

Planning Sub Committee

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference No: HGY/2024/0692

Ward: Bruce Castle (Northumberland Park opposite)

Address: 807 High Road, Tottenham, London, N17 8ER

Proposal: Full planning application for the demolition of existing buildings and the erection of a replacement building of up four storeys to include purpose-built student accommodation (Sui Generis) and flexible commercial, business and service uses (Class E), hard and soft landscaping, and associated works.

Applicant: High Road West (Tottenham) Ltd. [Tottenham Hotspur Football Club (THFC)].

Ownership: Private

Case Officer: Philip Elliott

Site Visit Date: 21/06/2024.

Date received: 12/03/2024.

Last amended: N/A

Plans and Documents: See Appendix 1 to this report.

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

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The proposal is a well-designed, student accommodation-led mixed-use scheme providing a range of student bedrooms and facilities and a flexible commercial, business and service use.
- The proposed scheme has a similar building envelope to the housing-led mixed-use scheme granted on 03/09/2021 under reference HGY/2021/0441.
- The proposed scheme allows for an incremental delivery of comprehensive proposals for site allocation NT5, in accordance with policy NT5 requirements and guidelines as well as the adopted High Road West Masterplan Framework.

- The scheme would deliver 25 student bedspaces, 35% of which (9 rooms) would be affordable student accommodation in line with London Plan policy H15.
- The proposal would contribute to meeting housing targets with the 25 student bedspaces equating to 10 conventional homes on the basis of the 2.5:1 ratio in the London Plan (a net gain of 8 homes)
- The proposal would ensure a high quality, safe and accessible development that would improve Percival Court;
- The replacement of existing buildings in the North Tottenham Conservation Area with replacement high-quality new buildings would preserve and enhance the character and appearance of the Conservation Area and safeguard the setting of adjoining Locally Listed Buildings.
- The scheme would deliver high-quality, accessible, and functional units;
- The layout and design of the development would optimise the potential of the site, respect the scale and character of the surrounding area and satisfactorily safeguard the amenity of neighbours; and
- The development would provide good cycle parking to encourage cycling, incorporate on-site renewable energy technologies and be designed to link with the proposed North Tottenham District Energy Network to help reduce carbon emissions.

2. RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management and Planning Enforcement or the Assistant Director Planning, Building Standards & Sustainability is authorised to issue the planning permission, impose conditions and informatives, and sign a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms below.
- 2.2 That the section 106 legal agreement referred to in resolution 2.1 above is to be completed no later than 15 August 2024 or within such extended time as the Head of Development Management and Planning Enforcement (Head of DM) or the Assistant Director Planning, Building Standards & Sustainability (AD Planning) shall in their sole discretion allow.
- 2.3 That, following completion of the agreement referred to in resolution 2.) within the time period provided for in resolution 2.2 above, planning permission is granted in accordance with the Planning Application subject to the attachment of the conditions.
- 2.4 That delegated authority be granted to the Head of DM or AD Planning to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions and informatives 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 Planning Sub Committee.

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

- 1) 3-year time limit
- 2) Development to be in accordance with approved plans.
- 3) Contract for replacement building (Blocks A and B) before demolition of existing building
- 4) Accessible Accommodation
- 5) BREEAM Accreditation
- 6) Block A – Noise Attenuation 1
- 7) Blocks A & B – Noise Attenuation 2
- 8) Mechanical Plant Noise
- 9) Tree retention
- 10) Landscape Details
- 11) Building User Guide
- 12) Drainage - Design Implementation, Maintenance, and Management
- 13) External Materials and Details
- 14) No Plumbing on outside of buildings
- 15) No grills on outside of Block A
- 16) Secured by Design
- 17) Fire Statement
- 18) Energy Strategy
- 19) Overheating
- 20) MVHR
- 21) Land Contamination – Part 1
- 22) Land Contamination – Part 2
- 23) Unexpected Contamination
- 24) Archaeology 1
- 25) Archaeology 2
- 26) Cycle Parking Provision
- 27) Car Parking Provision
- 28) Delivery and Service Plan
- 29) Student and Commercial Waste Management Plans
- 30) Construction Logistics Plan
- 31) Demolition/Construction Environmental Management Plans
- 32) Impact Piling Method Statement
- 33) Business and Community Liaison
- 34) Telecommunications
- 35) Water Efficiency Condition

Informatives Summary – (the full text of Informatives is contained in Appendix 2 to this report).

- 1) Working with the applicant
- 2) Community Infrastructure Levy
- 3) Hours of Construction Work
- 4) Party Wall Act
- 5) Numbering New Development

- 6) Asbestos Survey prior to demolition
- 7) Dust
- 8) Heritage assets of archaeological interest
- 9) Written Scheme of Investigation – Suitably Qualified Person
- 10) Written Scheme of Investigation - Deemed Discharge Precluded
- 11) Composition of Written Scheme of Investigation
- 12) Disposal of Commercial Waste
- 13) Piling Method Statement Contact Details
- 14) Minimum Water Pressure
- 15) Paid Garden Waste Collection Services
- 16) Sprinkler Installation
- 17) Designing out Crime Officer Services
- 18) Land Ownership
- 19) Site Preparation Works
- 20) Tree works
- 21) Thames Water (Waste) 1
- 22) Thames Water (Waste) 2

Section 106 Heads of Terms:

- 1) **Car Free:** No Residents Parking Permits for future residents (except Blue Badge) – financial contribution to meet TMO costs (£4,000);
- 2) **Car Club:** two years' free membership for each student and £50 (fifty pounds in credit) per year for the first 2 years.
- 3) **Affordable housing:**
 - at least 35 per cent of the accommodation secured as affordable student accommodation / affordable housing, to be provided on-site or off-site.
 - To be provided as affordable student accommodation on-site, or alternatively as affordable housing at a ratio compliant with London Plan provisions (2:5 student = 1 residential) within Site Allocation NT5.
 - Affordable accommodation residents to have access to the same communal amenity as the market accommodation.
 - To accord with relevant London Plan Policy, its supporting text, and the relevant parts of the Mayor's Affordable Housing and Viability SPG.
 - Should off-site residential affordable housing provision be delivered, unless otherwise agreed this would be provided at 60% intermediate and 40% affordable rented in accordance with the provisions of Policy AAP3 of the Tottenham Area Action Plan. The associated housing mix shall be confirmed through an Affordable Housing Scheme secured by the S106 Agreement.
- 4) **Affordability**
 - a. Affordable student accommodation shall meet the following affordability criteria:

- The **definition of affordable student accommodation** is Purpose-built student accommodation (PBSA) bedrooms that are to be provided at a rental cost for the Academic Year at the London Student Affordable Accommodation Rent.
- With London Student Affordable Accommodation Rent defined as rent (inclusive of service charge, utilities and estate charges) payable by a Student occupying an Affordable Student Accommodation Unit for the Academic Year which does not exceed the higher of:
 - an amount which shall not exceed 55 per cent of the maximum income that a new full-time student studying in London and living away from home could receive from the Government's maintenance loan of living costs for that academic year; or
 - the actual amount for affordable student rent that the Mayor of London sets out in the London Plan Annual Monitoring Report which sum may be increased annually by the increase in the Consumer Price Index ONLY in the event that the Government should make significant changes to the operation of the maintenance loan for living costs as the main source of income available from the Government for higher education students AND the London Student Affordable Accommodation Rent is not reviewed and updated by the Mayor of London consequent on any revised guidance in the London Plan Annual Monitoring Report.
- b. the affordable student accommodation bedrooms shall be allocated by the higher education provider(s) that operates the accommodation, or has the nomination right to it, to students it considers most in need of the accommodation.
- c. The rent charged must include all services and utilities which are offered as part of the package for an equivalent non-affordable room in the development. There should be no additional charges specific to the affordable accommodation.
- d. A review period shall be set to allow for recalibrating the affordable student accommodation to the level stated as affordable in the Mayor's Annual Monitoring Report.

5) Viability Review Mechanism

- a. Early-Stage Review if not implemented within 2 years.
- b. Break review – Review if construction is suspended for 2 years or more.
 - Reviews to accord the relevant parts of the Mayor's Affordable Housing and Viability SPG.

6) Student use only in term time - Accommodation secured for the use of students only during the academic year.

