

**GREATER LONDON AUTHORITY**  
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**Our ref:** PDU/1973/EW16  
**Your ref:** HGY/2008/0303  
**Date:** 21 June 2011

**Marc Dorfman**  
Planning Policy and Development  
Haringey Council  
639 High Road  
London N17 8BD

Dear Marc Dorfman,

**Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000  
Wards Corner, Seven Sisters HGY/2008/0303**

I refer to your email of 24 January 2011, reconsulting the Mayor of London on the above planning application. The Mayor has delegated his planning function to his Deputy Mayor and Chief of Staff and on 22 June 2011 he considered a report on this proposal, reference PDU/1973/03. A copy of the report is attached, in full.

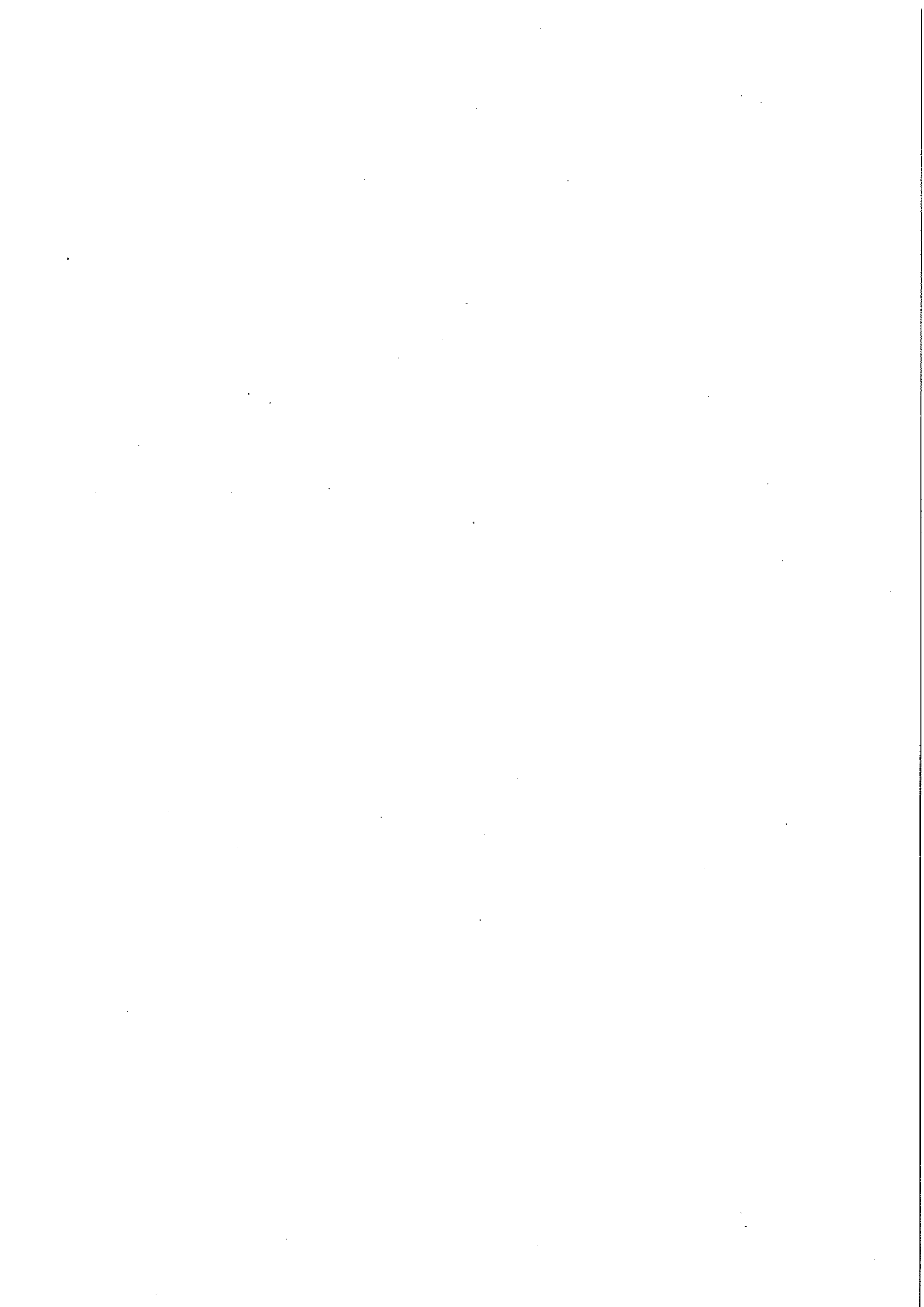
Having considered the report, the Deputy Mayor has concluded that given the measured proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision for such elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents with relocation are secured.

If Haringey Council decides in due course that it is minded to approve the application, it should allow the Mayor fourteen days to decide whether or not to direct the Council to refuse planning permission (under article 4(1)(b)(i) of the Town & Country Planning (Mayor of London) Order 2000). You should therefore send me a copy of any officer's report on this case to your planning committee (or its equivalent), together with a statement of the permission your authority proposes to grant and of any conditions the authority proposes to impose, and a copy of any representations made in respect of the application (article 4(1)(a) of the Order).

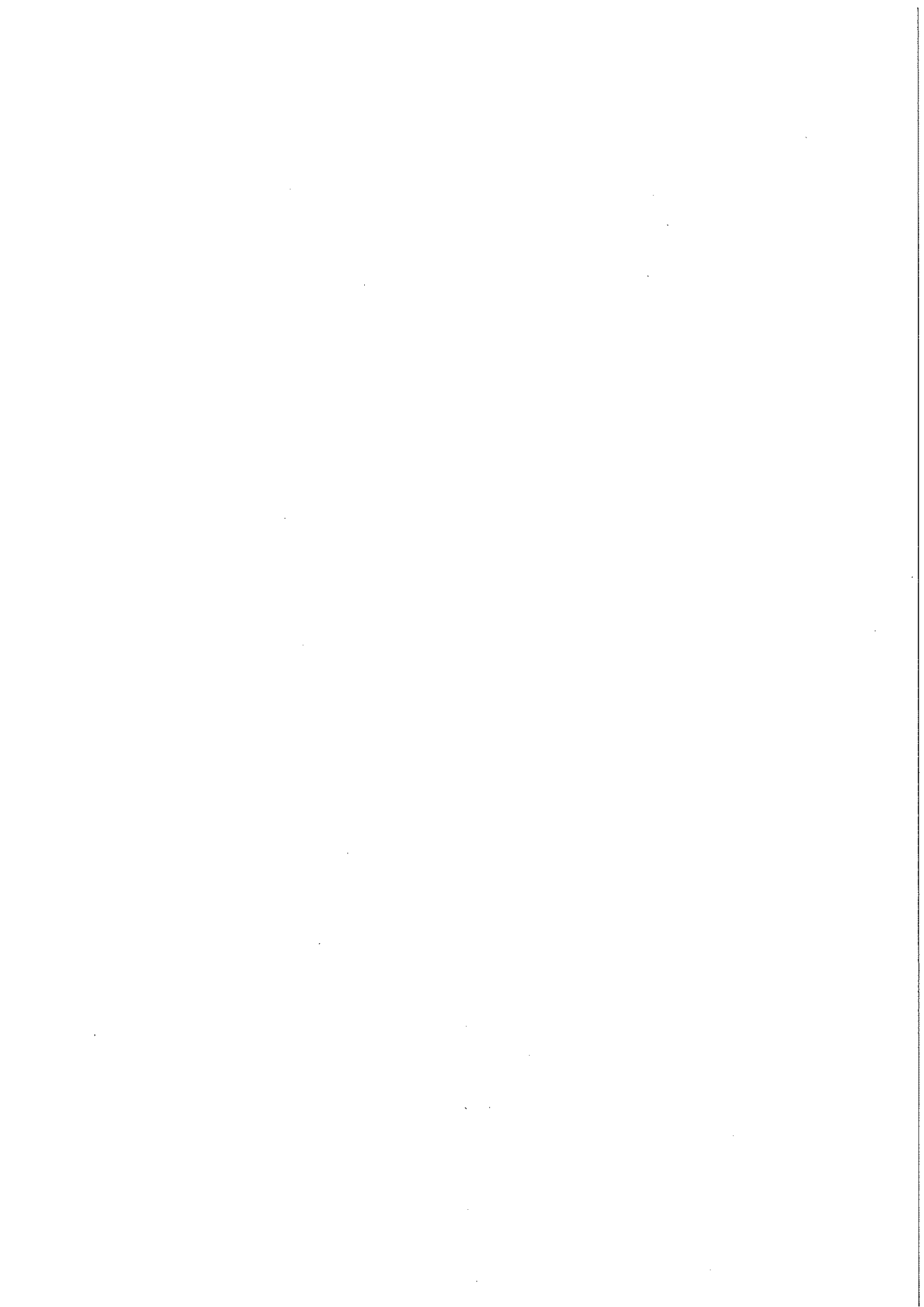
Yours sincerely,



**Giles Dolphin**  
Assistant Director – Planning



cc Joanne McCartney, London Assembly Constituency Member  
Jenny Jones, Chair of London Assembly Planning and Housing Committee  
John Pierce and Ian McNally, DCLG  
Colin Lovell, TfL  
Javiera Maturana, LDA  
Chris Frost, Cluttons LLP, Portman House, 2 Portman Street, London, W1H 6DU



22 June 2011

**Wards Corner, Seven Sisters**

in the London Borough of Haringey

planning application no. HGY/2008/0303

**Strategic planning application stage 1 referral (old powers)**

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000

**The proposal**

Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, new retail units, replacement market and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.

**The applicant**

The applicant is **Grainger (Seven Sisters) Ltd.**, and the architect is **Pollard Thomas Edwards**

**Strategic issues**

The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised previously and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. The energy strategy is in line with London Plan policy.

Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents and businesses with relocation are secured.

**Recommendation**

That Haringey Council be advised that the regeneration of this site with a mixed use development is generally consistent with London Plan policies. The level of re-provision of space for the market and local retailers is on balance acceptable. Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts.

## Context

1 On 12 February 2008 Haringey Council consulted the Mayor of London on a proposal to develop the above site for the above uses. A Stage I report was issued on 4 July 2008 and a Stage II report was issued on 3 December 2008 following Haringey Council's planning committee passing a resolution to grant the application on 17 November 2008. This decision was quashed by judicial review in June 2010 and as such the application is now due to be redetermined. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Schedule to the Order 2000: *"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 (c) outside Central London and with a total floorspace of more than 15,000 sq.m."*

3 If Haringey Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The Mayor's comments on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

## Site description

5 Wards Corner is a prominent site above Seven Sisters Victoria Line underground station on the western side of Tottenham High Road. The site is also located near to Seven Sisters overground station. The site is 0.65 hectares and comprises a group of 2 and 3-storey late Victorian commercial buildings along the western side of Tottenham High Road wrapping round into West Green Road and Seven Sisters Road together with a group of Victorian terraced houses on Suffield Road. It includes the Wards Corner department store building which gives the site its name. The site is in the West Green Road/Seven Sisters District Centre and the area is predominantly made up of local independent traders with a mix of Turkish, Cypriot, Colombian and Afro-Caribbean influences. The site also incorporates an indoor market comprising 36 separate shops/units of which 64% of traders originate from Latin America and/or are Spanish speaking. The total retail floorspace currently on site is 3,182 sq.m. The existing residential accommodation on site comprises 33 residential units along Suffield Road as well as first floor accommodation above the retail units on Tottenham High Road, Seven Sisters Road and West Green Road. The site is in multiple ownership with TfL and Haringey Council both having significant land holdings.

6 The site marks the overlapping section of two identified regeneration areas- the Tottenham High Road regeneration area and The Bridge New Deal for Communities Area. A planning brief has also been prepared for the site. Part of the site is in the Seven Sisters Conservation Area, essentially the Wards Corner building, the Tottenham High Road frontage and half of the West Green Road frontage. None of the buildings are statutorily listed although three have been locally listed: the Wards Corner building and 1a and 1b West Green Road. The site has a public transport accessibility level of 6 (where 1 is low and 6 is high).

## Details of the proposal

7 The proposed development comprises 197 residential units in a mix of studios, 1, 2 and 3-bedroom units and 3,792 sq.m. of retail. The retail units will be located on the Tottenham High Road, West Green Road and Seven Sisters frontages with the Tottenham High Road frontage aimed primarily at high street multiples and the other frontages aimed at local retailers. The West Green Road frontage units are arranged as kiosks to allow for the location of uses similar to that provided in the existing market. The family residential units are located at ground floor on Suffield Road and the smaller units are located above the retail units accessed from a podium. 44 parking spaces, including three disabled spaces, are included in the basement car park.

