

REPORT FOR CONSIDERATION AT SPECIAL PLANNING COMMITTEE

Reference No: HGY/2010/2090	Ward: Tottenham Hale
Address: GLS Supplies Depot, Ferry Lane, London N17 ('Hale Village')	
<p>Proposal: Erection of a part 5, part 7, part 10 and part 12 storey building at Block NW2 of the Hale village master plan, to comprise student accommodation (557 bed spaces) and associated facilities including reception, office, plant room, store room, refuse store, cycle store, common room, laundry room, courtyard and associated works.</p> <p>Existing Use: Vacant site within a mixed use residential-led development (under construction)</p> <p>Proposed Use: Student accommodation</p> <p>Applicant: The Unite Group Plc, Stratford Place, London, W1C 1BQ</p> <p>Ownership: Private</p>	
Date received: 10 November 2010	Last amended date: 5 January 2011
Drawing number of plans: 20 A 1000, 20 A 1001 Rev A, 20 A 1002 Rev B, 20 A 1003 Rev A, 20 A 1004 Rev A, 20 A 1005 Rev A, 20 A 3001, 20 A 3002 Rev A, 20 A 2001 Rev A, 20 A 2002 Rev A, 20 A 2003 Rev A, 20 A 2004 Rev A, 20 A 2005 Rev A, 20 A 2006 Rev A, 20 A 2007 Rev A, 20 A 2008, 20 A 4001 (sheet 1), 20 A 4001 (sheet 2) & LP00(90)	
Case Officer Contact: Stuart Cooke	
<p>PLANNING DESIGNATIONS: Unitary Development Plan 2006:</p> <ul style="list-style-type: none"> ▪ Tottenham Hale Urban Centre Masterplan Area ▪ Defined Employment Area ▪ Area of Archaeological Importance ▪ Road network – Borough Road 	
RECOMMENDATION	
GRANT PERMISSION subject to conditions and subject to sec. 106 Legal Agreement	

SUMMARY OF REPORT:

The proposed scheme is a block of 557 student accommodation rooms with communal facilities in a 5 – 12 storey building sited in the north-west corner of the Hale Village scheme in Tottenham Hale. The original outline planning permission for Hale Village proposed 145 flats on this part of the site but current limited market demand for housing makes this undeliverable.

The principle of additional student accommodation is considered acceptable. The northern elevation of the proposed block design substantially exceeds the building and storey heights envisaged in the approved Hale Village Design Code but this is considered the least sensitive elevation and the good design details make this acceptable.

The building is recommended for approval subject to the Mayor of London's direction, conditions and the completion of a new s106 legal agreement that:

- will bind this development to the provisions of the existing Hale Village-wide s106 agreement signed in 2007 insofar as they apply to this NW2 land plot; and
- incorporates provisions consistent with the proposed revisions to the 2007 s106 agreement (reported elsewhere on this Agenda) in relation to granting proportionate liability to individual plot leaseholders for specific s106 funding obligations and to
- ensure the obligations in the original section 106 agreement (as amended) are linked to this new permission (HGY/2010/1897).

1. SITE AND SURROUNDINGS

- 1.1 The Hale Village development is located on the former GLC Supplies Depot site in Ferry Lane, close to Tottenham Hale transport interchange. The site is bounded by the Liverpool Street/Stansted railway line to the west, Millmead Road and the River Lee and Lee Valley Regional Park to the east, Ferry Lane and residential areas to the south and the Millmead/Lockwood Industrial Estate to the north.
- 1.2 This application relates to Block NW2 in the north-west corner of the Hale Village development and one of the 14 buildings proposed in the whole scheme. The NW2 plot is bounded by the main railway line to the west, Block NW1 to the south (102 flats currently under construction), Block N to the east (176 flats currently under construction) and a proposed ecological open space immediately to the north with the Millmead/Lockwood Industrial Estate beyond that.

2. PLANNING HISTORY

- 2.1 Outline planning permission was granted for the Hale Village development as a whole in 2007 (HGY2006/1177). Since then a number of reserved matters applications have been granted relating to various buildings within the development and full planning permission was granted (subject to signing a s106 agreement) for Pavilions 1 & 2 in October 2010. No reserved matters application has been submitted for Block NW2 - this current application is a full planning application as the additional student accommodation proposed is outside the remit of the outline planning permission (the outline consent envisaged 145 residential flats within Block NW2).

