

## Berol Quarter (Berol Yard)

Local Planning Authority: Haringey

Local Planning Authority reference: HGY/2025/0930

### Strategic planning application stage 1 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

### The proposal

Application made under Section 73 of the Town and Country Planning Act 1990 (TCPA 1990) to vary Condition 2 (Approved Plans and Documents) attached to planning permission HGY/2023/0261 granted on 3 March 2025. Permission is sought to alter the approved drawings to show inward opening doors at the roof level of 2 Berol Yard instead of the permitted glass panels and alter the level of affordable housing by way of a deed of variation to the original s106 agreement.

### The applicant

The applicant is **Berol Quarter Limited** and the architect is **Allies and Morrison LLP**.

### Strategic issues summary

**Land use principles:** The development of this brownfield site for a high-density, mixed-use development remains acceptable in principle. However, it is considered that the proposed nil affordable housing offer would conflict with London Plan Policies H4 and H5. The absence of any affordable housing materially impacts on overall planning balance of the scheme. This will be considered further at the Stage 2, if the Council resolves to grant permission.

**Affordable housing:** The proposal to reduce the level of affordable housing from 35% to 0% does not demonstrate compliance with London Plan Policies H4 and H6, nor is it a verified viability position. The FVA is currently being robustly scrutinised by GLA Viability Officers.

### Recommendation

That Haringey Council be advised that the application does not comply with the London Plan for the reasons set out in paragraph 21. The Mayor does not need to be consulted again if the borough decides to refuse the application.

## Context

1. On 24 April 2025 the Mayor of London received documents from Haringey Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.
2. The application is referable under the following categories of the Schedule to the Order 2008:
  - **Category 1A:** *"Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats"*
  - **Category 1B:** *"Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres"* and
  - **Category 1C:** *"Development which comprises or includes the erection of a building of more than 30 metres high and is outside the City of London".*
3. In this case, Haringey Council need not refer the application back to the Mayor should it resolve to refuse the application, but the comments made in this report should be taken into account in its determination of the application. Should Haringey Council resolve to approve the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or, allow the Council to determine it itself.
4. The Mayor of London's statement on this case will be made available on the GLA's public register: <https://planapps.london.gov.uk>

## Site description

5. The subject site is located within Tottenham Hale, comprises two plots, being 2 Berol Yard as well as Berol House. It forms an 'L' shaped parcel of land with a total area of 0.5 hectares. 2 Berol Yard is a vacant plot, whilst Berol House is a three storey locally listed building utilised as an office building (circa 3,400 sqm). The brownfield site is located within the Lee Valley Opportunity Area and it is partly located within the Tottenham Hale Town Centre.



**Figure 1: Site location (as outlined in red)**

## Strategic case history

6. On 3 March 2025, the Deputy Mayor, under delegated authority, allowed Haringey Council to determine planning application itself for the refurbishment and extension of Berol House to include Use Class E floorspace; and the redevelopment of 2 Berol Yard to provide new residential homes and Use Class E floorspace (LPA ref: HGY/2023/0261; GLA refs: GLA/2023/0100/S1 and GLA/2023/0226/S2).
7. The development of 2 Berol Yard comprises the provision 210 Build to Rent (BTR) homes including 35% (by habitable room) affordable housing (30% London Living Rent; 70% Discount Market Rent).

## Details of this proposal

8. The Section 73 (S73) application seeks amendments to the extant planning permission to alter the approved drawings to show inward opening doors at the roof level of 2 Berol Yard instead of the permitted glass panels. Permission is also sought to alter the permitted level of affordable housing, reducing it from 35% down to 0%.