- During the Academic Year the Student Accommodation Units shall only be occupied by Students but outside of the Academic Year the

Student Accommodation may be used as accommodation for Students and any other use which is ancillary to their use as Student Accommodation (examples of such ancillary uses, amongst others, include providing accommodation for conference delegates, visitors, interns on university placements and students on short-term education courses) or such other use as may first be approved in writing by the Council PROVIDED THAT such occupation shall not constitute a material change of use from the use permitted under the Planning Permission

- 7) Nomination Agreement** - The majority of the bedrooms in the development including all of the affordable student accommodation bedrooms shall be secured through a nomination agreement for occupation by students of one or more higher education provider. Provision will need to be made for this to fall away in the instance that the affordable housing is delivered off site.
- 8) Marketing and letting material** to potential student residents of the accommodation in number 807 to highlight the existence and location of the pub beer garden.
- 9) Energy & Potential future connection to District Energy Network:**
 - (a) Submit a further revised Energy Plan & Sustainability Statement for LPA approval;
 - (b) Ensure the scheme is designed to take heat supply from the proposed DEN where viable (including submission of DEN Feasibility Study),
 - (c) Design of secondary and (on-site) primary District Heat Network (DHN) in accordance with LBH Generic Specification and approval of details at design, construction, and commissioning stages,
 - (d) Use all reasonable endeavours to negotiate a supply and connection agreement with the DHN within a 10-year window from the date of planning permission,
 - (e) Sustainability review,
 - (f) Heating strategy fall-back option if not connecting to the DEN, and
 - (g) To install solar PV in the roof area reserved for the low-carbon heating solution if connecting to the DEN.

Details relating to the future connection to the DEN shall include:

- Further detail of how the developer will ensure the performance of the DEN system will be safeguarded through later stages of design (e.g. value engineering proposals by installers), construction and commissioning including provision of key information on system performance required by CoP1 (e.g. joint weld and HIU commissioning certificates, CoP1 checklists, etc.);
- Peak heat load calculations in accordance with CIBSE CP1 Heat Networks: Code of Practice for the UK (2020) taking account of diversification.

- Detail of the pipe design, pipe sizes and lengths (taking account of flow and return temperatures and diversification), insulation and calculated heat loss from the pipes in Watts, demonstrating heat losses have been minimised together with analysis of stress/expansion;
- A before and after floor plan showing how the plant room can accommodate a heat substation for future DEN connection. The heat substation shall be sized to meet the peak heat load of the site. The drawings should cover details of the phasing including any plant that needs to be removed or relocated and access routes for installation of the heat substation;
- Details of the route for the primary pipework from the energy centre to a point of connection at the site boundary including evidence that the point of connection is accessible by the area wide DEN, detailed proposals for installation for the route that shall be coordinated with existing and services, and plans and sections showing the route for three 100mm diameter communications ducts;
- Details of the location for building entry including dimensions, isolation points, coordination with existing services and detail of flushing/seals;
- Details of the location for the set down of a temporary plant to provide heat to the development in case of an interruption to the DEN supply including confirmation that the structural load bearing of the temporary boiler location is adequate for the temporary plant and identify the area/route available for a flue;
- Details of a future pipework route from the temporary boiler location to the plant room.

10) Initial Carbon Offset Contribution: Amount to be determined in further revised Energy Plan & Sustainability Statement based on connection to DEN (payable upon commencement) plus 10% management fee.

11) Deferred Carbon Offset Contribution: Amount to be determined in further revised Energy & Sustainability Statement (payable after 10 years, if no connection to DEN);

12) Be Seen: Commitment to uploading data to the GLA's Energy Monitoring platform.

13) Employment & Skills Plan: (a) Local Labour during construction, (b) Construction Apprenticeships and (c) Apprenticeship Support Contribution;

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

15) Monitoring: Borough monitoring costs in accordance with para. 5.42 of the Planning Obligations SPD.

16) Percival Court: To implement approved surface improvements to the section of Percival Court in its ownership and use best endeavours to work with adjoining landowners to secure a scheme of surface improvements to land outside the applicant's ownership prior to first occupation.

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

Presumption in Favour of Sustainable Development (PFSD)

- 2.6 In the event that members choose to make a different decision to that recommended it will be necessary to consider the presumption in favour of sustainable development in the National Planning Policy Framework (NPPF).
- 2.7 This is because the Council cannot demonstrate a 5-year housing land supply and so paragraph 11.d) of the NPPF is engaged by virtue of footnote 8 of the NPPF. Members must state their reasons including why it is considered that the presumption is not engaged.
- 2.8 That, in the absence of the agreement referred to in resolution 2.1 above being completed within the time period provided for in resolution 2.2 above, the planning application be refused for the following reasons:
- i. In the absence of legal agreement securing Traffic Management Order (TMO) amendments to prevent future residents from obtaining a parking permits and car club contributions, the proposals would have an unacceptable impact on the safe operation of the highway network and give rise to overspill parking impacts. As such, the proposal would be contrary to London Plan Policies T4 and T6.1 Spatial Policy SP7, Tottenham Area Action Plan Policy NT5 and Development Management DPD (DM DPD) Policy DM31.
 - ii. In the absence of a legal agreement securing the provision of 35% affordable housing, the proposals would fail to secure affordable housing (AH) and meet Haringey's housing aspirations. As such, the proposals would be contrary to London Plan Policy H15 and other relevant London Plan policies relating to affordable housing delivery.
 - iii. In the absence of a legal agreement securing the affordability criteria of student accommodation identified in London Plan Policy H15, the proposal would fail to provide accommodation at a suitable level of affordability and would not be policy compliant (only relevant if on-site AH is secured).
 - iv. In the absence of a legal agreement securing viability reviews, the proposals would fail to comply with the fast-track requirements of the London Plan, contrary to policy.
 - v. In the absence of a legal agreement securing student use only in term time and a nomination agreement for the majority of the bedrooms in the development including all of the affordable student accommodation

- bedrooms, the proposals would fail to meet the housing aspirations of Haringey's residents and prospective students and would be contrary to the requirements of London Plan Policy H15 (only relevant if on-site AH is secured).
- vi. In the absence of a legal agreement securing the dissemination of material to potential student residents of the accommodation in number 807 to highlight the existence and location of the adjacent pub beer garden, the proposals would fail to address issues relating to the agent of change principle and would contravene London Plan policy D13.
 - vii. In the absence of a legal agreement securing the implementation of a further revised Energy Plan & Sustainability Statement, including connection to a DEN, DEN details, and carbon offset payments, the proposals would fail to mitigate the impacts of climate change. As such, the proposal would be unsustainable and contrary to London Plan Policy SI 3 and Strategic Policy SP4, and DM DPD Policies DM 21, DM22 and SA48.
 - viii. In the absence of a legal agreement securing (a) Local Labour during construction, (b) Construction Apprenticeships and (c) Apprenticeship Support Contribution the proposal would fail to secure employment and training, including construction training and the use of local labour in contravention of the Planning Obligations SPD.
 - ix. In the absence of a legal agreement securing the developer's participation in the Considerate Constructor Scheme and the borough's Construction Partnership, the proposals would fail to mitigate the impacts of demolition and construction and impinge the amenity of adjoining occupiers. As such the proposal would be contrary to London Plan Policies SI 1 and SI 3, Policy SP11 and Policy DM1.
 - x. In the absence of a legal agreement securing suitable Monitoring and Administration Costs the proposal would fail to comply with the Planning Obligations SPD.
 - xi. In the absence of a legal agreement securing surface improvements to the section of Percival Court in the applicant's ownership and use best endeavours to work with adjoining landowners to secure a scheme of surface improvements to land outside the applicant's ownership prior to first occupation, the proposals would fail to provide sufficient improvements to the alleyway. As such the proposal would be contrary to London Plan Policy T4, Spatial Policy SP7 and SP11, Tottenham Area Action Plan Policy NT5 and Development Management DPD (DM DPD) Policies DM1 and DM31.

2.9 In the event that the Planning Application is refused for the reasons set out above, the Head of DM or AD Planning (in consultation with the Chair of Planning Sub Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:

- i. There has not been any material change in circumstances in the relevant planning considerations, and

- ii. The further application for planning permission is submitted to and approved by the Head of DM or AD Planning within a period of not more than 12 months from the date of the said refusal, and
- iii. The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

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3. BACKGROUND

- 3.1 The Planning Sub-Committee (PSC) considered a similar application for this site at its meeting on 19 April 2021 where it resolved to grant planning permission for the following development:

Full planning application for the demolition of the existing buildings and the erection of a replacement building up to four storeys to include residential (C3), retail (Class E, a) and flexible medical / health (Class E, e) and office (Class E, g, i) uses; hard and soft landscaping works including a residential podium; and associated works. (reference HGY/2021/0441)

- 3.2 The development was subsequently granted on 03 September 2021. The permission comprises 9 homes and commercial spaces to the High Road frontage at ground and first floor levels. The permission accepts the demolition of all existing buildings and the redevelopment of the site.

- 3.3 Prior to planning permission being granted for HGY/2021/0441, the PSC resolved to refuse a similar application (reference HGY/2020/1361) at its meeting on 12 October 2020 for the following reason:

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

- 3.4 The permitted scheme adequately addressed the above reason for refusal by
- improving the quality, safety and accessibility of the development by including additional external lighting and an area of improved paving to Percival Court and by providing a more accessible and more dignified direct entrance from the proposed car parking space to an internal entrance hall; and
 - securing an accessible and appropriate waste and recycling collection solution that would safeguard the character and appearance of the North Tottenham Conservation Area and the vitality and viability of the Tottenham High Road Local Shopping Centre and keep open the option of collecting from Percival Court in the future once the relevant phase of the High Road West Masterplan development comes forward.