3. DETAILS OF PROPOSAL

- 3.1 Permission is sought to develop Block NW2 as student accommodation with 557 rooms plus communal student facilities. The applicant, Unite, owns and manages the occupied student accommodation in Block W (in the south-west corner of the Hale Village site) that was completed in 2009.
- 3.2 The proposed building is formed by two 'L-shaped' blocks ranging from 5 to 12 storeys. Apart from the northern elevation, the block heights are less than or only slightly exceed (by 0.7m.) the parameter building heights envisaged in the approved Design Code for the whole Hale Village development. The northern elevation though is substantially higher (proposing 7-10 storeys compared with 4 storeys in the Design Code) and the design quality and impact of this will be assessed in section 7 of this report.
- 3.3 The two blocks of the development are approximately 14m. in depth and create a central communal courtyard. This block depth is greater than envisaged in the Design Code on the basis of this Block being residential flats. This means the central courtyard is correspondingly smaller with implications for the amount of sunlight enjoyed in that central open space. The development will have green roofs.
- 3.4 Rooms are provided in clusters served by a linear corridor with each room having an en-suite bathroom. The clusters range in size from 3 rooms to 10 rooms sharing an appropriately sized and equipped kitchen. The proportion of rooms in each cluster size is:
- 3 room cluster – 27 rooms (5% of total)
 - 5 room cluster – 50 rooms (9% of total)
 - 7 room cluster – 77 rooms (14% of total)
 - 9 room cluster – 63 rooms (11% of total)
 - 10 room cluster – 340 rooms (61% of total).
- 3.5 While the individual bedrooms are broadly the same as in the applicant's existing student block (Block W) in the Hale Village scheme, there is an emphasis on having a larger number of rooms sharing a kitchen. The applicant states that this is to differentiate the offer from the existing Block W (with correspondingly lower rents) so broadening the appeal to the student market. There is a high demand for the existing rooms in Block W and, even with the current position with increasing student tuition fees, a report submitted as part of the application justifies the applicant's projection that there is likely to be a continuing significant demand for this type of student accommodation.
- 3.6 26% of the rooms face north either onto the ecological park (in the north block) or into the central courtyard (in the south block) and will not receive any direct sunlight.
- 3.7 No car parking is proposed but one on-street disabled parking space will be available for use by students with disabilities. 283 cycle spaces (equivalent to 1 space per 2 student bedrooms) will be provided in the courtyard and in a cycle store within the building.

- 3.8 27 rooms, 5% of the total, (5 to be provided at construction and 22 to be adapted when required), are designed for easier use by students in wheelchairs. The applicant states that such adaptations would be done to the additional rooms when necessary to enable a disabled student to stay in the development.

4. RELEVANT PLANNING POLICY

PPS1: Sustainable Development

London Plan (Consolidated with Alterations) February 2008

The Mayors London Plan sets out an integrated economic, environmental, transport and social framework for the development of the capital over the next 20-25 years. A draft replacement London Plan is currently subject to an EiP.

Policies 2A.5 and 5B.2 of the London Plan 2008 recognise Tottenham Hale as an Opportunity Area, (Map 2A.1 – Upper Lee Valley) in North London. Opportunity Areas are identified on the basis that they are capable of accommodating substantial new jobs and homes and their potential should be maximised. Paragraph 5.40 recognises the significant redevelopment opportunities of Tottenham Hale, particularly its transport links.

Policies 4A.1 to 4A.7 set out the Mayors policies on tackling and mitigating climate change through sustainable design and construction including decentralised energy systems and renewables. Pre-application advice has been given by the GLA's energy team which required a full Energy Strategy to be submitted. In order to ensure this is achieved satisfactorily, a condition is attached requiring a full Energy Statement to be submitted.

Policy 3.8 of the draft replacement London Plan recognises the strategic and local requirement for student accommodation within the overall need for housing provision and housing choice.

Unitary Development Plan 2006

The original outline application was assessed in the light of the policies contained in the UDP 2006. This plan remains the local plan for the area. The principal policies relevant to this application are:

AC2: Tottenham International
UD2: Sustainable Design and Construction
UD3: General Principles
UD4: Quality Design
UD8: Planning Obligations
ENV9: Mitigating Climate Change: Energy Efficiency
ENV10: Mitigating Climate Change: Renewable Energy
M10: Parking For Development

Policy AC2: Tottenham International identifies Tottenham Hale as being the focus for a new, comprehensive, mixed use development in line with the London Plan designation and incorporates the Tottenham Hale Urban Centre Masterplan 2006 as being the adopted framework for the residential led, mixed use redevelopment of the area.

