a place.
- 6.15.2 London Plan Policy D9 calls for proposed tall buildings to carefully consider wind and other microclimate issues. Policy DM6 states that proposals for tall buildings should consider the impact on microclimate and Policy AAP6 requires a high-quality public realm for developments in Tottenham.
- 6.15.3 Wind mitigation was considered at the design stage and measures have been built into the design and architecture. The applicant has submitted three reports which give an assessment of the likely significant effects of wind on the proposals. Computer Fluid Dynamic (CFD) modelling has been used in the assessment.
- 6.15.4 The CFD methodology employed is considered plausible for the current study. Ordinarily, given the height of the scheme, wind tunnel studies would be expected to provide a more robust assessment. A CFD only approach was selected for this assessment. The applicant's wind consultant has confirmed that they are confident that the choice of analysis tool does not affect conclusions drawn from the results.
- 6.15.5 The wind assessment has been peer reviewed by an independent wind consultant, who has concluded that the assessment represents a plausible appraisal of the wind microclimate upon the introduction of the proposed

development. All their queries and requests for clarification have been satisfactorily addressed, and thus the conclusions can be considered to be robust.

6.15.6 Conditions are recommended which would ensure that quantitative assessments are carried out to validate the mitigation of on-site wind safety exceedances on the elevated levels, and the wind mitigation measures including landscaping are delivered and retained.

## **6.16 Flood Risk and Drainage**

6.16.1 Local Plan Policy SP5 and Policy DM24 of the DM DPD seek to ensure that new development reduces the risk of flooding and provides suitable measures for drainage. The site is entirely in Flood Zone 2 and has a medium probability of flooding from tidal and fluvial sources.

6.16.2 The nearest watercourses are the River Lee Navigation (approximately 340m to the east), Pymmes Brook (approx. 300m to the east). These discharge into the River Lee and eventually the Thames.

6.16.3 In terms of groundwater the site is located in the outer zone (Zone 2) of a groundwater Source Protection Zone (SPZ2) as defined by the Environment Agency.

6.16.4 The risk of the proposal exacerbating flood risks from tidal/coastal, groundwater, sewage and drainage infrastructure, and artificial sources to neighbouring property would be negligible or low.

6.16.5 It is acknowledged that in relation to drainage and flood risk, various details have been previously provided as part of the approval of details relating to planning application HGY/2017/2044, notably HGY/2018/2165 and HGY/2019/2068. Therefore, many of the principals and approaches for the management of surface water run-off from the development have been established and agreed as part of the previous consultations on planning applications submitted in relation to this site.

6.16.6 Conditions have been recommended by the Lead Local Flood Authority/Drainage Officer at the Council relating to surface water drainage details and the management and maintenance of the proposed drainage scheme.

6.16.7 The Mayor has raised concerns about the lack of water efficiency information. As such a condition is recommended which would ensure the higher Building Regulation standard Part G for water consumption would be met as a minimum for the residential Build to Rent element of the proposal. Submission of a Flood Warning and Evacuation Plan (FWEP) is also recommended.

- 6.16.8 The applicant has agreed to provide rainwater harvesting from the roofs of the proposed 2 Berol Yard building. This water would be collected and stored in separate underground tanks, then pumped back to surface when required for landscape maintenance. The rainwater harvesting would reduce the need for fresh water to water the landscaping. This system is separate to the surface water sustainable drainage strategy and would not collect any road run off.
- 6.16.9 A condition relating to surface water is recommended as well as an informative due to the closeness of the site to a Thames Water Sewage Pumping Station. A condition is also recommended relating to ensuring the existing water network infrastructure has sufficient capacity to accommodate the development.

