

Hale Wharf, Tottenham Hale

in the London Borough of Haringey

planning application no. HGY/2016/1719

Planning application

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008 (“the Order”) and Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

The proposal

A hybrid application (part detailed and part outline) including up to 505 residential units and up to 1,607sqm (GIA) of non-residential floorspace, comprising retail (A1-A5) and office (B1) use. The detailed application includes buildings from 16 to 21 storeys, 249 residential units, 307 sq.m. (GIA) of flexible retail or business uses, access, landscaping and public realm works. The outline application includes buildings of up to 9 storeys, up to 256 residential units, up to 1,300 sq.m. of flexible retail or business uses, pedestrian/cycle footbridges, access, landscaping and public realm works.

The applicant

The applicants are **Muse Developments Ltd and the Canal and River Trust**, the architect is **Allies and Morrison**, and the agent is **Quod**.

Recommendation summary

The Mayor, acting as Local Planning Authority for the purpose of determining this application,

- i. grants conditional planning permission in respect of application HGY/2016/1719 for the reasons set out in the reasons for approval section below, and subject to the prior completion of a section 106 legal agreement;
- ii. delegates authority to the Assistant Director - Planning and the Executive Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary, the final detailed wording of the conditions and informatives as required, and authority to negotiate, agree the final wording, and sign and execute, the section 106 legal agreement;
- iii. delegates authority to the Assistant Director – Planning and the Executive Director of Development, Enterprise and Environment to agree any variations to the proposed heads

of terms for the section 106 legal agreement;

- iv. delegates authority to the Assistant Director - Planning and Executive Director of Development, Enterprise and Environment to refuse planning permission, if by 30 September 2017, the section 106 legal agreement has not been completed;
- v. notes that approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Haringey Council;
- vi. notes that Haringey Council will be responsible for the enforcement of the conditions attached to the planning permission;
- vii. in the event that the Mayor grants planning permission for the outline elements following that grant the Mayor is content that all subsequent applications for approval of reserved matters will be decided by the Council.

Drawing numbers and documents

Existing plans	
535_02_07_000 PL1 Site Location plan	535_02_07_011 PL1 Site elevations (existing)
535_02_07_010 PL1 Site Plan	535_02_07_012 PL1 Site elevations (existing)
535_02_07_0015 PL1 Demolition Plan	
Proposed Parameter plans	
535_02_07_020 PL1 Existing site levels parameter plan	535_02_07_025 PL2 Access and public realm parameter plan
535_02_07_021 PL1 Proposed site levels parameter plan	535_02_07_026 PL2 Car parking parameter plan
535_02_07_022 PL2 Development zones at ground level parameter plan	THGL/234 PL1 Hale Wharf Bridge parameter plan
535_02_07_023 PL2 Development zones at upper level parameter plan	535_02_07_030 PL2 Strategic Phasing illustrative plan
535_02_07_024 PL2 Building heights parameter plan	
Proposed illustrative plans	
535_02_07_100 PL2 Illustrative masterplan: proposed ground floor	535_02_07_200 PL2 Illustrative masterplan: proposed site elevations
535_02_07_121 PL2 Illustrative masterplan: proposed roof plan	535_02_07_300 PL2 Illustrative masterplan: proposed site sections
Proposed detailed drawings (Phase 1)	
<i>General arrangement plans</i>	
535_02_07_400 PL1 Ground floor plan	535_02_07_411 PL1 Eleventh floor plan
535_02_07_400_M PL1 Ground floor mezzanine plan	535_02_07_412 PL1 Twelfth floor plan
535_02_07_401 PL1 First floor plan	535_02_07_413 PL1 Thirteenth floor plan
535_02_07_402 PL1 Second floor plan	535_02_07_414 PL1 Fourteenth floor plan
535_02_07_403 PL1 Third floor plan	535_02_07_415 PL1 Fifteenth floor plan
535_02_07_404 PL1 Fourth floor plan	535_02_07_416 PL1 Sixteenth floor plan
535_02_07_405 PL1 Fifth floor plan	535_02_07_417 PL1 Seventeenth floor plan
535_02_07_406 PL1 Sixth floor plan	535_02_07_418 PL1 Eighteenth floor plan

535_02_07_407 PL1 Seventh floor plan	535_02_07_419 PL1 Nineteenth floor plan
535_02_07_408 PL1 Eighth floor plan	535_02_07_420 PL1 Twentieth floor plan
535_02_07_409 PL1 Ninth floor plan	535_02_07_421 PL1 Roof plan
535_02_07_410 PL1 Tenth floor plan	
<i>Tenure plans</i>	
535_02_07_450 PL1 Ground floor tenure plan	535_02_07_461 PL1 Eleventh floor tenure plan
535_02_07_451 PL1 First floor tenure plan	535_02_07_462 PL1 Twelfth floor tenure plan
535_02_07_452 PL1 Second floor tenure plan	535_02_07_463 PL1 Thirteenth floor tenure plan
535_02_07_453 PL1 Third floor tenure plan	535_02_07_464 PL1 Fourteenth floor tenure plan
535_02_07_454 PL1 Fourth floor tenure plan	535_02_07_465 PL1 Fifteenth floor tenure plan
535_02_07_455 PL1 Fifth floor tenure plan	535_02_07_466 PL1 Sixteenth floor tenure plan
535_02_07_456 PL1 Sixth floor tenure plan	535_02_07_467 PL1 Seventeenth floor tenure plan
535_02_07_457 PL1 Seventh floor tenure plan	535_02_07_468 PL1 Eighteenth floor tenure plan
535_02_07_458 PL1 Eighth floor tenure plan	535_02_07_469 PL1 Nineteenth floor tenure plan
535_02_07_459 PL1 Ninth floor tenure plan	535_02_07_470 PL1 Twentieth floor tenure plan
535_02_07_460 PL1 Tenth floor tenure plan	
<i>Alternative plans</i>	
535_02_07_490 PL1 Alternate basement plan – general arrangement	535_02_07_491 PL1 Alternate ground floor plan – general arrangement
<i>Proposed elevations</i>	
535_02_07_500 PL1 Proposed detail elevations: West	535_02_07_502 PL1 Proposed detail elevations: South
535_02_07_501 PL1 Proposed detail elevations: East	535_02_07_503 PL1 Proposed detail elevations: North
<i>Proposed sections</i>	
535_02_06_600 PL1 Proposed detail sections: Block A	535_02_06_601 PL1 Proposed detail sections: Block A
<i>Bay study details</i>	
535_02_07_800 PL1 Bay study 1: Block A detail	535_02_07_803 PL1 Bay study 4: Block B detail
535_02_07_801 PL1 Bay study 2: Block A detail	535_02_07_804 PL1 Bay study 5: Block B detail