## Case history

8 There are no previous strategic planning applications for this site. A development brief for the site was adopted in January 2004. The brief acknowledges that the area around the station is perceived as unsafe by the local community and suffers from a high degree of crime. The range of shops and facilities in the area is considered to be poor. The brief sets out a number of strategic objectives for the redevelopment and regeneration of the area. The following vision is set out: *"to create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access"*. The brief states that the redevelopment of the site should take place comprehensively and should make the best use of the opportunities presented by the site including the provision of new housing and retail uses. The replacement buildings should be of a distinctive and imaginative modern design with active frontages and visual variety and interest and should enhance the conservation area. The brief also sets out that the development should include significant improvements to the public realm including public art and street trees and improvements to the access to the underground and bus waiting and interchange facilities.

9 An alternative development proposal was submitted by a coalition of the market traders and community associations in January 2008. The description of the development was as follows: "Erection of first floor rear extensions, alterations to rear elevation. Alterations to front elevation, including new bays at first floor level and dormer windows to front roofslope, installation of new shopfront, alterations to 3 storey corner block, internal alterations to create new shops/ workshops/ offices/cafe (A3) use on ground / first floors and creation of 8 x one bed flats at second floor." This scheme envisages the refurbishment of the existing buildings and the retention and expansion of the existing market. This application was not referable to the Mayor. The applicants appealed against non-determination in May 2010. As the deadline to submit such an appeal expired on 28 October 2008, and the Planning Inspectorate considered there had not been sufficient evidence of continuing activity on the application or dialogue between the parties to suggest that the application was still alive and allow it to exercise the Secretary of State's discretion to extend the appeal period, the Planning Inspectorate did not accept the appeal. As such Haringey Council cannot subsequently determine the application itself and it has encouraged the applicant to resubmit the application, and has offered the applicants support to do so and has agreed to waive the application fee. The Council has indicated that 'in principle' the application could comply with policy. To date the application has not been resubmitted.

## The judicial review

10 The case bought by Janet Harris against London Borough of Haringey was successful at the court of appeal and as such the planning permission has been quashed.

11 The lawfulness of the decision was originally challenged on three grounds but only one ground was pursued at the Court of Appeal: the Council, when granting permission, failed to discharge its duties under section 71 of the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. Section 71 provided, in so far as is material:

“(1) Every body or other person specified in Schedule 1A or of a description falling within that Schedule shall, in carrying out its function, have due regard to the need-

- (a) to eliminate unlawful racial discrimination; and
- (b) to promote equality of opportunity and good relations between persons of different racial groups.”

12 The breach alleged was of section 71(1)(b). The judge set out that there was sufficient potential impact on equality of opportunity between persons of different racial groups, and on good relations between such groups, to require that the impact of the decision on those aspects of social and economic life be considered. He concluded that the Council did not have due regard to the need to promote equality of opportunity and good relations between persons of different racial groups. The potential impact of the development in relation to the loss of ethnic minority businesses, the lack of affordable housing and the loss of housing currently accessible to ethnic minorities was discussed by the Court.

13 The Judge set out that not only was there no reference to section 71 in the report to the committee, or in the deliberations of the committee, but the required due regard for the need to promote equality of opportunity and good relations between persons of different racial groups was not demonstrated in the decision making process. He went on to say that due regard need not require the promotion of equality of opportunity but on the material available to the council an analysis of the material with the specific statutory considerations in mind should be made. The weight to be given to the considerations is for the decision maker to assess.

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

14 The relevant issues and corresponding policies are as follows:

- Economic development *London Plan; the Mayor's Economic Development Strategy*
- Mix of uses *London Plan*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Retail *London Plan; PPS4; PPS13*
- Employment *London Plan; PPG4; draft PPS4; Industrial Capacity SPG*
- Equal opportunities *London Plan; Planning for Equality and Diversity In Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning: A good practice guide (ODPM)*
- Sustainable development *London Plan; PPS1, PPS1 supplement; PPS3; PPG13; PPS22; Draft PPS Planning for a Low Carbon Future in a Changing Climate; the Mayor's Energy Strategy; Mayor's draft Climate Change Mitigation and Adaptation Strategies; Mayor's draft Water Strategy; Sustainable Design and Construction SPG.*
- Historic Environment *London Plan; PPS5*

15 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Haringey Unitary Development Plan (2006) and the London Plan (Consolidated with Alterations since 2004).

16 The following are also relevant material considerations:

- The draft replacement London Plan, which underwent Examination in Public in 2010 and upon which the Panel has now reported is a relevant material consideration of significant weight.

- The Haringey Core Strategy which is submission stage.
- The planning brief for the site.

## Update

17 The proposal has not substantially changed since the previous Stage I and Stage II report. As such this report only deals with new information and areas where London Plan policy or government policy has changed. The comments on design, child playspace, community facilities and transport set out in the previous report still stand.

## Equalities

18 From 5 April 2011 a new public sector equality duty, as set out in Section 149 of the Equality Act 2010 (the Act) came into force. This replaces duties under the Race Relations Act as well as other domestic discrimination legislation. The Act includes a new single public sector equality duty (the Duty) which brings together the previous race, disability and gender duties and extends coverage to include age, sexual orientation, religion or belief, pregnancy and maternity and gender reassignment. These are the grounds upon which discrimination is unlawful and are referred to as 'protected characteristics.' The Duty requires listed public bodies to consider the need to eliminate discrimination, advance equality of opportunity and foster good relations in all their functions.

19 As set out in the recently launched Queen Mary University London/ Latin American Women's Rights Service/ Trust for London report: 'No Longer Invisible; the Latin American community in London' (the report) 113,500 Latin Americans are resident in London. Latin Americans in London experience higher levels of unemployment (85%) than other members of the community and when employed around half of those employed are in low skilled and low paid jobs. The report sets out the findings of the first large-scale quantitative survey of over 1000 Latin Americans. 7% of respondents to the survey resided in Haringey.

20 Seven Sisters is a commercial hub for Spanish speaking Latin Americans. In terms of population there is a concentration of Latin American residents in Seven Sisters. 85% of Latin American communities use facilities such as Seven Sisters market and such activity is identified as a way of engaging with Latin American culture on a daily basis. Opportunities to engage with Latin American culture are seen as important for second generation Latin Americans.

21 Haringey Council has commissioned an independent Equalities Impact Assessment (EQIA). This is based on a desktop assessment of the material submitted with the original application, those submitted at the current time and consultation responses thus far. This methodology is acceptable and it is reasonable to assume that little has changed in terms of demographics since the application was originally submitted. The EQIA concludes that overall the planning application is unlikely to give rise to major negative equality impacts provided that all the measures set out in the section 106 agreement are implemented in a timely manner. The assessment recognises concerns expressed by objectors concerning potential impacts, particularly in relation to Latin American people and members of other black and minority ethnic groups. The assessment has identified additional recommendations to strengthen previously identified mitigation measures and to address residual negative impacts. For example a baseline study of businesses and market stall holders is suggested with monitoring at set stages through the progress of the development, the assessment suggests that the developers should discuss with the market stall holders mutually acceptable measures to safeguard the option to return of existing market stall holders, support in marketing, signposting to suitable alternative employment for struggling businesses and that future marketing of the completed development should capitalise on the Latin American identity. These matters are discussed in more detail in the following sections.

22 The lack of affordable housing on-site is considered to give rise to some negative equality impact, including for black and ethnic minority residents of the area in housing need, however the independent assessment of the viability of the scheme which shows that provision of affordable housing is not viable is considered to justify this negative impact. A number of measures are suggested to assist existing residents on site to access alternative accommodation. The Council should set out how these are being taken on board prior to the Stage II referral to the Mayor and they should be reflected in the final section 106 agreement. This issue is discussed in more detail below.

23 The assessment also identifies that the application gives rise to positive equality impacts in relation to safety and crime, accessible public realm and the provision of family housing.

## **The market, local retail and principle of land use**

### Land use principle

24 The concept of locating residential units above retail uses is well established and is considered to be particularly suitable for this location above an underground station. The additional residents in the area will increase the security of the area by introducing users to the area particularly in the evening. They will also increase the number of potential shoppers in the area which will be positive for the existing shopping centre.

### The market

25 The stage I decision letter stated the following regarding the market:

*"Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan."*

26 Following extensive discussions regarding the scheme, prior to the original determination, the market was replaced on the Seven Sisters Road frontage. The floorspace of the current market is 9,700 sq.ft. and the replacement market will be 9,434 sq.ft. Whilst the replacement market is slightly smaller it will still accommodate the same number of stalls as the existing market and has a more efficient layout. The large entrance to the market will be from the prominent corner building through the feature arch and the market units will also have a frontage to Seven Sisters Road.

27 The applicant has undertaken to provide a minimum of 6 month's notice to the traders for vacant possession and compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 which amounts to £144,000. This is an increase on the sum of £96,650 previously offered. The traders do not have any tenancy rights and therefore this payment is voluntary.

28 Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. Given that the applicant has stated that it will take approximately two years before the development starts on-site it is not practicable to identify an alternative location at this point.

29 The applicant has put together a package to assist the market find a temporary location and to continue functioning. This package will run for five years from the granting of consent. This package includes a 'market facilitator' to work with traders to identify a temporary location, to work with the Spanish speaking traders to promote their interests in the temporary location and to provide appropriate business support and advice to all traders to secure the maximum number of expressions of interest to return to the site as well funding towards relocation costs and a three

month rent free period in the temporary location. The provision of this package will be secured in the section 106 agreement. This package will be funded by TfL from the land receipt that it will receive from the sale of part of the site to the applicant. Although this sale will not take place until two years from planning consent the applicant will fund the first two years of the package and will be refunded by TfL at a later date. This package is identified in the independent equalities impact assessment as being key to the acceptability of the proposal in equalities terms.

30 Four conditions are set out in the section 106 agreement:

- The market must be run by an experienced indoor market operator
- This arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development
- The market operator must offer a first right to occupy to all existing traders on an exclusive and non-assignable licence of an equivalent stall in the new market area.
- The rent will be open market for A1 use class

31 In addition the application should be conditioned such that the market currently on-site cannot be closed until a temporary location is found. There is a potential concern that moving the market for a temporary period could result in its decline or failure. However, the package of measures set out above should avoid this. In addition the fact that the existing market survived a move from Elephant Castle would suggest that a successful temporary move is not unachievable.

32 These conditions, together with the additional condition suggested, are considered to be reasonable to ensure that the market is re-provided for the current traders and that it will be successful in the long term and as such will not have a negative equalities impact.

#### Local retail

33 With the redevelopment of the site there will inevitably be a loss of the retail units currently on the site. It is understood that a number of these retail units are Black and Minority Ethnic owned shops and businesses and one sells Halal meat. As such, as identified in the EQIA, there will be some negative equality impacts however it is considered that these are mitigated by the measures proposed by the applicant as set out below.

34 As set out in the EQIA it is considered that there is suitable alternative locations for the Halal meat business to relocate to as well as suitable alternative retailers in this line of business.

35 The owners/occupants of the current units on-site will receive statutory compensation as appropriate and to further mitigate negative equality impacts the business advice available to the market traders, funded through the section 106 agreement, should be extended to cover them.

36 The six units located on West Green Road have been specifically designed to accommodate local retailers. The Section 106 agreement will include clauses to the effect that the applicant will develop and promote a letting strategy in respect of these units which is consistent with the promotion of West Green Road as a district centre focused around independent trading. In addition the lettings will need to be approved by Haringey Council and prior approval will need to be given for the amalgamation of any of the units to form larger units. The promotion of local independent retail is welcomed and as such there not be a negative equalities impact.

37 The EQIA also identifies that the development will have a positive equality impact in terms of increasing employment opportunities in the area.

38 A town centre health check undertaken by Cushman and Wakefield in early 2008 concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park. Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm. The ICM poll carried out by the applicant found that 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders

### Conclusion

39 The arrangements for the fit-out of the market and the local retail units are still under discussion. The delivery of the market and these units are a requirement of the planning permission and deviation from this approach would require the prior permission of Haringey Council. On this basis it is considered that the rents of the units and the market will be controlled by the nature of the spaces and will therefore be comparable to other local rates.

40 The proposed offer is a combination of multiples, local retail and the Latin American market. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre. A social and economic impact assessment as set out in London Plan policy 3A.25 has been produced together with a retail impact assessment and a market assessment. The developer has replaced the market in the development and provided units specifically designed for local retail and the Council is satisfied that their plans will be a positive benefit to the area and the local community. The proposed scheme therefore complies with London Plan policy 3D.3, 3A.25 and 3B.1 (The Mayor will seek a range of workspaces of different types, sizes and costs to meet the needs of the different sectors of the economy and firms of different types and sizes). These policies are carried forward into the draft replacement London Plan in policy 4.8 and a new policy 4.9 has been introduced which specifically relates to the provision of units suitable for local retail. The proposal also complies with the draft replacement London Plan in this regard.

