

## **APPENDIX 8**

Summary of previous GLA reports

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The previous scheme had been referred to the GLA on two occasions and they did not object to the scheme subject to conditions. The previous reports are summarised below.

### **Stage 1 Report (updated) 21 June 2011**

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

#### *Equalities*

The methodology of the Council's Equalities Impact Assessment (EqIA) is considered acceptable. The EqIA concludes that the development is unlikely to result in major negative equality impacts provided that all measures set out in the section 106 agreement are implemented in a timely manner.

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

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 retails. The proposal also complies with the draft replacement London Plan in this regard.

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.

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*

The loss of 10 affordable housing units on site is not in accordance with London Plan policy but is considered acceptable in this instance given the wider regenerative benefits of the scheme.

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. 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

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.

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. 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.

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.

### *Heritage*

The scheme involves the demolition of all buildings on site. Part of the site lies within a conservation area. Three of the existing buildings are locally listed. 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

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.

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.

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

#### *Climate Change Mitigation*

The applicant is proposing the application of energy efficiency, CHP and renewable energy. As a result, 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*

No new transport information has been submitted. The transport elements of the scheme were considered to be, on balance acceptable, previously.

#### *Conclusion*

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. 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 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.

### **Stage II Report – 03 December 2008**

#### *Design*

The previous stage I report concluded that the “the architectural approach is on the whole welcomed, the 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.”

The upper storeys are now glazed and further details submitted of the corner treatment. The issues raised in Stage I have been resolved.

English Heritage support a conservation-led approach to regeneration.

CABE, overall, felt that the scheme had the potential to transform the area and supported the scheme.

The proposed scheme is considered to make a positive contribution to the conservation area and wider townscape and would be in compliance with the London Plan in design terms.

### *Transport*

In view of the highly accessible nature of the site, it was recommended that the scheme be made car-free. However parking is provided for the town houses on Suffield Road. All other occupiers of the development will be prevented from obtaining a permit by s106 agreement. 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.

Construction routing should minimise impact on the TLRN. A construction strategy should be secured by condition to ensure that there will be no impact on the Underground Station or tunnels during excavation and construction.

### *London Development Agency*

The LDA supported the principle of the scheme at Stage I but raised a number of issues relating to the existing market and wider regeneration potential of the scheme. Following discussions with the applicant, the LDA welcomed that the section 106 agreement secures replacement of the market and associated measures to assist the temporary relocation of the market traders. The LDA considers that there are no strategic issues in relation to retail facilities.

The LDA also welcomed a requirement to submit a Training and Local Labour Agreement as well as a requirement to procure goods and services from local businesses and recruit local people.

## **Stage I Report – 04 July 2008**

### *Housing*

Although the proposed dwelling mix deviates from that contained in the Council's Housing SPG (now SPD), it is considered appropriate to the busy town centre location.

### *Children's Playspace*

The development provides approximately 1,538 sqm of amenity space within a central courtyard which includes a dedicated playspace for children under 5. The site is also within 400m of Brunswick Road Open Space. The provision is acceptable in strategic planning policy terms.

### *Urban Design*

The proposed density and site layout are acceptable. The scale of the development is considered acceptable having regard to the scale of Apex house and the Tesco development. Towards the rear the development scales down to relate to the neighbouring residential development. The development will transform the public realm by creating a new public square.

The internal layout of the proposed flats is acceptable.

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.

### *Community Facilities*

At the time of the initial Stage I report, the proposal included a youth facility however it was recommended that the space be given over to accommodate the market.

### *London Development Agency's comments*

The LDA support the principle of the development. The variety of retail spaces is welcomed. Every effort must be made to find alternative accommodation for the existing market traders whilst the development is constructed.

The developer should seek to ensure that local residents and businesses benefit from the job opportunities created by this proposal. 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.

Court of Appeal Judgement