535_02_07_802 PL1 Bay study 3: Block A detail	
Typical units	
535_02_07_900 PL1 Typical units: Block A Studio & 1 bed	535_02_07_903 PL1 Typical units: Block B 3 bed
535_02_07_901 PL1 Typical units: Block A 2 bed	535_02_07_904 PL1 Typical units: Block B Wheelchair adaptable
535_02_07_902 PL1 Typical units: Block B 1 bed and 2 bed	
Landscape drawings	
435.010 PL3 Landscape masterplan general arrangement	435.021 PL3 Landscape masterplan proposal plan Phase 1 - levels
435.012 PL3 Landscape proposal plan Phase 1 – completed – general arrangement	435.100 PL3 Landscape proposals courtyard indicative section
435.013 PL3 Landscape proposal plan Phase 1 – interim – general arrangement	460.101 PL3 Landscape proposals wharfside detailed section
435.020 PL3 Landscape masterplan site wide levels	
Supporting documents	
Planning application form and certificates	Sustainability Strategy
Cover letter	Internal Daylight Assessment Report
CIL Additional Information Form	Outline site waste management plan
Design and Access statement including: <ul style="list-style-type: none"> - Design Codes - Access statement - Landscaping statement 	Revised Design and Access statement submitted January 2017
Planning Statement	Habitat Regulation Assessment Screening report
Transport Assessment	Water framework directive assessment
Consultation statement	Framework Travel Plan
Affordable Housing statement	Delivery and Service Plan
Energy Strategy	Arboricultural impact appraisal and method statement
Environmental Statement: Non-Technical Summary, Volume 1 – Main Text, Volume 1a – Townscape and Visual Impact Assessment, Volume 3 – Technical Appendices including: Flood Risk Assessment; Below Ground Drainage Strategy; Air Quality; Noise and Vibration; Ecology; Daylight, Sunlight and Overshadowing; Lighting; Wind Microclimate; Socio-economics and Cumulative Effects.; Addendum to Environmental Statement dated January 2017; Letter providing further clarifications dated 1 March 2017.	

Introduction

1 Having assumed authority to determine this planning application, this report sets out the matters that the Mayor must consider in forming a view over whether to grant or refuse planning permission and to guide his decision making at the upcoming representation hearing. This report includes a recommendation from GLA officers, as set out below.

Officer recommendation - reasons for approval

2 The Mayor, acting as the local planning authority, has considered the particular circumstances of this application against national, strategic and local planning policy, relevant supplementary planning guidance and all material planning considerations. He has also had regard to Haringey Council's planning committee report dated 1 November 2016, the draft decision notice setting out eleven reasons for refusal and all consultation responses and representations made on the case. The reasons set out below are why this application is acceptable in planning policy terms:

- I. The principle of a residential led mixed use development is strongly supported by both strategic and local planning policy. The development site is within the Upper Lee Valley Opportunity Area and the Tottenham Housing Zone and holds a site allocation for residential-led mixed use development within adopted and draft local policy. The proposed development would conform with these adopted and emerging policy designations and would provide much needed housing for which there is an identified and well-documented need. The proposals make provision for viable replacement employment within business and retail floorspace which is compatible with the proposed residential uses. The proposal optimises the development density, taking into account the highly accessible location and opportunities created by the proposed improved links into Tottenham Hale. The proposal is therefore supported in land use terms in accordance with the NPPF, London Plan policies 2.13, 2.14, 2.15, 3.1, 3.3, 3.7, 3.16, 3.18, 4.1, 4.2, 4.4, 4.7, 4.8, 4.12, 7.1 and 7.18; the Upper Lee Valley Opportunity Area Planning Framework (2013); Haringey Strategic Policies SP1, SP8, SP9 and SP10, Haringey Saved UDP Policy EMP4 and TCR2, Haringey emerging Development Management DPD policies DM40 and DM47, the Tottenham Hale Urban Centre Masterplan SPD (2006) and the emerging Tottenham Area Action Plan (2013).
- II. The development would involve the landscaping and planting of those parts of the site which are within designated Green Belt, and this would constitute appropriate development of Green Belt land. The scheme has been amended to ensure that no inappropriate development in the Green Belt is proposed. The proposals take account of the ecological sensitivity of the site and surrounding land and watercourses, and propose appropriate mitigation measures to ensure that the development does not cause harm to wildlife or the natural environment. In these respects the proposals comply with the NPPF, London Plan Policies 7.16, 7.19, 7.21 and 7.28, Haringey Strategic Policy SP13 and emerging Development Management DPD Policy DM19.
- III. The scheme would provide up to 505 residential units, of which at least 177 would be affordable (35%). The housing proposed within the detailed application element is of a high quality, and the Design Codes would ensure a high quality of residential accommodation is delivered within the outline elements of the scheme. Overall, the scheme would make a significant contribution to housing delivery targets for the area and the aims of the Tottenham Housing Zone. The scheme includes homes in a PRS tenure which helps to address housing need. Based on current values and costs and projected values and costs, and with the inclusion of grant funding, the scheme delivers the maximum reasonable amount of affordable housing. Up to three review mechanisms will be carried out during the development phases, and will secure up to 50% affordable housing if viable. On this basis,

the applicants have demonstrated compliance with London Plan Policies 3.3, 3.4, 3.5, 3.8, 3.11, 3.12, the Mayor's Housing SPG (2012), the Mayor's draft Housing and Viability SPG (2016), Haringey Strategic Policy SP2, Haringey emerging Development Management DPD Policies DM1, DM11, DM12 and DM13 and the emerging Tottenham Area Action Plan SPD Policy AAP3.