Tottenham Hale Masterplan 2006 - SPD

On 31 October 2006, Haringey Council's Executive adopted the Tottenham Hale Urban Centre Masterplan as a Supplementary Planning Document (SPD). The Masterplan (SPD) will supplement the policies contained within the Adopted Unitary Development Plan (2006) – in particular Policy AC2, as well as the Mayor's London Plan and other relevant supplementary planning guidance notes. The Masterplan will be a material planning consideration and afforded significant weight when used to determine planning applications for the area.

The Urban Centre Masterplan is a strategic guide that will help steer development in Tottenham Hale, paying particular regard to the area's six key sites and various public realm initiatives. It provides a major opportunity to create a thriving, sustainable urban centre with a significant number of new homes, together with an integrated mix of employment, retail and leisure uses focused around an enhanced, fully accessible transport interchange.

LDF/Core Strategy

The Council is currently preparing its LDF and the Core Strategy which is presently at the consultation stage. The Core Strategy brings forward the approach of the London Plan and the UDP to the redevelopment of Tottenham Hale as an area of significant growth. The planning policy background to the redevelopment of the Hale Village site and this application therefore remains consistent with that in place when the original outline planning permission was granted and within which the parameter plans and design code were developed.

5. CONSULTATION

Statutory	Internal	External
Natural England Thames Water Network Rail TfL English Heritage (arch) Metropolitan police Design Advisor Environment Agency Lee Valley Regional Park Fire Brigade British Waterways	Local Ward Cllrs – Northumberland Park, Tottenham Hale, Seven Sisters, Tottenham Green. Transportation Cleaving Building Control Strategic Housing Design Policy Strategic Sites	43-49 The Hale Armadale Close Ashley Road Bream Close Broad Lane Erskine Crescent Gosport Walk Hale Gardens Jarrow Road Kessock Close 1-73 Park View Road Queensferry Walk Reedham Close Runcorn Close Yarmouth Crescent

		Tynemouth Area RA THRASH Ferry Lane Action Group Ferry Lane Estate RA Tottenham Hale RA Tottenham Hale Stakeholders Group
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6. RESPONSES

- 6.1 Tottenham Stakeholder Group (minutes-meeting 1 December 2010) made the following comments on this proposal:
- *“facilities – in Emily Bowes, there are clusters of 5, 6 or 7 to a kitchen, here there are up to 14. Could be squalid*
 - *“Does the western façade work?”*
 - *“Transport impacts – increasing affordable and student accommodation means car parking has been reduced. But impacts on tube, already congested. T Hale handles 4m journeys a year, which improvements will increase to capacity of 8m pa.”*

Thames Water – no objections subject to condition re. water supply.

Environmental Health Service – Remediation and verification reports required.

Ms C Donoghue – general look and design is pleasing. Clusters are too large.

- 6.2 A Development Management Forum was held on 12 January 2011. Minutes of the Forum to follow.
- 6.3 The Mayor of London states that changes should be made to the scheme to make it compliant with the London Plan. He accepts the principle of student accommodation recognising the current constraints of the housing market and the specific challenges created for the Hale Village scheme. The Mayor wants to see the s106 agreement restrict use of the rooms solely to students in full-time higher education.
- 6.4 The Mayor is concerned that the extra height of the northern block reduces design quality. He suggests that either the southern block be omitted (to open up the courtyard) or the north block be reconfigured to create a more open courtyard and to reduce the number of north-facing rooms.
- 6.5 Secured by Design – the Mayor is concerned that there may be inadequate security for the occupiers of ground floor rooms in the west and north blocks facing a strip of land alongside the main railway lines and the ecopark respectively.
- 6.6 Energy - the building will be served by the Combined Heat and Power system that serves the whole Hale Village development which aims to secure an overall carbon reduction (for Hale Village as a whole) of 20% (compared with 2006 Building Regulations). The Mayor has requested additional technical information to show, for

example, what passive design measures are proposed within the building to reduce its energy demand.

6.7 The Mayor welcomes this development as a car-free scheme and is satisfied that the resulting demand on public transport is adequately dealt with in the existing s106 agreement relating to the whole Hale Village scheme. TfL though request confirmation that a contribution will be made to the proposed works to increase capacity at Tottenham Hale Bus Station Interchange in accordance with the existing provisions of the 2007 s106 agreement. (Response: This contribution is proposed to be made. The Council's Cabinet approved (in Sept. 2010) the allocation of £3.5m. of the Hale Village s106 funds to improvements to the Gyratory and Bus Station. The proposed revisions to the s106 agreement (see the separate report elsewhere on this Agenda) secures much of this funding.