4. PROPOSED DEVELOPMENT

Proposed Revised Development

- 4.1 This revised planning application is largely the same as the application that was granted planning permission in terms of scale, massing, form, and design.
- 4.2 However, the proposed scheme has been revised with the main change being that purpose-built student accommodation (PBSA) is proposed instead of the 9 homes previously granted. The differences between the current application and the previously granted application can be summarised as follows:
- A total of 25 student rooms of accommodation instead of 9 homes are proposed along with the inclusion of a flexible ground floor commercial unit (Use Class E). This includes 8 PBSA (Use Class Sui Generis) units above the commercial unit in the front (High Road) block ("Block A") and a further 17 PBSA units with associated amenity area and cycle storage to the rear block ("Block B").
 - The previous proposal could have accommodated 25 people, the number of residents would be the same as the type of homes previously proposed (5x 1-bed 2 person, 2x 2-bed 3-person, 1 x 2-bed 4 person, & 1x 3-bed 5 person).
 - As with the previous application there will be associated landscaping and access, including the provision of an amenity podium for the accommodation at first floor level between the two blocks.
 - The previous permission had a ground floor (GF) and rear covered yard designed to accommodate a funeral director which has been removed from the scheme, and a first-floor commercial unit designed to accommodate a dentist surgery. With the relaxation of the Use Classes Order – this has been changed to a single GF Class E commercial space in the current proposal.
 - As the yard has been removed, the car parking and some cycle parking has been moved to Percival Court, with the space being taken up by PBSA and ancillary uses. See Figure 1 below which shows the permitted and proposed ground floor plan.
 - The main design change is the removal of balconies from the current proposal as this is not a requirement for PBSA accommodation and alterations and realignment of windows to serve the PBSA use. This results in a different window design with contrasting brick panels and stone window treatments to Block B;
 - The change to PBSA has resulted in design changes to the Percival Court elevation and windows across the development. See Figure 2 showing images of the existing and proposed schemes identifying these changes;
 - Access and Servicing would be similar with access from both the High Road and Percival Court for each block and both uses; and
 - Cycle Parking and accessibility to M4(3) standards has been adjusted to meet the policy requirement of the new uses and floorspace sizes.

Figure 1 – Comparison of approved and proposed GF plan



Figure 2 - Series of images showing views of the permitted and proposed buildings from Percival Court, a view looking north from Chapel Place and a view across the podium garden from Block A.



Site and Surroundings

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

Relevant Planning History

807 High Road Extant Permission

- 4.9 HGY/2021/0441: Full planning application for the demolition of the existing buildings and the erection of a replacement building up to four storeys to include residential (C3), retail (Class E, a) and flexible medical / health (Class E, e) and office (Class E, g, i) uses; hard and soft landscaping works including a residential podium; and associated works. *Granted 03/09/2021.*

807 High Road Refused scheme

- 4.10 HGY/2020/1361: The PSC resolved to refuse a similar application (reference HGY/2020/1361) at its meeting on 12 October 2020. The refusal decision was issued on 16/10/2020 for the following reason:

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

The permitted scheme HGY/2021/0441 adequately addressed the above reason for refusal by

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

- 4.11 Recent relevant planning history since planning permission HGY/2021/0441 was granted is as follows:

'The Printworks'

- 4.12 HGY/2023/2306 and HGY/2023/2307: Planning permission and listed building consent granted for the demolition of existing buildings and structures to the rear of 819-829 High Road; the demolition of 829 High Road; and redevelopment for purpose-built student accommodation (Sui Generis) and supporting flexible commercial, business and service uses (Class E), hard and soft landscaping, parking, and associated works. To include the change of use of 819-827 High Road to student accommodation (Sui Generis) and commercial, business and service (Class E) uses. *Granted 04/03/2024. Under Construction.*

High Road West (HRW) [Lendlease and Haringey Council]

- 4.13 HGY/2021/3175: Hybrid application – Outline planning permission granted for demolition of existing buildings and creation of new mixed-use development

including residential (Use Class C3), commercial, business & service (Use Class E), business (Use Class B2 and B8), leisure (Use Class E), community uses (Use Class F1/F2), and Sui Generis uses together with creation of new public square, park & associated access, parking, and public realm works with matters of layout, scale, appearance, landscaping, and access within the site reserved for subsequent approval; and full planning permission granted for Plot A including demolition of existing buildings and creation of new residential floorspace (Use Class C3) together with landscaping, parking, and other associated works (EIA development). *Granted 31/08/2022*. See Figure 3 below.

Goods Yard and Depot

- 4.14 HGY/2022/0563: Planning permission granted for (i) the demolition of existing buildings and structures, site clearance and the redevelopment of the site for a residential-led, mixed-use development comprising residential units (C3); flexible commercial, business, community, retail and service uses (Class E); hard and soft landscaping; associated parking; and associated works. (ii) Change of use of No. 52 White Hart Lane from residential (C3) to a flexible retail (Class E) (iii) Change of use of No. 867-869 High Road to residential (C3) use. *Granted 02/07/2024*.

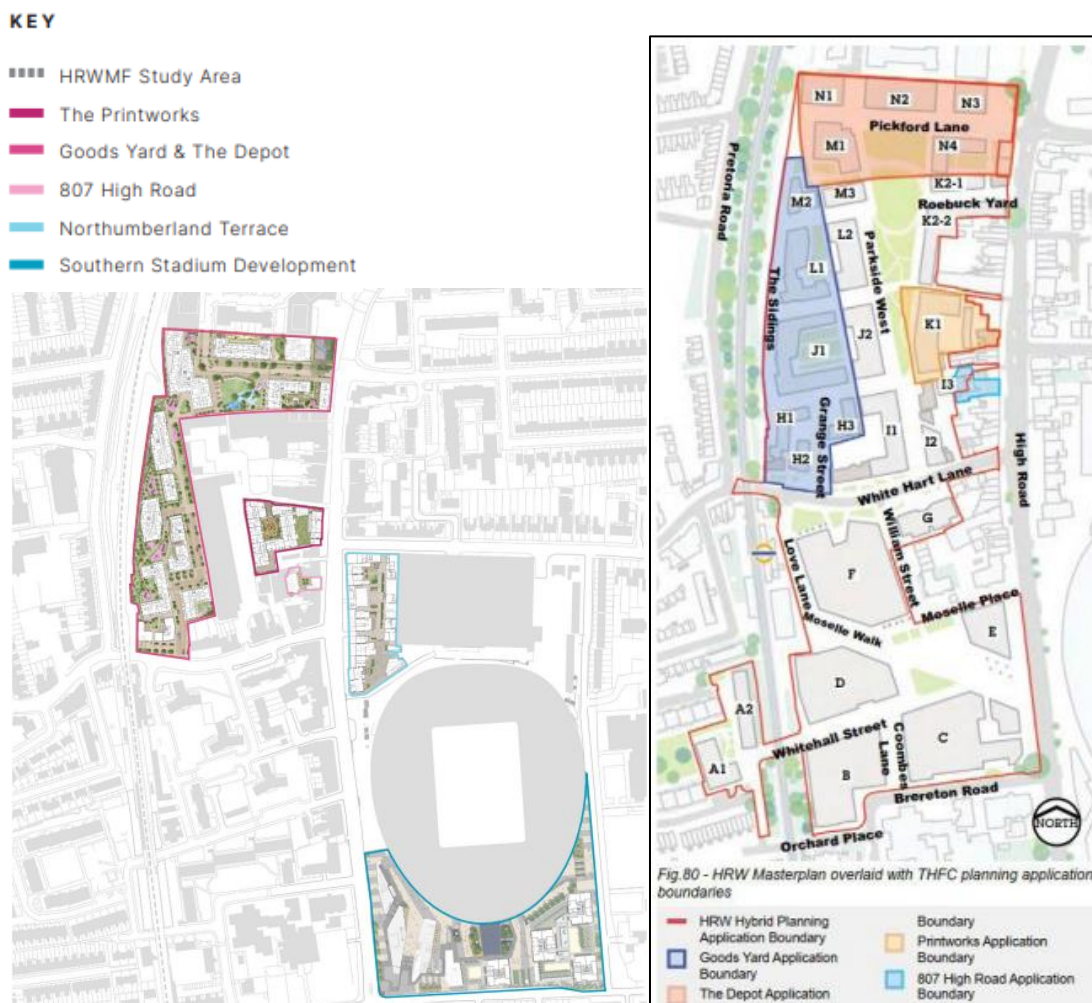
Northumberland Terrace

- 4.15 HGY/2020/1584 and 1586 (as amended by HGY/2022/1642): Full planning application for the erection of a four storey building with flexible A1/A2/A3/B1/D1/D2 uses; external alterations to 798-808 High Road; change of use of 798-808 High Road to a flexible A1/A2/A3/B1/D1/D2 uses; demolition of rear extensions to Nos. 798, 800-802, 804-806, 808 and 814 High Road; erection of new rear extensions to Nos. 798, 800-802, 804-806 and 808 High Road; hard and soft landscaping works; and associated works. HGY/2022/1642 granted 22/02/2023. Under construction.