- IV. The design and masterplanning principles, which apply to both the detailed and outline elements of the application proposal, are well-considered. The massing and layout responds to the site's constraints and sensitivities including the open character of adjacent land, and takes account of the design principles expressed in the site specific allocation. The tall buildings are appropriately located and will provide a distinctive and high quality landmark for Tottenham Hale. The design and appearance of the detailed part of the application is of a high quality, and robust Design Codes will ensure that the same quality of design is carried forward in the implementation of the outline element of the scheme. The scheme provides for well-defined public and private spaces, amenity and play spaces, and landscaping elements that respond to the proposed different character areas of the site. The setting and significance of nearby designated and non-designated heritage assets would remain unharmed. The proposals adhere to the principles of designing out crime. As such the proposal complies with Policies 3.5, 3.6, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7 and 7.8 of the London Plan, Haringey Strategic Policies SP11, SP12, SP13, Haringey Saved UDP Policies UD3, OS5, Haringey emerging Development Management DPD Policies DM1, DM2, DM3, DM6 and DM9, and emerging Tottenham Area Action Plan SPD policies AAP1, AAP5 and AAP6.
- V. The proposed development has, in both the detailed and outline elements of the application proposal, embedded the principles of inclusive access, and will comply with the relevant inclusive design housing standards. As such, the scheme complies with London Plan Policies 3.8, 7.2 and 7.6, Haringey Strategic Policy SP11 and Haringey Saved UDP Policy UD3.
- VI. The proposed development has demonstrated that a high standard of sustainable design and construction would be achieved in both the detailed and outline phases, minimising carbon dioxide emissions, using energy efficiently and including renewable energy in accordance with the energy hierarchy. The development would deliver sustainable urban drainage benefits over the existing situation at the site. The environmental impacts of the development, in terms of wind microclimate, minimising exposure to poor air quality, addressing contaminated land and waste management, are acceptable taking into account the proposed mitigation measures. As such the scheme complies with the policies contained with Chapter 5 and Policies 7.7 and 7.14 of the London Plan, and Haringey Strategic Policy SP4, SP5 and SP6, Emerging Development Management DPD Policies DM4, DM5, DM23, DM24 and DM25 and Saved UDP Policies ENV5, ENV7, ENV11, UD3 and UD7.
- VII. Both the detailed and outline elements of the development proposals would have an acceptable impact on neighbourhood amenity. Few neighbouring permanent residential properties would experience any noticeable reductions to their daylight and sunlight and where losses occur, the impacts would not have an unacceptable impact on residential amenity. The proposals would not unacceptably reduce privacy to neighbouring residential properties and issues of noise and disturbance would be adequately mitigated through planning conditions. As such the proposed development complies with London Plan Policies 7.6, 7.7 and 7.15, Haringey Strategic Policies DM1 and DM6 and Haringey Saved UDP Policy UD3.
- VIII. The proposal for a mixed use development in a highly accessible location would represent a pattern of development that would reduce the need to travel, particularly by car, and this is reflected in the largely car free nature of the scheme which is supported by strategic and

local planning policy. The quantum of proposed car parking across both the detailed and outline phases is acceptable subject to a suitable framework of controls including a car parking management plan, provisions for instigating and monitoring a new controlled parking zone including permit free agreements, electric vehicle charging points, travel plan and car club spaces. The proposal strikes an appropriate balance between promoting new development and encouraging cycling, walking and public transport use. As such the proposed development complies with the policies contained with Chapter 6 of the London Plan, Haringey Strategic Policy SP7, and saved UDP Policy M9.

- IX. The Environmental Statement (ES) and addendum provides an assessment of the likely significant effects of the proposal during the construction and operational phases. The documents comply with the relevant regulations in terms of their scope and methodology for assessment and reporting. They also appropriately respond to Development Plan policy, supplementary planning guidance and the representations made. As is usual for a major development of this nature there are potential environmental impacts and, where appropriate, mitigation has been identified to address adverse impacts. The general residual impact of the development with mitigation is considered to range from negligible to minor beneficial throughout most of the site, with the only long term adverse residual impact being the reduction of daylight to a property in commercial use. Given the context of the site, the environmental impact of the development is acceptable given the general compliance with relevant British Standards, London Plan and local policy standards.
- X. Appropriate, reasonable and necessary planning conditions and planning obligations are proposed to ensure that the development is acceptable in planning terms and the environmental impacts are mitigated. Accordingly there are no, or insufficient, grounds to withhold planning consent on the basis of the policies considered and other material planning considerations.

Recommendation

3 That the Mayor acting as Local Planning Authority, grants planning permission in respect of application HGY/2016/1719, subject to prior completion of a section 106 legal agreement, and the inclusion of planning conditions and informatives, as summarised below. The detailed wording of conditions and informatives are set out in the draft decision notice appended to this report.

4 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to issue the planning permission and agree, add, delete or vary the final wording of the conditions and informatives as required.

5 That the Mayor agrees that the Assistant Director of Planning and the Director of Development and Environment, be given delegated authority to negotiate and complete the s106 legal agreement, the principles of which have been agreed with the applicants as set out in the heads of terms detailed below.

6 That the Mayor delegates authority to the Assistant Director – Planning and the Director of Development, Enterprise and Environment to refuse planning permission if, by 30 September 2017, the s106 legal agreement has not been completed

7 That the Mayor notes the approval of details pursuant to conditions imposed on the planning permission will be submitted to, and determined by, Haringey Council (the “Council”).

8 That the Mayor notes that the Council will be responsible for the enforcement of the conditions attached to the permission.

9 In the event that the Mayor grants planning permission for the outline elements, following that grant the Mayor is content that all subsequent applications for approval of reserved matters will be decided by the Council.

Section 106 Legal agreement

- Affordable housing: A minimum of 177 units (35% of overall units) to be affordable, with 20% affordable rent and 80% shared ownership by habitable room. Details of affordability will be secured. Review mechanisms as follows will secure the delivery of more affordable housing (up to 50% of the scheme or the level of grant funding) should it be viable:
 - Review mechanism (1): In the event that the development has not been substantially implemented within 2 years of the date of the decision, an updated viability assessment shall be submitted in order to establish if additional affordable housing can be provided and any such additional affordable housing shall be provided on site;
 - Review mechanism (2): A viability assessment shall be submitted prior to substantial completion of Phase 1 in order to establish if additional affordable housing can be provided and any such additional housing shall be provided on site;
 - Review mechanism (3): A viability assessment shall be submitted prior to substantial completion of Phase 3, to establish whether there is any surplus from the completed scheme which can be contributed towards off-site provision of affordable housing.
 - Review mechanism (4): Further review if development stalls for a period of more than 24 months.
- Private rental sector (PRS) housing: PRS housing to be subject to a minimum 15 year covenant preventing transfer out of PRS tenure, and a clawback mechanism is secured and appropriate controls over management and letting of the PRS housing;
- Phasing and delivery of infrastructure: The development will be carried out in accordance with an approved Phasing Programme. The delivery of Bridges 1 and 2 will be delivered in Scenario a) prior to the completion of Phase 1, or in Scenario b) prior to occupation of any part of Phase 2. A detailed planning application for the Paddock Bridge (Bridge 3) is also required prior to the commencement of Phase 3, and this bridge must be delivered prior to the substantial completion of Phase 3. The s106 Agreement will provide for the management and maintenance of all the bridges;
- Employment and training: The provision and implementation of an employment and training strategy to promote use of local labour during construction and training opportunities for local people;
- Transport: Submission and implementation of an approved travel plan and parking management plan (including EVCP charging points to be provided and details of car park operation; provisions relating to blue badge parking), two car club spaces and residents' car club membership for three years, contribution to monitoring and enforcing against overspill parking and investigation of additional controlled parking zones, s.278 agreement to be entered into for altered access to the site and to deliver the pedestrian crossing on Ferry Lane (costings and work to be provided by Haringey Council);
- Energy strategy: Updated energy strategy to be submitted to consider the feasibility of delivering connection to Hale Village energy centre (Option 1) or the alternative option of an on-site energy centre (Option 2); the incorporation of renewable technology; an overheating strategy for each Phase, and any carbon shortfall to be off-set;
- Block K: Active marketing of this block for Class B1 purposes to be secured.