6.8 Subsequent to the issuing of the Mayor of London's Stage 1 response to the scheme, GLA officers have indicated that, unless design changes are made, they may be inclined to recommend that the Mayor directs refusal of this application when this Committee's decision (if it is a decision to approve the application as is recommended) is reported to the Mayor at Stage 2 of the process. Discussions are continuing with GLA officers on this and the Committee will be updated orally at the meeting.

6.9 Transportation have commented as follows:

"Although the proposal will involve an increase in the amount of student accommodation, the applicant proposes that the student development be designated as car-free. This will result in very minor changes in total person movements for the site as demonstrated in table 3.2 of the transport statement, which shows that vehicular movements will decrease for both the am and pm peak periods.

"The proposals would result in an increase in the use of public transport during both the am and pm peaks. However, these changes are small (two-way trip generation of 3% for am peak and 6% pm peak) and therefore unlikely to have any noticeable impact on the public transport network. The highway and transportation authority agree with the applicants analysis of capacity and demand associated with the proposed development. As there is to be an overall decrease in on-site car parking provision from 800 spaces to 716, we would therefore support the view that there will be a decrease in the level of highway impact. Furthermore, the proposals will see an increase in the amount of cycle parking to 1,100 spaces. It is intended that the additional provision will cater for the increase in student accommodation.

"There have been some changes to the travel plan for this development, which is now a stand alone document that will support the site-wide travel plan. Although the development's car-free designation would limit the action required in terms of encouraging the use of sustainable modes, the travel plan will still focus on implementation and monitoring of the identified measures and is acceptable.

"Given the net decrease in the peak hour vehicular movements and the reduction in on-site parking provision, the proposals are likely to have a beneficial impact upon the highway network with little impact on the local public transport network. Therefore, the highway and transportation authority do not wish to raise any objections to the this proposal."

7. ASSESSMENT

7.1 The main issues relating to this application are:

- a) Principle of the Use
- b) Building height and design
- c) Sustainability/contamination
- d) Sunlight/daylight.
- e) Impact on Block NW1 to the south
- f) Impact on local public transport.

a) Principle of the Use

- 7.2 The outline planning permission included a proposal for 145 open market residential flats on this part of the Hale Village site as part of the total of up to 1,210 dwellings in the overall scheme. The major downturn in the private housing market now makes this undeliverable with no interest being shown by developers following three marketing exercises. Other parts of the Hale Village site are more attractive to private residential developers and it is unlikely that this site will be developed for open market residential use for the foreseeable future. The level of affordable homes in the scheme is already at 50% and, in the interest of maintaining a balanced community, it is neither considered appropriate nor feasible (given the current economic position) for this site to be developed for affordable homes.
- 7.3 An alternative use is therefore needed for this plot which, given the financial challenges being experienced by the lead developer in ensuring construction continues on the whole site, also has to be a commercially viable scheme.
- 7.4 The applicant, Unite Group, already owns and manages Block W to the south of the application site which, with 687 rooms, has proved to be a popular scheme for students and Universities. It is a well managed building offering high quality accommodation. The rooms in the application building are based on the same principles but this scheme aims to broaden the appeal to the student market by providing most of the rooms in larger clusters enabling rents to be slightly cheaper. All bedrooms will still have an en-suite bathroom.
- 7.5 Hale Village is well located for student accommodation with easy public transport access to many London Universities. The proposed student accommodation will be available for any students and will not be tied to a specific University or higher education institution (although some may block book rooms on an annual basis).
- 7.6 A detailed assessment of likely student demand given the current changes to student finances and tuition fees is provided as part of the application. This estimates that there are currently about 19,000 students living in the borough with just over 1,300 student bed spaces provided in managed blocks (including Emily Bowes Court in Block W). The vast majority of students living in the borough therefore either live at home or in the private-rented sector.
- 7.7 Across London as a whole, the report states that there are 267,000 full-time higher education students studying in London. There are approximately 54,000 purpose-built bedspaces available for students with a further 16,600 in the pipeline to be built.

- 7.8 The current changes to student tuition fees and student loans are likely to lead to an increasing demand for cheaper accommodation. The report submitted by the applicant estimates that there will be a flow of students over time to Outer London from more expensive private rented accommodation especially closer to central London albeit that students will then have to incur the increased cost of travel back to a central London University.
- 7.9 If this assessment is correct, then there could be a lessening of demand for private rented housing which might then free up that housing for use by other households and, arguably, reduce pressure on rent levels.
- 7.10 The applicant is a specialist student accommodation provider who, based on their experience in general and their specific experience of the response from students to the accommodation they provide in Emily Bowes Court (Block W in the Hale Village scheme), is confident that there will be continuing good student demand for the type of accommodation proposed in Block NW2. The rooms will not be tied to a specific University other than those which are block-booked by a University on an annual basis. Individual students will be able to book a room directly.
- 7.11 The applicant has also provided information on the contribution that existing students in Emily Bowes Court make to the local economy and community. Based on an 18% response rate from existing students:
- 42% of students are considering or are committed to staying on in the local area after graduation;
 - 59% of students travel less than 1 mile to buy groceries;
 - 70% of students say they would buy other goods locally; and
 - 59% of students are considering or are volunteering with a community group or charity.
- 7.12 The principle of student accommodation on this plot is considered acceptable and a positive contribution to the overall Hale Village scheme and to the local area.

