

**The London Borough of Haringey  
(Wards Corner Regeneration Project)  
Compulsory Purchase Order 2016**

**Town and Country Planning Act 1990  
Planning and Compulsory Purchase Act 2004  
Acquisition of Land Act 1981**

**STATEMENT OF REASONS**

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## **1 INTRODUCTION**

- 1.1 This is the Statement of Reasons for the making of the London Borough of Haringey (Wards Corner Regeneration Project) Compulsory Purchase Order 2016 ('the Order') by the London Borough of Haringey ('the Council'). It has been prepared in accordance with the 'Guidance on Compulsory purchase process and the Crichel Down Rules for the disposal of surplus land acquired by, or under the threat of, compulsion' ('the Guidance'), and forms the basis of the Council's Statement of Case for the purposes of Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007.
- 1.2 In this Statement of Reasons the land included within the Order extending to 1.20 ha. is referred to as 'the Order Land' as shown within the redline boundary on the Order Plan at Appendix (A).
- 1.3 The Council is the acquiring authority using its powers under section 226(1)(a) of the Town and Country Planning Act 1990 (as amended by section 99 of the Planning and Compulsory Purchase Act 2004) ('the Act'). The Council is also the local planning authority within the meaning of the Act.
- 1.4 The Council has given careful consideration to all relevant issues and, having done so, it is satisfied that there is a compelling case in the public interest to make the Order (per paragraph 12 of the Guidance). In particular, the Council is satisfied that:
- compulsory acquisition of the Order Land would facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land; and
  - such development, redevelopment or improvement is likely to contribute to the achievement of the promotion or improvement of the economic, social and/or environmental well-being of the Borough of Haringey for the reasons set out in Section 8.
- 1.5 The Schedule of Interests (at Appendix (B)) lists, where known, the owners, lessees, occupiers and tenants of the Order Land in addition to other parties with a qualifying interest (per section 12(2)(a) and 12(2A) of the Acquisition of Land Act 1981 (as amended) ('ALA 1981') including those properties which may have compensatable and/or injunctable rights to light which, if not released, would have the potential to frustrate the development, redevelopment or improvement of the Order Land.
- 1.6 It is intended that, unless acquired by agreement, all land and rights in the Order Land (and land for statutory reasons not included in the Order) would be acquired by the Council following confirmation of the Order. The Council will consider granting equivalent or alternative rights of way should that be necessary for any part of the Order Land.

- 1.7 The Council is promoting the Order to enable development of the Order Land by the demolition of existing buildings and the erection of mixed use development comprising class C3 residential, class A1/A2/A3/A4 uses, with access, parking and associated landscaping and public realm improvements ('the Development'). The Development would provide a catalyst for further regeneration in Tottenham.
- 1.8 On 12 July 2012, the Council granted planning permission ('the Planning Permission') and conservation area consent for (amongst other things) 3,693sqm of new retail space (use classes A1/A2/A3/A4 including space for a re-provided retail market) together with 196 residential flats, pursuant to an application submitted on behalf of Grainger Seven Sisters Ltd (being a wholly owned subsidiary of Grainger plc) ('Grainger').
- 1.9 Subject to confirmation of the Order, Grainger intends to carry out development pursuant to the Planning Permission, which can be implemented at any time on or before 11 July 2017.
- 1.10 As above, and set out in the Schedule of Interests and Order Plan (at Appendices (B) and (A)), the Order Land includes land owned by LUL. It is intended that the Order would include this land (including LUL's operational land), providing LUL with a separate and additional power to make representations on the Order to the Minister responsible for London Underground infrastructure, in accordance with Section 16 of the ALA 1981. In parallel, Grainger is continuing to negotiate to acquire LUL's interest in the Order Land by private agreement. As part of any negotiated agreement, Grainger would grant all necessary rights to LUL to ensure the continued safe operation and maintenance of the London Underground infrastructure that lies beneath the Order Land. The Council is satisfied that the objectives of regeneration can be achieved without interfering with the operational requirements of LUL.
- 1.11 Since December 2014, Grainger has been assembling the land it requires for the Development by private treaty. As at 2 October 2015, it has acquired 11 parcels by agreement and is continuing to negotiate on several other interests. It has also approached (and continues to approach) all of those properties who potentially have compensatable and/or injunctable rights to light in respect of the Order Land in order to ascertain whether they would be willing to release their rights.
- 1.12 However, agreement with owners of several properties within the Order Land (and those with interests in the Order Land) has not been possible. While all outstanding interests are included within the Order, Grainger remains willing, committed and able to acquire all outstanding interests in the Order Land by agreement during the Order process and will continue to seek to do so.
- 1.13 Taking account of the Guidance, the Council is satisfied that Grainger has made reasonable attempts to acquire outstanding interests in the Order Land by agreement including offering to assist business occupiers to relocate by identifying and securing

alternative premises. Full details of Grainger's negotiations with third parties are set out at Section [9] and Appendix (D). Grainger will continue to seek to acquire the remaining interests in parallel with the statutory Order process. In accordance with paragraph 2 of the Guidance, this Order is therefore being made only as a last resort.

1.14 The Council is satisfied that the tests in the Guidance are met and there is a compelling case in the public interest to make the Order, which justifies overriding private rights in the Order Land. This Statement of Reasons (at Section 8) demonstrates the following points (per paragraph 76 of Tier 2: Enabling Powers to the Guidance):

- i) The purpose for which the Order Land is being acquired (i.e. the Development) accords with the statutory development plan and national planning policy and guidance;
- ii) The Development would contribute to the improvement of the economic, social and environmental well-being of the area;
- iii) There is no other means of delivering the Development (in accordance with the Council's planning policy objectives) other than by acquiring the Order Land.

1.15 Furthermore, there are sufficient prospects of the development being delivered, the purposes of the Order justify any interference with human rights, and the Order is acceptable having regard to the objectives of the Equalities Act 2010.

## **2 BACKGROUND**

2.1 The Order Land (and adjoining land), as shown on the Order Plan, is located above Seven Sisters Underground Station and forms part of the Seven Sisters/West Green district centre, which has long been identified by the Council as a key/gateway site for improvement and regeneration. As early as 2004, the Council published a development brief for Wards Corner/Seven Sisters Underground ('Development Brief'), which stated its vision for the Order Land as delivering a *'landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities'*.

2.2 In current planning policy, the Haringey Local Plan: Strategic Policies ('Strategic Policies') (adopted by the Council in March 2013) identifies Seven Sisters as a priority area for new development and regeneration and specifically envisages *'Wards Corner regeneration delivering houses, shops and public realm improvements through redevelopment and/or renewal'*. Further, the Council's 'preferred option' for its emerging Tottenham Area Action Plan ('AAP') proposes the allocation of the Order Land for comprehensive mixed-use development comprising commercial, retail and residential uses (consistent with the Development). The policy context that supports the Development is addressed in greater detail in Section 7.

- 2.3 Consistent with delivery of this programme, on 3 August 2007 the Council (in its capacity as land owner) entered into a conditional development agreement ('the Development Agreement') with Grainger to promote and implement comprehensive redevelopment of the Order Land. Subsequent to this, Grainger pursued its proposals, which culminated in the grant of the Planning Permission.
- 2.4 The Planning Permission was granted following completion of a legal agreement ('the S106 Agreement'), which was entered into between (amongst others) the Council and Grainger pursuant to section 106 of the Act. The S106 Agreement provides for (among other things): the provision of a new market following the closure and temporary re-location of the existing market (as located on the Order Land) during construction (including the offer of financial assistance to named traders); funding environmental improvements in the immediate shopping area; promoting the letting of the proposed new retail units to independent retailers; and recruiting local employment both during construction and following occupation of the development pursuant to the Planning Permission. The Planning Permission was the subject of a legal challenge, which was finally disposed of by the Court of Appeal in August 2013 (APP/Y5420/A/12/2169907).
- 2.5 The Order Land is often referred to locally as 'Wards Corner', which originates from the 3 storey early Edwardian former Wards Furnishing Stores building ('Wards Corner Building'), which occupies the southern part of the Order Land at the High Road/Seven Sisters Road junction. The Wards Corner Building is owned by LUL. The store itself closed in 1972 and the Wards Corner Building has been vacant above ground floor level for many years. The ground floor of the Wards Corner Building is used as a street level market, known as the Seven Sisters Market ('the Market'), currently let to traders from a diverse range of ethnicities<sup>1</sup>. This ground floor of the Wards Corner Building was designated by the Council as an Asset of Community Value ('ACV')<sup>2</sup> in May 2014 pursuant to the Localism Act 2011, following an application made by the Wards Corner Community Coalition.
- 2.6 As noted above, the development granted pursuant to the Planning Permission (and subject to the S106 Agreement) provides for the provision of a new market to maintain its retail and community value.

### **3 CONTEXT OF THE ORDER LAND**

#### **Wider area – Tottenham**

- 3.1 The Order Land is in Tottenham, which is located in north-east London, forming the western part of the Upper Lee Valley Opportunity Area (as designated through the

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<sup>1</sup> According to a business survey conducted by AECOM (as URS) in May 2012. See Wards Corner CPO EQIA 2015 for further information.

<sup>2</sup> An Asset of Community Value (ACV) is land or buildings nominated by a local voluntary or community group which the council decides meets the requirements to be listed as an asset of community value. The statutory rules about assets of community value can be found in sections 87 – 103 of the Localism Act 2011 and in The Assets of Community Value (England) Regulations 2012.

London Plan) and the eastern part of the London Borough of Haringey, sitting directly east of Wood Green and Turnpike Lane.

- 3.2 Tottenham lies on the A10/A1010 Corridor and is served by the Victoria London Underground Line, serving both Seven Sisters and Tottenham Hale, and the London Overground Line, which was previously part of the West Anglia Line until May 2015. Overground connections are provided to Stansted airport, as well as links to Cambridge and Liverpool Street. The area is well served by the bus network and has good connections to the regional and national road network. Tottenham is only 12 minutes from the centre of London on the tube or train.
- 3.3 Tottenham comprises seven Wards (Tottenham Green, Seven Sisters, St. Ann's, Northumberland Park, White Hart Lane, Tottenham Hale and Bruce Grove). The long central spine of Tottenham High Road contains a mix of shops, sports, leisure and community facilities together with public buildings and some residential development. Tottenham High Road has a mixture of fine Georgian, Victorian and Edwardian buildings, some of which are listed by Historic England as having special architectural and historical interest of national importance. However, the High Road has been in decline over a number of years and a number of these heritage assets have suffered from neglect in the past. Investment by Heritage Lottery funding has specifically targeted the refurbishment and enhancement of the shop fronts and facades along Tottenham High Road, but there remain a large number on Historic England's at risk register.
- 3.4 The A10/A1010 Corridor stretches approximately 400 metres on either side of the A1010 from the M25 to Stamford Hill. It is an historic route into London, comprising six separate but adjoining conservation areas, that has become a diverse and varied mixed-use high street linking a series of north London communities. It is a vital part of the Upper Lee Valley and offers key infrastructure provision to the existing communities such as town centres, transport, education and health facilities. It contains many distinctive communities and town centres including Stamford Hill, Stoke Newington, Seven Sisters, Tottenham Green, Bruce Grove, High Road West (White Hart Lane), Northumberland Park, Angel Edmonton, Edmonton Green and Ponders End.
- 3.5 Two of Haringey's five district centres (being Bruce Grove/Tottenham High Road and West Green/Seven Sisters) are located in Tottenham, which compete with a number of centres in neighbouring boroughs including Brent Cross, Walthamstow and Edmonton Green in Enfield. Tottenham is also home to smaller local centres and shopping parades to meet day-to-day needs for shopping, services and facilities.
- 3.6 Tottenham, and more widely Haringey, suffers from extensive deprivation with high levels of unemployment and relatively low economic activity levels amongst its residents. As to this, the draft 'preferred option' AAP records:

*'parts of the area also experience high levels of unemployment, benefit dependency, overcrowding and crime, and low levels of educational attainment, household income*

*and health. It also suffers from a poor public realm in some areas and a lack of accessibility to quality open spaces and there are deficiencies in community & recreation facilities.'*

- 3.7 The Order Land is located within the Tottenham Green Ward. To the south of the Order Land is Apex House, being an office building owned by the Council (as landowner).
- 3.8 To the east of the Order Land is Tottenham High Road, part of the A10/A1010 Corridor (as above) and a Transport for London Route Network, which runs from Edmonton in the north to Stamford Hill in the south. On the same side of the road as the Order Land there is an extended width pavement from which there is stair access to a subway, which leads down into the Seven Sisters Underground station.
- 3.9 To the north of the Order Land is West Green Road, which is an important primary retail frontage within the Seven Sisters/West Green Road district centre.
- 3.10 To the west of the Order Land is Suffield Road. On the west of Suffield Road is a row of Victorian terraced residential properties. A number of these properties are subdivided into flats whereas others remain as single dwellings. Beyond Suffield Road to the west is another row of Victorian terraced houses and the Seven Sisters National Rail Station. Seven Sisters Station lies between Finsbury Park and Tottenham Hale on the Victoria Line and between Stamford Hill and Bruce Grove on the Lea Valley Line operated by London Overground from Liverpool Street.