Financial contributions

- Open space contribution - £500,000 towards improvements to the Paddock;
- Local labour scheme management contribution - £30,000;
- Bus capacity contribution - £50,000 to TfL;
- Traffic management order amendment contribution: £1,000;
- Parking enforcement/management contribution: £6,000;
- Travel Plan monitoring: £3,000;
- S106 monitoring costs (up to 5% of total contributions).

Conditions to be secured ¹

Detailed element

- A1. Commencement
- A2. Phasing
- A3. Compliance with approved drawings
- A4. Prevention of A5 use in Building A
- A5. Opening hours (A1-A5 uses)
- A6. Ventilation (A1-A5 uses)
- A7. Shop fronts
- A8. Detailed drawings and external materials (building)
- A9. Landscaping, public realm & public art
- A10. Temporary car parking
- A11. Open space management & maintenance plan
- A12. Flood risk & finished floor levels
- A13. Access ramps
- A14. River walls
- A15. Access to Pymmes Brook
- A16. Victoria Line protection
- A17. Delivery & servicing plan
- A18. Cycle parking
- A19. Noise – fixed plant
- A20. Noise & vibration – internal residential environment
- A21. External lighting
- A22. Sustainability (BREEAM) standards for non-residential elements
- A23. Accessible & adaptable dwellings
- A24. Wheelchair user dwellings
- A25. Secured by design
- A26. Air quality – boilers
- A27. Air quality – CHP
- A28. Surface water drainage
- A29. Biodiversity enhancement plan
- A30. Contaminated land 1
- A31. Contaminated land 2
- A32. Piling method statement (for Excluded Works)
- A33. Piling Method Statement

¹ Draft conditions have been prepared and will be published as an appendix to this report; this list provides a summary of the draft notice condition headings

- A34. Construction Environment Management Plan (for Excluded Works)
- A35. Construction Environment Management Plan
- A36. Management and control of dust
- A37. Feasibility study – use of waterways
- A38. Construction logistics plan
- A39. Protection of trees
- A40. Site waste management plan
- A41. Archaeology
- A42. Architect retention
- A43. Wind mitigation measures
- A44. Water efficiency measures.

Outline element

- B1. Time limit –
 - Approval of Reserved Matters - 5 years
 - Beginning development – 7 years
- B2. Phasing
- B3. Compliance with approved documents/ drawings
- B4. Reserved matters
- B5. Public art
- B6. Open space management & maintenance plan
- B7. Bridges management & maintenance plan
- B8. Managing privacy & overlooking
- B9. Productive roofs
- B10. Secured by design
- B11. Flood risk & finished floor levels
- B12. Access ramps
- B13. River walls
- B14. Access to Pymmes Brook
- B15. External lighting (compliance with Lighting Design Code)
- B16. Accessible & adaptable dwellings
- B17 Wheelchair user dwellings
- B18. Sustainability standards (BREEAM) for non-residential elements
- B19. Surface water drainage
- B20. Biodiversity enhancement plan
- B21. Delivery and servicing plan
- B22. Contaminated land 1
- B23. Contaminated land 2
- B24. Piling method statement (for Excluded Works)
- B25. Piling Method Statement
- B26. Construction environment management plan (Excluded Works)
- B27. Construction environment management plan
- B28. Management and control of dust
- B29. Construction logistics plan
- B30. Protection of trees
- B31. Site waste management plan
- B32. Archaeology
- B33. Water efficiency measures.

Informatives

- 1) Co-operation
- 2) CIL liable
- 3) Hours of construction
- 4) Street numbering
- 5) Sprinklers
- 6) Surface water drainage
- 7) Thames water – groundwater risk management permit
- 8) Thames Water – fat traps
- 9) Thames Water – trade effluent consent
- 10) Thames Water - water pressure
- 11) CRT – Code of Practice
- 12) CRT – Encroachment
- 13) CRT – Surface water discharge
- 14) Asbestos survey

Publication protocol

10 This report has been published seven days prior to the Representation Hearing, in accordance with the GLA procedure for Representation Hearings. Where necessary, an addendum to this report will be published on the day of the Representation Hearing. This report, any addendum, draft decision notices and the Mayor of London’s decision on this case will be made available on the GLA website:

<https://www.london.gov.uk/what-we-do/planning/planning-applications-and-decisions/public-hearings/hale-wharf>.

Site description

11 The application site, identified in figure 1 below, comprises 2.28 hectares of land, to the north of the A503 Ferry Road at Tottenham Hale. The site is on the eastern edge of the borough of Haringey, and lies within 12 metres of the boundary with the London Borough of Waltham Forest at its closest point. 1.78 hectares of the site comprises of previously developed land with the remainder being part of the river network. The site is approximately 300 metres long and ranges from 25-60 metres wide. It is bounded by the River Lee Navigation Channel to the west and the River Lee Flood Relief Channel to the east. Part of the site extends across the River Lea Navigation Channel and Pymmes Brook (further to the west). The waterways form part of the Blue Ribbon Network. The site is within the Environment Agency’s Flood Risk Zones 2 and 3.

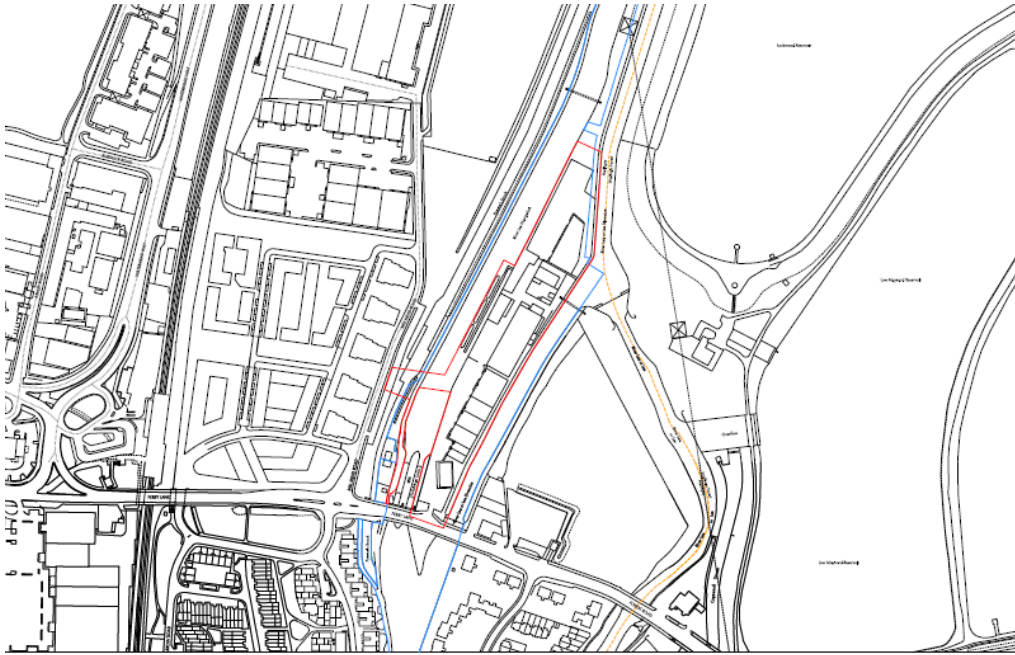


Figure 1: Site location plan (535_02_07_00 PL1)

12 The site contains single storey light industrial units and warehouse buildings, with a five storey office and restaurant building at the southern end of the site. The remainder of the site comprises car parking running along the western boundary, areas of hardstanding, storage areas and porta-cabins associated with industrial uses. Shrubbery and trees run along the eastern and northern boundaries. The site is connected to a strip of land with a footpath and moorings that extends northwards between the two watercourses. The site boundary includes three permanent commercial barge moorings and an access pontoon, located on the River Lea Navigation. To the west of the southern end of the site is Tottenham Lock, and the associated lock keeper's cottage.