41 The retention of the Latin American Market also complies with London Plan policy 4B.8: Respecting local context and communities given that the market is replaced within the development as well as draft replacement London Plan policy 3.17 protection and enhancement of social infrastructure.

42 It is also considered that the provision of the market facilitator and associated package of measures, the re-provision of the market and the provision of local retail in the scheme discharges the obligations of the Council and the GLA under the Equalities Act 2010 provided that the application is conditioned such that the current market cannot be closed until a temporary facility is secured.

## Affordable housing

43 There are currently 31 existing homes on the site. Of these 10 units are affordable (3 council owned and 7 housing association). The loss of affordable housing is not in line with London Plan Policy 3A.15 or draft replacement London Plan policy 3.15. In this instance this is acceptable given the wider regenerative benefits of the scheme, the viability of the scheme as set out below and given that within South Tottenham (N15) area there 169 units for social rent and 31 intermediate units in the pipeline.

44 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

45 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

46 Haringey's UDP contains a policy regarding affordable housing which states that housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

47 A toolkit has been submitted with this application which shows that it is not viable to provide any affordable housing as part of the development. This is because of the exceptional development costs of building over the shallow London Underground lines and the fact that the size of the building is limited by the load that can be put on the areas of the site that are above the underground lines. The toolkit has been independently verified by the Valuation Office Agency and it has been confirmed that the development cannot support affordable housing on viability grounds.

48 At the time of the previous Stage I and Stage II reports Haringey Council had given an undertaking, in its development agreement with the applicant, that affordable housing equating to 50% of the habitable rooms on the Wards Corner site will be provided in a redevelopment of the Apex House site and a development of the Westerfield Road car park site, together with 50% affordable housing of any market provision on these sites themselves. However, given the current economic climate the Council is no longer able to make this undertaking.

49 The applicant has robustly demonstrated that it is not viable to provide any affordable housing in this development and whilst this is regrettable the position is accepted.

50 It should also be noted that a large amount of affordable housing is in the pipeline in the vicinity of the site. Most notably at Hale Village where the consent has recently been amended to increase the proportion of affordable housing.

51 The EQIA sets out that the loss of the existing housing on the site is a negative impact particularly given that it is likely that the units are occupied by BAME residents. GLA officers are of the view this impact is mitigated by the high provision of social housing units and conventional housing units in the pipeline locally. However the current residents should be actively engaged with in order to mitigate the impact. It is accepted that the local council and relevant housing associations have a duty to rehouse secure tenants. Any shorthold tenants and owner occupiers should be offered assistance to locate to alternative suitable properties. This assistance should be conditioned/ set out in the section 106 agreement.

## **Design and heritage**

52 London Plan policies on historic environment are set out in London Plan policy 4B.11 and 4B.12 and in Draft Replacement London Plan policy 7.8. The Draft Replacement London Plan sets out the following in the planning decisions section of Policy 7.8: *'development should preserve, refurbish and incorporate heritage assets, where appropriate. New development in the setting of heritage assets, and conservation areas, should be sympathetic to their form, scale, materials and architectural detail.'* Draft Replacement London Plan policy 7.9 sets out the following in the planning decisions section: *'New development should repair, refurbish and re-use heritage assets including buildings at risk. It should be demonstrated that the proposed development would give adequate status to the heritage asset in the design of the proposal.'*

53 Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. Conservation Area Consent for the demolition of all buildings on the site was granted in November 2008 and this permission still stands. As such the principle of demolition has been accepted.

54 Notwithstanding the Conservation Area Consent already granted, in considering this application against the Draft Replacement London Plan it would still be acceptable as the difficulty of retaining the buildings and making the scheme viable mean that in this instance the incorporation of heritage assets would not be appropriate. Whilst heritage led regeneration should generally be pursued in this instance significant viability issues preclude that approach.

55 The architecture of the scheme is conceived as a modern interpretation of London's street architecture. The apartment blocks and shop fronts are presented as a terrace of adjoining buildings, separated by shadow gaps. The principal residential storeys are brick faced, with stone copings and cills. A range of rectangular window openings reflect the different requirements of living rooms and bedrooms. Projecting windows enliven facades whilst providing views along the street and bringing sunlight into the rooms. The shop fronts are fully glazed and framed with dark painted or coated steel sections and a spandrel zone for controlled signage. The set back upper storeys are coated in zinc and glass panels.

56 The corner to Seven Sisters Road and the High Road, where the Wards Corner building is currently located, has been given special elevational treatment in order to create a landmark. The corner block conforms to the general parapet height but is rounded on plan and framed in stone. The stone frame is to carry a frieze of cast or sculpted relief images recalling the history of the site, for which an artist will be selected by competition. Within the stone frame a composition of vertical coloured glass fins spans between the storeys, providing visual interest and screening the rooms behind.

57 The High Road centrepiece containing the shops, residential foyer and first floor restaurant comprises a frameless glass curved facade over two lofty storeys.

58 Suffield Road has a completely different scale and character to the other frontages. The proposed frontage contains a row of family duplexes with private front doors at street level and two floors of flats above and these relate well to neighbouring residential buildings.

59 The architectural approach is welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment and is considered to be sympathetic to the form, scale, materials and architectural detail of the conservation area and remaining heritage assets.

60 Notwithstanding the extant conservation area consent the applicant has assessed the impact the development would have on identified heritage assets, in accordance with PPS5. The application would involve the loss of four heritage assets with low significance and three heritage assets with low to moderate significance. PPS 5 sets out that there is a presumption in favour of the conservation of designated assets (in this instance the conservation area). It also sets out the where the application will lead to the loss of such assets local planning authorities should refuse consent unless it can be demonstrated that the substantial harm to or loss of significant is necessary to deliver substantial public benefits that outweigh harm or loss; the nature of the heritage asset prevents all reasonable uses of the site and no viable use of the heritage asset can be found in the medium term that will enable its conservation; conservation through grant funding is not possible and the harm or loss is outweighed by the benefits of bringing the site back into use. PPS5 also requires local planning authorities to take into account the value and significance of all (other) heritage assets (in this instance the locally listed buildings).

61 TfL are currently committed to a major programme of works on the adjacent gyratory and, whilst those works are not directly dependant on this scheme, the cumulative impact of this development and the gyratory works should have a significant benefit for the setting of the conservation area and the wider townscape.

62 English Heritage has set out that whilst it accepts that it would not be viable for the current scheme to reuse the existing buildings that public benefit could also be delivered through a conservation based scheme. The applicant has considered the viability of variations of the scheme which retain one or more of the existing locally listed buildings and Haringey Council has confirmed that none of these options are financially viable or deliverable.

63 Given the relatively low significance of the assets, their current condition, the public benefits of the regeneration and replacement market provided by the scheme, the non-viability of the variants of the scheme and the extant conservation area consent it is considered that the loss of the assets is justifiable.

64 Overall, the proposed scheme makes a positive contribution to the conservation area and the wider townscape and is acceptable.

### **Residential design quality**

65 Policy 3.5 of the draft replacement plan introduces a new policy on the quality and design of housing developments. Part A of the draft policy states that housing developments should be of the highest quality internally, externally and in relation to the wider environment. Part C of the draft policy states that new dwellings should meet the dwelling space standards set out in Table 3.3, have adequately sized rooms and convenient and efficient room layouts. Part E of the draft policy states that the Mayor will provide guidance on implementation of this policy including on housing design for all tenures. The reasoned justification provides further guidance and

explanation. In particular paragraph 3.31 states that other aspects of housing design are also important to improving the attractiveness of new homes as well as being central to the Mayor's wider objectives to improve the quality of life of Londoner's environment.

66 To address these the Mayor has produced a new draft Housing SPG on the implementation of Policy 3.5 for all housing tenures, drawing on his Housing Design Guide for affordable housing. Paragraph 3.33 highlights what the proposed SPG would cover, in terms of requirements for individual dwellings. This draft has been produced for the London Plan examination in public.

67 All the family homes and most other flats have private terraces or balconies. Most of the homes are dual aspect and none of them has a single aspect north-facing outlook. The number of units per core has been minimised.

68 The majority of the units meet the space standards, and many are larger than the standards, and the overall quality of the housing offer is high, and this is acceptable.

### **Inclusive design**

69 The applicant has set out that 20 of the duplexes and four flats do not meet lifetime homes standards although they would be adaptable in the future by the creation of a small living room at entry level and a ground floor WC and shower. Given the constraints of the site this is acceptable in this instance. 10% of units are wheelchair accessible.

### **Climate change mitigation**

70 The London Plan climate change policies as set out in chapter 4A collectively require developments to make the fullest contribution to the mitigation of and adaptation to climate change and to minimise carbon dioxide emissions (Policy 4A.1). Chapter 5 of the draft replacement London Plan also requires developments to make the fullest contribution to minimising carbon dioxide emissions.

71 London Plan policies 4A.4-11 focus on mitigation of climate change and require a reduction in a development's carbon dioxide emissions through the use of passive design, energy efficiency and renewable energy measures. The London Plan requires developments to make the fullest contribution to tackling climate change by minimising carbon dioxide emissions, adopting sustainable design and construction measures and prioritising decentralised energy, including renewables.

72 Following discussions with the applicant the energy strategy has been revised to reflect changes in policy and technology since the previous Stage I and Stage II reports were issued.

#### Energy efficiency

73 The applicant has investigated additional energy efficiency measures that do not require fundamental changes to the architecture of the building. As part of this, a sample of dwellings were modelled with improved insulation levels and mechanical ventilation with heat recovery. The modelling confirms that, considering the dwellings together, they will exceed 2010 Building Regulations compliance through energy efficiency alone (and the overall development will achieve a 25% reduction over 2006 building regulations through energy efficiency alone). This is welcomed and is in line with London Plan policy.

#### District Heating

74 The applicant has investigated whether there are any existing or planned heat networks within the vicinity of the development. Although no heat networks are currently available, the applicant has committed to designing the sitewide heat network to allow future connection to an external district heating network should the opportunity arise. The applicant has provided a drawing identifying the location of the energy centre (towards the centre of the site) and its physical size. This is welcomed and is in line with London Plan policy.

#### Combined heat and power plant (CHP)

75 The applicant has provided information indicating that the sizing and operation of the CHP will be optimised to supply part of the space heating as well as the hot water demands. This has been supported with monthly heat consumption data. This is welcomed and is in line with London Plan policy.

#### Cooling

76 High performance glazing and shading will be used to minimise the need for active cooling. While active cooling will not be required in the residential elements, it is likely to be required in the retail units where electrically driven cooling will be employed. This approach is acceptable.

#### Renewable energy

77 The applicant has abandoned the proposed use of biofuel boilers due to air quality and other concerns. Instead the inclusion of photovoltaic panels (PV) has been investigated and proposed. Allowing for shading and other uses of roof space, 220 sq.m. of PV can be accommodated. This would produce a carbon dioxide saving of 11 tonnes per annum. This change in strategy is supported.

#### Summary

78 After the application of energy efficiency, CHP and renewable energy, the development will emit 165 tonnes per annum in regulated carbon dioxide emissions. This represents a saving of 100 tonnes of carbon dioxide per annum (38%) compared to a 2010 Building Regulations compliant development. The energy strategy is supported and is in line with London Plan policy.

### **Transport**

79 No new transport information has been submitted. The transport elements of the scheme were considered to be, on balance, acceptable previously. In line with draft replacement London Plan policy 20% of the parking spaces provided on-site should have electric charging points and a further 20% should have passive provision. The applicant has agreed to this provision.

80 TfL is currently committed to a major programme of works (£15 million) on the nearby Tottenham Gyration.

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

81 The development is generally supported at officer level by both the regeneration team and the planning officers.

### **Legal considerations**

82 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Haringey Council

at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

## **Financial considerations**

83 There are no financial considerations at this stage.

## **Conclusion**

84 The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised regarding previous iterations of the scheme and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. Given the relatively low significance of the heritage assets, their current condition, the public benefits of the regeneration and replacement market provided by the scheme, the non-viability of the variants of the scheme and the extant conservation area consent it is considered that the loss of the assets is justifiable. Overall, the proposed scheme makes a positive contribution to the conservation area and the wider townscape and is acceptable. The energy strategy is in line with London Plan policy.