Southern Stadium Development

- 4.16 HGY/2015/3000 (as amended by HGY/2023/2137): Proposed demolition and comprehensive phased redevelopment for stadium (Class D2) with hotel (Class C1), Tottenham Experience (sui generis), sports centre (Class D2); community (Class D1) and / or offices (Class B1); housing (Class C3); and health centre (Class D1); together with associated facilities including the construction of new and altered roads, footways; public and private open spaces; landscaping and related works. Details of "appearance" and "landscape" are reserved in relation to the residential buildings and associated community and / or office building. Details of "appearance" and "scale" are reserved in relation to the sports centre building. Details of "appearance" are reserved in relation to the health centre building. Proposal includes the demolition of 3 locally listed buildings and works to a Grade II Listed building for which a separate Listed Building application was granted (Ref: HGY/2015/3001). HGY/2023/2137 granted 08/04/2024. Part implemented.

Figure 3 – The image on the left shows the emerging development being delivered by the applicant that is identified above under Relevant Planning History. To the right of the image is the HRW Lendlease Masterplan overlaid with the planning application curtilages under the ownership of the applicant – (taken from the Design and Access Statement from planning permission HGY/2021/3175). The extant 807 High Road scheme has been accommodated in the Lendlease Masterplan.



Consultation and Community Involvement

- 4.17 The applicant carried out community consultation for the previous applications on the site. The previous scheme was also considered by Haringey's Quality Review Panel and was presented to the PSC at pre-application stage.

5. CONSULTATION & RESPONSES

5.1 The following were consulted regarding the applications:

Internal Consultees

- LBH Biodiversity/Ecology
- LBH Building Control
- LBH Carbon Management
- LBH Conservation Officer
- LBH Design
- LBH Drainage/ Lead Local Flood Authority (LLFA)
- LBH Economic Development
- LBH Environmental Health/Pollution
- LBH Housing
- LBH Tottenham Regeneration
- LBH Transportation
- LBH Tree Officer
- LBH Waste Management

External Consultees

- Environment Agency
- Greater London Archaeology Advisory Service (GLAAS)
- Historic England
- London Fire Brigade
- Metropolitan Police - Designing Out Crime Officer (DOCO)
- National Gas Transmission
- Natural England
- NHS London Healthy Urban Development Unit
- Thames Water
- Tottenham CAAC
- Tottenham Civic Society
- Transport for London
- Residents Associations (Cannon Road RA; Headcorn and Tenterden RA; Northumberland Park RA; Love Lane Residents Association & Love Lane RA (TAG))

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

Internal:

Carbon Management – Officers recommended that a condition requires the submission and approval of an updated Statement before the commencement of

development. Subject to this, other proposed conditions and S106 planning obligations to facilitate connection to the proposed DEN and initial and deferred carbon offset contributions and conditions on other matters, there are no objections.

Conservation Officer – The proposed scheme would enhance the development site, would conserve the significance of the North Tottenham Conservation Area including the significance of its designated and non-designated heritage assets, and will also deliver significant public benefits. The proposed scheme is accordingly supported from the conservation perspective.

Design Officer – The proposals are well designed and promise to be a polite insertion into the Conservation Area and High Road frontage, including an active frontage through a well-designed shopfront to the High Road and appropriate more private frontage to the Percival Court mews street. Above there will be a modest quantity of excellent quality specialist student accommodation, in a mix of small clusters above the high street and in the back of high street location, with a good podium level shared amenity area, as well as equally good-sized indoor amenity providing animation and active frontage to Percival Court. Conditions should ensure high quality brickwork and roof covering as well as sound detailing to the shopfront, windows (especially cills and lintels), parapet and gable.

Drainage – The team observe that further calculations are required relating to rainfall data and drainage modelling demonstrating no surcharging utilising more up to date datasets. Details of management and maintenance for the installed drainage system is required as well as evidence from Thames Water confirming the site has an agreed rate and point of discharge. Any overland flows as generated by the scheme will need to be directed to follow the path that overland flows currently follow and not pose a risk to properties and vulnerable development.

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

Transportation – No objection subject to proposed conditions in relation to cycle parking, Delivery and Servicing Plan and Construction Management Plan and S106 obligations in relation to car-capped development and car club membership. A request for travel plans has also been made. Swept paths are required to show that cars can manoeuvre in Percival Court to use 807 High Road and the currently under construction Printworks building.

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

Waste Management – It is recommended that any conditions for managing waste ensure the bins are only presented at the permitted times, bins are to be removed immediately after servicing, and any spillages / dumping by the bins is the responsibility of the building management team to clear.

External:

Historic England – We suggest that you seek the views of your specialist conservation and archaeological advisers.

Historic England – Archaeological Service (GLAAS) – I note that there have been previous discussions regarding this site, and that on previous iterations of the scheme archaeological evaluation by condition has been recommended rather than pre-determination. If this route is pursued under this application, the same two conditions that were applied to HGY/2021/0441 should be applied here, so that the foundation design can be considered for its harm to heritage assets

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

Thames Water – Informatives in relation to waste water and underground water assets are recommended.

Transport for London – Overall, TfL do not object to the development in principle and welcome that a CLP, DSP and electric vehicle charging infrastructure are all to be secured by condition.

6. LOCAL REPRESENTATIONS

6.1 On 14 March 2024, notification was sent to the following:

- 325 Letters to neighbouring properties
- Notifications sent to Residents Associations/Haringey-based organisations (as noted above)

6.2 A Press Advertisement was placed in the Enfield Independent.

6.3 On 22 March 2024, one site notice was erected in the vicinity of the site.

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

Number of individual responses: 2

Objecting: 2

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

6.6 The main issues raised in representations are summarised below:

Objections:

- Noise, general disturbances, overlooking/loss of privacy, hazardous materials, smells, loss of light as a result the student accommodation use.
- Concern that there is no demand for Middlesex University student accommodation and after a few years the flats will be repurposed as a HMO.

7. ASSESSMENT OF DEVELOPMENT AS REVISED

Overview

- 7.1 The proposed application seeks planning permission for a very similar scheme to that approved under HGY/2021/0441 in design terms. The main change is the switch from residential homes to sui generis student accommodation.
- 7.2 Therefore, the assessment of the proposal considers the proposed revised development scheme and whether the new use is acceptable as well as considering any relevant changes to the policy background.
- 7.3 Several matters were assessed in the reports and addendum reports to the PSC on 19 April 2021 and 12 October 2020 (See Appendix 6) and found acceptable.
- 7.4 This report will not revisit these matters unless they have been affected by the proposed changes or if the policy context has sufficiently changed to warrant further analysis and consideration.

Policy Assessment

- 7.5 The main relevant material change in the planning policy context since the previous approval are the amendments to the NPPF in September 2023 and most recently in December 2023. There is also the recent requirement for Biodiversity Net Gain (BNG) to be secured in planning proposals. This is addressed later in the report.
- 7.6 Given that the policy context has remained largely the same the policy assessment in the reports and addendum reports to the PSC on 19 April 2021 and 12 October 2020 (See Appendix 6) remains valid, particularly given the similarities between the extant and proposed scheme. The changes and resulting policy implications are addressed in the following paragraphs.
- 7.7 Under the previous version of the NPPF (September 2023), all local planning authorities in England were required to continually demonstrate a deliverable five-year housing land supply. The updated NPPF states that local planning authorities will not need to meet this requirement as long as their adopted plan is less than five years old, and that it identified “at least a five-year supply of specific, deliverable sites at the time that its examination concluded”
- 7.8 As the current plan is out of date and a five-year housing land supply cannot be demonstrated, paragraph 11.d) of the NPPF is engaged by virtue of footnote 8. Nevertheless, the proposed development has been found to be in accordance with development plan policies and, therefore, consideration of paragraph 11.d) is not required in this instance (but would be if the application were to be refused).

Principle of Development

Principle of Comprehensive Development

- 7.9 The reports for the PSC on 19 April 2021 and 12 October 2020 (See Appendix 6) set out compliance with the policy context including consistency with the High Road West Masterplan Framework (HRWMF). Since the previous application the High Road West (HRW) HGY/2021/3175 hybrid application has been granted. However, the parameters of the outline part of the approval accounted for the extant 807 High Road permission.
- 7.10 Delivery of the current proposal would not frustrate this wider development of the site allocation and there are mechanisms in the HGY/2021/3175 permission to update parameters should this or further permissions be granted within or adjacent to its curtilage.

Principle of the Proposed Non-residential Uses (Commercial)

- 7.11 The principle of non-residential uses was established in the previous permission. The current proposal would not have a first-floor commercial unit. This reflects the existing arrangement and an appropriately sized flexible Class E commercial space would still be provided at ground floor level. The quality of the unit is high and once occupied it would activate the High Road frontage.