#### **Order Land**

- 3.11 The Order Land is prominently located on the western side of Tottenham High Road and comprises 227-259 High Road, 709-723 Seven Sisters Road, 1a-11 West Green Road and 8-30 Suffield Road.
- 3.12 The central and southern part of the Order Land sits above the Seven Sisters Victoria Line Underground Station and tunnels. The Wards Corner Building is located at its south-eastern corner, the ground floor of which accommodates the Market (comprising 60 separate retail units).
- 3.13 The frontage to 227-259 High Road, with 2 and 3 storey properties, provides retail and commercial floorspace on the ground with residential flats on some 1<sup>st</sup> and 2<sup>nd</sup> floors. Located at 1a-11 West Green Road and 709-723 Seven Sisters Road are retail and commercial ground floor uses (and on some upper floors) with residential upper floor accommodation in 2 and 3 storey properties. As above, the West Green Road/Seven Sisters shopping area is classified as a district centre per the London Plan (as to which see Section 7).
- 3.14 8-30 Suffield Road is different in character, being a relatively quiet residential one-way street with 2 storey terraced properties. It provides rear access at its southern end to

some properties on Seven Sisters Road and High Road, together with small car parking areas at both the northern and southern ends.

- 3.15 The High Road frontage, Nos.1a/b and 1 West Green Road are located within the Seven Sisters/Page Green Conservation Area ('the Conservation Area'), being one of six Conservation Areas that combine to form the Tottenham High Road Historic Corridor stretching approximately 3.7km between Enfield in the north and Stamford Hill to the south. The Wards Corner Building at 227 High Road/725 Seven Sisters Road, together with Nos. 1A and 1B West Green Road, are locally listed buildings of merit.
- 3.16 The Order Land benefits from excellent public transport accessibility (PTAL 6a) with easy access to the London Underground, London Overground and many bus routes. The Seven Sisters mainline Station is identified as a proposed stop on the Crossrail 2 line, which would further increase the level of public transport accessibility.
- 3.17 In summary, the Order Land comprises 32 parcels of land under section 12(2)(a) of the ALA 1981. Of the 33 residential units, 29 are understood to be occupied (as at 1 July 2015)<sup>3</sup>.
- 3.18 The interests are correspondingly numbered on the Order Plan. In addition to those interests noted below, LUL has an interest in parcels 1 – 13, 15, 16, 23 and 29 – 32. Transport for London ('TfL') and the Council in their respective capacities as local highway authority also have interests in the Order Land.

Parcel 1 comprises part of a demolished site and half width of highway known as Seven Sisters Road;

Parcel 2 is the retail premises at the ground floor of 717 and 719 (odds) Seven Sisters Road, which is subject to a third party lease, and the residential premises above comprising three flats together with half width of highway known as Seven Sisters Road;

Parcel 3 is the retail premises at 715 Seven Sisters Road, which is subject to a third party lease, and those residential premises above together with half width of highway known as Seven Sisters Road;

Parcel 4 is the retail premises at 713 Seven Sisters Road and the residential premises above together with half width of highway known as Seven Sisters Road. Parcel 4 is within the ownership of the Council (as landowner);

Parcel 5 is the retail premises at 711 Seven Sisters Road, which is subject to leasehold interests, and those residential premises above together with half width of highway known as Seven Sisters Road;

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<sup>3</sup> NB: this is on the basis that 9-11 West Green Road is considered a single dwelling. Even though three rooms are separately let, there is a shared kitchen and bathroom

Parcel 6 is the retail and first and second floor flats, which are subject to third party leases, at 709 Seven Sisters Road and half width of highway known as Suffield Road and half width of highway known as Seven Sisters Road;

Parcel 7 is the parking area/compound land formerly known as 2A Suffield Road and half width of highway known as Suffield Road;

Parcel 8 is the parking area/compound land formerly known as 2 Suffield Road and half width of highway known as Suffield Road;

Parcel 9 is the buildings and yard formerly known as 4 Suffield Road and half width of highway known as Suffield Road;

Parcel 10 is the yards and outbuildings formerly known as 6 Suffield Road relating to D & P Garages and half width of highway known as Suffield Road;

Parcels 11 – 17 comprise residential properties at 8, 10, 12, 14, 16, 18 and 20 Suffield Road, respectively, together with their respective parking bays and respective half widths of highway known as Suffield Road. Parcels 13 (being 12 Suffield Road) 16 (being 18 Suffield Road) and 17 (being 20 Suffield Road) are within the ownership of the Council (as landowner);

Parcels 18 and 19 are residential properties at 22 and 24 Suffield Road, respectively, together with their respective parking bays and respective half widths of highway known as Suffield Road. They are unoccupied;

Parcels 20 – 22 comprise residential properties at 26, 28 and 30 Suffield Road, respectively, together with their respective parking bays and respective half widths of highway known as of Suffield Road;

Parcel 23 is the access road east of Suffield Road and part of Suffield Road, which is currently used as a car wash;

Parcel 24 is the retail premises subject to leasehold interests relating to Tropical Foods and Fair Deal Cash and Carry at 9 and 11 West Green Road, together with residential premises and half width of highway known as Suffield Road and half width of highway known as West Green Road;

Parcel 25 is the retail premises at 3 – 7 (odds) West Green Road leased (in respect of the ground and basement floors) to Sainsbury's Supermarkets Limited and residential premises above, together with half width of highway known as West Green Road;

Parcel 26 is the retail premises related to Cosmos News and residential premises at 1 West Green Road together with half width of highway known as West Green Road;

Parcel 27 is the retail premises at 1A and 1B West Green Road and part of West Green Road relating to Tottenham Wines and half width of highway known as West Green Road;

Parcel 28 is the retail premises known as Jinny's and residential premises known as 255 – 259 (odds) High Road together half width of highway known as West Green Road and High Road. The premises are subject to leasehold interests. In respect of the ground floor and basement, the lessee, Strandstar Limited is in liquidation;

Parcel 29 is the demolished site formerly known as 251 and 253 High Road, together with part width of highway known as High Road. It is understood that this parcel of land is unoccupied;

Parcel 30 is open space, subway and steps leading to Seven Sisters Underground Station, automated teller machine, cycle racks, seating, landscaping, cycle route, information boards, and half width of highway known as High Road. In addition to TfL and LUL, Sustrans have an interest in the parcel insofar as it relates to the cycle route and Clear Channel UK Limited in relation to various advertising hoardings;

Parcel 31 is unregistered land relating to the steps to the Seven Sisters Underground Station and subway under the highway known as High Road; and

Parcel 32 is the retail premises known as 227 – 249 (odds) High Road, which comprises all of the retail units that make up the Market, and part width of highway known as High Road and half width of highway known as Seven Sisters Road.

- 3.19 There are various mortgagees, rights of way, rights of utilities and other interests including rights to light over the Order Land (belonging to other qualifying persons under section 12(2A) of the ALA 1981) listed in Table 2 of the Schedule of Interests.

## **4 ENABLING POWER**

- 4.1 Section 226(1)(a) of the Act states:

*'A local authority to whom this section applies shall, on being authorised to do so by the Secretary of State, have power to acquire compulsorily any land in their area...*

*(a) if the authority think that the acquisition will facilitate the carrying out of development, re-development or improvement on or in relation to the land.'*

- 4.2 The Council is the acquiring authority for the purposes of this Order.

- 4.3 Accordingly, section 226(1)(a) of the Act provides the Council with power to acquire the Order Land compulsorily, if the Council thinks that such acquisition will facilitate the carrying out of the Development.

- 4.4 Section 226(1A) of the Act adds that the Council must not exercise this power unless it thinks that the Development is likely to contribute to the achievement of any one or more of the following objects:
- i) the promotion or improvement of the economic well-being of its area;
  - ii) the promotion or improvement of the social well-being of its area;
  - iii) the promotion or improvement of the environmental well-being of its area.
- 4.5 The principal economic, social and environmental benefits of the Development that will contribute to the Council's well-being objectives are set out below in Section 8.

## **5 PURPOSE OF THE ORDER**

- 5.1 The Order is required to complete the assembly of the necessary land to enable delivery of a comprehensive redevelopment of the Order Land to provide a substantial improvement to the district centre's retail and residential offer, together with significant enhancements to the district centre's environment. In addition, the Development would act as a catalyst for the much-needed regeneration of this part of Tottenham. The Council's justification for the Order is set out in full at Section 8 of this Statement of Reasons.
- 5.2 The Council is satisfied that: (i) all of the Order Land is required to deliver the Development; and (ii) the social, economic and environmental benefits of the Development are not capable of being realised otherwise than as part of a comprehensive redevelopment of the whole of the Order Land. As there is no certainty that all of the interests can be acquired by negotiation, the Order is needed to enable full, unified ownership so the Development can proceed. Approximately 72% (by area) of the interests within the Order Land are: already owned by Grainger; or are already under agreement/contract to purchase by Grainger (as at 1 July 2015).
- 5.3 The principal remaining interests to be acquired pursuant to the Order are summarised in Section 10 and listed in the Schedule of Interests (Appendix (B)). In accordance with paragraph 2 of the Guidance, Grainger will continue to negotiate to acquire all remaining interests by private treaty.

## **6 THE PLANNING PERMISSION**

- 6.1 The Planning Permission (HGY/2012/0915) authorises:

*'Demolition of existing buildings and erection of a mixed use development comprising class C3 residential, class A1/A2/A3/A4 uses, with access, parking and associated landscaping and public realm improvements'* (see Appendix C).

- 6.2 The development permitted by the Planning Permission is a mixed retail and residential scheme. Pursuant to the Planning Permission, new retail floorspace (3,693sqm) extends along the three main road frontages with servicing access via a new gated secure entrance from Suffield Road. This ground floor retail space would provide individual retail units of varying sizes with pedestrian access direct from the street together with space (865sqm) for a relocated market (subject to agreement with the traders) with improved facilities and a number of entrances from both Seven Sisters Road and the High Road to ensure maximum permeability.
- 6.3 The central section of the double height street level retail space would be set back to allow the creation of a landscaped public square on the High Road (linking with and extending the existing area of public highway) to transform the area around the entrance/exit from Seven Sisters Underground Station. This central section would also provide space at first floor level for a café/bar/restaurant use behind a fully glazed frontage overlooking the public square.
- 6.4 The 196 new homes proposed by the Planning Permission range from studios to 3 bed units and all would be for market sale or private rent. The net residential density (taking into account the consented commercial floorspace) is approximately 825 habitable rooms per hectare maximising the development potential of this highly accessible and prominent site.
- 6.5 In addition to the service yard for the retail space, the Planning Permission proposes 44 residential car parking spaces provided in the basement (accessed from Suffield Road) together with 196 cycle spaces. Commercial and residential refuse bins would be sited to enable emptying from the internal service road.

## **7 PLANNING POLICY**

### **(1) Development Plan**

- 7.1 The statutory development plan comprises:
- i) London Plan (March 2015) ('London Plan');
  - ii) Local Plan: Strategic Policies (March 2013);
  - iii) Haringey Unitary Development Plan (detailed saved policies) (adopted in July 2006 and as modified following adoption of the Strategic Policies in March 2013)
- 7.2 The following policies of the development plan are relevant to the making of the Order:

#### London Plan

- 7.3 The London Plan sets out a number of London-wide and more area specific policies that are material to the Development.
- 7.4 With a key focus on promoting growth, sustainable development (London Plan Policy 1.1) and a good, sustainable quality of life for everyone in London, the London Plan endorses the nationally-recognised London-Stansted-Cambridge-Peterborough Growth Corridor through Policy 2.3, Growth areas and co-ordination corridors. Tottenham lies towards the southern end of this Growth Corridor and this policy requires stakeholders to identify and develop linkages across, and the capacity of, such nationally recognised areas.
- 7.5 Policy 2.6 Outer London vision and strategy, emphasises the need to improve the quality of life in Outer London and to promote improvements that are sensitive to the needs of existing neighbourhoods.
- 7.6 Policy 2.7 Outer London economy, seeks to ensure that opportunities for economic growth are maximised and capacity is identified and brought forward in and around town centres with good public transport accessibility to support viable local economic activities, including leisure and retail, and higher density housing. This policy also advocates the use of compulsory purchase to assemble sites to promote growth of retail and leisure facilities in and around town centres.
- 7.7 Policy 2.8 Outer London transport recognises the benefits of integrating land use and transport planning to ensure use of vacant and under-used land is optimised.
- 7.8 Policy 2.13, Opportunity Areas and Intensification Areas, identifies the Upper Lee Valley (which includes Tottenham and the Order Land) as an Opportunity Area in London. The Mayor supports proactive policies for growth, regeneration and improved environmental quality in such areas and encourages partnerships in preparing and implementing opportunity area planning frameworks to realise these areas' growth potential. Opportunity Areas are described as *'the capital's major reservoir of brownfield land with significant capacity to accommodate new housing, commercial and other development linked to existing or potential improvements to public transport accessibility'*. Development proposals in Opportunity Areas should seek to optimise residential and non-residential output and densities, provide necessary social and other infrastructure to sustain growth and, where appropriate, contain a mix of uses.
- 7.9 Policy 2.14, Areas for regeneration, identifies Tottenham (including the Order Land) as within a regeneration area because the area is in the 20% most deprived areas in London (based on Lower Layer Super Output Areas ('LSOA')). In such areas, the London Plan calls for action to promote sustained renewal by co-ordinated and integrated neighbourhood-based action and investment based on partnership working with the

Mayor, strategic and local partners. The boroughs should set out spatial policies which bring together regeneration, development and transport proposals together with improvements in learning and skills, health, safety, access, employment, environment and housing.