## **Strategic planning issues and relevant policies and guidance**

9. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Haringey Local Plan: Strategic Policies DPD (2013 with alterations 2017); Haringey Local Plan: Development Management DPD (2017); Haringey Local Plan: Site Allocations DPD (2017); Tottenham Area Action Plan (2016); Tottenham Hale District Centre Framework (2015); and the London Plan 2021.
10. The following are also relevant material considerations:
  - The National Planning Policy Framework (2024) and National Planning Practice Guidance;
  - National Design Guide (2021); and
  - Relevant strategic supplementary planning guidance (SPG) and London Plan Guidance (LPG), including on housing, affordable housing, design, heritage, and transport which can be found on the GLA's website [here](#).<sup>1</sup>

## **Land use principles**

11. The principle of the land use (office and residential) has been established through the extant permission and remains accepted. However, in addition to the proposed amendments to conditions on the extant permission, the applicant seeks to reduce the affordable housing offer from 35% to 0%, by way of a formal deed of variation of the original S106 agreement.
12. The current proposal would fail to address London wide and local affordable housing need to the same extent as the approved permission and would conflict with London Plan Policies H4 and H5. The absence of any affordable housing materially impacts on overall planning balance of the scheme. This will be considered further at the Stage 2, if the Council resolves to grant permission.

## **Affordable housing**

13. The affordable housing to be provided in the extant scheme is secured through a S106 planning obligation and as such, S73 of the TCPA 1990 (as amended) which grants a new permission subject to new or amended planning condition(s), or without compliance with a planning condition, is not considered to be the appropriate basis for assessing a reduction in affordable housing obligations. Nevertheless, on the basis that the application has been validated and referred, the following assessment is made with respect to affordable housing.

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<sup>1</sup> <https://www.london.gov.uk/programmes-strategies/planning/implementing-london-plan/london-plan-guidance?ac-63512=63507>

14. As noted above, the extant permission was granted for 210 Build to Rent (BTR) homes, which included 35% affordable housing (by habitable room) comprising a tenure split of 30% London Living Rent; 70% Discount Market Rent), which were secured in the Section 106 agreement. The application seeks to reduce the affordable housing provision to 0% and the applicant has prepared a Financial Viability Assessment (FVA) to justify the proposal. The FVA includes an Order of Cost Estimate dated 7 February 2025 which predates the current signing of the S106 and planning permission.
15. GLA officers will robustly scrutinise the FVA to ensure that the maximum level of affordable housing is secured. Advice will be provided in due course and further discussion with the applicant team and the Council will be required prior to consideration at local Planning Committee. The Council is requested to share its viability advice with GLA officers at the earliest opportunity. An update on viability will be provided prior to the Council's committee meeting and affordable housing and viability will be considered further at the Stage 2 referral, if the Council resolves to grant permission.
16. In summary, the proposal to reduce the level of affordable housing to 0% does not demonstrate compliance with London Plan Policies H4 and H6, nor is it a verified viability position.

## **Urban design**

17. The only design related amendment seeks the replacement of glass panels with inward opening doors at roof level of 2 Berol Yard. This raises no strategic concern.

## **Local planning authority's position**

18. Haringey Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

## **Legal considerations**

19. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a

possible direction, and no such decision should be inferred from the Mayor's statement and comments.

## **Financial considerations**

20. There are no financial considerations at this stage.

## **Conclusion**

21. London Plan policies on office, residential development, affordable housing, design, transport, sustainable development, and environment relevant to this application. The application does not comply with the London Plan as summarised below:

- Land use principles: The development of this brownfield site for a high-density, mixed-use development remains acceptable in principle. However, it is considered that the proposed nil affordable housing offer would conflict with London Plan Policies H4 and H5. The absence of any affordable housing materially impacts on overall planning balance of the scheme. This will be considered further at the Stage 2, if the Council resolves to grant permission.
- Affordable housing: The proposal to reduce the level of affordable housing from 35% to 0% does not demonstrate compliance with London Plan Policies H4 and H6, nor is it a verified viability position. The FVA is currently being robustly scrutinised by GLA Viability Officers.
- Urban design: No strategic concerns regarding the very minor changes to the design of the scheme.

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For further information, contact GLA Planning Unit (Development Management Team):

**Rohan Graham, Principal Strategic Planner (case officer)**

email: rohan.graham@london.gov.uk

**Sally Moorhead, Team Leader – Development Management**

email: sally.moorhead@london.gov.uk

**Allison Flight, Deputy Head of Development Management**

email: alison.flight@london.gov.uk

**John Finlayson, Head of Development Management**

email: john.finlayson@london.gov.uk

**Lucinda Turner, Assistant Director of Planning**

email: lucinda.turner@london.gov.uk

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