13 The site lies within the boundary of the Lee Valley Regional Park. Land to the east and north is within Green Belt as designated in Haringey Council's adopted UDP proposals map. This includes 'The Paddock' Community Nature Park to the east of the site. The Green Belt designation extends into a 3-5 metre strip along the eastern boundary of the site. Approximately 1,180 sq.m. of land within the application boundary at the north of the site is also designated Green Belt.

14 The Paddock and the River Lee channels to the east and west of the application site form part of a Metropolitan Site of Importance for Nature Conservation (SINC). The wider SINC also includes Walthamstow Marshes and Reservoirs, which are on the eastern side of the flood relief channel, 15 metres to the east of the application site at the closest point. This land forms part of the Lee Valley Special Protection Area (SPA) Ramsar site, Important Bird Area and Walthamstow Reservoirs Site of Special Scientific Interest (SSSI).

15 The site is within the Tottenham Housing Zone and the Upper Lee Valley Opportunity Area. The area around Tottenham Hale station (which lies 270 metres to the west of the site) is undergoing significant development and regeneration, and it is envisaged that the area to the west of the station will become a district town centre. Recent developments in the area include a mix of residential and commercial uses, student housing, small scale retail, hotel, and community buildings up to 10 storeys in height, at Hale Village, including outline planning permission for an 18 storey building fronting on to Ferry Lane (outline planning permission was granted for the masterplan site in October 2007, LPA ref: HGY/2006/1177). The wider southern and eastern areas are dominated by residential uses of two to five storeys.

16 There are no designated heritage assets on the site and the site is not within a conservation area. However, it is within the Lee Valley Area of Archaeological Importance. There is a Grade II listed building (the Ferry Boat Inn) approximately 200 metres to the east of the site along Ferry Lane. The site does not lie within any strategic views as identified within the Mayor's London View Management Framework SPG.

17 The adopted Haringey Local Plan (March 2013) identifies the site as being within the Tottenham Hale Growth Area, and allocates it as a Local Employment Area. The adopted Tottenham Hale Urban Centre Masterplan SPD (2006) identifies the Hale Wharf site as a key site suitable for the delivery of a mixed-use development, with improved access to the waterfront and a new public space along the eastern bank of the River Lee. The site is also covered within the emerging Tottenham Area Action Plan (AAP). The emerging AAP identifies the site as a Local Employment Area: Regeneration Area, and the site forms part of a site specific allocation which includes the adjoining "Paddock" (Site TH9). This proposed site allocation envisages a comprehensive development to provide a mix of uses, with replacement employment, residential development and a leisure destination linked to the Lee Valley Regional Park.

18 Tottenham Hale station provides National Rail services to central London (Liverpool Street), Cambridge and Stansted Airport; and the Victoria Line. The station is heavily used by passengers interchanging between National Rail and Victoria Line services. There are planned improvements for Tottenham Hale Station, which will be brought forward through Growth Area funding, which will improve the interchange by relocating the Greater Anglia and underground gate lines. In the longer term, Tottenham Hale is likely to form part of the core Crossrail 2 route, where services could be operating into central London from the early 2030s.

19 Two daytime bus routes pass by the site on Ferry Lane and five more are provided from the newly upgraded Tottenham Hale bus station. The closest stop to the site is at Bream Close, located south-east of the site, which provides access to routes 123 (Ilford to Wood Green), 230 (Walthamstow to Wood Green) and the N73. As such, the site records an excellent public transport accessibility level (PTAL) of 6a at the southern end of the site, on a scale of 1 to 6, where 1 is classed as very poor and 6 excellent. The PTAL decreases to 5 and then 4 towards the north of the site.

Details of the proposal

20 The application seeks permission for the demolition of the existing buildings, and redevelopment of the site to provide a residential-led mixed use development of up to 505 residential units, employment uses (Use Classes A1-A5 and B1), together with pedestrian footbridges, landscaping and public open space, and car/cycle parking.

21 The application is a "hybrid" planning application, comprising a detailed application for Phase 1 and an outline planning application for the remainder of the site (Phases 2 and 3). All matters are reserved for the outline component, therefore matters of access, appearance, landscaping, layout and scale for Phases 2 and 3 would be reserved for approval under subsequent reserved matters applications.

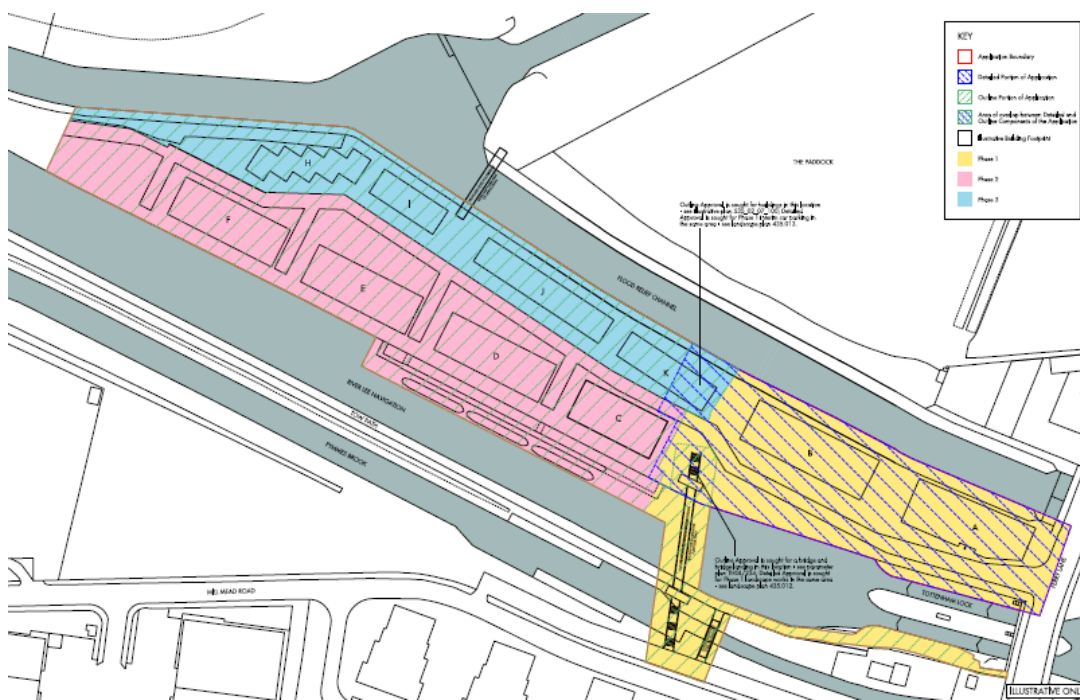


Fig 2: Illustrative phasing plan (535_02_07_030 PL2)