85 Given the measures proposed in the section 106 agreement relating to the provision of a market facilitator and the right to return for market traders the proposal is unlikely to give rise to major negative equality impacts, provided that provision of a temporary market is made before the existing market closes. The negative impact of the non-provision of affordable housing is justified by the fact that it would not be viable to provide affordable housing and the planned provision for such elsewhere in the local area. The Council should ensure that the measures suggested in the equalities impact assessment to assist existing residents with relocation are secured.

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**Your ref:** HGY/2008/0303  
**Date:** 3 December 2008

**Paul Smith**  
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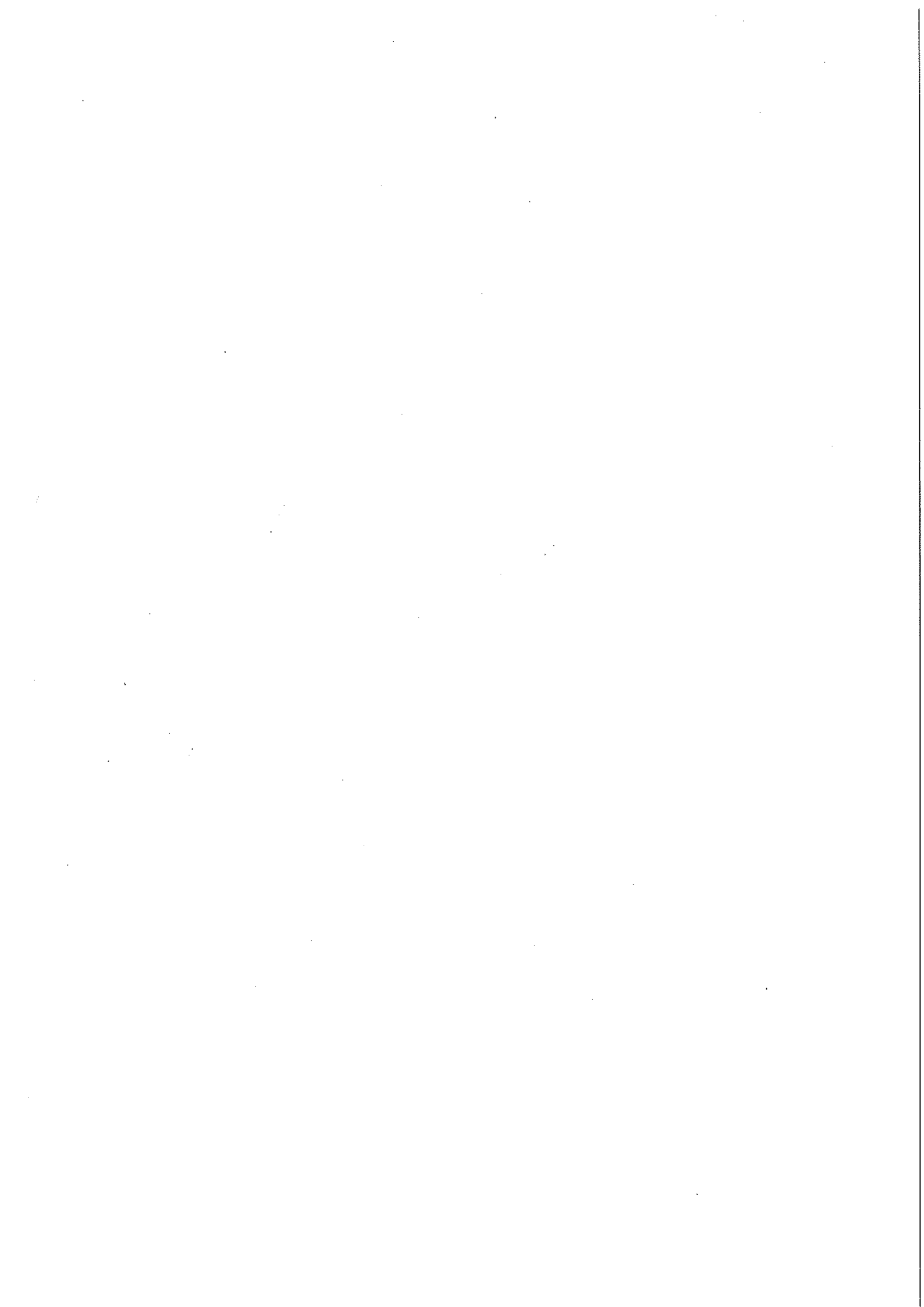
Dear Mr Smith

**Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999;  
Town & Country Planning (Mayor of London) Order 2000  
Wards Corner, Seven Sisters HGY/2008/0303**

I refer to your letter of 21 November 2008 informing the Mayor that Haringey Council is minded to grant planning permission for the above planning application. In this case the Mayor has delegated his planning function to me, in my capacity as Deputy Mayor, Government Relations. I refer you also to the notice that was issued on 24 November 2008 under the provisions of article 4(1)(b)(i) of the above Order.

Having now considered a report on this case (reference PDU/1973/02, copy enclosed) together with the representations received and the matters raised at meetings with Sir Simon Milton and the Mayor, I have concluded that the regeneration of this partially derelict site with a mixed use development is welcomed. The provision of a range of local and multiple shop units and replacement market units, new homes, focal artwork, new civic space and improved entrances to the Underground will significantly enhance the attractiveness of this site. The retail impact assessment and socio-economic impact assessment that have been submitted with the application demonstrate that the application will have a positive impact on the area. The proposed replacement market is considered to be adequate for the traders particularly given the street frontage and improved accommodation that will be provided. There will also be opportunities for local retailers to return to the development. The replacement of the market is considered to fulfil a community development role within the area and will contribute to cultural activities in the area. The fact that the site may fall into further disrepair prior to the planned start date is not a planning consideration. The benefits of the scheme outweigh any harm caused by the loss of the Wards Corner building. The package of measures put in place to compensate market traders while the development is taking place, to secure an alternative location during construction and facilitate the re-provision of the market and some local retail space within the new development is welcomed and addresses the concerns I raised previously.

The concerns raised about consultation on the application are noted, as is the community's desire for a collaborative approach. Whilst the application is not strictly in accordance with the development brief, in that the Wards Corner site has come forward ahead of the Apex House and



Westerfield Road sites and there is no affordable housing proposed, the applicant has robustly demonstrated that no affordable housing can be provided on viability grounds. This assertion has been independently verified and as such the application complies with London Plan policy. The energy strategy is acceptable in strategic policy terms.

Notwithstanding the fact that the application is only for one site in the development brief area, that there may be alternative plans for the site that involve the retention of the building, that these alternative plans may mean that the development would be finished in time for the Olympics and the recognised community aspiration for a collaborative approach, I have to consider this application on its merits and I have concluded, for the reasons set out above, that the scheme is, on balance, acceptable in strategic planning terms. I am therefore content to allow Haringey Council to determine the case itself, subject to any action that the Secretary of State may take, and do not therefore wish to direct refusal.

Yours sincerely

**Ian Clement**

Deputy Mayor, Government Relations

cc Joanne McCartney, London Assembly Constituency Member  
Nicky Gavron, Chair of London Assembly Planning & Housing Committee  
Ian McNally & John Pierce, GoL  
Colin Lovell, TfL  
Dean Williams & Helen Wood, LDA



## Wards Corner, Seven Sisters

in the London Borough of Haringey

planning application no. HGY/2008/0303

### Strategic planning application stage II referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000

### The proposal

Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, replacement market, new retail units and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.

### The applicant

The applicant is **Grainger (Seven Sisters) Ltd.**, and the architect is **Pollard Thomas Edwards.**

### Strategic issues

**Design, re-provision of the existing market, affordable housing, energy, children's playspace and transport.**

### Recommendation

That Haringey Council be advised that the Mayor is content for it to determine the case itself, subject to any action that the Secretary of State may take, and does not therefore wish to direct refusal.

### Context

1 On 12 February 2008 Haringey Council consulted the Mayor of London on an application for planning permission for the above development at the above site. This was referred to the Mayor under Category 1B of the Schedule of the Order 2000. On 16 July 2008 the Deputy Mayor considered planning report PDU 1973/01, and subsequently advised Haringey Council that *"the principle of the re-development of the site is supported in strategic policy terms. Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with policy 3D.3 of the London Plan. In addition further work is needed on design and energy before this application comes back to the Mayor."*

2 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance

are as set out therein, unless otherwise stated in this report. Since then, the scheme has been amended in response to the Mayor's concerns (see below). On 17 November 2008 Haringey Council decided that it was minded to grant planning permission for the application, and on 24 November 2008 it advised the Mayor of this decision. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor may direct the Council to refuse planning permission, and has until 5 December 2008 to notify the Council of such a direction. This report sets out the information needed by the Mayor in deciding whether to direct refusal.

3 The decision on this case, and the reasons will be made available on the GLA's website [www.london.gov.uk](http://www.london.gov.uk).

## Update

4 Following the issuing of the Stage I decision a meeting was held between the applicant, Haringey Council, the Mayor and Sir Simon Milton (Deputy Mayor for Planning and Policy) on 25 July 2008. At this meeting the Mayor expressed a view that the market should be replaced in its entirety within the development, a temporary location during redevelopment investigated and changes to the design of the roof were suggested. The following press release was issued following the meeting:

*"The Mayor had a good meeting today with Haringey Council and the developer Grainger at which the Mayor reiterated his support for regeneration of the Wards Corner site and his desire to see a future for the Latin American market that has been operating there. The developers agreed to consider further options for the market's future in partnership with the GLA, Haringey Council and the traders and a follow up meeting will be held in early September."*

5 A follow-up meeting was held between the applicant, Haringey Council and Sir Simon Milton on 3 October 2008. Following this meeting a letter was sent to Haringey Council as follows:

*"The changes to the scheme, since the Stage I report was issued in July 2008 can be summarised as follows:*

- *The market is now replaced, almost like for like in space terms, on the Seven Sisters Road frontage.*
- *Grainger undertake to provide a minimum 6 months notice period to traders for vacant possession.*
- *Compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 and which amounts to £96,650.*
- *Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market.*
- *Four conditions are proposed to be contained within the S. 106 agreement. These are as follows:*

*-the market must be run by an experienced indoor market operator  
-this arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development*

- The market must be occupied by not less than 60% of all market traders that previously occupied the Seven Sisters Market
- The rent will be open market for A1 use class.
- The set back storey to Seven Sisters Road is now glazed.

*It is considered by officers that these changes address the concerns set out in the Stage I report and decision letter, but these comments cannot fetter the Mayor's decision when the application is reported to him at Stage II".*

6 A meeting was held between members of the Wards Corner Coalition and Sjr Simon Milton on 26 November 2008. At this meeting the coalition expressed their view that the changes to the proposal did not address the issues set out in the Stage I report and they outlined their alternative vision for the site. Whilst a planning application, which is not referable, has been submitted for the site by the coalition the scheme does not currently have funding.

7 The following issues were raised at the meeting:

- The proposed replacement market will not be adequate for the traders.
- The needs of the local businesses have not been taken into consideration.
- Concern that the site will fall into further disrepair prior to the planned start date.
- The introduction of housing to the town centre will have a detrimental impact.
- Consultation has not been adequate.
- The proposal is contrary to London Plan policy 3A.25 (now policy 3A.28 in the London Plan (consolidated with alterations since 2004) as there has been no social and economic impact assessment of the proposal.
- There has been no adequate retail impact assessment.
- There is no community development aspect to the proposal and therefore the proposal is contrary to London Plan policy 3D.1
- The proposal is contrary to London Plan policy 4B.7 (now 4B.8) as it fails to recognise and manage local characteristics.
- The new development will struggle to compete with Tottenham Hale.
- Haringey have made this area a cultural quarter and this should be enhanced with a development at Seven Sisters.
- The area will be derelict in 2012 for the Olympics and yet it could be a Latin Quarter for Spanish speaking visitors.
- If the buildings were to be restored then the development would be open in 2012.
- The current leaseholder of the market receives an average of two enquiries per month from people interested in reusing the Wards Corner building.

- The Prince's Regeneration Trust has expressed an interest in being involved in a collaborative project with the Council and the community.
- Parity Projects, an environmental renovation specialist, is prepared to work with the community but they need access to the Wards Corner building and the construction drawings.
- The energy strategy is not sustainable- the use of biofuels is backward looking.
- The consultation process has been flawed.
- The running of the council meeting where the planning decision was taken was biased and flawed.
- The assurances made to the traders are not adequate- the market rents will not be affordable, they can be priced out. There is also a fear that some traders will take the compensation and will not return and thus the market will be broken up.
- No affordable housing is proposed and there is no guarantee that the Apex House and Westerfield Road developments (which would provide affordable housing) will go ahead. The development brief included all three sites and a holistic vision for all three sites should be presented. The community have been looking at a plan for the whole area with East Architects and GlassHouse. The community feel a more collaborative approach is needed.
- TfL as landowner of part of the site should accept a reduced value to their land to enable the alternative proposal to go ahead.