- 7.10 Policy 2.15, Town Centres, requires that developments should sustain and enhance the vitality and viability of the centre and relate the existing and planned roles of individual centres to the network as a whole to achieve its broader objectives. Boroughs should consider the scope for consolidating and strengthening them by encouraging a wider range of services; promoting diversification, particularly through high density, residential led, mixed use re-development; improving environmental quality; facilitating site assembly, including through the compulsory purchase process. Boroughs should also actively plan and manage the consolidation and redevelopment of medium sized centres to secure sustainable, viable retail offer; a range of non-retail functions to address identified local needs; and significantly higher density housing in a high quality environment.
- 7.11 Policy 3.1, Ensuring equal life chances for all, requires that developments should protect and enhance facilities and services that meet the needs of particular groups and communities and should not involve the loss of these facilities without adequate justification or provision for replacement.
- 7.12 Policy 3.3, Increasing housing supply, recognises the pressing need for more homes and requires boroughs to achieve and exceed their annual housing growth targets (in the case of Haringey, this equates to 1,502 new dwellings per annum for the period 2015 - 2025). In particular, the London Plan urges boroughs to realise the potential capacity on brownfield sites in opportunity areas, regeneration areas and growth corridors.
- 7.13 Policy 3.4, Optimising housing potential, calls on boroughs to identify the range of needs within their areas and to ensure that developments optimise housing output for different locations within the relevant density range.
- 7.14 Policy 3.8, Housing choice, calls on boroughs to identify the range of needs within their areas and to ensure that developments offer a range of housing choices in terms of size, type and tenure within an area.
- 7.15 Policy 3.9, Mixed and balanced communities, emphasises the importance both of promoting mixed and balanced communities by tenure and household income and of ensuring attractive design, adequate infrastructure and an enhanced environment. It states that a more balanced mix of tenures should be sought in all parts of London, particularly in some neighbourhoods where social renting predominates and there are concentrations of deprivation.

- 7.16 Policy 3.14, Existing housing, requires that loss of housing should be resisted unless the housing is replaced at existing or high densities.
- 7.17 Policy 4.7, Retail and town centre development, advocates a strong partnership approach to assessing need and identifying and bringing forward capacity for retail, commercial, cultural and leisure development in town centres.
- 7.18 Policy 4.8, Supporting a successful and diverse retail sector and related facilities and services, includes supporting convenience retail particularly in district centres (which includes the West Green Road/Seven Sisters Road district centre of which the Order Land forms part, as to which see further below) and the range of London's markets, complementing other measures to improve their management, enhance their offer and contribute to the vitality of town centres.
- 7.19 Policy 4.9, Small shops, in considering proposals for large retail developments, Boroughs should, consider imposing conditions or seeking contributions through planning obligations where appropriate, feasible and viable, to provide or support affordable shop units suitable for small or independent retailers.
- 7.20 Policy 6.1, Strategic approach, encourages the closer integration of transport and development by encouraging patterns and nodes of development that reduce the need to travel, promoting walking by ensuring an improved public realm and seeking to ensure that all parts of the public transport network can be used safely and easily.
- 7.21 Policy 6.10, Walking, aims to bring about a significant increase in walking in London by emphasising the quality of the pedestrian and street environment, including through simplified streetscape, de-cluttering and access to all.
- 7.22 Policy 7.1, Lifetime neighbourhoods, promotes development that (amongst other things) contributes to people's sense of place, safety and security. Development should be designed to interface with surrounding land and improve people's access to social and community infrastructure, local shops, employment and training opportunities and public transport. The design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability, and accessibility of the neighbourhood.
- 7.23 Policy 7.3, Designing out crime, requires that a safe, secure and appropriately accessible environment should be created with developments which reduce the opportunities for criminal behaviour.

- 7.24 Policy 7.4, Local character, states that developments should have regard to the form, functions and structure of an area and should build on the positive elements that can contribute to establishing an enhanced character for the future.
- 7.25 Policy 7.5, Public realm, seeks the highest quality design and public realm that is secure, accessible and enables easy movement. Development should make the public realm comprehensible at a human scale, using gateways, focal points and landmarks to help people find their way. Landscape treatment should be of the highest quality and contribute to the easy movement of people through the space, with opportunities for the integration of high quality public art.
- 7.26 Policy 7.8, Heritage assets and archaeology, advises that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.
- 7.27 Policy 8.1, Implementation, provides that the Mayor will work with Government to deliver to realise the full housing potential of Opportunity Areas through the development of Housing Zones. In the first round of bidding Tottenham was named a GLA Housing Zone. Housing Zone status has been awarded to areas identified by London boroughs as key opportunity sites, to maximise development, fast track homes and deliver much needed infrastructure to boost development. Funding is secured as part of the designation to help deliver new investments into the area.
- 7.28 Policy 8.2, Planning Obligations, states that the consideration of planning obligations in relation to development proposals should take account of economic viability.

Local Plan: Strategic Policies

- 7.29 The Strategic Policies designate the West Green Road, High Road and Seven Sisters Road frontages of the Order Land as part of the West Green Road/Seven Sisters Road district centre. The Strategic Policies regard the district centre as an important shopping destination for the local community.
- 7.30 The Strategic Policies include the Seven Sisters Underground Station at the eastern end of the Seven Sisters Road Corridor (extending westwards into the adjoining boroughs of Hackney and Islington) as a priority area for change with a strategic role to play in the future growth of the borough. In setting out the Council's aspirations for this Corridor, the Strategic Policies envisage the

*'Opportunity for ensuring that the Seven Sisters area and the tube and train station provides landmarks/gateways to aid legibility through redevelopment and/or renewal;*

.....

*'Wards Corner regeneration delivering houses, shops and public realm improvements through redevelopment and/or renewal'*

- 7.31 Policy SP0, Presumption in favour of sustainable development, accords with the presumption in favour of sustainable development (per the National Planning Policy Framework (2012) ('NPPF')) and confirms that the Council will work proactively to secure development that improves the economic, social and environmental conditions in Haringey.
- 7.32 Policy SP1, Managing growth, identifies Tottenham High Road and the Seven Sisters Corridor as areas of change where development will be promoted.
- 7.33 Policy SP2, Housing, states that the Council will aim to provide homes to meet Haringey's housing need through a range of requirements for new development, including meeting the density levels set out in the London Plan and meeting affordable housing targets subject to viability.
- 7.34 Policy SP7, Transport, seeks to locate major trip generating developments in locations with good access to public transport and so better integrate transport and land use planning and promote road safety and pedestrian movement particularly in town centres and close to local services.
- 7.35 Policy SP8, Employment, looks to support local employment and regeneration aims and Policy SP9, Improving skills and training to support access to jobs and community cohesion and inclusion seeks to address unemployment by increasing the employment offered in the borough.
- 7.36 Policy SP10, Town Centres, promotes the distribution of retail growth to meet the required needs in the Metropolitan and five district centres. The Council will promote and encourage development of retail, office, community, leisure, entertainment facilities, recreation uses, arts and cultural activities within its town centres according to the borough's town centre hierarchy. The district and town centres (including West Green Road/Seven Sisters) will continue to be supported and strengthened as important shopping and service centres to meet people's day-to-day needs. The Council will take a proactive partnership approach to reinvigorating these town centres, widening their role and offer, developing their identities, improving the public realm and accessibility to them.
- 7.37 Policy SP11, Design, requires that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use.

7.38 Policy SP12, Conservation, looks to ensure the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment.

#### Haringey Unitary Development Plan: Saved Policies

7.39 A number of policies from the Haringey Unitary Development Plan 2006 (UDP) have been saved and sit alongside the Local Plan: Strategic Policies. Relevant policies from this document include ENV7: Air, Water and Light Pollution which requires developments to control potential pollution by locating in areas that minimise the levels of air, water and light pollution created and minimising any impacts where appropriate.

7.40 EMP5: Promoting Employment Uses supports employment generating activities outside of Defined Employment Areas where trips generated by the proposal are sustainably catered for Policy TCR5: A3 Restaurants and Cafes sets out a number of criteria which must be taken into account when assessing proposals for restaurants and cafes, including management of the use and the impact on the town centre. Policy M9: Car Free Residential Developments sets out requirements for proposals which do not provide car parking, including good public transport accessibility. Policy CSV7: Demolition in Conservation Areas seeks to protect buildings within Conservation Areas unless in exceptional cases where substantial community benefit would result from the total or substantial demolition of the buildings.

7.41 There is reference to Wards Corner as a key site in the West Green Road/ Seven Sisters town centre, within the supporting text for Town Centres and Retailing chapter; and Wards Corner (with Council Offices at Apex House) is identified as a site specific proposal (site no. 21) for comprehensive mixed use development, with specific reference to the Development Brief .

## **(2) Other Material Considerations**

### NPPF

7.42 The NPPF was published by the Government in March 2012 and introduces a presumption in favour of sustainable development<sup>4</sup>. It adds that the policies in paragraphs 18 – 219 taken as a whole constitute the Government's view of what sustainable development in England means in practice for the planning system.

7.43 At paragraph 7, the NPPF sets out three roles for the planning system in contributing to sustainable development:

- *'an economic role - contributing to building a strong, responsive and competitive economy... ;*
- *'a social role - supporting strong, vibrant and healthy communities...'; and*

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<sup>4</sup> NPPF paras. 11-16

- *'an environmental role - contributing to protecting and enhancing our natural, built and historic environment...'*<sup>5</sup>

7.44 The above roles are mutually dependent.<sup>6</sup>

7.45 Paragraph 9 of the NPPF provides that *'pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life,'* including replacing poor design with better design, improving the conditions in which people live, work, travel and take leisure and widening the choice of high quality homes.

7.46 The NPPF states that *'proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.'*<sup>7</sup>

7.47 To help achieve economic growth, it advises local planning authorities to *"plan proactively to meet the development needs of business and support an economy fit for the 21<sup>st</sup>. century"*.<sup>8</sup>

7.48 Paragraph 17 sets out 12 core land-use planning principles, which should underpin decision-making, including that planning should:

- (i) be genuinely plan-led empowering local people to shape their surroundings;
- (ii) be creative in finding ways to enhance the places where people live;
- (iii) proactively support sustainable development to deliver homes;
- (iv) always seek to secure high quality design;
- (v) encourage the effective re-use of brownfield land;
- (vi) promote mixed-use development; and
- (vii) conserve heritage assets commensurate with their significance.

#### *Building a strong, competitive economy*

7.49 Section 1 of the NPPF focuses on the need to create a sustainable economy by creating economic growth through jobs and prosperity. Significant weight is placed on the need to support economic growth through the planning system and priority areas should be identified for economic regeneration, with strategic sites identified for local and inward investment to meet the economic vision for the area.

#### *Ensuring the vitality of town centres*

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<sup>5</sup> NPPF para. 7

<sup>6</sup> NPPF para. 8

<sup>7</sup> NPPF para. 12

<sup>8</sup> NPPF para. 20

- 7.50 Section 2 of the NPPF requires that planning policies promote competitive town centres, with a diverse retail offer and retain and enhance existing markets to ensure that markets remain attractive and competitive. Policies should also recognise the role that residential development can play in ensuring the vitality of town centres and where a town centre is in decline, a local authority should plan positively for the future to encourage economic activity. Sites should be allocated to meet the scale and type of development needed in town centres.

*Promoting sustainable transport*

- 7.51 Section 4 of the NPPF outlines that a pattern of development which facilitates the use of sustainable modes of transport should be encouraged. Developments which generate significant amounts of movement should be located where the need to travel will be minimised and use of sustainable transport maximised. Developments should be located and designed to give priority to pedestrian and cycle movements, have access to high quality public transport facilities and to create safe and secure layouts which minimise conflicts between different street users and avoid street clutter. For larger scale residential uses, policies should promote a mix of uses to provide a balance of land uses which minimises journey lengths for employment, shopping, leisure and other activities.

*Delivering a wide choice of quality homes*

- 7.52 Section 6 sets out the manner in which local planning authorities should boost significantly the supply of housing to meet the objectively assessed need for housing. Local authorities should plan for a mix of housing based upon current and future demographic trends, market trends and the needs of different groups in the community.