Principle of Provision of Purpose-Built Student Accommodation (PBSA)

- 7.12 The main change from the previous permission (HGY/2021/0441) is the proposed student accommodation use instead of the 9 homes previously granted.
- 7.13 Policy DM15 of the DM DPD supports proposals for PBSA in growth areas, within or at the edge of a town centre, and in an area of good public transport accessibility. The proposal meets these requirements, the application site is located in a Growth Area and has a high PTAL of 5 indicating that its access to public transport is very good.
- 7.14 As the site allocation (NT5) is brought forward the immediate area would also become an expanded local shopping centre and vibrant leisure destination – which would incorporate appropriate town centre uses to complement but not compete with Bruce Grove District Centre to the south along the High Road. As such, student accommodation with ground floor commercial space would be an appropriate use in this location.
- 7.15 Proposals also need to demonstrate that they would not result in a loss of conventional housing. Again, when considered in the round, the proposals would result in an increase in housing overall given the uplift in accommodation proposed.

- 7.16 The London Plan Policy H15 identifies that accommodation for students should count towards meeting housing targets on the basis of a 2.5:1 ratio, with two and a half bedrooms/units being counted as a single home.
- 7.17 The proposed scheme would therefore deliver the equivalent of 10 new homes based on this ratio and result in the loss of 2 existing homes. The proposals would therefore result in a net gain of 8 homes and make a welcome contribution towards delivering the outstanding requirement for Site NT5 and the borough's overall housing target.
- 7.18 It is noted that the 2 existing flats at first floor level in the High road frontage building have been unoccupied for some time and have been described by the applicant as uninhabitable. The previous permission proposed 9 homes so this proposal represents a small improvement in terms of housing delivery compared to the previous approval.
- 7.19 Policy DM15 of the DM DPD also requires there to be no adverse impact on local amenity, that the accommodation is of a high-quality design including consideration for unit size, daylight & sunlight, and provision is made for students with disabilities. These will be assessed in later sections of this report.
- 7.20 The final parts of DM15 part D requires student accommodation schemes to demonstrate the need for the additional bedspaces and ensure the accommodation can be secured by agreement for occupation by members of a specified educational institution(s), or, subject to viability, the proposal will provide an element of affordable student accommodation in accordance with Policy DM13 (40% affordable housing provision).
- 7.21 London represents the largest student housing market in the UK – and Europe – with c.400,000 full time students studying across over 40 major universities, as well as those at smaller institutions. Whilst London has a large purpose-built student housing market, it does not come close to providing the amount of accommodation required to house London's students, with c.310,000 students having to find accommodation outside of this purpose-built sector.
- 7.22 The applicant has engaged in discussions with Middlesex University who have expressed interest in the proposal to supplement their existing stock of student accommodation. The applicant identifies in the submission that several meetings were held to develop the project to Middlesex University's requirements. Middlesex University have provided a letter of support for the scheme.
- 7.23 The applicant has agreed to the use of the accommodation being secured for students and the majority of the bedrooms in the development including all of the affordable student accommodation bedrooms being secured through a

nomination agreement for occupation by students of one or more higher education provider.

- 7.24 The proposal will provide an element of affordable student accommodation. The applicant is proposing 35% on site affordable student accommodation which complies with London Plan Policy H15 and is discussed in more detail below.
- 7.25 Part A of London Plan policy H15 requires boroughs to seek to ensure that local and strategic need for PBSA is addressed subject to 5 criteria which will be outlined and assessed below. The 5 criteria include ensuring a mixed and inclusive neighbourhood, making sure the accommodation is secured for students, ensuring the accommodation has a nomination agreement with a higher education provider, ensuring at least 35% affordable accommodation, and ensuring the accommodation is functional and provides for the needs of students.
- 7.26 Part B encourages boroughs, student accommodation providers and higher education providers to develop student accommodation in locations well-connected to local services by walking, cycling and public transport, as part of mixed-use regeneration and redevelopment schemes.

1) Mixed and inclusive neighbourhood

- 7.27 London Plan policy H15 supports proposals for PBSA, provided that at the neighbourhood level, the development contributes to a mixed and inclusive neighbourhood. The application site lies within the High Road West (HRW) regeneration area, as identified in the Tottenham Area Action Plan (TAAP). HRW is allocated for a new residential neighbourhood and leisure destination which would include an expanded local shopping centre.
- 7.28 With regard to housing mix, the TAAP policy AAP3 Part D states that new homes in Tottenham should better address housing needs and secure a more inclusive and mixed, sustainable community. On a neighbourhood level for High Road West the TAAP (paragraph 5.126) states that:

This site will deliver a new residential neighbourhood, which will provide high quality new homes for existing secure Council tenants living on the Love Lane Estate and provide better housing choice for existing and future residents. The development will build on the redevelopment of Tottenham Hotspur Football Club stadium and create a new vibrant leisure destination for London.

- 7.29 The application site is within an expanded local shopping centre near to White Hart Lane Station and the bus connections of the High Road. Student units, are an appropriate form of housing for the site given family housing would be provided elsewhere in the site allocation under the various permissions, including replacement Council homes to the south of White Hart Lane under the outline element of hybrid planning permission HGY/2021/3175.

- 7.30 It is also recognised in the London Plan (paragraph 4.10.4) that the introduction of one-bed units reduces the pressure to convert and subdivide existing larger homes. Therefore, the ability for the proposed development to meet the needs of those that want to live in a purpose-built student environment has the potential to reduce the pressure on existing family homes in the immediate Tottenham area for use as flat shares for students.
- 7.31 Planning permissions for other parts of the site allocation propose homes that would help create the new residential neighbourhood. The current proposal would provide a form of accommodation that has not historically been provided for in the area.
- 7.32 287 spaces of student accommodation were recently granted at the nearby 'Printworks' site and the applicant has indicated that the current proposal is likely to be developed in conjunction with this site. The applicant is seeking one operator to manage both sites and the intention is for the current proposal to supplement the Printworks site with some additional accommodation.
- 7.33 Given the location and its good access to public transport the site is well suited to PBSA development and would improve the housing choice for existing and future residents seeking student accommodation in Tottenham.
- 7.34 Given this context it is considered that the proposal would contribute to a mixed and inclusive neighbourhood and would provide a form of accommodation that would complement the housing currently being delivered in the site allocation and wider area as part of other permissions and consents.

2) The use of the accommodation is secured for students.

- 7.35 The associated s106 agreement would secure the use of the accommodation for students only during the academic year. This would be sufficient to satisfy this policy requirement.
- 7.36 Whilst the accommodation would be secured through the S106 for the use of students only during the academic year. Outside of the academic year the building could provide accommodation for conference delegates, visitors, interns on university placements, and students on short-term education courses or any similar use at any institution approved in advance in writing by the local planning authority, acting reasonably.
- 7.37 The temporary use shall not disrupt the accommodation of the resident students during their academic year. Any ancillary use described above shall only be for a temporary period each year and shall not result in a material change of use of the building.

- 7.38 This approach is encouraged by London Plan policy H15 which identifies that in order to enable providers of PBSA to maximise the delivery of affordable student accommodation, these alternative non-term-time uses increase the profitability of the development, so boroughs should consider allowing the temporary use of accommodation during vacation periods for ancillary uses.
- 7.39 This would be particularly relevant in this instance given the presence of the stadium nearby and the commercial opportunities available to the owner of the proposed building outside of term time as a result – for letting to delegates for conferences etc.
- 3) The majority of the bedrooms in the development including all of the affordable student accommodation bedrooms are secured through a nomination agreement for occupation by students of one or more higher education provider.
- 7.40 The s106 agreement would ensure that this is secured which would be sufficient to satisfy this policy requirement.
- 7.41 As noted previously, the applicant has engaged in discussion with Middlesex University who have expressed interest in the proposed scheme to supplement their existing stock of student accommodation, resulting in their providing a letter of support for the scheme.
- 4) The maximum level of accommodation is secured as affordable student accommodation as defined through the London Plan and associated guidance:
- a. to follow the Fast Track Route, at least 35 per cent of the accommodation must be secured as affordable student accommodation or 50 per cent where the development is on public land or industrial land appropriate for residential uses in accordance with Policy E7 Industrial intensification, co-location and substitution.
- b. where the requirements of 4a above are not met, applications must follow the Viability Tested Route set out in Policy H5 Threshold approach to applications, Part E.
- 7.42 The London Plan sets out that to provide greater certainty, speed up the planning process and increase the delivery of affordable student accommodation, a threshold has been introduced for PBSA schemes to take advantage of the 'Fast Track Route'. To follow the 'Fast Track Route' the amount of affordable student accommodation provided should be at least 35 per cent of student bedrooms in the development.
- 7.43 The applicant has opted to follow the 'Fast Track Route' and provide 35 per cent of the accommodation as affordable student accommodation. As the required threshold for affordable student accommodation would be met, the scheme does

not need to be considered under the Viability Tested Route (as described under Part E of Policy H5 Threshold approach to applications and the Mayor's Affordable Housing and Viability SPG) and the affordable housing provision is compliant with London Plan Policy.