22 The proposed site would be divided into 10 blocks which would be advanced in three phases:

Phase 1

23 This phase comprises the southern portion of the site closest to Ferry Lane. Detailed permission is sought in this phase for Blocks A (8- 21 storeys) and B (11-16 storeys), comprising 249 residential units (141 units within Block A and 108 units within Block B) and 307sq.m. (GIA) of flexible retail or business uses (170 sq.m. of retail floorspace is proposed within Block A and 137sq.m. of office floorspace is proposed within Block B). A new public space will be created at the entrance to the site, adjacent to the lock, connecting to a central landscaped courtyard including the primary pedestrian and vehicular access to the site.

24 Outline permission is also sought in Phase 1 for two pedestrian bridges. A bridge is proposed over the Pymmes Brook and River Lea Navigation, providing pedestrian access between Millmead Road and Tottenham Marshes footpath, and Hale Wharf. The second bridge is proposed over Pymmes Brook, providing pedestrian and cycle access between Tottenham Marshes footpath and the River Lea Navigation towpath.

25 It should be noted that whilst the applicants anticipate that the scheme would be connected to the off-site energy centre in Hale Village, an alternative option is proposed for on-site CHP provision to be made in the basement of Block A. To facilitate this possibility, alternative Ground Floor and Basement Plans for Building A have been submitted for approval.

26 A total of 25 surface level car parking spaces (initially reserved for wheelchair accessible units) and two surface level car club spaces would be provided for Phase 1. Cycle parking for the new homes would be provided in ground floor store areas, with cycle parking for non-residential uses being in public realm areas. During the construction of Phases 2 and 3, a temporary car parking area of 25 spaces would be provided immediately to the north and west of Block B to cater for people living in Blocks A and B.

Phases 2 and 3

27 Outline permission is sought in Phases 2 and 3 for eight blocks (Blocks C to G in Phase 2 and Blocks H to K in Phase 3), which would provide up to 256 residential units and up to 200 sq.m. of flexible commercial floorspace within Block C of Phase 2. Block K of Phase 3 is proposed to provide up to 1,100 sq.m. (GIA) of flexible B1 or C3 uses in order to provide flexibility to respond to market conditions at the time of the delivery. Phases 2 and 3 also include the retention of three existing barges docked on the River Lee Navigation, which are currently in commercial use. These barges provide an additional 465 sq.m. of employment floorspace.

28 The outline part of the application is accompanied by parameter plans covering site levels, ground and upper level development zones, building heights, access and public realm, car parking, and phasing. Parameter plans also cover the design of both bridges to be delivered in Phase 1. The outline application also includes Design Codes within the Design and Access Statement, covering use, typology, roofs, gaps between buildings, appearance, parking, courtyards and waterside, refuse, services. Illustrative plans, elevations and section drawings have also been submitted.

29 The parameter plans show that the blocks would be arranged in a linear format with two parallel lines of buildings running the length of the middle and northern extents of the site. The buildings in Phases 2 and 3 would range from 4 to 10 storeys. The primary vehicle access will run through the central spine of the site from south to north, with small parking and servicing accesses branching off this. Areas of open space/public realm will run through the central spine and around each block, with biodiverse zones and no public access along the western and eastern boundaries.

30 A bridge landing point would also be safeguarded between proposed Blocks I and J in order to allow a future connection to The Paddock.

31 A total of 25 surface level residential car parking spaces and 6 surface level business spaces (for the business barges) are proposed for these phases and cycle parking would be provided within buildings/the public realm to meet minimum standards.

Relevant planning history

32 There is various planning history relating to the industrial and business use of the site, with the most recent applications being the following:

33 In 2006, a planning application was approved by Haringey Council for the provision of four business barges at the site with mooring facilities, landscaping and associated parking (ref: HGY/2006/1741, granted on 30 October 2006).

34 In 2007, a planning application was submitted by British Waterways and approved by Haringey Council for the construction of a new footbridge across the River Lee Navigation and a 'green' bridge across Pymmes Brook, and associated landscaping (ref: HGY/2007/1400, granted 3 September 2007). This permission was not implemented.

Current application

35 The Greater London Authority and Haringey Council undertook a number of joint pre-application meetings between January 2015 and January 2016. On 22 January 2016, a pre-planning application meeting was held at City Hall focussing on strategic level London Plan issues for a hybrid application, including demolition of existing buildings and redevelopment with buildings of up to 21 storeys for mixed residential and commercial uses, comprising approximately 505 residential units.

36 The GLA's pre-application advice report of 8 February 2016 supported the principles of the proposal, but noted that issues regarding employment floorspace, housing, affordable housing, urban design, inclusive design, and climate change should be addressed in any application.

37 Stage 1: On 8 June 2016, Haringey Council notified the Mayor of London that a planning application had been submitted that was of potential strategic importance, referring it under Categories 1A, 1B, and 1C of the Schedule to the Order:

- 1A "Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."
- 1B "Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings (c) outside Central London and with a total floorspace of more than 15,000 square metres."
- 1C(c) "Development which comprises or includes the erection of a building that is more than 30 metres high and is outside the City of London."

38 On 18 August 2016 the Mayor considered a GLA planning report reference: D&P/1239a/01. This report advised Haringey Council that a dense mixed use development on this site was fully supported. The provision of residential uses and the proposed employment uses were supported. The proposals were not considered to cause harm to the natural environment and would be beneficial to the Blue Ribbon Network. The quantum of affordable housing (which was then proposed to be 9% of the scheme) was required to be increased. The design and the positioning of tall buildings on the site was supported in line with strategic policy.