b) Building height/design/cluster sizes

- 7.13 The Design Code for Hale Village approved in 2007 envisaged a 4-11 storey perimeter block building with overall building heights ranging from 25m. up to 50 m. (Above Ordnance Datum) – equivalent to an actual building height here of approximately 15.7m. up to 40.7m.
- 7.14 The application proposal for Block NW2 is for a 5-12 storey perimeter block building occupying a deeper footprint than indicated in the Design Code with the actual building parapet/roof heights ranging from approximately 15.8m up to 35.1m. (actual height). However, the heights of different blocks of the building do vary significantly from the Design Code maximum heights.
- 7.15 The west block alongside the railway lines is 5.6m. below the Design Code maximum height. The south block is marginally above (by 0.07m.) the Design Code maximum height and east block exceeds it by slightly more (by 0.7m. at 21.4m. actual height). The height of the west and east blocks are similar to the approved heights of neighbouring blocks - Block NW1 (to the south) and Block N (to the east).
- 7.16 However, the height of the northern block exceeds the Design Code height by up to 14.2m. (a 10 storey middle section replaces the 4 storey middle section envisaged in

the Design Code). While this increased height is partly offset by the north-facing end of the west block being 5.6m. lower than the maximum height set by the Design Code, the overall effect is to significantly increase the height and visual dominance of this northern side of the building compared with that envisaged in the Design Code.

- 7.17 This extra height creates additional shadowing over the proposed ecological open space immediately to the north. While this should not unduly affect the public enjoyment of this space, the proposed planting and layout of this western end of the ecological open space will need to be adapted to accommodate this greater overshadowing. The higher building here should not impact on the industrial land to the north (or significantly constrain any future redevelopment of that land).
- 7.18 The increased height of this middle section of the northern block (compared with the Design Code) is one of the main design concerns of the Mayor of London. It does create a more enclosed feel to the courtyard and does mean that more rooms face north than if this section was lower. If this middle section was reduced to the maximum Design Code height it is estimated that this would remove at least 60 student rooms from the scheme. The applicant states this would make the scheme unviable from their perspective.
- 7.19 The northern block is considered to be the least sensitive part of the design and the extra height is considered acceptable even though it does substantially exceed (in its middle section) the Design Code parameter height. The height of the 7 storey eastern block (0.7m. above the Design Code parameter height) and the marginal additional height of the south block are both considered acceptable – the extra height helps secure the appropriate alignment of windows with Block NW1 to the south.
- 7.20 While the height of the southern block is consistent with the Design Code, the Mayor of London is also concerned that this, coupled with the extra height in the northern block, creates further enclosure of the courtyard and reduces sunlight. He suggests that, as an alternative to reducing the height of the northern block, this southern block is deleted from the scheme. This would remove 35 student rooms (20 of which are north-facing).
- 7.21 The pre-application discussions resulted in significant reductions in the size of this development (and the number of student rooms) and revisions made since the application was first submitted, to reduce the size of the room clusters, has resulted in a further 9 rooms being taken out of the scheme. The applicant states that the deletion of the southern block and the resultant loss of 35 rooms would make the scheme unviable from their perspective.
- 7.22 The principle of a southern block in this development and its height is consistent with the Hale Village Design Code. While a reduction of rooms might provide a little more light to the courtyard, cognisance has to be taken of the scheme changes that have already been made and the views of the applicant regarding viability. The overall design of the elevations and the courtyard (notwithstanding the issue of direct sunlight) is good. The design has been improved as a result of pre-application discussions to complement neighbouring approved buildings and to provide both greater consistency and contrast and is now, on balance, considered acceptable.

7.23 In terms of cluster sizes within the proposed building, the scheme has been revised to reduce the number of rooms in each cluster to a maximum of ten, with cluster sizes varying between three rooms to ten rooms. This change will result in an improved level of facilities and standard of accommodation for the students occupying the accommodation.

c) Sustainability/Contamination

7.24 The proposal aims for an overall BREEAM rating of excellent. This includes careful use of new and recycled materials and design and construction methods to minimise use and waste of materials.