*Requiring good design*

- 7.53 Section 7 advises that the Government attaches great importance to good design which is a key aspect of sustainable development and should contribute to making places better for people. It states the importance of planning positively for the achievement of high quality and inclusive design for all development, including for individual buildings and public spaces. Developments should establish a strong sense of place using streetscapes and buildings and should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. They should also respond to local character and history, create safe and accessible environments and be visually attractive as the result of good architecture and appropriate landscaping.

*Promoting healthy communities*

- 7.54 Section 8 states that planning policies and decisions should aim to achieve places which promote: (i) opportunities for members of the community to meet through (amongst other things) mixed-use developments and active street frontages; (ii) safe and accessible environments where crime and disorder do not undermine the quality of life;

and (iii) safe and accessible developments. Planning policies and decisions should plan positively for the provision and use of shared space, such as local shops, and guard against the unnecessary loss of valued facilities and services. They should also ensure that established shops are able to develop and modernise in a way that is sustainable and retained for the benefit of the community.

*Conserving and enhancing the historic environment*

- 7.55 Section 12 states that, in determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the opportunities to draw on the contribution made by the historic environment to the character of a place. The local planning authority should identify and assess the particular significance of any heritage asset that might be affected by a proposal. The more important the asset, the greater the weight that should be attributed.

Publication Draft Tottenham AAP

- 7.56 In February 2015 the Council published for Regulation 18 consultation the 'preferred option' for the emerging Tottenham AAP together with other draft development plan documents. The consultation period ended on 27 March 2015 and the Council's responses to the consultation responses received were published on 13<sup>th</sup> October 2015, along with the Tottenham AAP Publication Draft which has been informed by these representations. These documents have been published for consideration by Cabinet on the 20<sup>th</sup> October 2015 and by Full Council on 23<sup>rd</sup> November 2015 for approval to go to an Examination in Public of the AAP, which will include a public consultation on the Tottenham AAP Publication Draft from December 2015 to January 2016.
- 7.57 The Tottenham AAP Publication Draft sets out policies to guide development and regeneration across Tottenham and key planning requirements for identified development sites.
- 7.58 It sets out the Vision for Tottenham, which is that:

*'Tottenham will be the next great area of London. It will build on its geographical, natural and cultural strengths and capitalise on the dynamics of neighbourhood improvement, the significant infrastructure investments being delivered in the area and the availability of large development sites. The combination of transformative actions and continuous incremental improvement will unlock Tottenham's potential as an increasingly attractive place to live, work, study and visit, a neighbourhood fully benefitting from London's growth and its position in a world city.'*

*'Tottenham's transformation will benefit existing as well as future residents of Tottenham. It will build on the strength and resilience of the existing community to help deliver a positive future for Tottenham.'*

7.59 A Local Strategic Policy sets out the planning policy for the Seven Sisters and West Green Road District Centre (SS1) which includes promoting positive regeneration in the area, retaining the viability of the shopping area, active town centre uses on all ground floor street frontages, a high quality urban realm around Seven Sisters Station and retention of Seven Sisters Market.

7.60 Wards Corner is identified as Site SS5 with key planning requirements listed as (INSERT SITE ALLOCATION POLICY WORDING WHEN FINALISED – POST 23<sup>rd</sup> NOV FULL COUNCIL)

- *'Comprehensive masterplanned development is required on this site to ensure that this site delivers a high quality, coordinated development appropriate for a location which is a key gateway into Tottenham.*
- *Proposals should ensure re-provision of the existing market will be on site and arrangements should be made for the temporary housing of the market whilst the proposal is being built out. Secure retail and other town centre uses at ground floor level onto the West Green Road, High Road and Seven Sisters Road frontages.*
- *Retail and other town centre uses will be required at ground floor level frontages onto the West Green Road, High Road and Seven Sisters Road frontages to ensure this site contributes towards strengthening and reinvigorating the town centre.*
- *This site is within the Seven Sisters/ Page Green Conservation Area and any development should enhance its setting and appearance.*
- *Ensure a high quality public realm is secured on all frontages and that it is designed appropriately to demarcate an important arrival point into Tottenham.*
- *Adjacent to this site is the Apex House site allocation, which is projected to come forward during the same time period as Wards Corner. The building at Wards Corner should be designed with an understanding of how it will relate to the strategic vision for Tottenham and particularly the type and scale of development which is outlined in the site allocation for Apex House.*
- *This site is identified as being in an area with potential for being part of a decentralised energy network. This may be as a decentralised energy hub, as a customer, or requiring part of the site to provide an easement for the network.*
- *Studies should be undertaken to understand what potential contamination there is on this site prior to any development taking place. Mitigation of and improvement to local air quality and noise pollution should be made on this site.<sup>9</sup>*

7.61 As part of the Regulation 18 consultation on the Preferred Option for the Tottenham AAP, the Council has given proper consideration to all comments received. These comments have now been published alongside the Council's response. Those comments that relate to the Wards Corner site allocation are at Appendix (J).

#### Development Brief

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<sup>9</sup> Tottenham Area Action Plan Preferred Option Consultation Draft Feb. 2015 page 54

- 7.62 In January 2004, the Council approved the Development Brief which includes the Order Land together with properties to the west on the north side of Seven Sisters Road and Apex House to the south. The Development Brief supports the creation of *'a landmark development that acts as a high quality gateway to Seven Sisters, providing mixed uses with improved facilities and safer underground station access.'*<sup>10</sup>
- 7.63 The Development Brief then goes on to set out a series of Development Principles to guide future redevelopment.

#### Tottenham Strategic Regeneration Framework 2014 ('TSRF')

- 7.64 The TSRF, while not planning policy, was approved by the Council in March 2014 and is a material consideration. It sets out 7 strategies for success that will guide the Tottenham Regeneration Programme, many of which resonate with the Development such as: (i) improved access to jobs; (ii) building new, high quality homes; (iii) creating better public spaces to meet, shop and have fun; and (iv) attracting the right investment and quality development.
- 7.65 The TSRF also includes a vision for Seven Sisters as being a gateway to Tottenham, characterised by 'high quality, well-connected public spaces becoming known as a place to do business and socialise throughout the day and evening'.

#### Upper Lee Valley Opportunity Area Planning Framework ('OAPF')

- 7.66 The OAPF was adopted by the Mayor in July 2013 as Supplementary Planning Guidance to the London Plan and sets out an overarching framework for the Upper Lee Valley and contains a section focused on the A10/A1010 Corridor for which it proposes significant growth. The OAPF aims to ensure the opportunities and regeneration benefits extend to the whole of the Upper Lee Valley by connecting the existing A10/A1010 communities to the growth areas, industrial land and Regional Park. It was produced by the GLA working with TfL and the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney.
- 7.67 One of the eight objectives for the OAPF is for:
- 'Optimised development and redevelopment opportunities along the A10/A1010 Corridor, in particular the Tottenham High Road Corridor and Northumberland Park.'*
- 7.68 Other objectives focus on more general deliverables for the area, including delivering new well designed homes, new jobs, significant investment and improvements to transport infrastructure and full integration between existing communities and the benefits delivered by new developments.

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<sup>10</sup> *Wards Corner/Seven Sisters Underground Development Brief, Haringey Council January 2004*

7.69 To achieve this objective, the OAPF looks in detail at the main centres along the A10/A1010 Corridor and identifies individual visions for these centres. For Seven Sisters and Tottenham Green it proposes that Seven Sisters will be a gateway into Tottenham and the High Road and that the comprehensive redevelopment of Wards Corner will help bring new homes to the area, and create major new retail space and public spaces. It also envisages that public realm improvements will link Seven Sisters to Tottenham Green, the largest public space on the High Road.

## **8 JUSTIFICATION FOR COMPULSORY PURCHASE**

8.1 Paragraph 2 of the Guidance states:

*'Acquiring authorities should use compulsory purchase powers where it is expedient to do so. However, a compulsory purchase order should only be made where there is a compelling case in the public interest... When making and confirming an order, acquiring authorities and authorising authorities should be sure that the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected.'*

8.2 Paragraph 12 of the Guidance states:

*'It is the acquiring authority that must decide how best to justify its proposal to compulsorily acquire land under a particular act. The acquiring authority will need to be ready to defend the proposal at any inquiry or through written representations and, if necessary, in the courts.'*

8.3 Having regard to Stage 2: justifying a compulsory purchase order and paragraph 76 of Tier 2: Enabling Powers of the Guidance, the Council notes that, where a compulsory purchase order is promoted pursuant to section 226(1)(a) of the Act, the Secretary of State will take into account the following issues:

- (a) Whether the purpose for which the Order Land is being acquired fits with the adopted Local Plan for the area (see section 8(i) below);
- (b) The extent to which the Development would contribute to the achievement of the promotion and/or improvement of the economic and/or social and/or environmental well-being of the Council's area (see section 8 (ii) – (iv) below); and
- (c) Whether the purposes for which the Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe (see section 8 (v) below).

8.4 These are each considered below in relation to the Order and the Development. Later sections of this Statement of Reasons consider the prospects of delivery of the Development and the issues of human rights and equalities.

**(i) Whether the purpose for which the Order Land is being acquired fits in with the adopted Local Plan**

8.5 The compulsory purchase of the Order Land is required to deliver a comprehensive redevelopment scheme and is the only approach available to the Council to optimise the benefits offered from a key strategic site within a priority regeneration area. For the reasons set out below, the acquisition of the Order Land to facilitate delivery of the Development would fully accord with the development plan and other guidance including national planning policy framework, draft policies, and supplementary planning guidance.

*Principle of Development*

8.6 Pursuant to Policy 2.13 of the London Plan, the Upper Lee Valley (which includes Tottenham) is identified as one of London's Opportunity Areas where proposals for regeneration (particularly those, such as the Development, which propose new housing and commercial development)) are encouraged to realise the areas' growth potential.

8.7 The transformation of Tottenham (and more specifically, the Order Land) is also promoted at a local level. In particular: (i) Policy SP1 of the Strategic Policies identifies the Order Land as falling within an area where new development will be promoted, having a strategic role to play in the growth of the borough; (ii) the TSRF confirms that Seven Sisters is a key part of the regeneration vision, with the redevelopment of Wards Corner an objective of the TSRF Delivery Plan; (iii) the OAPF recognises redevelopment opportunities as an objective for Tottenham High Road; and (iv) the publication draft of the Tottenham AAP recognises the role of Wards Corner as contributing towards Tottenham's transformation. In accordance with the development plan and national policy imperatives for regeneration, the Development would bring major new investment into the area, which has the potential to act as a catalyst for further transformational investment in Seven Sisters and Tottenham.

8.8 Haringey is the 44<sup>th</sup> most deprived local authority area in England, and the second most deprived in London<sup>11</sup>. At LSOA level, Haringey 024B (the LSOA in which the majority of the Order Land falls, see figure 1) is within the 10% most deprived in England and Haringey 025D (the LSOA in which some of the Order Land falls, see figure 1) is within the 20% most deprived in England<sup>12</sup>. The renewal of the Order Land would deliver compelling regeneration benefits for the area (per London Plan Policy 2.14), by securing:

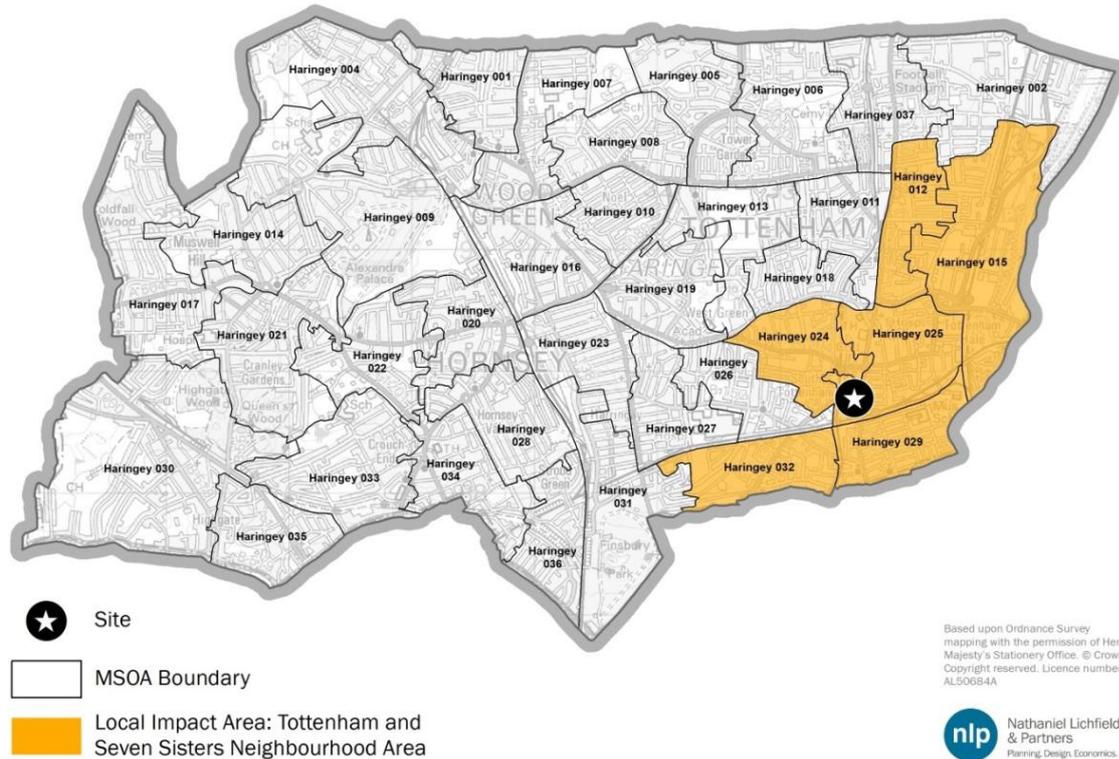
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11 According to the rank of proportion of LSOAs in most deprived 10% nationally in the English indices of deprivation 2015, published on 30th September 2015 by the Department for Communities and Local Government.