- 7.44 Whilst the proposal would not meet the local 40% borough wide affordable housing target, the London Plan was adopted more recently than the Local Plan and is therefore its policies must be given great weight. It is noted that the 40% target would be applied to any viability reviews secured in the s106 agreement.
- 7.45 Whilst the applicant is committed to providing 35 per cent of the accommodation as affordable student rooms to follow the 'Fast Track Route', circumstances have materialised whereby there is the potential to instead provide conventional affordable housing off-site - but nearby within the NT5 site allocation. This is likely to be within the Goods Yard and Depot site (HGY/2022/0563) which is land owned by the applicant with planning permission for new homes.
- 7.46 London Plan Paragraph 4.1.9 confirms that student accommodation should count towards wider housing need on a basis of a 2.5:1 ratio, with two and a half bedrooms/units counting towards a single home. The proposal is therefore to provide either 35% of the accommodation as affordable student accommodation on site, or alternatively providing an equivalent 35% provision as residential affordable housing within the wider NT5 Site Allocation. So instead of the 9 affordable student rooms this would equate to 4 units of conventional affordable housing.
- 7.47 This would provide some flexibility and enable a London Plan equivalent level of conventional affordable housing to be provided nearby within the site allocation. The affordable student element would be lost but conventional affordable housing nearby would be gained.
- 7.48 Should off-site residential affordable housing provision be delivered, this would be provided at 60% intermediate and 40% affordable rented in accordance with the provisions of Policy AAP3 of the Tottenham Area Action Plan. The associated housing mix will be confirmed through an Affordable Housing Scheme secured by the S106 Agreement, and indicatively this is expected to align with the Council's Housing Strategy 2024-2029.

5) The accommodation provides adequate functional living space and layout.

- 7.49 Nationally Described Space Standards on minimum room and flat sizes do not apply to student accommodation. However, the plans indicate that the bedroom sizes proposed are more generous than typical room sizes for recent student accommodation developments in London and are considered to meet or exceed the needs of educational institutions.

- 7.50 The development proposes a range of accommodation typologies, including ‘en-suite single bedrooms’ which share a kitchen space, standard studios, and premium studios. En-suite single bedrooms are all a minimum of 12.5sqm, studio bedrooms are split into two categories with standard and premium accommodation. The standard rooms are a minimum of 18sqm and the premium rooms a minimum of 24sqm.
- 7.51 As is expected in student housing, the individual rooms / units do not have private external amenity space. However, the development includes a generous external podium roof garden at 1st floor level of 169.3sqm.
- 7.52 Internal shared amenity space would be provided at ground floor level, illustrative drawings in the Design and Access Statement (DAS) indicate that this would provide 49.7sqm of space that could be used as a shared kitchen, breakout/games room and study space. A laundry area has also been provided on the ground floor.
- 7.53 Every room would have a toilet, shower, and basin; and the studios have basic cooking facilities in the form of a kitchenette. The premium studios are larger and some have a seating area as well as a desk space. A shared kitchen cluster area would be provided for the en-suite single bedrooms. As such, sufficient kitchen space is provided for all rooms of accommodation.
- 7.54 All units in Block A are inevitably single aspect, however in Block B several of the corner units are dual aspect. Only 3 of the proposed units would be single aspect and north facing. The shared internal amenity space would be north facing but would be well served by several large openings to Percival Court. There would also be a large outdoor amenity space. Overall, the quality of private and communal accommodation is high for student housing.

Principle of Provision of PBSA conclusion

- 7.55 The proposed revision to the scheme to include PBSA accommodation instead of 9 homes is supported in policy given compliance with the student accommodation policy in the London Plan (Policy H15) and the local plan.
- 7.56 The proposal would contribute to housing numbers similarly to the previous permission (albeit a modest increase of 1 unit is proposed) and would provide 35% affordable student accommodation whereas the previous scheme did not contribute as it did not surpass the trigger for affordable housing of 10 units.

Development Design

- 7.57 The policy background for the development design remains as set out in the officer reports to PSC on 19 April 2021 and 12 October 2020 (See Appendix 6), albeit as amended by the changes to the policy context listed in the Policy Assessment section above.

- 7.58 The main changes in the design are a result of the change from residential accommodation to student accommodation which has resulted in changes to the Percival Court (northern) elevation, particularly at ground floor level with the yard and boundary treatment being replaced with windows to the PBSA amenity space.
- 7.59 The building no longer includes balconies and windows have been rearranged to serve the rooms of accommodation. This results in a different window design with contrasting brick panels and stone window treatments to Block B. The design changes are modest and the key principles of the design and materiality of the extant permission are retained.
- 7.60 As in the earlier application the proposed ground floor commercial unit on the High Road would have a level threshold with the back of footway. This would be a significant improvement on the existing ground floor, which includes a high step formed by a raised concrete slab.
- 7.61 Officers, including the Design and Conservation Officers, are satisfied that, subject to the recommended planning conditions reserving details of external materials, shopfront/shutter, cill, lintel, gable details, paving materials and lighting, the proposed development would represent a high quality and sensitive development in this part of the Conservation Area that would provide a safe and accessible environment for future occupiers.

Waste and Recycling

- 7.62 The principles of the waste and recycling arrangements permitted under the extant consent would be retained. The report to the PSC on 19 April 2021 worked through a series of options and settled on a centrally located store, with wheelie bins being taken to High Road by third party for collection which was accepted subject to a planning condition seeking specific details of this arrangement.
- 7.63 The change to PBSA has resulted in a different number and type of bins being required but there would still be centrally located separate student accommodation and commercial waste storage. The differences in the proposed bin types are shown below in Table 1.

Table 1 - Bin sizes and footprint

Bin size	Footprint cm	Original proposal footprint / bins	New footprint / bins
140	264	1/264	2/528
240	429.2		13/5579.6
360	545	10/5,450	0

Total		5,714 cm	6,107.6 cm
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- 7.64 The space the bins take up when presented on the street would be slightly larger under the current proposal but the difference would be negligible. In any event, the recommended waste management plan condition has been added to in order to ensure that the third party waste collector and building management would mitigate any undue impacts so far as possible.
- 7.65 Student accommodation has on site management so there will be available staff to manage the transfer of bins to the collection point. This was not the case with the extant permission which would not have been staffed or managed in the same way. Percival Court would still be used to transfer the commercial waste to the collection point.
- 7.66 Members requested that a condition be added to planning permission HGY/2021/0441 in relation to the collection of commercial waste from Percival Court rather than the High Road, unless permission was granted in writing by the Council.
- 7.67 Given this scheme incorporates a car parking space and cycle parking to the northern elevation there would be no viable location for waste storage for collection in this location. As such, it is proposed that commercial waste is also collected from the High Road. Details of the management of commercial waste collections is secured by recommended conditions to minimise any undue impacts from commercial waste disposal.
- 7.68 Figure 4 below shows the approved waste arrangements and the proposed management arrangement. It shows the dedicated space on street for waste collection has been retained and would be the same size.
- 7.69 In conclusion the proposed waste arrangements would be acceptable. The proposals, subject to recommended conditions relating to the submission of waste management plans, would minimise any undue impacts resulting from the transfer of waste to its collection point. The proposed use is more intensively managed and staffed which would provide the necessary people to remove waste receptacles positioned in the public realm at the earliest opportunity.

Figure 4: Extant and proposed Waste and Recycling Arrangements

and reverse. This means that a wheelchair user who is either the driver or front passenger in a car could take advantage of direct access to the building.

- 7.73 Further swept path drawings have been provided to show that vehicles using the Printworks site parking (which is under construction) would be able to pass by the parked vehicle associated with the proposed building (807 High Road) and the parking to both buildings would have sufficient space for access and egress when in use at the same time.
- 7.74 The swept paths identify that vehicle movements can be completed as identified and address concerns raised by LBH Transport and TfL. The inclusion of an Electric Vehicle Charging Point for the proposed car parking space has been requested by both LBH Transport and TfL and it is recommended that this is secured by condition.
- 7.75 LBH Transport and TfL find the proposed amount of cycle parking to be acceptable and support the use of condition to secure it. Conditions have also been recommended in order to secure Delivery & Servicing (DSP) and Construction Logistics plans as advised by Transport and TfL. As with the Printworks permission the DSP condition requires details to be submitted to address moving in and out.
- 7.76 As recommended by LBH Transport a car park management plan condition to manage the allocation of the blue badge space has been included in the list of conditions. LBH Transport recommended travel plans should be secured in the associated s106 for both commercial and accommodation elements.
- 7.77 However, such obligations were not sought under the previous extant scheme and although the homes are now proposed to be PBSA, the resident numbers would be similar and the commercial space is of a similar size. Therefore, such a requirement would not be warranted given the similarity in the impacts.
- 7.78 Given the essentially 'car free' nature of the proposal, it is recommended that a planning obligation secures free membership for each student and £50 (fifty pounds in credit) per year for the first 2 years.
- 7.79 The proposed transportation and parking arrangements are acceptable. The proposal would meet London Plan policies in terms of cycle parking and car parking for PBSA. Vehicles would be able to access and egress Percival Court effectively when all consented schemes using that route are built out. Conditions and s106 obligations in line with the extant permission would ensure ongoing compliance.