7.25 The underground and surface water drainage systems are designed to accommodate rainwater attenuation to meet the specification for the whole development. The SUDS system is designed to mimic natural catchment behaviour and is designed for a 1:100 year storm event plus 20% for climate change.

7.26 The development includes a central Energy Centre which provides heat and electricity to various buildings on site including to Block NW2. The intention is to have no form of heat generating plant for back up purposes within the building. The energy efficiency strategy submitted with the application concludes that by connecting Block NW2 to the energy centre the scheme will meet the requirements of the GLA criteria and therefore it will not be necessary to introduce any further carbon saving measures such as renewable heat or electricity generation.

7.27 A flood risk assessment for the whole Hale Village development has been undertaken and there is a requirement for the on site surface water drainage network to limit flows from Block NW2 to meet the SUDS requirements.

7.28 Environmental surveys of the site have been undertaken to assess the likelihood of soil, groundwater and gas-borne contamination. These surveys show that there are likely to be low levels of contamination of the upper soils and groundwater resulting from the previous use of the site. However, there are considered to be no significant construction or end use health and safety or environment risks associated with contamination on the site.

d) Sunlight/daylight

7.29 The footplate of this development produces a communal central courtyard that is approximately 20m by 19m. The distance between facing student rooms is either 17m. or 20m. This is acceptable as managed student accommodation. A sunlight assessment shows that the courtyard will only have partial direct sunlight in the summer.

7.30 26% of the student bedrooms face north and will not receive any direct sunlight. This percentage is higher because of the number of rooms in the taller north block compared with the Design Code. However, those north-facing rooms will overlook either the ecological park or the central courtyard so will have a pleasant outlook albeit without receiving direct sun. Daylight levels though are acceptable. The only way to reduce the number of north-facing rooms is to reduce the total number of rooms in the development. (It is not desirable to relocate rooms by increasing the

height of the west block as that would then be taller than the adjoining NW1 Block contrary to the Design Code.) The applicant has stated that they require 550+ rooms to make the scheme viable from their perspective. It is therefore considered on balance that this number of north-facing rooms is acceptable in this scheme.

e) Impact on Block NW1 to the south and Block N to the east (both currently under construction)

- 7.31 As envisaged in the approved Design Code, the southern side of this development will form the northern enclosure to the communal courtyard for the residential flats in Block NW1. This means that 15 student rooms and 5 kitchens facing south in the south block will directly abut and overlook that courtyard (but will of course have no access to it). While this NW1 courtyard is private space for NW1 residents it is nevertheless a communal space and the overlooking from student rooms should not be a constraint to its use.
- 7.32 The distance and angles of view between habitable room windows in Block NW1 and the student room windows in Block NW2 is acceptable.
- 7.33 The distance between the student rooms facing onto Block N to the east on the opposite side of Brook Street (residential flats under construction) is approximately 15m. – this is close but it is on the public road elevations and is consistent with the original masterplan and what has been granted planning permission in other parts of the Hale Village development.
- 7.34 An assessment of the impact of the proposed student block on the sunlight and daylight reaching the residential flats in Blocks N and NW1 indicates that there will be no significant impact on sunlight (compared with the position if this block had been developed for residential use in accordance with the outline planning permission). While the daylight assessment indicates that the student block will reduce the amount of daylight to a small number of the flats in Block NW1 compared with the position without any development on NW2, the scale and height of the student block development close to Block NW1 is generally consistent with the Design Code and so will not have a significantly greater impact than the residential development envisaged for Block NW2 in the Hale Village masterplan and the outline planning permission.

f) Impact on local public transport

- 7.35 This car-free scheme means that students have to use public transport. The scheme is well sited in relation to the Underground and mainline rail services at Tottenham Hale Station and the numerous bus routes in the vicinity. Transport for London is satisfied that the transport impacts of the Hale Village scheme as a whole are adequately mitigated in the existing s106 agreement and do not raise any further issues regarding the need for increased public transport capacity as a result of increased demand from students.

S106 Agreement

- 7.36 This is a full planning application, separate from the outline planning permission granted in 2007. Therefore, unless it is specifically linked to the provisions of the existing s106 agreement signed in 2007, the development and the landowner will not be bound by the relevant terms. Substantial revisions to that s106 agreement are reported elsewhere on this Agenda. So that this current application is bound by the relevant obligations of the 2007 agreement, the recommended decision to

approve this planning application is subject to the applicant and landowner entering into a new s106 agreement related to the NW2 plot that

- will bind this development to the provisions of the existing Hale Village-wide s106 agreement (dated 9 October 2007) insofar as they apply to this NW2 land plot; and
- grants, consistent with the proposed revisions to the 2007 s106 agreement (reported elsewhere on this Agenda), proportionate liability to the applicant and plot leaseholder for specific s106 funding obligations.