12 According to the Index of Multiple Deprivation (IMD) Decile in the English indices of deprivation 2015, published on 30th September 2015 by the Department for Communities and Local Government.

a retail scheme which is appropriate for this important site at the gateway to Tottenham; provision of many new homes for the area; and creation of a new public square at a key transport interchange. This new development, together with the re-provision and improvement of the Market, would better serve the local community.

Figure 1: Haringey Lower Super Output Areas and the Order Land location



Source: Seven Sisters Regeneration Project Economic Benefits Assessment, NLP October 2015.

- 8.9 The proposed mix of uses within the Development would also enhance the night-time economy of the district centre. The Development is, therefore, fully in accordance with London Plan Policy 2.6, which seeks to improve quality of life in outer London in a manner which is sympathetic to the existing community and Policies SP1 and SP10 of the Strategic Policies.
- 8.10 Further, the regenerative purposes to which the Order Land would be put fits squarely with the requirement set out in section 2 of Appendix A of the Circular, namely that the available powers are used by acquiring authorities to *'implement the proposals in their community strategies and Local Development Documents'*.
- 8.11 As set out in Section 7 of this Statement of Reasons, the planning framework identifies the Order Land as a gateway or landmark site, which can deliver improvements to the existing housing, retail and public realm offer. The delivery of new, mixed tenure housing, optimisation of a site with excellent transport capacity and the diversification of retail in a district centre, amongst other benefits, would secure sustainable

development in a highly accessible location in accordance with the, London Plan Policy 1.1, Policy SP1 of the Strategic Policies and the NPPF (paragraphs 7, 9 and 14).

8.12 Accordingly, the purpose for which the Order Land is being acquired accords with the adopted planning policy for the area (as was recognised by the grant of the Planning Permission).

8.13 The intention to bring forward a significant development at the Order Land has been articulated by the Council for over ten years, since the publication of the Development Brief. That the Development has not come forward yet, despite planning policy support and a willing developer, reinforces the need for the use of compulsory purchase powers. The Council refers to the following key aspects of the Development:

#### *Housing*

8.14 The Development proposes new private housing for Haringey. As to this, the development consented pursuant to the Planning Permission includes 196 private homes. Additional homes would '*boost significantly the supply of housing*' (per paragraph 47 of the NPPF) and contribute towards the Council meeting both its target to deliver 1,502 new dwellings per annum for the period 2015 – 2025 (per Policy 3.3 of the London Plan) and the Haringey-wide need for housing set out at Policy SP2 of the Strategic Policies. The Development also accords with Tottenham's designation as a Housing Zone.

8.15 The Order Land currently comprises 33 residential units (giving rise to a density of 119 habitable rooms per hectare), which is far below the residential density requirements of a site with a PTAL rating of 6a. The Development would result in a net increase of housing at the Order Land. In this regard, the development pursuant to the Planning Permission proposes 564 habitable rooms resulting in a density of 787 habitable rooms per hectare and, therefore, ensures optimum use of a highly accessible location (per Policy 2.7 and Policy 3.8 of the London Plan and Policy SP2 of the Strategic Policies). Further, the net increase in the provision of housing at the Order Land is also supported by London Plan Policy 3.14.

8.16 It is proposed that the Development would provide a mix of residential units. Indeed, the residential component of the development pursuant to the Planning Permission comprises a mix of studio (2.5%), one bed (24.5%), two bed (55%) and three bed (18%) units, which would make a positive contribution towards the needs of the Borough. Given the district centre location of the Order Land and the commercial nature of the main frontages, four bedroom units were not considered suitable in this location.

8.17 In light of the above, the Development would secure a mixed and balanced community at the Order Land in accordance with Policy 3.9 of the London Plan and paragraph 50 of the NPPF. In respect of the development consented pursuant to the Planning

Permission, all residential units (other than the duplexes) would meet Lifetime Homes standards and 10% of all units would be wheelchair adaptable.

#### *Play Space/ Amenity Space*

- 8.18 The Development would facilitate the delivery of well-designed play and amenity space. The development permitted by the Planning Permission demonstrates that proposals can be designed that exceed the children's play space requirements of the Policy 3.6 of the London Plan and the London Plan's Supplementary Planning Guidance 'Providing for Children and Young People's Play and Informal Recreation'. As to the consented scheme, amenity space is proposed in the central courtyard of the at first floor level, overlooked by the residential units (in accordance with Policy 7.3 of the Local Plan). The provision of amenity space accords with national and local planning policy.

#### *Retail*

- 8.19 A major component of the Development is the improvement and increased provision of retail floorspace. As to this, the scheme consented pursuant to the Planning Permission would provide 3,693m<sup>2</sup> of new retail floorspace (comprising a net increase of 610m<sup>2</sup> on the existing provision), a small ground floor restaurant of 33m<sup>2</sup> and first floor restaurant of 320m<sup>2</sup> within the West Green Road/Seven Sisters district centre, which is identified for retail development pursuant to Policy 4.8 of the London Plan, Policy SP10 of the Strategic Policies and Policy SS5 of the draft Tottenham AAP. The principle of retail development of the Order Land is also established by the grant of the Planning Permission.
- 8.20 The retail component of the Development also accords with the requirement, pursuant to the NPPF, for local planning authorities to positively and proactively encourage economic growth (per paragraphs 19 and 21). In addition, siting retail uses within a district centre fully accords with the town-centre first approach promulgated by, Policies 2.15, 4.7 and 4.8 of the London Plan and Policy SP10 of the Strategic Policies and paragraph 24 of the NPPF.
- 8.21 In particular, the development consented pursuant to the Planning Permission proposes larger units for multiple retailers on the High Road frontage and smaller units for independent traders along the West Green Road and Seven Sisters Road frontages. As a result, redevelopment of the Order Land would generate an improved range and quality of retail outlets and, per paragraph 24 of the NPPF and the Development Brief, would promote the vitality and viability of the district centre. In accordance with Policy 4.9 of the London Plan, the S106 Agreement requires that Grainger is required to promote a marketing and letting strategy for the smaller retail units: (i) consistent with the promotion of West Green Road as a district centre with a focus on independent trading; and (ii) providing rents consistent with the rents paid for units of a similar size and nature in the vicinity of the Order Land.

- 8.22 So as to retain local traders and safeguard a range of retail units, the S106 Agreement also prevents: (i) the first retail unit being let to a person or organisation not currently trading within the Borough; and (ii) any of the smaller retail units being amalgamated otherwise than with the Council's prior approval.
- 8.23 In addition, the development consented pursuant to the Planning Permission secures (subject to conditions to ensure that it is provided for the benefit of the current traders and will be viable in the long term) the relocation and improvement of the Market on Seven Sisters Road, with its entrance in a prominent position on the corner of Tottenham High Road. Measures to prevent the loss of retail facilities, including street and farmers' markets, are encouraged by Policy 4.7 of the London Plan. In addition, retaining specialist shopping facilities is supported by Policy 4.8 of the London Plan. Pursuant to the S106 Agreement, a package of measures has been offered by Grainger to help to ensure the successful future of the Market (as to which see further below).

#### *Design and Public Realm*

- 8.24 The Development also presents an opportunity to provide a high quality design with bulk and massing in-keeping with the location and sympathetic to local surroundings in accordance with Policy 7.4 of the London Plan, Policy SP11 of the Strategic Policies and paragraph 58 of the NPPF
- 8.25 The Development would incorporate public realm that is accessible for all and would improve legibility throughout the Order Land in accordance with Policy 7.1 and Policy 7.5 of the London Plan. In particular, the development consented pursuant to the Planning Permission has incorporated 'Secure by Design' principles required by Policy 7.3 of the London Plan. As to this, the public square and podium landscaped spaces would be overlooked, thereby benefitting from passive surveillance.

#### *Conservation*

- 8.26 Part of the Order Land is located within the Conservation Area. Conservation area consent has been granted for the demolition of all existing buildings on the Order Land.
- 8.27 As to the impact of the demolition of the existing buildings on the Order Land on the significance of the Conservation Area, in its determination of the application for Conservation Area Consent, the Council considered that, whilst this would entail the loss of some architectural interest, it would not substantially harm the character and significance of the Conservation Area (per paragraph 133 of the NPPF). In particular, the Conservation Area is not characterised by a uniformity of style, quality or appearance and demolition would not undermine the essential contribution that Tottenham High Road and the associated street pattern and layout of the consented scheme makes to the character of the Conservation Area.

8.28 The Council is satisfied that any harm arising is less than substantial (per paragraph 134 of the NPPF), and, even attaching special weight to such harm, this is outweighed by the physical and economic regeneration of the Order Land at a density that secures its optimum viable use. Accordingly, the Development is in compliance with Policy SP12 of the Strategic Policies and section 12 of the NPPF.

#### *Traffic and Parking*

- 8.29 The Order Land is in a highly sustainable location with a PTAL rating of 6a and is well-located in relation to public transport with Seven Sisters Underground Station located to the front of the Order Land, Seven Sisters Overground Station located within a five minute walk and various bus routes on Tottenham High Road, which will all result in reduced need for car-use. In accordance with Policy 6.10 of the London Plan and the NPPF, the location of the Order Land facilitates access on foot, via safe and convenient direct routes to town centres and transport nodes.
- 8.30 In accordance with the policy imperative to reduce reliance on the private car in urban areas (per Policy 6.1 of the London Plan, Policy SP7 of the Strategic Policies and the NPPF), Grainger is required (pursuant to the S106 Agreement) to operate the residential component of the consented scheme in accordance with a travel plan approved by the Council and designed to secure a modal shift away from the private car.
- 8.31 The development consented pursuant to the Planning Permission also provides service covered storage for 234 cycle racks for the residential units and 11 cycle racks for the commercial units in line with London Plan standards, together with public cycle racks in the public square on Tottenham High Road near the entrances to the Seven Sisters Underground Station. In accordance with Policy 6.9 of the London Plan, the consented development provides secure, integrated and accessible parking facilities.
- 8.32 A limited number (44 including 3 spaces for people with disabilities) of car parking spaces to compensate for the loss of the existing 48 car parking spaces on the Order Land would be provided as part of the consented scheme. In accordance with Policy 6.13 of the London Plan, 20% of the spaces are to be fitted with electric vehicle charging points, with a further 20% having passive provision. The S106 Agreement secures that the consented scheme would be car-free (i.e. it prevents any occupier or residents from applying for a permit to park in a space within a controlled parking zone).
- 8.33 Moreover, the balance of uses proposed at the Order Land pursuant to the Development would encourage people to minimise journey lengths for employment, shopping and leisure activities (per paragraph 37 of the NPPF).
- 8.34 In light of the above, the Council is satisfied that the Development accords with the strategic objectives of the development plan and the national planning framework (as well as other material planning considerations).

**(ii) The extent to which the Development would contribute to the achievement of the promotion and/or improvement of the economic well-being of the Council's area**

- 8.35 Tottenham suffers from some of the highest levels of economic deprivation in the UK and sits within the 20% most deprived areas in London, ranked by reference to income, barriers to housing and services, health deprivation and disability<sup>13</sup>. The area has experienced a long period of relative decline moving from being a prosperous working suburb to one of high unemployment. The most recent employment and economic activity data available is from the ONS Annual Population Survey, for the 12 months to March 2015. This data is available at local authority level, and measures economic activity among the resident population aged 16 to 64. The economic activity rate in Haringey is 74.1%, below the figures for London (77.0%) and England (77.6%).
- 8.36 Census data for employment and economic activity is available at LSOA and ward level, and measures economic activity among the resident population aged 16 to 74. In Haringey 025D, the level of economic activity is 62.6%, being considerably below average for the London-wide rate of 71.7%. Economic activity in Tottenham Green Ward again falls well short of the London-wide average, being 68.1%.
- 8.37 Unemployment is higher than the Haringey, London and England average across both LSOAs and Tottenham Green. In Haringey 024B, 9.1% of residents aged 16-74 are unemployed, more than double the national rate (4.4%) and considerably higher than the rate across Haringey (6.1%) and London (5.2%), in Haringey 025D it is 6.0% which is more in keeping with the Borough average. Long-term unemployment is also high, at 3.3% in Haringey 024B and 2.2% in Haringey 025D, compared with 1.3% across the borough and 1.0% across London. In April 2015, 3.7% of working age people in the Tottenham Green Ward received Job Seeker's Allowance, which is in excess of both the borough and national average.
- 8.38 Within this context, there is a compelling need to regenerate this part of Tottenham. Indeed, the case for addressing this significant issue is overwhelming and the Council's regeneration programme – with which the Development would be entirely consistent – is focused on doing so. In addition, the Development presents an opportunity for Grainger and the Council to work with local agencies to improve job prospects for local people in accordance with the objectives of the Council's planning policies.
- 8.39 The Development would act as a catalyst for the wider regeneration and investment in this part of the borough. It would bring additional life, vibrancy, a substantial number of jobs, homes and a transformed street environment to a key gateway in Tottenham, consistent with adopted, national and emerging policy (as set out above). A number of

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<sup>13</sup> According to the Index of Multiple Deprivation (IMD) Decile in the English indices of deprivation 2015, published on 30th September 2015 by the Department for Communities and Local Government.

economic benefits can be directly attributed to the development consented pursuant to the Planning Permission including<sup>14</sup>:

- (a) 360 jobs directly involved in its construction (with 720 person-years of temporary construction employment over the 2 year period of construction); and
- (b) 160 jobs (FTE) operational jobs supported by new employment space, which represents significant net additional employment.