Quality of accommodation

- 7.80 As noted under Principle of Provision of Purpose-Built Student Accommodation (PBSA) above, DM DPD policy DM15 requires the accommodation to be of a high-quality design including consideration for unit size, daylight & sunlight, and provision made for students with disabilities. London Plan Policy H15 part 5 also sets out that PBSA accommodation must provide adequate functional living space and layout.
- 7.81 The plans indicate that the bedroom sizes proposed are more generous than typical room sizes for recent student accommodation developments in London and are considered to meet or exceed the needs of educational institutions. Bedrooms are a minimum of 12.5sqm, with studio bedrooms split into two categories with standard and premium accommodation. The standard rooms are a minimum of 18sqm and the premium rooms a minimum of 24sqm.
- 7.82 The assessment above reviewing compliance with London Plan policy H15 identified that the proposed accommodation would provide adequate functional living space and layout as it would include a generous external podium amenity space at first floor level. Sufficient internal shared amenity space would be provided at ground floor level which could provide a breakout/games room, study space, and kitchen facilities. A separate laundry would also be provided.
- 7.83 Every room would be ensuite with studio rooms having kitchenettes and several premium studios also have a seating area as well as a desk space. Sufficient kitchen space would be provided for all rooms of accommodation. Overall, the quality of private and communal accommodation is high for student housing.

Accessible Accommodation

- 7.84 The London Plan does not specify a percentage of rooms that must be accessible and/or wheelchair adaptable and DM DPD policy DM15 requires provision to be made for units that meet the needs of students with disabilities.
- 7.85 A Practice Note on Wheelchair Accessible and Adaptable Student Accommodation was issued by the GLA in November 2022. The note indicates that the Building Regulations make clear that student accommodation is to be treated as hotel/motel accommodation.
- 7.86 As such, for the purposes of ensuring provision of accessible student accommodation, in addition to London Plan policy D5, the relevant part of Policy E10 Part H also applies to development proposals for new non-self-contained student accommodation. The relevant part of E10 Part H states that development proposals for serviced accommodation should provide either:
- 10 per cent of new bedrooms to be wheelchair-accessible in accordance with Figure 52 incorporating either Figure 30 or 33 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice; or

- 15 per cent of new bedrooms to be accessible rooms in accordance with the requirements of 19.2.1.2 of British Standard BS8300-2:2018 Design of an accessible and inclusive built environment. Buildings - Code of practice'

7.87 The scheme proposes 10% (3 in total) of the units would be wheelchair-accessible. The proposed accessible bedrooms are accommodated within Block B. One of the units would be affordable student accommodation as defined by London Plan policy H15.

Unit Aspect, outlook, and privacy

7.88 All units in Block A are inevitably single aspect, however in Block B several of the corner units are dual aspect. Only 3 of the proposed units would be single aspect and north facing. The shared internal amenity space would be north facing but would be well served by several large openings to Percival Court. There would also be a large outdoor amenity space.

7.89 The outlook for the rooms would be acceptable and all rooms would have sufficient levels of privacy.

Daylight/Sunlight/overshadowing – Future Occupiers

7.90 The applicant's Internal Daylight and Sunlight Report (February 2024) reports on an assessment of daylight to all 25 student bedspaces (nine premium studios, 14 standard studios, and two bedrooms), the shared living/kitchen/dining room (LKD) at third floor level in Block A (serving the two bedrooms), and the communal indoor amenity space at ground floor level in Block B.

7.91 Sunlight was also assessed to all habitable rooms irrespective of orientation and to the proposed outdoor amenity space at first floor level on the podium within the development.

7.92 The nature of student accommodation requires some departure from the amenity standards that apply to normal residential accommodation, because PBSA would typically be occupied for less than a year, its population would change from year to year, and the main function of the rooms is for sleeping, with much of the students' daytime activities taking place elsewhere (either within other parts of the building or at the institution they attend).

7.93 Of the 27 rooms assessed, 26 (96%) would meet the adopted target values: all nine (100%) in Block A and 17 out of 18 (94%) in Block B, including the communal indoor amenity space.

7.94 The only room that would be below the adopted target values is studio R6 at first floor level in the southwest corner of Block B, which would achieve the 150-lux target illuminance over 45% of the assessment plane, rather than 50%. However, the study desk is positioned under the window in the brightest part of the room (>200 lux).

- 7.95 Paragraph C17 of the 2022 BRE guidance on student accommodation (BR 209) suggests that the higher level of 150 lux (usually for living rooms) should be used for bed sitting rooms in student accommodation if students would often spend time in their rooms during the day.
- 7.96 The applicant has used 100 lux which is considered to be acceptable given the other spaces available for studying in the building and on campus. The building has study space available on the ground floor. Moreover, in the bedrooms, a desk would typically be positioned close to the window where the median illuminance would generally be at least 200 lux.
- 7.97 The design has to balance daylight with passive solar gain and overheating considerations as well as architectural and heritage considerations which preclude the provision of more or larger windows or the use of glazing with higher visible light transmittance.
- 7.98 So, with the room that would not meet the target daylight illuminance, this is still considered to be acceptable given the stringent nature of the latest guidance, the site constraints, and the proposed type of accommodation and how it is used.
- 7.99 In terms of sunlight, 21 out of 27 (78%) of the rooms would satisfy the guideline for normal residential development of at least 1.5 hours of sunlight on 21 March. Whilst the guidelines arguably do not apply to student accommodation, the applicant assessed the rooms nonetheless to give an indication of the quality of the accommodation in terms of access to sunlight.
- 7.100 The first floor podium outdoor amenity space would satisfy the BRE guidelines relating to two-hours sun-on-ground assessment. 56% of its area, largely to the centre of the amenity space, would receive at least two hours of sunlight on 21 March, compared with a guideline of 50%.

Noise and vibration – Future Occupiers

- 7.101 London Plan Policy D13 introduces the concept of 'Agent of Change', which places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on proposed new noise-sensitive development.
- 7.102 Given that the site is located next door to the Bricklayers Arms pub and its garden, the proposal must identify how it would prevent complaints arising from future residents given the nearby noise generating use.
- 7.103 Policy D14 sets out requirements to reduce, manage and mitigate noise. London Plan Policy D14 also seeks to separate noise generating uses from housing or ensure that there is appropriate mitigation where this is not possible and

minimise noise from development and to improve health and quality of life. Similar objectives are included in Local Plan Policy DM23.

- 7.104 The applicant's Noise Impact Assessment sets out sound insulation requirements to ensure that the internal noise environment of the accommodation meets the relevant standards and recommends that mechanical ventilation be installed, so that windows can be kept closed.
- 7.105 As with the previous application, noise conditions are recommended in order to ensure a satisfactory internal noise environment for occupiers of the accommodation and to ensure compliance with London Plan policies D13 and D14.

Quality of Accommodation – Summary

- 7.106 The number of proposed wheelchair accessible bedspaces and quality of the units of accommodation would be acceptable. The proposed accommodation and associated communal open space would be high quality and officers are satisfied that future residents would enjoy high-quality design including good unit sizes, adequate functional living space and layout.
- 7.107 The majority of rooms would meet the target daylight illuminances and in terms of sunlight, the majority of the accommodation as well as external podium amenity space would satisfy guidelines. There would be an acceptable level of amenity in terms of outlook and privacy, daylight and sunlight, and noise and vibration for the proposed student accommodation.

Heritage Conservation

- 7.108 The proposed minor changes to elevations and removal of the yard would not harm the character and appearance of the Conservation Area or locally Listed Building at Nos. 809-811. Consequently, the assessment of the current application against the Council's legal duties and development plan policies remain as set out in the officer report to PSC on 12 October 2020 (See Appendix 6).
- 7.109 The loss of the existing buildings is acceptable in principle and the proposed replacement buildings represent high-quality contextual response the surrounding area. The proposed development would safeguard the character and appearance of North Tottenham Conservation Area and the setting of adjoining Locally Listed Buildings and the mainly Listed Northumberland Terrace on the east side of the High Road.
- 7.110 Given this, the proposal complies with relevant policies. It is recommended that a planning condition requires that a contract or contracts have been let to build the replacement buildings before the existing buildings are demolished.

Impact on Amenity of Future Residents and Adjoining Occupiers

7.111 The policy background for Impact on Amenity of Future Residents and Adjoining Occupiers remains as set out in the officer reports to PSC on 19 April 2021 and 12 October 2020 (See Appendix 6).

7.112 The eastern part of Percival Court is currently overlooked by residential windows on the upper floors of Nos. 809 and 811 High Road. The flats above No. 811 are also accessed from an entrance door off Percival Court. The proposed development would introduce additional overlooking to the central part of the Court, this impact is assessed below.

Overlooking/privacy and Daylight/Sunlight Assessment

7.113 The assessment of overlooking/privacy daylight and sunlight impacts on existing neighbouring homes (including Nos. 803-805 High Road) largely remain as set out in the officer report to PSC on 12 October 2020 (See Appendix 6).