8 The proposed section 106 agreement includes an education contribution of £200,000, a contribution of £100,000 for a public art competition for artwork at the front of the site on the High Street and the design of the frieze on the corner building, as well as the re-provision of the market.

## **The market, local retail and principle of land use**

9 The stage I decision letter stated the following regarding the market:

*"Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan."*

10 The plans have substantially changed since the Stage I decision and the market is now replaced on the Seven Sisters Road frontage. The floorspace of the current market is 9,700 sq.ft. and the replacement market will be 9,434 sq.ft. Whilst the replacement market is slightly smaller it will still accommodate the same number of stalls as the existing market and has a more efficient layout. The large entrance to the market will be from the prominent corner building through the feature arch and the market units will also have a frontage to Seven Sisters Road.

11 The applicant has undertaken to provide a minimum of 6 month's notice to the traders for vacant possession and compensation will be paid to traders at a rate equivalent to that payable under the Landlord and Tenant Act 1954 and which amounts to £96,650. The traders do not have any tenancy rights and therefore this payment is voluntary.

12 Grainger has employed Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. Given that the applicant has stated that it will take approximately two years before the development starts on-site it is not practicable to identify an alternative location at this point.

13 The applicant is putting together plans for a 'market facilitator' to work with traders in the long term to identify an alternative location. To this end they are in discussions with North London Business, Haringey Council and the Bridge New Deal for Communities (NDC). A funding bid will be presented to the London Development Agency in the new year for this role. The applicant is also discussing setting up a market steering committee to consist of themselves, Haringey Council, the NDC, North London Business and the market traders.

14 Four conditions are set out in the Section 106 agreement:

- The market must be run by an experienced indoor market operator
- This arrangement must be in place not less than 12 months prior to the due practical completion date of the proposed development
- The market must be occupied by not less than 60% of all market traders that previously occupied the Seven Sisters Market
- The rent will be open market for A1 use class

15 These conditions are considered to be reasonable to ensure that the market is provided for the current traders and that it will be successful in the long term.

16 The six units located on West Green Road have been specifically designed to accommodate local retailers. The Section 106 agreement will include clauses to the effect that the applicant will develop and promote a letting strategy in respect of these units which is consistent with the promotion of West Green Road as a district centre focused around independent trading. In addition the lettings will need to be approved by Haringey Council and prior approval will need to be given for the amalgamation of any of the units to form larger units. The promotion of local independent retail is welcomed.

17 The concept of locating residential units above retail uses is well established and is considered to be particularly suitable for this location above an underground station. The additional residents in the area will increase the security of the area by introducing users to the area particularly in the evening. They will also increase the number of potential shoppers in the area which will be positive for the existing shopping centre.

18 As identified in the Stage I report a town centre health check undertaken by Cushman and Wakefield in early 2008 concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park. Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the

characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm. The ICM poll carried out by the applicant found that 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders.

19 The arrangements for the fit-out of the market and the local retail units are still under discussion. The delivery of the market and these units are a requirement of the planning permission and deviation from this approach would require the prior permission of Haringey Council. On this basis it is considered that the rents of the units and the market will be controlled by the nature of the spaces and will therefore be comparable to other local rates.

20 The proposed offer is a combination of multiples, local retail and the Latin American market. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre. A social and economic impact assessment as set out in London Plan policy 3A.25 has been produced together with a retail impact assessment and a market assessment. The developer has replaced the market in the development and provided units specifically designed for local retail and the Council is satisfied that their plans will be a positive benefit to the area and the local community. The proposed scheme therefore complies with London Plan policy 3D.3, 3A.25 and 3B.1 (The Mayor will seek a range of workspaces of different types, sizes and costs to meet the needs of the different sectors of the economy and firms of different types and sizes).

21 The retention of the Latin American Market also complies with London Plan policy 4B.8: Respecting local context and communities given that the market is replaced within the development. The heritage aspects of the issue of local context are discussed in the design section below.

## Design

22 The Stage 1 report concluded the following on design:

*"The architectural approach is on the whole welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment, however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered."*

23 The set back upper storeys are now glazed and further details have been submitted of the corner treatment. A frieze will be included around the corner arch and this will be the subject of a competition. As such the issues raised at Stage 1, and subsequently by the Mayor, have been resolved.

24 A number of objections have been received which set out requests to preserve the existing buildings on the site and the Wards Corner building specifically. The Stage 1 report set out the following on heritage issues:

*"Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. It is considered that the loss of the building would be justifiable provided the quality of the replacement scheme is high."*

*Overall, the proposed scheme, with the changes set out above, would make a positive contribution to the conservation area and the wider townscape."*

25 English Heritage state that the applicant has demonstrated that the retention of the buildings on-site would render the current proposal unviable however, it also states that the supporting information does not confirm that repair and refurbishment is unviable. English Heritage support a conservation led approach to regeneration.

26 CABE suggested that the massing at roof level on West Green Road should be reconsidered and it raised concerns around the maintenance of the public space however, overall it felt that the scheme has the potential to transform the area and the scheme is supported.

27 Given that the buildings were not felt worthy of listing, that there is no currently viable refurbishment led scheme under consideration and most importantly that the proposed scheme makes a positive contribution to the conservation area and the wider townscape it is considered that the proposal complies with the London Plan in design terms.

### **Climate change mitigation**

28 The applicant has clarified building regulation calculations for the dwellings, providing additional information in relation to passive energy features adopted. The provision of additional modelling work for the non-residential element of the development has been secured by condition. The implementation of energy efficiency measures for the residential units to reduce carbon dioxide emissions by at least 8% beyond the target emissions rate is secured by condition.

29 The provision of a single energy centre and heat network is conditioned together with the combined heat and power plant (CHP). The applicants states that the gas CHP unit is to be the lead boiler, with the bio-fuel boiler as a top-up boiler, and the applicant has indicated that the electricity generated will be used within the development.

30 The Stage 1 report set out that the dual fuel boiler (natural gas and rapeseeds oil) was not acceptable as the only renewable solution for the development, and that this option required significant further information before it could be considered acceptable. The applicant has submitted further information that demonstrates that due to the constraints of the site, and on cost grounds, there is limited viability for other renewable solutions to be provided. Further information in relation to the availability and type of biofuel, fuel suppliers, delivery of biofuel to site, and storage of biofuel have been provided. Reference has also been made to the carbon intensity factors and guidelines on this issue given under the Government's Renewable Transport Fuel Obligation (RTFO).

31 The submission of further details of the biofuel boiler type, air quality impact, fuel supply and carbon intensity are secured by condition. A requirement that, 15 months from the practical completion of the development, the applicant shall submit to the Local Planning Authority a statement confirming the amount of biofuel used by the development in the preceding year is also conditioned. Such a statement then needs to be submitted annually for five years. The provision of 10.5% reduction in carbon dioxide emissions from renewable energy technologies is conditioned. Although the use of dual fuel boilers is not an ideal solution it is acceptable in this case, given the conditions that have been included and due to the constraints of the site and the acceptability of the solution to Haringey Council.

32 Further information on the cooling strategy has been submitted and is satisfactory.

33 The energy strategy is broadly in line with London Plan policy and is now acceptable.

### **Climate change adaptation**

34 The Stage I report set out that further information needed to be provided of any measures designed to prevent overheating, minimise solar gain, minimise water use and contribute to flood risk reductions. The applicant has stated that the following measures have been incorporated to reduce peak solar gain in summer and allow passive heating in winter: deep reveals in the brick facade, relatively low ratios of glazed and opaque areas and the projection of the facades to the west on Suffield Road and the south elevation on West Green Road. The applicant has committed to the water target set out in the London Plan of 105 litres of water per person per day. This should be secured in the section 106 agreement.

### **Transport**

35 In view of the highly accessible nature of the site it was recommended that the scheme be made car free. The development provides 39 car parking spaces and 12 on street permits for the town houses. All other occupiers of the development will be prevented from obtaining a permit by section 106 agreement, which is welcomed in order to encourage sustainable travel. A survey of bus stops together with suggested mitigation was requested at the consultation stage and it is disappointing to note that this has not yet been undertaken. It is therefore unclear on what basis the borough reached their conclusion that the impact on the public transport network is acceptable. Travel plans for the commercial and residential elements of the scheme will be secured by condition and this is welcomed in order to mitigate travel demand, and should include clear targets and a robust monitoring mechanism. The approval of any construction routing should minimise the impact on the TLRN and the developer should be reminded that TfL can license temporary use of the public highway in certain circumstances.

36 The proposed development will be in close proximity to TfL owned property, including the underground station, tunnels and infrastructure. Accordingly the impacts of construction and excavation, including impacts on the integrity of the all the station assets, need to be robustly managed. A construction strategy should be secured by condition and determined in consultation with London Underground, however to date no such conditions or informatives has been proposed. The detailed design and programme of works to provide canopies over the station entrances and kiosks within their vicinity should be secured by a condition to ensure that there is an acceptable impact on Seven Sisters Station.

### **London Development Agency's comments**

37 At Stage 1, the London Development Agency (LDA) supported the principle of development, however, the Agency raised a number of issues relating to existing market and the wider regeneration potential of the scheme.

38 As the original scheme did not include the like for like re-provision of the existing market, the LDA requested that in accordance with London Plan Policy 3D.3 'Maintaining and improving retail facilities', every effort must be made to find alternative accommodation for the existing market traders. In addition, given the significant construction period for the proposed development, sufficient notice and support should be given to tenants to allow them explore the options for re-location on or off site available to them. The LDA therefore welcomes that the Section 106 agreement secures the replacement of market, almost like for like in space terms along the Seven Sisters Road frontage. In addition, the LDA welcomes that a minimum six month notice will be given to traders for vacant possession and that the applicant will employ

Urban Space Management and Union Land to assess the opportunities for temporary locations for the market as a whole or within an existing market. The LDA therefore considers that there are no strategic issues in relation to London Plan Policy 3D.3.

39 At Stage 1 the LDA highlighted that in accordance with London Plan Policies 3B.1 'Developing London's economy' and 3B.11 'Improving employment opportunities for Londoners' and the adopted Wards Corner/Seven Sisters Underground Development Brief, the developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal, in both the construction and operational phases of the development. The LDA therefore welcomes that the section 106 agreement Heads of Terms includes the requirement for the applicant to submit a construction Training and Local Labour Agreement. In addition, the LDA welcomes the requirement to procure goods and services from local businesses and to recruit local people. The LDA therefore considers that there are no strategic issues in relation to London Plan Policies 3B.1 and 3B.11 and that the Economic Development Objective to 'Tackle Barriers to Employment' is met.

### **Other comments**

40 English Heritage state that the applicant has demonstrated that the retention of the buildings on-site would render the current proposal unviable however, it also states that the supporting information does not confirm that repair and refurbishment is unviable. English Heritage does not consider that the replacement buildings offer sufficient merit to justify demolition and it considers that a scheme that takes a conservation led approach to regeneration should be pursued.

41 CABE has made some comments regarding the massing at roof level on West Green Road (which has been resolved with the glazed set back storeys) and around the maintenance of the public space however, overall it feels that the scheme has the potential to transform the area and they support it.

42 Tottenham Civic Society has stated that the proposal is an over-development of the site and would result in serious compromise to the quality of life of new and existing residents.

43 Tottenham Conservation Area Advisory Committee object to the application on the grounds that there are no adequate grounds to demolish historic and characterful buildings in a conservation area; the loss of locally listed buildings; the proposal is not in keeping with the planning brief for the site or for policies for creating new town centres; the proposed design is not appropriate in the conservation area on the grounds of bulk, mass and height; the proposal represents overdevelopment; there is no social housing and therefore a socially divisive gated community is created; there is a lack of amenity space for future residents; family businesses and the market will be destroyed; small business units suitable for start-ups will be lost; there has been a lack of consultation with the local community; a bland environment with no sense of place will be created which will be unaffordable to local residents and local shopkeepers.

44 The Environment Agency stated that it had no objection to the application provided that its suggested conditions relating to drainage, decontamination, storage of oils, fuels and chemicals and water efficiency are imposed. These conditions have not been included on the draft decision notice. Haringey Council should ensure that these conditions are included in either the decision notice or in the Section 106 agreement.

45 Transport for London (property division) has written in support of the application stating that they welcome the anticipated improvements to the local environment.