8.40 A number of indirect economic benefits would also arise from the Development. As regards the development permitted pursuant to the Planning Permission, these are estimated to include<sup>15</sup>:

- (a) 545 jobs indirectly created or induced by its construction;
- (b) 70 (FTE) operational jobs;
- (c) £2.1 million increase in annual net resident expenditure within local shops or services; and
- (d) 15 new operational jobs created by this additional resident expenditure in the local area.

8.41 This delivery of new jobs is underpinned by a legal commitment from Grainger to secure local training and employment benefits (per the S106 Agreement). In particular, the S106 Agreement obliges Grainger to:

- (a) *ensure that the recruitment, employment, training and career development of all contractors and occupiers of the consented scheme reflect the principles and objectives of the Haringey Guarantee Programme;*
- (b) *liaise with both the Council and local employment training agencies to identify job opportunities and skill needs within the consented scheme (and to procure that contractors enter into equivalent liaison arrangements);*
- (c) *use reasonable endeavours to procure that its contractors target the offer of employment to 20 individuals who live in Tottenham on an apprentice basis throughout the construction of the consented scheme, and to liaise with the College of Haringey to secure such offers;*
- (d) *work with the Council to employ measures that aim to secure that all new jobs within the consented scheme (both during construction and following occupation) are made available in the first instance to residents of the Council's borough, and to agree with the Council a mechanism for advertising such jobs;*

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<sup>14</sup> According to a report by Nathaniel Lichfield & Partners, Seven Sisters Regeneration Project Economic Benefits Assessment dated October 2015.

<sup>15</sup> According to a report by Nathaniel Lichfield & Partners, Seven Sisters Regeneration Project Economic Benefits Assessment dated October 2015.

- (e) *work with the Council to support measures that promote Tottenham as an area for business;*
- (f) *advertise supply chain opportunities arising from the consented scheme to local businesses; and*
- (g) *submit an annual statement to the Council evidencing how these commitments have been satisfied.*

8.42 Overall, it is estimated that the development pursuant to the Planning Permission would deliver an investment of around £65m in this part of the borough<sup>16</sup>. Upon first occupation, it is anticipated that £980,000<sup>17</sup> would be spent on goods and services by those moving into the new homes. A high proportion of this spend would be captured locally and would provide an economic stimulus for other business in the area and increase the likelihood of future investment into the Seven Sisters area.

8.43 The proposed redevelopment and re-provision of the Market would deliver a new and improved market for the local area, with a number of commitments made by Grainger in the S106 Agreement to provide support to market traders to relocate either within the re-provided market space or elsewhere as they might prefer. The re-provided market (itself being a significant benefit) would be complemented by additional, new retail floor space at ground floor level, helping to diversify the range of retail available in the Seven Sisters/West Green Road district centre which has been identified as important to the continuing success and future development of this specific centre, while retaining the existing retail character in the area, particularly along West Green Road<sup>18</sup>.

8.44 In this context, it is also important to note that the S106 Agreement requires Grainger to:

- (a) *promote a marketing and letting strategy for the proposed retail units which is consistent with the promotion of West Green Road as a district centre with a focus on independent trading;*
- (b) *provide rents which are consistent with those being paid for units of a similar size and nature in the vicinity of the Order Land;*
- (c) *pay £144,300 to the Council prior to the closure of the Market, which is to be paid to individual traders to facilitate their relocation to the temporary/new market;*
- (d) *offer to existing traders the right to take either a lease or a licence of a stall in the new market area (of an equivalent size to their existing stall) at:*
  - (1) *a rent/licence fee which equates to a discount of 30% less than open market valuation of their stall for the first 18 months; and*

<sup>16</sup> According to a report by Nathaniel Lichfield & Partners, Seven Sisters Regeneration Project Economic Benefits Assessment dated October 2015.

<sup>17</sup> According to a report by Nathaniel Lichfield & Partners, Seven Sisters Regeneration Project Economic Benefits Assessment dated October 2015.

<sup>18</sup> Tottenham Retail Study, August 2012 carried out by Jones Lang LaSalle

- (2) *subsequently, at open market value;*
- (e) *consult with traders about the internal layout of the new market area;*
- (f) *not permanently close the existing market unless and until a temporary market has been provided and is ready for occupation;*
- (g) *appoint a market facilitator to work with existing traders in order to (amongst other things) identify a location for the temporary market, promote the interest of Spanish-speaking traders and provide all appropriate business support and advice with the objective of maximising the number of existing traders who elect to return to the new market, and to assist traders in finding suitable alternative employment if they decide not to relocate; and*
- (h) *offer each existing trader a stall in the temporary market and a 3 month rent free period in respect of it.*

8.45 It is clear, therefore, that the S106 Agreement is intended to support the existing businesses and tenants to remain and thrive as part of the redeveloped Order Land, while helping to improve the district centre's competitive retail offer by increasing footfall and trading levels in the area. Additional to the obligations secured through the S106 Agreement, is a commitment from the Mayor of London to enter into arrangements with the London Borough of Haringey to provide financial support to the small businesses in the existing market during the regeneration period. This is expressly to support the Latin American market. The Mayor of London has delegated to TfL to enter into this agreement with the Council to provide £284,500 to assist in resourcing the temporary relocation of Seven Sisters market following its temporary closure as planned to allow for the regeneration of Wards Corner.

8.46 Retail and town centres studies<sup>19</sup> have found that a diverse retail offer is needed in the Seven Sisters/West Green district centre. The location and scale of the Order Land offers an opportunity to deliver this retail offer consistent with the town centre policies of the development plan. Indeed, the Development is central to the vitality of the district centre, which faces competition from retail providers at the nearby Bruce Grove/ High Road district centre and the district centre at Tottenham Hale, the latter of which is home to a number of big retailers.

8.47 The Council is satisfied that the Development would contribute towards the improvement and promotion of the economic well-being of its area.

**(iii) The extent to which the Development would contribute to the achievement of the promotion and/or improvement of the social well-being of the Council's area**

8.48 In addition to the undoubted economic benefits of the Development, it is acknowledged that the opportunities presented by the Development would equally create social gains

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<sup>19</sup> Tottenham Retail Study, August 2012 carried out by Jones Lang LaSalle and Retail and Town Centres Study, 2013 by NLP.

for local people and businesses and contribute towards the promotion and improvement of social well-being in the Council's area. It is also acknowledged that the economic benefits listed above and the environmental benefits listed below will improve the social well-being of the Council's area, for example creating jobs and an attractive environment will also indirectly enhance the social well being of people in the area.

- 8.49 The provision of housing pursuant to the Development would contribute towards the improvement of social well-being in the Council's area. As to this, there is a pressing need for new housing in Haringey, as in the rest of London, given high levels of population growth. In particular, Seven Sisters has low levels of home ownership, as well as a significant demand for new housing. Both Haringey 024B and Haringey 025D have notably low rates of home ownership. 24.0% of households in Haringey 024B and 28.4% in Haringey 025D are owner-occupied, compared with 39.8% across Haringey, 48.3% across London, and 63.3% nationally. As a result of historic housing need and land availability, large housing estates owned by the Council were built in Tottenham in the 1960s. Now, over 58% of the Council's total housing stock (rented and leasehold) is in Tottenham. As a result, high proportions of low income and vulnerable households live within this part of the borough.
- 8.50 The Development would deliver a range of new homes, built in accordance with relevant housing standards. Indeed, the development consented pursuant to the Planning Permission would deliver 196 new homes with a range of 1-3 bed units, built to relevant housing standards. The homes would contribute to the delivery of much needed housing in Haringey and, more generally, London. Overall, the development permitted pursuant to the Planning Permission would result in a net increase of 150 homes on the Order Land. The new housing for sale would help to diversify the housing stock available in the area and provide new opportunities for owner-occupiers. The S106 Agreement also requires Grainger to ensure that local residents are targeted via its letting strategy for residential units to ensure the benefits of the provision of new housing are harnessed within the borough.
- 8.51 In addition, the S106 Agreement secures the following in respect of the development consented pursuant to the Planning Permission:
- (a) *no less than 10% of the new homes shall be wheelchair accessible units; and*
  - (b) *the residential units must be designed in accordance with Lifetime Homes Standards.*
- 8.52 The above initiatives would secure the delivery of a significant and tangible improvement in the housing stock within this part of the borough. These benefits are significant and compelling, particularly when complemented by the commercial uses, which together would deliver (and encourage further) investment in this part of Tottenham to the benefit of local people and businesses.

8.53 To ensure that the consented scheme does deliver positive social benefits to the local area, the Council is required to approve (and Grainger is to subsequently implement) a community engagement strategy in respect of the scheme to demonstrate how the following have been addressed:

- (a) *regular diversity monitoring regarding the impact of the consented development on affected third parties;*
- (b) *reporting on the engagement process and how representations from third party stakeholders will be taken into account; and*
- (c) *any further mitigation measures that are identified as a result of ongoing monitoring and which are both necessary and directly related to the development permitted pursuant to the Planning Permission.*

8.54 Further, central to the redevelopment of the Order Land is the retention and improvement (subject to conditions) of the Market. In addition, to ensuring specialist shopping facilities are provided for local residents and providing an opportunity for members of the community to meet, the Market would provide a venue for local and diverse businesses to trade.

8.55 A package of measures is secured pursuant to the S106 Agreement in order to enhance the environment for local people and local businesses, including existing traders working within the Market. In short, the S106 Agreement ensures financial assistance to traders to facilitate their relocation to the new market (or a temporary market should the new market not yet be ready for occupation), in respect of which they are offered a stall of a comparable size to their existing stall, which is subject to a discounted licence fee or rent (as the case may be).

8.56 In addition, the S106 Agreement also ensures that the re-provision of the Market is a collaborative effort with the traders, whose views will be considered when: (i) identifying a suitable location for the temporary market; and (ii) designing the layout of the market, so as to ensure their operational needs are satisfied (see paragraphs 8.42 – 8.43).

8.57 The S106 Agreement also places an obligation on Grainger to promote the interests of Spanish-speaking traders and to provide business support and advice to existing traders with the objective of seeking to retain all of the existing traders as part of the regeneration scheme (see paragraphs 8.42 – 8.43). Accordingly, enhancing the Market (as part of the wholesale regeneration of the Order Land) is a tangible benefit, which would improve the social well-being of businesses, traders, customers, residents and visitors to the Council's area.

8.58 The Council is satisfied that the Development would contribute towards the promotion and improvement of the social well-being of its area.