39 On 1 November 2016, Haringey Council's planning committee resolved to refuse planning permission for the application, against officers' recommendation, and on 22 December 2016 Haringey Council advised the Mayor of this decision. The Council's draft decision notice includes the following reasons for refusal:

1. The proposed development by virtue of its overall height, design and visual impact would fail to respond positively to the surrounding context, resulting in an overly large and discordant mass, detracting from the openness and character of the adjacent Lee Valley Regional Park, Green Belt, and the area generally, contrary to Policies 3.5, 7.4, 7.6, 7.7 and 7.16 of the London Plan 2016, Policies SP11 and SP13 of the Haringey Local Plan 2013, Saved Policies OS5 and UD3 of the Haringey Unitary Development Plan 2006, policies DM1, DM6 and DM20 of the Pre-Submission Version of the Development Management DPD January 2016 and Policies AAP6 and TH9 of the Tottenham Area Action Plan Pre-Submission Version January 2016.
2. The proposed development would fail to provide a sufficient number of car parking spaces, and therefore would significantly exacerbate the current on-street parking situation thereby prejudicing the safety and free flow of traffic in the area and promoting unacceptable parking stress. As such, it fails to strike an acceptable balance between sustainability and parking choice contrary to the requirements of Policy 6.13 of the London Plan 2016, Saved Policies UD3, HSG11 and M10 of the Haringey Unitary Development Plan 2006 and emerging Policy DM32 of the Development Management, Development Plan Document (pre-submission version January 2016).
3. The proposed development in the absence of a legal agreement securing the provision of on-site affordable housing would have a detrimental impact on the provision of much required affordable housing stock within the Borough and would set an undesirable precedent for future similar planning applications. As such, the proposal is contrary to Policy SP2 'Housing'

of the Council's Local Plan March 2013 and Policy 3.12 (Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes) of the London Plan.

4. In the absence of a legal agreement to manage the provision of Private Rented Sector housing there would be insufficient clarity on the role that this housing would play in helping to meet local housing need.
5. In the absence of an agreement to work with the Haringey Employment Delivery Partnership the proposal would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population contrary to Local Plan Policies SP8 and SP9.
6. In the absence of planning obligations to secure mitigation measures to promote sustainable transport, service and delivery plans, and a parking management plan the proposed development by reason of its lack of car parking provision would significantly exacerbate pressure on on-street parking spaces in surrounding streets, prejudicing the free flow of traffic and conditions of general safety along the neighbouring highway and would be detrimental to the amenities of local residents. As such the proposal is considered contrary to the requirements of Policy 6.13 of the London Plan 2015, Saved Policies UD3, HSG11 and M10 of the Haringey Unitary Development Plan 2006.
7. In the absence of planning obligations to secure the delivery of bridges between Watermead Way and the site and between the site and The Paddock, the proposed development would (a) result in unacceptable additional pedestrian flows on parts of the Ferry Lane footway leading to a decrease in pedestrian comfort levels and (b) fail to accommodate part of Haringey's proposed Green Grid which is due to pass through this site linking Tottenham High Road to Walthamstow Wetlands and the Lee Valley Regional Park (c) have insufficient public transport accessibility to justify the proposed density of Phases 2 and 3 and (d) fail to facilitate the extension of an existing District Energy network by providing the shortest route between the site and the Hale Village Energy Centre. This would be contrary to London Plan Policies 2.18, 3.4, 5.5, 5.6, Policy SP7 of the Haringey Local Plan 2013 and Policies AAP3, AAP7, AAP9 and TH9 of the Tottenham Area Action Plan Pre-Submission Version January 2016.
8. The proposed development would not provide an acceptable level of open space on the site itself and in the absence of planning obligations to secure financial contributions towards the improvement of adjoining The Paddock open space would be contrary to Policy SP13 of the Haringey Local Plan 2013.
9. In the absence of sufficient energy efficiency measures, extension of the existing Decentralised Energy Network or provision of an alternative on-site communal heating network and/or financial contribution towards carbon off-setting the proposal would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to London Plan Policy 5.2 and Local Plan Policy SP4.
10. In the absence of planning obligations to require the active marketing of Block K for business (B1) purposes the opportunity would be lost to minimise the net loss of jobs that would result from the redevelopment of the site and to maximise the contribution the development would make to delivering mixed-use development and stimulating regeneration within the Upper Lee Valley Opportunity Area and the Tottenham Hale Local Employment Area. This would be contrary to Policy 2.13 of the London Plan, Policy SP8 of the Haringey Local Plan 2013 and policies AAP4 and TH9 of the Tottenham Area Action Plan Pre-Submission Version January 2016.
11. In the absence of a s278 agreement to alter the access to the site from Ferry Lane and improved pedestrian crossing across Ferry Lane, the proposal would be detrimental to pedestrian and highway safety contrary to Policy 6.1 of the London Plan, Policy SP7 of the Haringey Local Plan 2013.

40 Stage 2: On 4 January 2017, the Mayor considered a GLA planning report reference D&P/1239a/02. The report concluded that having regard to the details of the application, the development is of such a nature and scale that it would have a significant impact on the implementation of the London Plan, and there are sound planning reasons for the Mayor to intervene in this case and issue a direction under Article 7 of the Order that he would act as the Local Planning Authority for the purpose of determining the application. The report identified that there were outstanding matters that needed to be resolved, namely that inappropriate development on designated Green Belt would need to be omitted, that income levels for the shared ownership units would need to be secured and that provisions to ensure the delivery of the footbridges would need to be secured. The Mayor agreed this recommendation.

41 Since the Mayor issued this direction, GLA officers have worked with the applicants to resolve the outstanding issues on this case, notably securing revisions to the scheme to omit buildings or other development which would be considered to be “inappropriate development” on designated Green Belt. Revised plans were submitted by the applicants on 26 January 2017 and are discussed in paragraph 149 below. Additionally, a revised minimum affordable housing offer of 35% by habitable room has been secured.

42 Re-consultation on amended plans: A 21-day re-consultation was carried out by the Mayor on 27 January 2017, notifying interested parties on proposed amendments by the applicants to plans and documents in relation to the omission of the indicatively proposed buildings on Green Belt, involving the omission of the northernmost indicatively proposed block (Block G), and the redistribution of floorspace indicatively provided into Blocks C, D and E (without exceeding the maximum height parameters or change to the unit numbers, mix or tenure).

43 It was not necessary to carry out a reconsultation exercise in relation to the increased affordable housing offer, as this change would have no material effect on the impacts of the proposals on the local area.

44 Site visit: The Mayor will undertake an accompanied site visit on 3 March 2017, with GLA and TfL officers, representatives from the Council, and the applicant team.

Relevant legislation, policies and guidance

45 In determining this application the Mayor must determine the application for planning permission in accordance with the requirement of s.70(2) of the Town and Country Planning Act 1990 and s.38(6) of the Planning and Compulsory Purchase Act 2004. In particular the Mayor is required to determine the application in accordance with the development plan unless material considerations indicate otherwise. The development plans for present purposes comprise the 2016 London Plan (consolidated with alterations since 2011), Haringey Council’s Strategic Policies DPD (2013), and the Saved Policies within Haringey Council’s Unitary Development Plan (2013).