## Response to consultation

46 Haringey Council's committee report sets out that 242 letters were received by Haringey Council regarding the application ; 23 of these letters are in support and 23 letters are duplicates. The report also sets out that 123 email objections were received by Haringey through their "Public Access" system. Two petitions were also received by Haringey Council. One had 81 signatures and was in support of the application (although some of the signatures were subsequently withdrawn) and one had 126 signatures and objected to the development. The GLA has also received 15 objections directly (as of Friday 28 November).

47 The following issues have been raised by the letters, emails and petitions in objection to the proposal: the impact on local businesses; the loss of traders homes; blight due to the length of construction; loss of the market; loss of the Wards Corner building and Edwardian terrace; insufficient consultation; the development is not in accordance with the planning brief; the design is not an imaginative gateway to the area; the development is not at a human scale; the development creates a gated community; the development is not appropriate in a conservation area; the development will replace local businesses with chain stores; there is no open space in the development; there has been no involvement of the local community in the drawing up of the plans; there is no social housing provided and no apparent planning gain; the proposals are based on the erroneous notion of risk of crime in the area but will in fact make the area more dangerous.

48 The Wards Corner Community Coalition have held public meetings and have submitted objections to the planning application as well as an alternative vision for the site. Their objections are set out in paragraph 7 above.

49 Tottenham Conservatives have stated that the Wards Corner building should be preserved and that it is their opinion that the current plans are unimaginative and ugly. They state that restoration would be possible and that the current plans would destroy the local businesses on the site and make a number of the traders homeless as they also live on-site as well as cause disruption to local transport services and put a strain on local infrastructure.

50 David Lammy MP for Tottenham has stated that the plans for the redevelopment of the site have improved following his discussions with the developers however, he points out the historic value of the Wards Corner building and the continued concerns that the traders and local businesses have over their futures.

51 Icen projects have written a letter on behalf of the community coalition specifically addressing the revised scheme. They have stated that the increased rent levels in the market will make it unviable, that there are no firm commitments to provide a temporary location, the requirement that 60% of the traders return will be unviable as there is no firm temporary relocation option, the distinctiveness of the market will be lost as part of this redevelopment and this will have an impact on its community value, London Plan policy 3A.25 has not been complied with and no social and economic impact assessment has been carried out, policy 3D.3 has not been complied with in that retail facilities that provide essential convenience and specialist shopping will be lost; London Plan policy 3B.1 has not been complied with in that a range of premises of different types, sizes and costs to meet the needs of different sectors of the economy and firms of different types and sizes have not been provided; the policy also calls for meeting the needs of small and medium enterprises and black and minority ethnic businesses; the development does not accord with London Plan policy 4B.7 in that the Mayor will work with local communities to recognise and manage local distinctiveness.

52 A letter from Iceni covering the same points listed above was also received directly by Ian Clement, the Deputy Mayor. These points are dealt with in the section on the market above.

53 The heritage, design and market issues are dealt with in the body of the report above.

54 The following issues have been raised in support of the scheme: the area needs to be developed to make the area a safe place to live and work in; the proposal will introduce viable retail competition to Tesco; the plans will give Seven Sisters a boost; the proposals will give a more favourable impression of the area; the proposals will increase the range of goods available to customers; the existing buildings are shabby and mostly unused and provide no facilities for residents in the area; the area is currently threatening and depressing, the new plans will regenerate local businesses and the community as a whole.

55 A letter of support was received from the Bridge New Deal for Communities.

56 The Prince's Regeneration Trust wrote to the Mayor setting out that it had been approached by the Community Coalition and were in discussions with them about delivering a way forward. GLA officers subsequently contacted the Trust and it has now stated that it has no current plans to be involved and that in order to be involved there would need to be collaboration between Haringey Council, the developers and the local community.

## **Legal considerations**

57 Under the arrangements set out in article 5 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has the power to direct the local planning authority to refuse permission for a planning application referred to him under article 3 of the Order. In doing so the Mayor must have regard to the matters set out in article 5(2) of the Order, including the principle purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice.

## **Financial considerations**

58 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance in Circular 8/93 (*Award of Costs in Planning and Other (including Compulsory Purchase Order) Proceedings*) emphasises that parties usually pay their own expenses arising from an appeal.

59 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

## Conclusion

60 The regeneration of this site with a mixed use development is welcomed. The replacement of the market and the provision of local retail space is welcomed and addresses the concerns raised at Stage I and is, on balance, acceptable in strategic planning terms. The significant improvements to the public realm and the improved quality of retail provision is also welcomed. The outstanding design and energy issues have been resolved.

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GREATER LONDON AUTHORITY  
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Our ref: PDU/1973/EW04  
Your ref: HGY/2008/0303  
Date: 16 July 2008

Dear Paul Smith,

**Town & Country Planning Act 1990 (as amended); Greater London Authority  
Act 1999; Town & Country Planning (Mayor of London) Order 2000  
Wards Corner, Seven Sisters HGY/2008/0303**

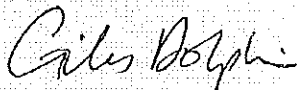
I refer to your letter of 12 February 2008, consulting the Mayor of London on the above planning application. The Mayor has delegated his planning function to his Deputy Mayor, Government Relations, and on 16 July 2008 the latter considered a report on this proposal, reference PDU/1973/01. A copy of the report is attached, in full.

Having considered the report, the Deputy Mayor has concluded that the principle of the re-development of the site is supported in strategic policy terms. However, the Deputy Mayor has come to an alternative conclusion to that set out in the report with regard to the market. Any scheme that fails to re-provide the market in its entirety within the development, together with temporary provision whilst the site is redeveloped, will not be acceptable and will not comply with London Plan policy 3D.3 of the London Plan.

In addition further work is needed on design and energy before this application comes back to the Mayor.

If Haringey Council decides in due course that it is minded to approve the application, it should allow the Mayor fourteen days to decide whether or not to direct the Council to refuse planning permission (under article 4(1)(b)(i) of the Town & Country Planning (Mayor of London) Order 2000). You should therefore send me a copy of any officer's report on this case to your planning committee (or its equivalent), together with a statement of the permission your authority proposes to grant and of any conditions the authority proposes to impose, and a copy of any representations made in respect of the application (article 4(1)(a) of the Order).

Yours sincerely,



**Giles Dolphin**  
Head of Planning Decisions

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cc. Joanne McCartney, London Assembly Constituency Member  
Tony Arbour, Chair of London Assembly Planning and Spatial Development Committee  
John Pierce and Ian McNally, GOL  
Colin Lovell, TfL  
Helen Wood and Dean Williams, LDA

## Wards Corner, Seven Sisters

in the London Borough of Haringey

planning application no. HGY/2008/0303

<b>Strategic planning application stage 1 referral (old powers)</b> Town & Country Planning Act 1990 (as amended); Greater London Authority Act 1999; Town & Country Planning (Mayor of London) Order 2000
<b>The proposal</b> Demolition of existing buildings and the erection of a mixed-use development comprising 197 residential units, new retail units and restaurant together with basement car parking and a new public square on Tottenham High Road incorporating public realm improvements.
<b>The applicant</b> The applicant is <b>Grainger (Seven Sisters) Ltd.</b> , and the architect is <b>Pollard Thomas Edwards</b> .
<b>Strategic issues</b> Design, re-provision of the existing market, affordable housing, energy, children's playspace and transport.
<b>Recommendation</b> That Haringey Council be advised that the regeneration of this site with a mixed use development is generally consistent with London Plan policies. The level of re-provision of space for the market and local retailers is on balance acceptable. Further work is needed on design and energy before this application comes back to the Mayor at Stage II.

### Context

1 On 12 February 2008 Haringey Council consulted the Mayor of London on a proposal to develop the above site for the above uses. Under the provisions of the Town & Country Planning (Mayor of London) Order 2000 the Mayor has the same opportunity as other statutory consultees to comment on the proposal. This report sets out information for the Mayor's use in deciding what comments to make.

2 The application is referable under Category 1B of the Schedule to the Order 2000: *"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 (c) outside Central London and with a total floorspace of more than 15,000 sq.m."*

3 If Haringey Council subsequently decides that it is minded to grant planning permission, it must first allow the Mayor an opportunity to decide whether to direct the Council to refuse permission.

4 The Mayor's comments on this case will be made available on the GLA website [www.london.gov.uk](http://www.london.gov.uk).

### Site description

5 Wards Corner is a prominent site above Seven Sisters Victoria Line underground station on the western side of Tottenham High Road. The site is also located near to Seven Sisters overground station. The site is 0.65 hectares and comprises a group of 2 and 3-storey late Victorian commercial buildings along the western side of Tottenham High Road wrapping round into West Green Road and Seven Sisters Road together with a group of Victorian terraced houses on Suffield Road. It includes the Wards Corner department store building which gives the site its name. The site is in the West Green Road/Seven Sisters District Centre and the area is predominantly made up of local independent traders with a mix of Turkish, Cypriot, Colombian and Afro-Caribbean influences. The site also incorporates an indoor market comprising 36 separate shops/units of which 64% of traders originate from Latin America and/or are Spanish speaking. The total retail floorspace currently on site is 3,182 sq.m. The existing residential accommodation on site comprises 33 residential units along Suffield Road as well as first floor accommodation above the retail units on Tottenham High Road, Seven Sisters Road and West Green Road. The site is in multiple ownership with TfL and Haringey Council both having significant land holdings.

6 The site marks the overlapping section of two identified regeneration areas- the Tottenham High Road regeneration area and The Bridge New Deal for Communities Area. A planning brief has also been prepared for the site. Part of the site is in the Seven Sisters Conservation Area, essentially the Wards Corner building, the Tottenham High Road frontage and half of the West Green Road frontage. None of the buildings are statutorily listed although three have been locally listed: the Wards Corner building and 1a and 1b West Green Road. The site has a public transport accessibility level of 6 (where 1 is low and 6 is high).

### Details of the proposal

7 The proposed development comprises 197 residential units in a mix of studios, 1, 2 and 3-bedroom units and 3,792 sq.m. of retail. The retail units will be located on the Tottenham High Road, West Green Road and Seven Sisters frontages with the Tottenham High Road frontage aimed primarily at high street multiples and the other frontages aimed at local retailers. The West Green Road frontage units are arranged as kiosks to allow for the location of uses similar to that provided in the existing market. The family residential units are located at ground floor on Suffield Road and the smaller units are located above the retail units accessed from a podium. 44 parking spaces, including three disabled spaces, are included in the basement car park.

### Case history

8 There are no previous strategic planning applications for this site. A development brief for the site was adopted in January 2004. The brief acknowledges that the area around the station is perceived as unsafe by the local community and suffers from a high degree of crime. The range of shops and facilities in the area is considered to be poor. The brief sets out a number of strategic objectives for the redevelopment and regeneration of the area. The following vision is set out: "to create a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access". The brief states that the redevelopment of the site should take place comprehensively and should make the best use of the

opportunities presented by the site including the provision of new housing and retail uses. The replacement buildings should be of a distinctive and imaginative modern design with active frontages and visual variety and interest and should enhance the conservation area. The brief also sets out that the development should include significant improvements to the public realm including public art and street trees and improvements to the access to the underground and bus waiting and interchange facilities.

9 An alternative development proposal has been submitted by a coalition of the market traders and community associations. The description of the development is as follows: "Erection of first floor rear extensions, alterations to rear elevation. Alterations to front elevation, including new bays at first floor level and dormer windows to front roof slope; installation of new shopfront, alterations to 3 storey corner block; internal alterations to create new shops/workshops/offices/cafe (A3) use on ground / first floors and creation of 8 x one bed flats at second floor." This scheme envisages the refurbishment of the existing buildings and the retention and expansion of the existing market. This application is not referable to the Mayor.

### Strategic planning issues and relevant policies and guidance

10 The relevant issues and corresponding policies are as follows:

- Economic development *London Plan; the Mayor's Economic Development Strategy*
- Housing *London Plan; PPS3; Housing SPG; Providing for Children and Young People's Play and Informal Recreation SPG;*
- Affordable housing *London Plan; PPS3; Housing SPG*
- Density *London Plan; PPS3; Housing SPG*
- Urban design *London Plan; PPS1*
- Mix of uses *London Plan*
- Regeneration *London Plan; the Mayor's Economic Development Strategy*
- Transport *London Plan; the Mayor's Transport Strategy; PPG13;*
- Parking *London Plan; the Mayor's Transport Strategy; PPG13*
- Retail *London Plan; PPS6; PPG13*
- Employment *London Plan; PPG4; draft PPS4; Industrial Capacity SPG*
- Access *London Plan; PPS1; Accessible London; achieving an inclusive environment SPG; Wheelchair Accessible Housing BPG; Planning and Access for Disabled People: a good practice guide (ODPM)*
- Equal opportunities *London Plan; Planning for Equality and Diversity in Meeting the spatial needs of London's diverse communities SPG; Diversity and Equality in Planning; A good practice guide (ODPM)*
- Culture *London Plan; the Mayor's Culture Strategy*
- Sustainable development *London Plan; PPS, PPS Planning and Climate Change Supplement to PPS1; PPS3; PPG13; PPS22; the Mayor's Energy Strategy; Sustainable Design and Construction SPG*
- Historic Environment *London Plan; PPG15*

11 For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area is Haringey Unitary Development Plan (2006) and the London Plan (Consolidated with Alterations since 2004).