7.37 The applicant has agreed this. Members are referred to the separate report on this Agenda that details the revisions to the s106 agreement. The NW2 land will also be tied in to the Deed of Variation recommended in that separate report but the issuing of the planning permission for this NW2 development need not await the signing of that Deed of Variation.

7.38 In connection with Block W, the applicant was granted an exemption from most of the funding obligations of the 2007 agreement for that specific Block. However, it is not proposed that this exemption be extended to Block NW2 but rather the applicant has a proportionate liability for specific funding obligations in a similar way as the Committee approved for Newlon Housing Trust on Blocks C1 & N in January 2010. Given the other proposed revisions to the 2007 s106 agreement (detailed in a separate report on this Agenda), this proportionate liability will only cover some of the funding obligations (not all of them).

8. EQUALITIES IMPACT ASSESSMENT

8.1 In determining this application the Committee is required to have regard to its obligations under Equalities Legislation including the obligations under Section 71 of the Race Relations Act 1976.

8.2 The impact of this scheme has been considered in relation to Section 71. The proposed development has been considered in terms of its Equality and Race Relations impacts. The key equalities protected characteristics include age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation. There is no indication or evidence (including from consultation with relevant groups) that different groups have or will have different needs, experiences, issues and priorities in relation to the particular planning application.

8.3 In terms of the key equalities protected characteristics it is considered there would be no significant specific adverse impacts as a result of the development.

9. LEGAL SERVICE COMMENTS

9.1 This application is to have its own separate section 106 agreement. It is recommended that to avoid this scheme and the site being exempt from liability for the contributions provided for the whole site, the new section 106 agreement provide that the land is bound by the obligations in the original section 106 agreement (in its current form, and as subsequently amended by any further deed of variation).

The main report on this agenda sets out the basis of that proposed new agreement. This also reflects the amendments regarding securing proportionate liability for

individual plot leaseholders that are proposed for the original section 106 agreement for the site (as recommended in the separate report on this Agenda).

The Deeds of Variation signed on 23.07.2008 and 08.01.2009 had the effect of exempting the leaseholders of certain blocks (W, SE, C2, NW1) within the development from liability for contributions under the original section 106 agreement. More recently however, for the deed of variation approved for Newlon (blocks C1 & N) on 11 January 2010 the Committee did not agree to release the leaseholders from obligations and instead agreed to make them proportionately liable for the contributions of the whole site. Similarly when Committee considered the application by Bellway (Pavilions 1 & 2) the leaseholder was not exempted from the contributions due under the original section 106 agreement. The Head of Legal Services recommends that the section 106 agreement be drafted to ensure block NW2 is not exempt from its proportion of the contributions for the Hale Village site.

10. CONCLUSION

- 10.1 The application scheme changes the use of this part of Hale Village from residential use to student accommodation and therefore changes the balance of uses within the overall development. If granted, this application will see a total of 1,244 student rooms in Hale Village. This replaces the 145 residential flats originally envisaged for Block NW1 but, with some increases in the number of flats on other plots, the net reduction in residential flats is slightly lower. If this application for NW2 is granted, there may be approximately 1,087 residential flats in the completed Hale Village (subject to relevant planning permissions being granted) compared with the outline planning permission for up to 1,210 homes.
- 10.2 If this application is granted, Hale Village will still have the potential to be a vibrant, sustainable community and with a range of uses within a well designed environment. Students contribute positively to the local economy and add further vibrancy to community life while placing fewer demands on some local infrastructure.
- 10.3 Overall, the design of the elevations is considered acceptable and has been improved as a result of pre-application discussions to complement the neighbouring approved buildings and to provide both greater consistency and contrast within the development as a whole.

11. RECOMMENDATION

- 11.1 Subject to any direction from the Mayor of London and the applicant and the owners of the application site entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 (as amended) and Section 16 of the Greater London Council (General Powers) Act 1974 that;
- will bind this development to the provisions of the existing Hale Village-wide s106 agreement (dated 9 October 2007) insofar as they apply to this NW2 land plot; and
 - grants, consistent with the proposed revisions to the 2007 s106 agreement (reported elsewhere on this Agenda), proportionate liability to the applicant and plot leaseholder for specific s106 funding obligations
- planning permission be GRANTED in accordance with planning application reference number HGY/2010/2090:

Applicant's drawing Nos.