**(iv) The extent to which the Development would contribute to the achievement of the promotion and/or improvement of the environmental well-being of the Council's area**

- 8.59 The Order Land is in a prominent location, where the Seven Sisters Road meets the High Road, and at a significant transport interchange for the Victoria Line, the Overground and a number of bus routes. The Cycle Super Highway route has recently been extended through the Order Land, which is also identified as a potential site for a station on the Crossrail 2 line. While this makes it an important gateway site into Tottenham, it is also a very busy place, with strategic roads on two sides creating a potentially hostile environment.
- 8.60 There has been historically a lack of investment in the building stock along the High Road. In addition, the Order Land is presently located in a poor quality environment, characterised by clutter, a lack of quality public spaces and poor sense of destination. The public realm in front of the Order Land is tired and a number of vacant units front onto the main space around the Seven Sisters station, which makes the area feel unattractive and unsafe. As to this, the Seven Sisters area records a higher crime rate than the average for Haringey and London. Statistics for the area show a comparatively high crime rate in Haringey 024B in July 2015 of 23.75, compared with 12.41 in Tottenham Green and 8.99 across Haringey. The crime rate in Haringey 025D was 10.17, still above the average for Haringey. The Order Land, therefore, presents a real opportunity to secure an upgrade to the environment of the local area.
- 8.61 The Development would provide high quality and inclusive design, which (as above) also seeks to address the connections between people and places and would integrate well into the natural, built and historic environment (per paragraph 61 of the NPPF). Indeed, the Development would make effective use of the Order Land and secure improvements to the living and working environment of existing and proposed occupiers. In addition, the Development would upgrade both the Seven Sisters and High Road frontages, creating a high quality landmark feature presently lacking in this part of Tottenham.
- 8.62 The proposed mix of retail and residential uses for the Order Land together with improvements to the transport interchange and public realm would bring vibrancy to the area and give rise to additional footfall that would serve to encourage the economic and physical regeneration process to extend along Seven Sisters Road and High Road. In addition, the development consented pursuant to the Planning Permission is sensitively designed having regard to the Conservation Area, whilst engaging with the bustling character of the High Road and preserving the legacy of the Wards Corner Building.
- 8.63 The Development would also provide an opportunity to comprehensively redevelop the public realm around the entirety of the Order Land, creating a consistent streetscape design, together with attractive public space around Seven Sisters station, being the

entrance point for many people into Tottenham. This would create a new focal point for the community, with the benefits of a mixed use development overlooking public space, which would improve the perception, and potentially the reality, of the risk of crime in the area.

8.64 Consistent with this, the Development would also deliver improvements to shop/building frontages and other environmental improvements within the vicinity of the Order Land so as to enhance the overall appearance of West Green Road and its important role as a district centre within the retail hierarchy. In this respect, it is important to note that the S106 Agreement ensures:

- (a) *the undertaking of public realm works to the entrance of Seven Sisters Underground Station; and*
- (b) *a payment of £150,000 to the Council to be used towards any or all of:*
  - (1) *improvements to shop/building frontages in the vicinity;*
  - (2) *street decoration and enhancements in the vicinity;*
  - (3) *improvements to servicing arrangements in relation to retail properties situated on West Green Road;*
  - (4) *improvements to local businesses/markets, open spaces and areas of existing and future car parking; and*
  - (5) *such other environmental improvements in the vicinity as may be agreed with the Council.*

8.65 These initiatives would secure a safe environment for future and existing residents and businesses; and are consistent with national and development plan policy.

8.66 In order to ensure that the environmental effects of the consented scheme are managed effectively, the S106 Agreement secures the implementation of a travel plan, provision of replacement bus stops and improvements to footways on West Green Road and Suffield Road, all of which would enhance connectivity to and from the Order Land and promote the use of public transport or walking in preference to the private car. Siting regenerative development at the Order Land would, therefore, make effective use of the already available public transport infrastructure.

8.67 The development consented pursuant to the Planning Permission has itself been designed to minimise its impacts on the environment and employ a sustainable energy strategy. The Planning Permission has an energy strategy assessed to be in line with the London Plan.

8.68 Overall, the Council is satisfied that the Development would deliver weighty and compelling public benefits, which would significantly enhance this part of the borough, in line with the Council's regenerative objectives and planning policy generally.

8.69 The economic, social and environmental benefits of the Development are substantial. Accordingly, the requirement (per the Guidance) that a compulsory purchase order should only be made where *'there is a compelling case in the public interest'* has been proven.

**(v) Whether the purposes for which the proposed Order Land is to be acquired could reasonably be achieved by any other means within a reasonable timeframe**

8.70 The purpose for which the Order Land is proposed to be acquired is entirely in accordance with the applicable planning policy framework. The Planning Permission and the Development Agreement envisage comprehensive redevelopment in accordance with that framework.

8.71 It is not accepted that there exists a suitable alternative for the purposes of delivering the Development. Moreover, and as has been foreshadowed, the social, economic and environmental benefits which would accrue as a result of the Development are specific to the location and context of the Order Land.

8.72 The only alternative proposal that has been advanced in respect of the Order Land relates to the Wards Corner Building and 231-243 High Road, further to a proposal tabled on behalf of the Wards Corner Community Coalition, which has for some time objected to the development consented pursuant to the Planning Permission principally on the basis of scale and its alleged impact on the Wards Corner Building. Its own proposal was granted planning permission by the Council on 25 April 2014 (Ref. No. HGY/2014/0575) ('the Coalition Scheme'). The Coalition Scheme proposes the retention and refurbishment of the Wards Corner Building and the adjoining properties for continued retail use and specifically for the Market at ground floor.

8.73 As such, the central focus of the Coalition Scheme is to enable retention of the Market. In fact, the objective of the Wards Corner Community Coalition is *'to hold on to their market, their local businesses, their meeting spaces, the buildings they cherished and improve the area by building on the vibrant and multi-cultural character of Seven Sisters.'*<sup>20</sup> However, this is also a key objective of the Council and Grainger (per the Development and, in particular, the measures secured pursuant to the S106 Agreement). In addition, the Council is satisfied that the Development represents a far more (and the only credible) comprehensive solution to redeveloping and regenerating the Order Land and adjoining land.

8.74 Further, there is no evidence to suggest that there is a reasonable prospect of the Coalition Scheme being delivered, having regard to the need for funding. In any event, even if it were to be demonstrated that the Coalition Scheme could come forward, the refurbishment of the existing ground floor Market would not provide the

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<sup>20</sup> Source: Wards Corner Community Coalition website

comprehensive redevelopment of the Order Land (per the Development), which is demanded by extant planning policy. Without this scale of development, it would not be possible to achieve the compelling economic, social and environmental benefits associated with the regenerative mix of uses and environmental improvements proposed pursuant to the Development.

8.75 The Council has carefully considered whether redevelopment in accordance with planning policy objectives can be achieved without acquiring the ownership of the entire Order Land (i.e. the Development could come forward in parcels). However, in light of the comprehensive nature and scale of the Development and the public realm scheme, which would cross land in multiple ownerships and require the co-operation of various landowners and occupiers, it is not considered practicable.

8.76 The Council is satisfied that the optimum (and compelling) course is the comprehensive redevelopment of the Order Land. Given that it has been proven that some properties cannot be acquired through agreement, it is therefore considered that compulsory acquisition of the entire Order Land is required in order to most effectively deliver the high number and quality of residential units for which the Order Land has capacity.

8.77 In light of the above, the Council is satisfied that there exists no credible alternatives to the Development which could viably meet the established planning policy objectives for the Order Land.

## **9 LOCAL ENGAGEMENT**

9.1 Over a period of years there has been a great deal of engagement with local people as to the proposed redevelopment of the Order Land. In addition to the 'Statement of Consultation' submitted with the planning application underlying the Planning Permission, details of further engagement by Grainger is summarised at Appendix [D] to this Statement of Reasons.

9.2 Grainger is committed to continuing its efforts to ensure local people are fully informed as to the progress of the Development and the compulsory purchase process. As to this, during the compulsory purchase process, it has continued to engage with affected property owners, lessees and other interested parties within the community by:

- (a) Hosting further 'drop-in' events;
- (b) Issuing quarterly newsletters and e-newsletters to approximately 9,000 properties and businesses within the local area with updates on the progress of the redevelopment proposals; and
- (c) Updating the project website with regular news/updates as available.

9.3 The Council and Grainger have jointly issued a newsletter, the purpose of which is to keep the community informed of process on the Seven Sisters Regeneration project. The newsletter was sent in June 2015 to approximately 9000 properties, including businesses and residential homes. A copy can be found on the Seven Sisters Regeneration website ([www.sevensistersregeneration.co.uk](http://www.sevensistersregeneration.co.uk)).

9.4 The Council have undertaken several public consultations on the redevelopment of the Order Land and the regeneration of the Seven Sisters area, including:

- All of the documents in the planning policy framework or forming the regeneration strategy for the Order Land and the Seven Sisters area have been through at least one stage of public consultation, including the OAPF and the Development Brief.
- Council-led consultation for the planning application submitted by Grainger (which when granted constituted the Planning Permission). This consultation complied with the statutory 21 days period which is required for all planning applications. The scheme was presented to a Development Management Forum on the 30th May 2012, which was attended by approximately 230 local people and businesses, and was also presented to the Haringey Design Panel on the 31st May 2012. Responses received at both of these events were considered as part of the Wards Corner Officers Report for Planning Committee on 25th June 2012.
- The emerging Tottenham Area Action Plan (AAP), which includes the Seven Sisters area and specifically allocates the Order Land for redevelopment, has been subject to consultation. A period of public consultation was held on the Preferred Options Draft Tottenham AAP from 9th February 2015 to 27th March 2015. The responses received through the consultation have been considered and have informed the Tottenham AAP Publication Draft, on which there will be further public consultation and an Examination in Public.
- A consultation under section 105 of the Housing Act 1985 in compliance with its statutory duty to “consult its secure tenants on ‘matters of housing management’ such as changes to the management, maintenance, improvement or demolition of houses let by them, or changes in the provision of amenities”. This consultation ran for four weeks in October and November 2015 and relevant Council officers met with the affected tenant(s) and will continue to meet with them to assess needs and alternative accommodation if necessary.

## 10 LAND ACQUISITION

10.1 Paragraph 2 of the Guidance states:

*'The confirming authority will expect the acquiring authority to demonstrate that they have taken reasonable steps to acquire all of the land and rights included in the Order by agreement...Compulsory purchase is intended as a last resort to secure the assembly of all the land needed for the implementation of projects. However, if an acquiring authority waits for negotiations to break down before starting the compulsory purchase process, valuable time will be lost. Therefore, depending on when the land is required, it may often be sensible, given the amount of time required to complete the compulsory purchase process, for the acquiring authority to:*

- *plan a compulsory purchase timetable as a contingency measure; and*
- *initiate formal procedures*

10.2 *This will also help to make the seriousness of the authority's intentions clear from the outset, which in turn might encourage those whose land is affected to enter more readily into meaningful negotiations.'*

10.3 As above, the Council considers that: (i) the Order Land needs to be in single ownership in order to enable the Development to be delivered; and (ii) it is unlikely that Grainger will be able to acquire all of the interests in the Order Land by private agreement in a reasonable timescale. This being so, it is satisfied that the use of its compulsory purchase powers is necessary and proportionate.

10.4 Grainger has already assembled approximately 34% (comprising parcels 1, 3, 9, 10, 12, 18, 19, 20, 23, 26 and 29) of the interests in the Order Land by private treaty. Approximately a further 9% (comprising parcels 4, 13, 16 and 17) of the interests in the Order Land are owned by the Council (as landowner). Grainger is seeking to acquire the remaining interests by agreement, as to which see further below.

10.5 Grainger has approached all those with an interest in the Order Land and has provided the following summary as to its progress regarding the remaining commercial and residential interests by reference to the parcels of land identified on the Order Plan:

### *High Road*

10.6 Grainger is in active negotiations in respect of the freehold and leasehold interests of the retail premises and six flats above at 255 – 259 High Road (parcel 28 per the Order Plan).

### *Seven Sisters Road*

10.7 Grainger is in active negotiations in respect of the:

- (a) freehold interest of the bistro at 711/711A Seven Sisters Road (parcel 5 per the Order Plan)

- (b) freehold interest of the store and three flats at 717 - 719 Seven Sisters Road (parcel 2 per the Order Plan) and
- (c) leasehold interest at 709B Seven Sisters Road (part of parcel 6 per the Order Plan).

10.8 Grainger and the Council have attempted to contact the leaseholder of 709A Seven Sisters Road (being part of parcel 6 per the Order Plan), but have so far been unsuccessful in attempts to open negotiations. The freehold interest is owned by NDPT.

*Suffield Road*

10.9 Grainger is in active negotiations in respect of the:

- (d) freehold interest of two flats at 28 Suffield Road including the parking bay and part of the highway (parcel 21 per the Order Plan); and
- (e) freehold interest of the house at 30 Suffield Road including part of the highway (parcel 22 per the Order Plan).

10.10 Grainger has engaged in repeated discussions with the freehold owners of the houses at 14 Suffield Road including parking bay and part of the highway (parcel 14 per the Order Plan) and 16 Suffield Road including parking bay and part of the highway (parcel 15 per the Order Plan), respectively.

10.11 Grainger and the Council have attempted to contact the freeholder of the residential interest at 8 Suffield Road including parking bay and part of the highway (parcel 11 per the Order Plan).

*West Green Road*

10.12 Grainger is in active negotiations in respect of the:

- (f) freehold interest of retail premises at 1A & 1B West Green Road (parcel 27 per the Order Plan);
- (g) the leasehold interest at 3 – 7 West Green Road (part of parcel 25 per the Order Plan) in respect of the basement and ground floor belonging to Sainsbury's Supermarkets Limited.; and
- (h) the freehold and leasehold interests at 9 – 11 West Green Road (parcel 24 per the Order Plan) comprising Tropical Foods and Fair Deal Cash & Carry, together with residential premises above. Meetings have been held with the leaseholder.

10.13 Grainger and the Council have attempted to contact (including on 12 November 2014, 7 January 2015, 2 February 2015 and 6 July 2015) the freeholder of 3 – 7 West Green Road.