12 The following are also relevant material considerations:

- The Haringey Core Strategy which is at issues and options stage.

- The planning brief for the site.

### Mix of uses

13 The concept of the redevelopment with residential located above retail at a public transport interchange is supported in strategic policy terms.

14 In 2003 Chesterton carried out a health check of the Seven Sisters shopping area and this concluded that although the centre had good convenience (food) retail provision, including a strong independent centre, and was busy, there were some significant problems. These included poor comparison (non-food) offer, inadequate retail stock relative to operator requirements, poor environmental quality, and a particular problem with street crime. A further health check was undertaken by Cushman and Wakefield in early 2008 and this concluded that whilst the centre displays some positive qualities such as, good accessibility, a notable independent trading sector, and the presence of a reasonable quality food store anchor, a range of problems and challenges faces the centre. Most notable of these are the poor quality of the physical environment, the lack of recognised national multiple traders, the problems associated with heavy traffic, and retail competition from the Tottenham Hale retail park.

15 Cushman and Wakefield conclude that the development proposed would have a number of positive benefits for the centre including: the potential to attract a quality anchor tenant to Seven Sisters; that the development would represent a more intensive use of this part of the centre; that the development would not harm the positive characteristics of the centre, including its independent retail offer; that the scheme would help maximise the benefit of its position adjacent to a very busy entrance to an underground station with easy access to the central London; that the characteristics of the development would represent an opportunity for the centre to try and safeguard its vitality and viability in the face of competition; and the proposal would assist in addressing the identified shortcomings in the environmental quality of the centre and public realm.

16 The quantum of retail within the scheme will increase by 610 sq.m. and this is considered appropriate. The proposed offer is a combination of multiples, local retail and market kiosks. The proposals deliver a range of retailing options for all types of businesses. Within this offer six units and twelve kiosks, totalling 627 sq.m., are specifically allocated for local retailing. As such, the proposal would have a positive impact on the centre.

### Housing and affordable housing

17 The existing residential units on the site comprise 16 x 1-bed units, 15 x 2-bed units and 2 x 3-bed units, totalling 85 habitable rooms. The 197 units (570 habitable rooms) proposed equates to a net increase of 164 dwellings (485 habitable rooms). The proposed units have the following mix:

	Studio	1 bed	2 bed	3 bed
Proposed	5 (1%)	48 (8%)	107 (56%)	37 (26%)
Existing		16	15	2

18 Although Haringey's Housing SPG sets out that 22% of developments should be 3-bed units and 11% 4-bed plus and the London Plan housing SPG sets a target for 30% of units in developments to be family sized, given the circumstances of the site and its busy town centre

location, the proposed mix is appropriate. The family units are located along Suffield Road to the rear of the site.

19 All of the units are built to lifetime homes standards and 10% will be designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users, in line with London Plan policy.

20 London Plan Policy 3A.10 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mix-use schemes. In doing so, each council should have regard to its own overall target for the amount of affordable housing provision. Policy 3A.9 states that such targets should be based on an assessment of regional and local housing need and a realistic assessment of supply, and should take account of the London Plan strategic target that 35% of housing should be social and 15% intermediate provision, and of the promotion of mixed and balanced communities. In addition, Policy 3A.10 encourages councils to have regard to the need to encourage rather than restrain residential development, and to the individual circumstances of the site. Targets should be applied flexibly, taking account of individual site costs, the availability of public subsidy and other scheme requirements.

21 Policy 3A.10 is supported by paragraph 3.52, which urges borough councils to take account of economic viability when estimating the appropriate amount of affordable provision. The 'Three Dragons' development control toolkit is recommended for this purpose. The results of a toolkit appraisal might need to be independently verified.

22 Haringey's UDP contains a policy regarding affordable housing which states that housing developments capable of providing 10 or more units will be required to include a proportion of affordable housing to meet an overall borough target of 50%. The proportion negotiated will depend on the location, scheme details or site characteristics.

23 A toolkit has been submitted with this application which shows that it is not viable to provide any affordable housing as part of the development. This is because of the exceptional development costs of building over the shallow London Underground lines and the fact that the size of the building is limited by the load that can be put on the areas of the site that are above the underground lines. The toolkit has been independently verified by the Valuation Office Agency and it has been confirmed that the development cannot support affordable housing on viability grounds.

24 Haringey Council has given an undertaking, in its development agreement with the applicant, that affordable housing equating to 50% of the habitable rooms on the Wards Corner site will be provided in a redevelopment of the Apex House site and a development of the Westerfield Road car park site, together with 50% affordable housing of any market provision on these sites themselves. The Apex House is opposite the Wards Corner site and is currently occupied as council offices. The Westerfield Road site is nearby. Agreement has been given by Haringey Council's executive committee to the disposal of both these sites for this purpose. It is understood that an outline planning application for these sites will be brought forward shortly together with a competition to select a registered social landlord and development partner. However, there is no way of legally tying this provision to the current planning application and therefore no certainty that this provision will be delivered.

## The market

25 The first iteration of this proposal did not include any provision for the market. The second iteration of the proposal included six kiosk units. However, following negotiations with GLA officers, the latest plans propose the provision of 12 kiosk units along the Seven Sisters Road frontage.

26 Urban Space Management was commissioned by The Bridge New Deal for Communities to assess the existing Seven Sisters Market and to consider if the market could be incorporated into the Wards Corner scheme or relocated elsewhere. The report found that the site currently contains 34 traders in kiosk/shop type units in an indoor hall. 64% of the traders originate from Latin America and/or are Spanish speaking. The market is operated by a head leaseholder who has a lease with London Underground Limited that ends in September 2011. The rents within the market are considerably lower than those in nearby markets. This is a reflection of the low cost of the head lease given that the building is poorly maintained and has been earmarked for development. Each tenant has a licence with a 4-week break clause on either side. The head leaseholder has a lease which entitles London Underground Limited to give three months notice to end the lease once planning permission is received for the redevelopment.

27 Urban Space Management conclude that it is inappropriate for the market to be incorporated into the proposal for a number of reasons. Principally, it expresses an opinion that the current traders will not be able to afford the inevitably higher rents that will be charged for the proposed spaces and that an indoor hall arrangement would not attract a high enough footfall to make the businesses viable. The issue of where the market is located whilst the site is redeveloped is also raised. Work has begun with the traders to look at relocation en-masse, or individually, although understandably there is a reticence to discuss this issue at this stage without the certainty of planning permission.

28 A poll was conducted by ICM in May 2008 that conducted telephone interviews with 500 residents in the neighbouring post code areas of N15 4, N 15 5 and N15 6. Approximately the same number of people were polled in each age range and area. The key findings from the poll were as follows:

- 57% of respondents had never visited Seven Sisters market and 19% of respondents shopped at the market once a month or more often.
- 63% of respondents favoured the option of providing retail units for use by both high street shops and local traders, compared to 30% who wanted retail focussed around the existing market and local traders.
- 3% of respondents (17 people out of 500) specified that keeping the market was important.
- 81% of respondents thought that substantial investment in the Wards Corner area is a good idea and only 4% felt that retaining period buildings was a priority.
- 55% of respondents said that they felt unsafe visiting the area at night and tackling crime was the main priority for respondents with 43% specifying this option.

29 The poll shows that the provision of a combination of local and high street retailing is favoured by the majority of respondents. Although the number of respondents who use the market is relatively low it should be noted that the market has a wider catchment area, being specialist

retail provision, than the immediate area. The poll does, however, show that the market has a role within the local community as well as a wider role.

30 Policy 3D.3 of the London Plan, maintaining and improving retail facilities, sets out that boroughs should work with retailers and others to prevent the loss of retail facilities, including street and farmers' markets, that provide essential convenience and specialist shopping and to encourage mixed use development. This policy is also applicable to planning applications and as such the loss of the market should be resisted.

31 It is important to separate out the issues of the concept of a market on this site and the viability and continuation of the current market. Both of these issues are of importance and need to be dealt with in this proposal.

32 The provision of an increased number of kiosk units, together with the safeguarding of the units on West Green Road and Seven Sisters Road for local independent retail use, will serve to maintain a market and local independent retail on this site. Further work should be undertaken to find an alternative temporary location for the current market so that stallholders could relocate back on the site, at least in part. Work should also continue with the current traders to find them alternative permanent locations, en-masse or individually, should they wish to do so. A permanent relocation option in the locality would mean that continuity would be achieved. Clarification as to the current funding package for assistance with relocation should be provided. Notwithstanding the comments of Urban Space Management regarding increased rents in the new development, measures to increase the affordability of the West Green Road and Seven Sisters Road units and kiosks to local retailers, such as subsidised rents, fit-outs and capped rent periods should be considered. The use of these units and kiosks for local retailers should be conditioned. If undertakings are made that such measures can be implemented and an alternative temporary location for those stallholders wishing to return to the development is found, on balance, the application will be in accordance with strategic planning policy.

### **Children's playspace**

33 Policy 3D.13 of the London Plan sets out that *"the Mayor will and the boroughs should ensure developments that include housing make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs."* Using the methodology within the Mayor's supplementary planning guidance 'Providing for Children and Young People's Play and Informal Recreation' it is anticipated that there will be approximately 36 children within the development. The guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site. As such the development should make provision for 360 sq.m. of playspace.

34 This development provided approximately 1,538 sq.m. of amenity space within a central courtyard which includes a dedicated playspace for under 5's. The site is also within 400m of the Brunswick Road Open Space which includes recently upgraded play facilities for children aged 0-16. This provision is acceptable in strategic planning policy terms.

### **Urban design**

35 Good design is central to all objectives of the London Plan and is specifically promoted by the policies contained within Chapter 4B which address both general design principles and specific design issues. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London. Other design policies in this chapter and elsewhere in the London Plan include specific design requirements relating to maximising the potential of sites, the quality of new housing provision, tall and large-scale buildings, built heritage and views.

36 The existing residential density of the site is 119 habitable rooms per hectare, or 46 dwelling per hectare. The application proposes a density of 795 habitable rooms per hectare, or 275 dwellings per hectare. This is within the range of density set out in table 4B.1 of the London plan and is acceptable in strategic policy terms.

37 Many of the existing buildings on the site are poor quality and contribute little to the area, which has a generally run down quality and is dominated by traffic from the Tottenham Gyrotory. TfL and the GLA are committed to making significant changes to the gyrotory and this scheme could contribute to the overall regeneration of this part of Haringey.

#### Site layout

38 A new public square is formed to the Tottenham High Road frontage; new shops and kiosk units create a continuous street level frontage to the High Road, Seven Sisters Road and West Green Road; a cafe-bar/restaurant is located at first floor overlooking the public square and High Road; flats and family duplexes are located at first floor and above a new garden square above the shops and accessed from a main foyer opening off the public square; and family duplexes are located on Suffield Road with front gardens and front doors opening off the street.

39 The homes are arranged in ten blocks with separate entrances, stairs and lifts, forming a complete enclosure to the shared central garden. The enclosure is completed by a row of houses with direct front doors to the garden. The homes are accessed via the garden which is in turn reached via a glass pavilion containing a lift and grand stair from the foyer. The street level foyer is accessed directly from the public square and is managed by a 24-hour concierge. The service road is covered over and this is welcomed. The site layout is an appropriate response to the site.

#### Scale and massing

40 The shops provide a continuous glazed frontage around three sides of the site. Above them the ten apartment blocks range in height from three to seven storeys above the retail units, including set backs. The main parapet height to Seven Sisters Road and the High Road is four storeys above ground floor retail space and to West Green Road it is three storeys above ground-floor retail space. Suffield Road is three storeys from street level plus a set-back upper-storey, with a further level concealed in the roof space and overlooking the central garden.

41 The frontage onto the High Road dips in the middle due to the height restraints imposed by building over the underground lines.