20 A 1000, 20 A 1001 Rev A, 20 A 1002 Rev B, 20 A 1003 Rev A, 20 A 1004 Rev A, 20 A 1005 Rev A, 20 A 3001, 20 A 3002 Rev A, 20 A 2001 Rev A, 20 A 2002 Rev A, 20 A 2003 Rev A, 20 A 2004 Rev A, 20 A 2005 Rev A, 20 A 2006 Rev A, 20 A 2007 Rev A, 20 A 2008, 20 A 4001 (sheet 1), 20 A 4001 (sheet 2) & LP00(90)

Subject to the following conditions:

1. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

2. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

3. Samples of all materials to be used in conjunction with the proposed development for all the external surfaces of buildings hereby approved, areas of hard landscaping and boundary walls shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. Details of a scheme depicting those areas to be treated by means of hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

5. A scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs shall be submitted to, approved in writing by the Local Planning Authority, and implemented in accordance with the approved details.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity.

6. A landscape management plan, including management responsibilities and maintenance schedules for the landscaped areas, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the occupation of the development.

Reason: To ensure the proper provision and maintenance of the landscaped areas.

7. That the levels of all thresholds and details of boundary treatment be submitted to and approved by the Local Planning Authority.

Reason: In order to safeguard the visual amenity of the area and to ensure adequate means of enclosure for the proposed development.

8. No development shall take place until site investigation detailing previous and existing land uses, potential land contamination, risk estimation and remediation work if required have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved.

Reason: In order for the Local Planning Authority to ensure the site is contamination free.

9. That a detailed scheme for the provision of refuse and waste storage within the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works. Such a scheme as approved shall be implemented and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: In order to protect the amenities of the locality.

10. That full details of the external lighting proposed within the scheme hereby approved shall be submitted, and approved in writing by, the Local Planning Authority, prior to the commencement of the development.

Reason: To protect the amenity of the surrounding area.

11. At least one disabled "blue badge" parking space shall be dedicated and clearly identified for use by disabled visitors to the development hereby approved.

Reason: To ensure adequate disabled parking provision.

12. Prior to the commencement of the development hereby approved, an Accessibility Management Plan, to ensure room adaptations are available for disabled students where required, is submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is fully accessible.

13. That provision for 283 secure cycle parking spaces shall be made within the scheme and permanently retained thereafter to the satisfaction of the Local Planning Authority.

Reason: To ensure adequate provision for cycle storage is provided within the scheme.

14. Prior to the development hereby approved being occupied, a Parking Management Plan, including identification of the location of the off-street blue badge parking space, and a mechanism to ensure that the supply and demand of blue badge bays are regularly monitored and reviewed, is submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the adequate disabled parking equates with demand and is enforced.

15. Notwithstanding the details submitted with the scheme hereby approved, the applicant shall submit full details of the external areas within the scheme, including the approaches, entrances and amenity areas, showing how they will be fully accessible to disabled people, including visually impaired students through appropriate lighting provision and provision of level thresholds and power assisted main entrance sliding doors.

Reason: To ensure that the development hereby approved is full accessible to all users.

16. Notwithstanding the details submitted with the application hereby approved, a further Energy Statement including an estimate of the regulated carbon emissions of the development in tonnes of CO₂ per year, and an estimate of the overall carbon dioxide savings in tonnes of CO₂ per year, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.

Reason: To ensure the development achieves the appropriate levels of energy efficiency for the development.

17. The development hereby approved shall be connected to the central energy centre serving the whole Hale Village development.

Reason: To ensure that the development complies with the energy strategy for the whole of the Hale Village development.

18. The development hereby approved shall include 300 square metres of photovoltaic panels.

Reason: To ensure an adequate provision of renewable energy provision is achieved by the development.

19. The development hereby authorised shall comply with BS 8220 (1986) Part 1, 'Security of Residential Buildings' and comply with the aims and objectives of the police requirement of 'Secured by Design' and 'Designing out Crime' principles.

Reason: In order to ensure that the proposed development achieves the required crime prevention elements as detailed by Circular 5/94 'Planning Out Crime'.

20. That the development hereby approved shall be for use by students in full-time higher education only.

Reason: To ensure the proper use of the development.

REASONS FOR APPROVAL

The development hereby approved is considered to comply with the relevant national, regional and local policies including the policy AC2: Tottenham International of the Unitary Development Plan 2006 and SPG: Tottenham Hale Masterplan 2008.