## **6.17 Waste and Recycling**

- 6.17.1 London Plan Policy SI7 calls for development to have adequate, flexible, and easily accessible storage space and collection systems that support the separate collection of dry recyclables and food. Local Plan Policy SP6 and Policy DM4 require development proposals make adequate provision for waste and recycling storage and collection.
- 6.17.2 The proposal at Berol Yard has mixed residential, commercial, and retail units and the developer has confirmed that the commercial and retail units will be collected by a private contractor. Waste from the commercial units would be collected from the centralised retail bin store located on the ground floor. Commercial tenants would be responsible for moving waste from their unit to the centralised bin store ready for collection.
- 6.17.3 The sizing of the bin store has been based on a twice weekly collection of waste and recycling from the outset. While commercial waste collection companies can provide collections to suit the client, up to twice daily collections 7 days per week, the Council is responsible for residential waste collections. As such, the store serving the residential element should be sufficient to store waste for one week.
- 6.17.4 The proposed waste storage for the BtR homes would be smaller than what is required for storage of waste for one week. However, due to ground floor constraints expansion of the waste store would result in the loss of retail space and/or units and would make the parking requirements unachievable.
- 6.17.5 The applicant has highlighted that they are planning to use compaction on site and that the building would be managed by a professional property manager who would be able to oversee the storage. Given these factors and in response to the waste comments, the applicant has agreed to a period of monitoring and reporting of waste collections with a possible additional payment if required.
- 6.17.6 Where twice weekly collections are required, established through the monitoring, the applicant/owner would reimburse the Council the cost of an additional vehicle

for collection. The monitoring would be required as part of a BTR Management Plan, set out in the s106.

## **6.18 Land Contamination**

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

6.18.2 LBH Pollution officers raise no objection to the proposals, subject to standard conditions on Land Contamination and Unexpected Contamination which have been recommended.

## **6.19 Archaeology**

6.19.1 The NPPF (para. 194) states that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development.

6.19.2 London Plan Policy HC1 states that applications should identify assets of archaeological significance and avoid harm or minimise it through design and appropriate mitigation. This approach is reflected at the local level in Policies AAP5 and DM9.

6.19.3 The site lies in an Archaeological Area. The site has Enfield Silt geology which is likely to have preserved prehistoric and later activity. The First Edition OS shows a possible fossilised linear route, preserved as a parallel field boundaries and planting, crossing the site from Hale Farm which lies under Down Lane Park, down to the Lea.

6.19.4 The Greater London Archaeological Advisory Service (GLAAS) have advised that the development could cause harm to archaeological remains and that a field evaluation is needed to determine appropriate mitigation. Although the NPPF envisages evaluation being undertaken prior to determination.

6.19.5 In this case given the nature of the development, the archaeological interest, and the practical constraints - A two-stage archaeological condition would provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

## **6.20 Fire Safety and Security**

6.20.1 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)).

6.20.2 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.

6.20.3 In this context the applicant has sought to achieve the highest standards of fire safety by providing 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 content with the proposals and the scheme complies with all current and emerging fire legislation at this stage.

6.20.4 The application is supported by a Fire Statement that meets the requirements of London Plan Policy D12 B. A 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.

6.20.5 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.

## **6.21 Conclusion**

6.21.1 The proposal is a well-designed mixed-use scheme which would primarily provide Build to Rent accommodation (BTR) alongside an uplift over existing of approximately 2900sqm (GIA) of commercial space (Use Class E(a)) that fulfils the requirements of the site allocation.

6.21.2 The proposal provides 35% affordable housing consisting of London Living Rent and discount market rent housing in line with Policy H11 of the London Plan and the Council's Housing Strategy. The proposal provides a high quality of BtR accommodation.

6.21.3 The proposal provides a high-quality tall building and design that is supported by the QRP and would act as a landmark within the wider area. The proposal provides significant new employment opportunities and an additional community space, a new bridge head to support the delivery of a potential future bridge over

Watermead Way and the railway into Hale Village and would also make substantial contributions to infrastructure through the community infrastructure levy.

6.21.4 The impact on neighbouring amenity is considered to be in line with BRE guidance and acceptable. The proposed development would not have any further impact on the built historic environment given the context within which it would be located.

6.21.5 The proposal is a car free development and the impact on transportation is acceptable. The proposal achieves a high level of sustainability, would be zero carbon and would provide a sustainable design with provision to connect to a future district energy network.

6.21.6 The proposed landscaping would enhance tree provision and greenery and the Health and Safety Executive (HSE) have considered the scheme and are content with the proposals.

6.21.7 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.

6.21.8 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 £1,602,776.5 (22,950m<sup>2</sup> x £ £64.55) for 2 Berol Yard and £128,389.95 (1,989m<sup>2</sup> m<sup>2</sup> x £ £64.55) for Berol House; the Haringey CIL charge will be approximately £2,454,043.50 (22,950m<sup>2</sup> x £106.93) and is likely to only apply to 2 Berol Yard. 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.