7.114 The main change that would have an effect would be the new window arrangements to serve the PBSA use which has some impacts on the overlooking/privacy assessment and noise.

7.115 Small secondary kitchen windows were included on the first and second floors of Block B in the extant scheme that would be approx. 9m away from existing windows on the upper floors of No. 805 High Road. These have been removed from the scheme so the associated planning condition ensuring they are fitted with opaque glazing is no longer required.

7.116 There is a less direct outlook from the proposed east elevation windows of Block B and the balconies previously proposed have been removed. Therefore, there is no longer a need to ensure that an opaque glazed screen along the southern edge of the proposed balconies is installed.

7.117 There would be more windows incorporated into the flank elevation that abuts the Bricklayers Arms pub in Block B. However, these windows would either be in similar locations to the extant windows proposed or where they are additional installations they would serve ensembles or would be secondary windows to student rooms – which are primarily served by the windows to the eastern elevation of Block B which overlooks the podium amenity area.

7.118 The main function of the student rooms is for sleeping, with students' daytime activities often taking place elsewhere. The new windows facing south are also secondary windows to those rooms. Given the opening times licenced for the pub garden and the fact the rooms will largely be used for sleeping with the windows to the pub garden incidental windows, an acceptable level of overlooking and privacy would be maintained.

Noise

- 7.119 The site is next to the Bricklayers Arms pub, which has a rear beer garden. Student rooms in Block B would be located adjacent to the garden and could experience undue noise impacts, including when THFC fans gather to watch screened games.
- 7.120 London Plan Policy D12 (Agent of Change) puts the onus on applicants to demonstrate that their proposed development is designed to take account of existing uses, so that it does not threaten established businesses. The licensing situation for the Bricklayers Arms allows for the pub garden to be used up until 10.00pm (Monday to Sunday) and the internal bar and other areas up to 01.30am.
- 7.121 Given the nature of the proposed use and the licencing limits on the pub garden there are unlikely to be undue impacts contrary to London Plan policy D12. However, as with the previous extant permission, it is recommended that a planning obligation requires that marketing and letting material to potential students highlight the existence and location of the pub beer garden.

Amenity Impacts – Summary

- 7.122 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.
- 7.123 However, officers consider that the level of amenity that would continue to be enjoyed by existing neighbouring residents (in terms of overlooking/privacy, daylight and sunlight impacts and external lighting) is acceptable, given the benefits that the proposed scheme would deliver.
- 7.124 In addition, officers are satisfied that, subject to the recommended planning obligation, the proposed new housing on the site has been designed to take account of the Bricklayers Arms and its pub garden and that it should provide acceptable new housing that would not threaten this established business.

Energy, Climate Change and Sustainability

- 7.125 The policy background for Energy, Climate Change and Sustainability remains as set out in the officer reports to PSC on 19 April 2021 and 12 October 2020 (See Appendix 6).
- 7.126 The energy strategy has been updated under the current proposal. The development would achieve a reduction of 86.5% (DEN scenario), or 15.6% (heat pump scenario) in carbon dioxide emissions on site.
- 7.127 The LBH Carbon Management team require some clarifications with regard to the Energy Strategy but have suggested planning conditions would suffice to

secure the benefits of the scheme, and to provide further scrutiny into the Overheating Strategy.

- 7.128 Subject to the recommended conditions the proposal would ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, enable the Local Planning Authority to assess overheating risk, secure sustainable development, and provide the maximum provision towards the creation of habitats for biodiversity and support water retention on site during rainfall.

Flood Risk, Drainage and Water Infrastructure

- 7.129 The policy background for Flood Risk, Drainage and Water Infrastructure remains as set out in the officer reports to PSC on 19 April 2021 and 12 October 2020 (See Appendix 6).
- 7.130 LBH Drainage officers raised no objection to the previous proposals but have commented on the current proposal recommending additional information is supplied. A Drainage - Design Implementation, Maintenance, and Management condition is recommended which would seek data to demonstrate acceptable flood risk prevention as well as a management and maintenance plan for the installed drainage system.
- 7.131 The recommended condition would prevent increased risk of flooding to improve water quality and amenity to ensure future maintenance of the surface water drainage system.

Other matters

Biodiversity Net Gain (BNG) / Ecology

- 7.132 As described under the Policy Assessment section there is now a requirement for Biodiversity Net Gain (BNG) to be sought in planning proposals. Exemptions to delivering the statutory biodiversity net gain are set out in paragraph 17 of Section 7A of the Town and Country Planning Act 1990 (as amended) and the Biodiversity Gain Requirements (Exemptions) Regulations 2024.
- 7.133 This includes a 'de minimis exemption' which is defined as "Development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m by 5m) of onsite habitat, or 5 metres of linear habitats such as hedgerows".
- 7.134 The existing biodiversity position for the site is set out in Section 9 of the Ecological Impact Assessment submitted in support of the application. It establishes that the site is currently made up of 0.57ha of sealed surface and therefore, consists of no habitat units.

- 7.135 On this basis the proposed development will not impact on any habitats and as such, falls within the de minimis exemption. Notwithstanding this, the proposal does include landscaping such as tree planting and ornamental shrub, which would result in biodiversity improvement at the site. Details of which can be secured through the recommended Landscape Details condition.

Other aspects resolved under extant permission

- 7.136 Other aspects such as archaeology, secure by design, fire safety, trees, land contamination, landscaping, plant noise, air quality, and piling were addressed in the reports and addendum reports to the PSC on 19 April 2021 and 12 October 2020 (See Appendix 6).
- 7.137 These assessments remain applicable and there have been no material changes in circumstances in terms of policy or site changes that would affect the validity of the conclusions. As with the extant permission, conditions are recommended that ensure these subject areas and relevant planning policies associated with them are complied with.

Equalities

- 7.138 In determining this planning application, the Council is required to have regard to its obligations under equalities legislation including obligations under the Equality Act 2010.
- 7.139 In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and to foster good relations between persons who share a protected characteristic and persons who do not share it. Members must have regard to these duties in taking a decision on this application.
- 7.140 The proposed development provides a range of socio-economic and regeneration outcomes for the Tottenham area including additional accommodation, which would add to Haringey's stock of homes at a ratio of 2.5:1 and a commercial use within the North Tottenham Local Centre.
- 7.141 An employment and skills plan, recommended to be secured by a S106 obligation, would ensure a target percentage of local labour is utilised during construction. This would benefit priority groups that experience difficulties in accessing employment.
- 7.142 Assistance would also be provided for local tenders and employment skills and training. A financial contribution regarding apprenticeships is also recommended to be secured by a S106 obligation, as per the Heads of Terms above.
- 7.143 The proposed development would add to the stock of wheelchair accessible and adaptable accommodation in the locality in accordance with London Plan and

local planning policy requirements. The revised application would provide a safe and accessible environment which would have positive equalities impacts.

Conclusion

7.144 In conclusion:

- The proposal is a well-designed, student accommodation-led mixed-use scheme providing a range of student bedrooms and facilities and a flexible commercial, business and service use.
- The proposed scheme has a similar building envelope to the housing-led mixed-use scheme granted on 03/09/2021 under reference HGY/2021/0441.
- The proposed scheme allows for an incremental delivery of comprehensive proposals for site allocation NT5, in accordance with policy NT5 requirements and guidelines as well as the adopted High Road West Masterplan Framework.
- The scheme would deliver 25 student bedspaces, 35% of which (9 rooms) would be affordable student accommodation in line with London Plan policy H15.
- The proposal would contribute to meeting housing targets with the 25 student bedspaces equating to 10 conventional homes on the basis of the 2.5:1 ratio in the London Plan (a net gain of 8 homes)
- The proposal would ensure a high quality, safe and accessible development that would improve Percival Court;
- The replacement of existing buildings in the North Tottenham Conservation Area with replacement high-quality new buildings would preserve and enhance the character and appearance of the Conservation Area and safeguard the setting of adjoining Locally Listed Buildings.
- The scheme would deliver high-quality, accessible, and functional units;
- The layout and design of the development would optimise the potential of the site, respect the scale and character of the surrounding area and satisfactorily safeguard the amenity of neighbours; and
- The development would provide good cycle parking to encourage cycling, incorporate on-site renewable energy technologies and be designed to link with the proposed North Tottenham District Energy Network to help reduce carbon emissions.

8. COMMUNITY INFRASTRUCTURE LEVY (CIL)

- 8.1 The proposed development would be liable for the Mayor of London and Haringey CIL. Based on the information provided on the plans, the estimated Mayor's CIL charge would be £56,670.48 based on the current Mayor's CIL charge rate of £69.27/sqm (818.11sqm x £69.27). And the estimated Haringey CIL charge would be £68,588.38 based on the current Haringey CIL charge rate of £97.55/sqm for student accommodation (703.11sqm x £97.55).

- 8.2 The CIL will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the RICS CIL Index. An informative will be attached advising the applicant of this charge.

9. RECOMMENDATION

- 9.1 It is recommended Planning Permission is granted as set out in section 2 above.