42 The massing strategy is to break down the development into a series of distinctive buildings of different height and detail corresponding to the various street contexts. The approach of a development of this scale is appropriate for this site given its location at a wide road junction together with the scale of Apex House and the Tesco's development on sites opposite the development. The scale of the development reduces to the rear and relates appropriately to the existing residential properties. The density of the development is in line with the London Plan density matrix and this in itself is an indication that the scale of the development is appropriate to the site.

#### Public realm

43 The public realm is transformed by the proposal; principally, the High Road frontage is expanded and comprehensively redesigned to create a new public square. All existing street clutter is removed. The main retained elements are the mature London Plane tree and the two entrance stairs to the underground station, which will be re-clad and covered by glass canopies. Although changes to the underground station are not within the remit of the application the

design allows for the future installation of lift access to the ticket hall. Two new retail kiosks are located next to the stairs.

44 The existing building line to the High Road is carved out to give more space to the public realm and create a curved public place at the centre of the site. The shops and the restaurant above have a curved frontage embracing this space. A large paved circle is centred on the underground stairs and is shielded from the High Road by an arc of seven new trees. At the centre is a piece of public art which will be the subject of a separate design competition.

#### Internal layouts

45 All the family homes and most other flats have private terraces or balconies. Most of the homes are dual aspect and none of them has a single aspect north-facing outlook. The units are of a reasonable size.

#### External appearance

46 The architecture of the scheme is conceived as a modern interpretation of London's street architecture. The apartment blocks and shop fronts are presented as a terrace of adjoining buildings, separated by shadow gaps. The principal residential storeys are brick faced, with stone copings and cills. A range of rectangular window openings reflect the different requirements of living rooms and bedrooms. Projecting windows enliven facades whilst providing views along the street and bringing sunlight into the rooms. The shop fronts are fully glazed and framed with dark painted or coated steel sections and a spandrel zone for controlled signage. The set back upper storeys are coated in zinc and glass panels.

47 The corner to Seven Sisters Road and the High Road, where the Wards Corner building is currently located, has been given special elevational treatment in order to create a landmark. The corner block conforms to the general parapet height but is rounded on plan and framed in stone. The stone frame is to carry a frieze of cast or sculpted relief images recalling the history of the site, for which an artist will be selected by competition. Within the stone frame a composition of vertical coloured glass fins spans between the storeys, providing visual interest and screening the rooms behind. This does not work particularly well and appears as something stuck on to the main body of the building. A better use of money would be to have the highest possible standards of materials design and detailing rather than adding a piece of public art.

48 The High Road centrepiece containing the shops, residential foyer and first floor restaurant comprises a frameless glass curved facade over two lofty storeys.

49 Suffield Road has a completely different scale and character to the other frontages. The proposed frontage contains a row of family duplexes with private front doors at street level and two floors of flats above and these relate well to neighbouring residential buildings.

50 The architectural approach is on the whole welcomed, particularly the high road centrepiece, the Suffield Road blocks and the brick treatment; however, the set back upper storeys and the corner treatment appear awkward and should be reconsidered.

#### Heritage issues

51 Part of the site lies within a conservation area. Three of the existing buildings are locally listed. The most notable building, the Wards Corner building, was considered for listing in late 2007 by English Heritage but it was not felt to be worthy of listing. The applicant has looked at the retention of this building in the scheme but has concluded that this would not be viable. This approach has been agreed with Haringey Council officers. It is considered that the loss of the building would be justifiable provided the quality of the replacement scheme is high.

52 Overall, the proposed scheme, with the changes set out above, would make a positive contribution to the conservation area and the wider townscape.

### **Community facilities**

53 Policy 3A.18 of the London Plan sets out that the net loss of social infrastructure and community facilities should be resisted and that adequate provision of such facilities is particularly important in major areas of new development and regeneration. Policy 3A.17 of the London Plan sets out that the spatial needs of diverse groups in an area should be met. The current proposal includes a community facility of 158 sq.m., the use of which is currently suggested for a youth centre. It should be noted that the market also serves as a meeting place for the Latin American community and consideration should be given to the community facility being given over for such a use.

### **Climate change mitigation**

54 The London Plan requires developments to make the fullest contribution to the mitigation of, and adaptation to climate change, and to minimise carbon dioxide emissions (Policy 4A.1).

55 Policies 4A.2 to 4A.8 of the London Plan focus on how to mitigate climate change, and the carbon dioxide reduction targets that are necessary across London to achieve this. Developments are required to be adaptable to the climate they will face over their lifetime and address the five principles set out in policy 4A.9 of the London Plan.

### **Energy**

56 London Plan policies 4A.4 and 4A.7 require the submission of an energy demand assessment along with the adoption of sustainable design and construction, demonstration of how heating and cooling systems have been selected in accordance with the Mayor's hierarchy and how the development will minimise carbon dioxide emissions, maximise energy efficiencies, prioritise decentralised energy supply, and incorporate renewable energy technologies, with a target of 20% carbon reductions from on-site renewable energy.

#### **Energy demand assessment**

57 An energy demand assessment has been submitted, but, it is unclear how the baseline emissions relate to 2006 building regulations requirements. Energy efficiency measures and related carbon dioxide reductions should be evaluated with suitable modelling for both domestic and non-domestic elements.

#### **Sustainable design and construction**

58 The extent of the demand reduction measures proposed appears to be limited to thermal fabric performance improvements over building regulation requirements and energy efficient lighting. Whilst these measures are welcomed confirmation is requested as to whether any other measures are being employed. Further information also needs to be provided of the design measures that are being adopted to minimise overheating.

#### **Power, heating and cooling infrastructure, and CHP/CCHP (Policies 4A.5 and 4A.6)**

59 In line with the London Plan a combined heat and power (CHP) system needs to be considered before the provision of renewables. The suitability of CHP for this site has been examined and a site-wide heat network supplied by a 70 kWe gas fired engine CHP is proposed.

Further consideration as to how the electricity generated is to be used needs to be included in the application. The cooling strategy for all elements of the development needs to be set out in a revised energy strategy.

#### **Renewable energy (Policy 4A.7)**

60 The use of a dual fuel bio-fuel (rapeseed) boiler is proposed. The use of this type of boiler fails to ensure that renewable energy will be used on site and, unless a legal clause is in place, the applicant will be free to switch away from renewables. This is not acceptable as the primary source of renewables given the difficulty in enforcing the use of bio-fuel. A more rigorous option appraisal of alternative renewable technologies needs to be submitted and their integration in the site-wide district heating network considered.

61 The following further information on the bio-fuel boiler needs to be submitted: details of any additional abatement technology planned to reduce air pollution emissions; a breakdown of emissions factors for NOX and particulates from the proposed boiler, specifically dispersion modelling on a map showing the levels of both pollutants at ground level; the type, height and location of the chimney; and details of the fuel, the fuel supply chain and the arrangements that have been investigated to secure the fuel supply.

#### **Climate change adaptation**

62 The London Plan promotes five principles in policy 4A.9 to promote and support the most effective adaptation to climate change. These are to minimise overheating and contribution to heat island effects, minimise solar gain in summer, contributing to flood risk reductions, including applying sustainable drainage principles, minimising water use and protecting and enhancing green infrastructure. Specific policies cover overheating, living roofs and walls and water.

63 The proposal incorporates an extensive green amenity space at roof level which, to some extent, will contribute to minimising overheating and surface run-off. Further information needs to be provided of any measures designed to prevent overheating, minimise solar gain, minimise water use and contribute to flood risk reductions.

#### **Transport**

64 The proposed development is on land within multiple ownerships, including land owned by Transport for London. As a result these transport comments have been prepared by the GLA, and are based on information provided by the applicant within the transport assessment.

65 Given the high public transport accessibility level of 6 it is recommended that this development is made car free in accordance with policy 3C.23 of the London Plan and the advice in paragraphs 7.14 to 7.16 of TfL's Transport Assessment Best Practice Guidance. Residents should also be ineligible for on street parking permits.

66 Below street level, in addition to the underground tunnels serving the Victoria line, there are running tunnels for trains accessing the depots. The development should take into account the impact on this infrastructure.

67 The improvement of access to the London Underground and Network Rail stations and the interchange between them is a key issue. London Rail's Eastern Route Corridor Plan and the Network Rail Greater Anglia Route Utilisation Strategy (RUS) have both identified Seven Sisters as a constraint to future growth. A contribution towards the interchange between rail and

underground in order to widen corridors/walkways to the London Underground station may be required.

68 In order to mitigate the expected increase in bus patronage and to improve access to bus services, the four nearby bus stops on Tottenham High Road, Seven Sisters Road and West Green Road should be upgraded to TfL accessibility standards. The GLA transport team welcomes further discussion on these matters.

69 A survey of the existing car park should be carried out to quantify current traffic movements.

70 Details with regard to swept paths and accident analysis may affect the scope of works on the highway and may require adjustments to the Suffield Road junction with Seven Sisters Road.

71 Servicing issues should be addressed; for any large vehicle to access the top service bay the vehicle needs to be able to turn around within the yard.

72 The offer to improve the public realm adjacent to this site, including the Transport for London Road Network (TLRN) public highway, is welcome. However, works on the TLRN would be subject to agreement and the proposed kiosks may require licenses from TfL.

73 Therefore, it is requested that the proposed footway design is treated by the local planning authority as indicative, subject to detailed consideration and agreement by TfL, as should the proposed kiosks.

74 Further details of proposed pedestrian facilities should be provided.

75 Cycle parking should be provided for the leisure and retail elements of the development, in addition to the residential provision.

76 The GLA will be primarily guided by TfL's Streetscape Guidance on any changes to the TLRN and will also seek advice from Design for London.

77 Wherever possible any construction works should avoid encroachment on the TLRN public highway, including the public footway. TfL can license temporary use of the public highway in certain circumstances, if this does not impede pedestrian and other movement on the network.

78 Construction vehicles servicing the site should not stop on the TLRN, except in authorised bays and locations, and access should be from Suffield Road.

### **London Development Agency comments**

79 The London Development Agency (LDA) support the principle of development. As this is recognised as a gateway location into the Borough, the LDA welcomes the incorporation of retail frontages onto Tottenham High Road, Seven Sisters Road and West Green Road. In addition, the provision of a range of retail accommodation size suitable for large national high street retailers, smaller local independent shops as well as a range of complementary facilities is welcomed as it will help to ensure an appropriate balance and mix of retailers is achieved. The LDA welcomes the provision of small retail space suitable for start up businesses in order to support and promote a diverse retail offer on Tottenham High Road. This will support the Economic Development Strategy (EDS) objective to "address barriers to enterprise start-up,

growth and competitiveness". The promotion of small retailers can also assist the needs of local business, small and medium sized enterprises (SME's) and black and minority ethnic businesses which in turn can support the needs of the local community.

80 Every effort must be made to find alternative accommodation for the existing market traders whilst the development is constructed. The LDA welcomes the provision of units suitable for local traders within the replacement scheme; however, given the significant construction period for the proposed development, sufficient notice and support should be given to tenants to allow them to explore the options for re-location on or off-site that are available to them.

81 Given the scale of the redevelopment, the provision of employment generating uses and in accordance with London Plan policies 3B.1 'Developing London's economy' and 3B.11 'Improving employment opportunities for Londoners', the developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal, in both the construction and operational phases of the development. The adopted Wards Corner/Seven Sisters Underground Development Brief which promotes comprehensive development of the site states, that the priorities for planning obligation contributions include securing local employment benefits through training and local labour schemes.

82 Therefore, initiatives to create training and employment opportunities and to utilise the goods and services of SME's and local businesses should be formalised through a section 106 agreement between the applicant and Haringey Council. The LDA would welcome the opportunity to discuss with Haringey Council the scope for inclusion of such initiatives within the S106 agreement. The delivery of such initiatives will help to ensure the regeneration benefits of the proposed development are maximised for residents of the local community and that the Economic Development Strategy objective to 'Tackle Barriers to Employment' is supported.

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

83 The development is generally supported at officer level by both the regeneration team and the planning officers.

### **Legal considerations**

84 Under the arrangements set out in article 3 of the Town and Country Planning (Mayor of London) Order 2000 the Mayor has an opportunity to make representations to Haringey Council at this stage. If the Council subsequently resolves to grant planning permission, it must allow the Mayor an opportunity to decide whether to direct it to refuse planning permission. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's comments unless specifically stated.

### **Financial considerations**

85 There are no financial considerations at this stage.

## **Conclusion**

86 The regeneration of this site with a mixed use development is welcomed. The level of re-provision of space for the market and local retailers is on balance considered acceptable given the significant improvements to the public realm and the improved quality of retail provision. Further work is needed on design, energy, temporary location for the market, measures to ensure the viability of the market kiosks and local retail units and transport before this application comes back to the Mayor at Stage II.

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