### *The Market*

- 10.14 As to the Market at 227-237 High Road (parcel 32 per the Order Plan), Grainger is in active discussions with LUL regarding the acquisition of this interest. The existing lease of the Market to Market Asset Management Seven Sisters Limited ('MAM') expired on 16 September 2015, as to which discussions with LUL are ongoing.

### *Other LUL Interests*

- 10.15 Discussions with LUL are ongoing regarding the acquisition of its interests in the Order Land (comprising parcels 7, 8, 30 and 31).

### *Business Occupiers*

- 10.16 Grainger continues to work with business owners to identify suitable premises for their possible relocation and *will continue to support* businesses so that they may plan a timely transfer of their business activities as required in line with the programme of Development.

### *Residential Occupiers*

- 10.17 Grainger and the Council are working together to keep residential properties occupied for as long as possible before it is necessary to secure vacant possession ahead of delivery of the Development. Support will be provided to any occupiers who remain in occupation during the lead up to the commencement of the Development so that suitable rehousing can be identified and secured in advance of the termination of any tenancies.
- 10.18 Grainger will continue to seek to acquire the interests set out above by agreement with the assistance, as necessary, of the Council. However, the Council considers that it is unlikely that it will be possible to achieve the assembly of the entirety of the Order Land by agreement within a reasonable timescale without the use of its compulsory purchase powers and the Development cannot proceed unless those interests have been acquired.
- 10.19 The Council is satisfied that acquisition of the remaining interests in the Order Land would facilitate the regeneration of the Order Land and that there is a compelling case to do so given the significant improvements in the economic, social and environmental well-being of its area that would arise as a consequence.

## **11 SCHEME DELIVERY**

- 11.1 The Guidance in Paragraph 13 highlights that it will be difficult to show conclusively that compulsory acquisition is justified in the public interest at the time of its making if the local authority has not considered: (i) how it intends to use the land which it is

proposing to acquire; and (ii) cannot show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale.

- 11.2 For the reasons set out at below at paragraphs 11.5 – 11.10, the Council is satisfied that the Development has a reasonable prospect of being delivered and for the reasons set out at paragraph 11.11 – 11.14 below, the Council is satisfied that adequate funding is available not only to complete the assembly of the Order Land but to implement (and complete) the Development.
- 11.3 As above, in order to guide the delivery of the Development, the Development Agreement was entered into.
- 11.4 The Development Agreement is subject to conditions, of which the following are to be satisfied:
- a) site assembly (including securing agreement with LUL on development rights);
  - b) scheme viability;
  - c) funding; and
  - d) approval to related traffic orders,

as to which see further below.

The site assembly condition requires: (i) Grainger to complete the acquisition and/or exchange unconditional agreements for the acquisition of such third party properties/interests and/or any consent, waiver or approval in respect of any interests as are necessary to enable the development permitted pursuant to the Planning Permission to be carried out; and (ii) the Order to be confirmed (and a general vesting declaration being made) in respect of those properties/interests which Grainger has been unable to acquire by private agreement. The Council has set out above (see paragraphs 10.1 – 10.19) details of the extent of the freehold and leasehold interests that have been acquired to date and those remaining to be acquired.

- 11.5 Related to this, Grainger is also required under the Development Agreement to enter into an agreement with LUL, pursuant to which LUL grants development rights and a 150 year lease (or longer) of LUL airspace to Grainger so as to enable the Development to be carried out. As noted above (see paragraphs 10.14 – 10.15), Grainger is continuing negotiations with LUL regarding the acquisition of its interest.
- 11.6 Included within the LUL ownership is the Market, which has been added to the Council's list of ACVs pursuant to Part 5 of Chapter 3 of the Localism Act 2011 ("the Localism Act") and the Assets of Community Value (England) Regulations 2012 ("the Regulations"). By virtue of its registration as an ACV, the owner (LUL) is prohibited from making a relevant disposal of the Market (being the sale or lease of the Property for a term of least 25 years left to run) unless specific requirements are satisfied as set out in the Localism Act.

- 11.7 A part-listed disposal as specified in section 98(5)(e) of the Localism Act must (in respect of the land (including part of a building or part of any other structure (per section 108(1) of the Act)) being disposed of) satisfy the following requirements (per paragraph 11(1) of schedule 3 to the Regulations):
- (a) the land is owned by a single owner; and
  - (b) every part of the land can be reached from every other part without having to cross land which is not owned by that single owner.'
- 11.8 An exemption may apply to this particular ACV (in accordance with section 95(5)(e) relating to part-listed disposal). This is because LUL will be disposing of the entirety of the Wards Corner Building, together with a parcel of land that fronts Suffield Road to Grainger (i.e. the Market, being a listed ACV, would only form part of the disposal) and LUL, as owner of the asset, will have to assess what is the correct procedure that it should follow to comply with the legislation. If it is the case that an exemption does apply here, the owner would not be required to notify the local authority or comply with either of the moratorium periods. Should the six week interim moratorium period apply, then in this period a community interest group may register interest to be considered as a potential bidder. This would then trigger the full six month moratorium period, during which the owner may not sell to anyone other than a community interest group. However this would not prevent LUL from negotiating with Grainger with a view to selling the ACV to Grainger. Once the moratorium period is completed, the owner is free to sell the asset to whomever it chooses and a bid from a community interest group will receive no preference. Accordingly it is not considered that the listing of the Market as an ACV would frustrate LUL's ability to dispose of its interest to Grainger in a timely manner.
- 11.9 The viability condition requires Grainger to be reasonably satisfied that the Development would yield a satisfactory net profit by reference to a viability appraisal. This condition is to be satisfied after the site assembly condition has been complied with (as above). In any event, Grainger is satisfied that the Development is viable and deliverable.
- 11.10 The funding condition requires Grainger to have secured funding in respect of the Development and compliance with Grainger's obligations pursuant to the Development Agreement. The Development would be carried out by Grainger, which is a wholly owned subsidiary of Grainger Plc. Grainger's obligations in the Development Agreement are underwritten by Northumberland and Durham Property Trust Limited ('NDPT'), being another wholly owned subsidiary of Grainger Plc.
- 11.11 Grainger Plc is a leading residential developer and the largest listed specialist residential landlord and property manager in the United Kingdom. It owns a significant portfolio of residential property assets across the United Kingdom and Germany totalling approximately £2 billion and manages approximately 20,000 properties worth

around £3.2 billion on its own behalf and for its investors and partners (as at 30 September 2014). Its assets provide strong sales and rental income and have shown a period of further growth throughout 2014. Its profit before tax in 2014 was £81.1 million<sup>21</sup>.

- 11.12 As to development, Grainger Plc has significant experience assembling residential and mixed-use developments, particularly in London. Grainger Plc's expertise and the scale of its assets and operations enable it to generate sustainable income streams.
- 11.13 Sufficient evidence of Grainger Plc's financial capacity has been provided to the Council by way of the annual statement of accounts of NDPT. In addition, NDPT has provided a letter from its Chairman addressed to the Council (20 October 2015) confirming Grainger Plc's commitment to progress the Development in line with a specified delivery timetable (if the Order is confirmed) together with details of Grainger Plc's history of delivering similar mixed-use schemes of comparable size and complexity.
- 11.14 The stopping-up condition requires Grainger to have secured the appropriate orders for the closure of roads, footpaths and public highways as required to deliver the Development. An application for the stopping-up of part of Suffield Road pursuant to section 247 of the Act, in respect of the development consented pursuant to the Planning Permission, is currently being prepared by Grainger. The Stopping-up Order Plan can be seen at Appendix (K).

#### *Impediments to Development*

- 11.15 The Council is satisfied that: (i) there are no impediments to the Development proceeding; and (ii) the Development (to be delivered through the acquisition of the Order Land) accords with planning policy as set out in (amongst other things) the statutory development plan and the NPPF (as well as emerging policy); and (iii) the Development would deliver the Council's objectives for this part of Tottenham.

## **12 SPECIAL CONSIDERATIONS**

- 12.1 As has been stated, part of the Order Land is in the Conservation Area (designated on 13 July 1998) forming part of the Tottenham High Road Historic Corridor. As to the development consented pursuant to the Planning Permission, the Council fully assessed its likely impact on the Conservation Area as a whole (being a designated heritage asset within the meaning of the NPPF) and concluded (by reference to expert heritage evidence) that any harm arising is: less than substantial; and outweighed by

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<sup>21</sup> Grainger Plc, Annual Report 2014

the substantial public benefits which accrue, to which the Council has referred above. In so concluding, the Council has attached considerable weight to this identified harm and to the desirability of preserving the Conservation Area pursuant to its statutory duty in section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 11.1 Overall, the Council is satisfied that less than substantial harm (per paragraph 134 of the NPPF) exists but this is outweighed by the public benefits arising from the making of the Order (and, subsequently, implementing (and completing) the Development).

### **13 VIEWS EXPRESSED BY GOVERNMENT DEPARTMENTS**

- 13.1 No views have been expressed by government departments.

### **14 ADDITIONAL INFORMATION**

it is considered that a number of properties around the Order Land have or may have rights of light over it, and the occupiers of those properties have been regarded as potentially having qualifying interests, under section 12 (2A) and therefore are included within Table 2 of the Schedule of Interests at Appendix B.

### **15 RELATED ORDERS**

- 15.1 Part of Suffield Road would need to be extinguished for the development granted consent pursuant to the Planning Permission to proceed (as shown on drawing number (1411/170/010) at Appendix (K)). This is proposed to be secured via a stopping-up order under section 247 of Act. An application is being progressed by Grainger.

### **16 HUMAN RIGHTS**

- 16.1 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights ('ECHR'). There are various Convention rights which may be at issue in the course of the making and leading up to the confirmation or non-confirmation of the Order; in particular, Articles 6 and 8 and Article 1 of the First Protocol appear to be relevant. There has been considerable public consultation on the proposals to regenerate the Order Land, and much opportunity has been given throughout the planning process for interested third parties to make representations.
- 16.2 In any case, the Council is satisfied that the statutory compulsory purchase process provides for the consideration of objections and, if duly made objections are made, for a public inquiry to be convened into the Order, all of which complies with the requirements of Article 6.

- 16.3 Article 8 provides that everyone has the right to respect for his private and family life and that there shall be no interference by a public authority with the exercise of this right except in accordance with the law, where there is a legitimate aim and where it is fair and proportionate in the public interest. The Council is satisfied that any interference caused by the Order would fall within these exceptions having regard to the substantial and compelling public benefit which would accrue from the Development.
- 16.4 Article 1 of the First Protocol provides for the peaceful enjoyment of possessions (including property) and that no one shall be deprived of possessions except in the public interest and as provided by law. The Council is satisfied that the Order will strike a fair balance between the private loss of property and the public interest in securing the implementation of the Development.
- 16.5 It is not considered that the Development and the Order would infringe rights under the ECHR.
- 16.6 Overall, the Council is satisfied that the use of its powers of compulsory acquisition pursuant to section 226(1)(a) of the Act is proportionate.

## **17 EQUALITIES IMPACT ASSESSMENT**

- 17.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics namely: age, disability, gender re-assignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. Pursuant to section 149 of the Equality Act 2010, the Council is subject to the Public Sector Equality Duty, which requires the Council, in the exercise of its public functions, to have due regard to the need to:
- (a) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act;
  - (b) advance equality of opportunity between people who share a protected characteristic and those who do not; and
  - (c) foster good relations between people who share a protected characteristic and those who do not.
- 17.2 A full Equalities Impact Assessment ('EQIA') was commissioned by the Council in 2012 as part of its consideration of the planning application that gave rise to the Planning Permission. That EQIA demonstrated overall that:

*'the planning application proposal is unlikely to give rise to major negative equality impacts provided all the measures set out in the S106 agreement are honoured in full and in a timely manner, as well as other recommended mitigation measures set out in this report.'*

17.3 The Council notes that the relevant legislative context is unchanged since the EQIA was produced. However, a separate EQIA has been commissioned by the Council to assess the impacts of making the Order. This assessment, the Wards Corner CPO EQIA, commissioned by the Council (and prepared by AECOM in September 2015) has considered how the exercise of the Council's compulsory purchase powers would impact upon affected people with protected characteristics, taking into account any agreed mitigation. A copy of the Wards Corner CPO EQIA is at Appendix (E).

17.4 The Wards Corner CPO EQIA concludes that:

*'It is not considered that residual negative equality effects of the proposed development, as realised by the CPO, will amount to illegal discrimination. The positive benefits of the development for promoting the wellbeing of the area are considered to outweigh any residual negative equality effects.'*

## 18 CONCLUSIONS

18.1 It is considered that the matters set out in paragraph 76 of Tier 1: Enabling Powers in the Guidance are satisfied. Further, appropriate steps have been taken to seek to acquire the land needed by agreement, and it is clear that compulsory acquisition is necessary to acquire the relevant land. In the circumstances, it is considered that a compelling case in the public interest is established for making the CPO.

18.2 [The Council will make the Order and associated documents available on its website ([www.haringey.gov.uk](http://www.haringey.gov.uk)).