46 The Mayor is also required to have regard to national planning policy in the form of the NPPF and NPPG, as well as supplementary planning documents and, depending on their state of advancement, emerging elements of the development plan and other planning policies. The following are therefore also relevant material considerations:

- National Planning Policy Framework;
- Upper Lee Valley Opportunity Area Planning Framework (ULV OAPF) (July 2013);
- Tottenham Area Action Plan (Pre-Submission Version, January 2016);
- Haringey Site Allocations DPD (Pre-Submission Version, January 2016);
- Haringey Development Management DPD (Pre-Submission Version, January 2016);
- Haringey Alterations to Strategic Policies (Pre-Submission Version, January 2016);

- Tottenham Urban Centre Masterplan SPD (2006).

47 The principal relevant material planning considerations which arise in the context of the current application are: land use principles ((Upper Lee Valley Opportunity Area, Housing Zone, mixed use development, employment, leisure and residential uses); Green Belt and open space; Blue Ribbon Network; nature conservation; housing (including delivery of affordable housing, tenure, mix, density, quality); design (including urban design, public realm, play space, views, heritage); residential amenity; inclusive design; residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking and noise/disturbance); sustainable development (including climate change mitigation and adaptation and sustainable urban drainage); transport and car parking provision; other environmental issues (including air quality, contaminated land and waste management); and, mitigating the impact of development through planning obligations. The relevant planning policies and guidance at the national, regional and local levels are as follows:

National planning policy and guidance

48 The National Planning Policy Framework (NPPF) provides the Government’s overarching planning policy, key to which, is a presumption in favour of sustainable development. The NPPF defines three dimensions 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, an environmental role contributing to protecting and enhancing our natural, built and historic environment. The relevant components of the NPPF are:

- 1. Building a strong, competitive economy;
- 4. Promoting sustainable transport;
- 6. Delivering a wide choice of high quality homes;
- 7. Requiring good design;
- 8. Promoting healthy communities;
- 9. Protecting Green Belt land;
- 10. Meeting the challenge of climate change, flooding and coastal change;
- 11. Conserving and enhancing the natural environment; and
- 12. Conserving and enhancing the historic environment.

49 The Technical Guide to the National Planning Policy Framework and National Planning Practice Guidance are also material considerations.

Regional planning policy and guidance

50 The London Plan 2016 is the Spatial Development Strategy for Greater London. The relevant policies within the London Plan are:

- Policy 1.1 Delivering the strategic vision and objectives for London;
- Policy 2.13 Opportunity Areas and Intensification Areas;
- Policy 2.14 Areas for regeneration;
- Policy 2.15 Town centres;
- Policy 2.18 Green infrastructure;
- Policy 3.3 Increasing housing supply;
- Policy 3.4 Optimising housing potential;
- Policy 3.5 Quality and design of housing developments;
- Policy 3.6 Children and young people’s play and informal recreation facilities;
- Policy 3.7 Large residential developments;

- Policy 3.8 Housing choice;
- Policy 3.9 Mixed and balanced communities;
- Policy 3.10 Definition of affordable housing;
- Policy 3.11 Affordable housing targets;
- Policy 3.12 Negotiating affordable housing;
- Policy 3.13 Affordable housing thresholds;
- Policy 3.16 Protection and enhancement of social infrastructure;
- Policy 4.1 Developing London's economy;
- Policy 4.2 Offices;
- Policy 4.3 Mixed use development and offices;
- Policy 4.4 Managing industrial land and premises;
- Policy 4.12 Improving opportunities for all;
- Policy 5.1 Climate change mitigation;
- Policy 5.2 Minimising carbon dioxide emissions;
- Policy 5.3 Sustainable design and construction;
- Policy 5.5 Decentralised energy networks;
- Policy 5.6 Decentralised energy in development proposals;
- Policy 5.7 Renewable energy;
- Policy 5.9 Overheating and cooling;
- Policy 5.10 Urban greening;
- Policy 5.11 Green roofs and development site environs;
- Policy 5.12 Flood risk management;
- Policy 5.13 Sustainable drainage;
- Policy 5.14 Water quality and wastewater infrastructure;
- Policy 5.15 Water use and supplies;
- Policy 5.17 Waste capacity;
- Policy 5.18 Construction, excavation and demolition waste;
- Policy 5.21 Contaminated Land;
- Policy 6.1 Strategic approach;
- Policy 6.3 Assessing the effects of development on transport capacity;
- Policy 6.5 Funding Crossrail and other strategically important transport infrastructure;
- Policy 6.9 Cycling;
- Policy 6.10 Walking;
- Policy 6.12 Road network capacity;
- Policy 6.13 Parking;
- Policy 7.1 Lifetime neighbourhoods;
- Policy 7.2 An inclusive environment;
- Policy 7.3 Designing out crime;
- Policy 7.4 Local character;
- Policy 7.5 Public realm;
- Policy 7.6 Architecture;
- Policy 7.7 Location and design of tall and large buildings;
- Policy 7.8 Heritage assets and archaeology;
- Policy 7.14 Improving air quality;
- Policy 7.15 Reducing noise and enhancing soundscapes;
- Policy 7.16 Green Belt;
- Policy 7.19 Biodiversity and access to nature;
- Policy 7.21 Trees and woodlands;

- Policy 7.24 Blue Ribbon Network;
- Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport;
- Policy 7.27 Blue Ribbon Network: supporting infrastructure and recreational use;
- Policy 7.28 Restoration of the Blue Ribbon Network;
- Policy 7.30 London’s canals and other rivers and waterspaces;
- Policy 8.2 Planning obligations; and,
- Policy 8.3 Community Infrastructure Levy.

51 The following published supplementary planning guidance (SPG), strategies and other documents are also relevant:

- Upper Lee Valley Opportunity Area Planning Framework (ULV OAPF) (July 2013);
- Housing SPG (March 2016);
- Crossrail Funding SPG (March 2016).
- Social infrastructure SPG (May 2015);
- Accessible London: achieving an inclusive environment SPG (October 2014);
- The control of dust and emissions during construction and demolition SPG (July 2014);
- Shaping neighbourhoods: character and context SPG (June 2014);
- Sustainable design and construction SPG (April 2014);
- Shaping neighbourhoods: play and informal recreation SPG (September 2012); and
- All London Green Grid SPG (March 2012).

52 The following draft SPG is also relevant:

- Affordable Housing and Viability SPG (draft for consultation, November 2016).

Local planning policy and guidance

53 Haringey Council’s Strategic Policies DPD (2013), and the Saved Policies within Haringey Council’s Unitary Development Plan (2013) provide the local policy approach for the Borough. The relevant policies are:

Haringey Strategic Policies DPD

- Policy SP1 Managing growth;
- Policy SP2 Housing;
- Policy SP4 Working towards a low carbon Haringey;
- Policy SP5 Water management and flooding;
- Policy SP7 Transport;
- Policy SP8 Employment;
- Policy SP9 Improving skills and training to support access to jobs and community cohesion and inclusion;
- Policy SP10 Town centres;
- Policy SP11 Design;
- Policy SP12 Conservation;
- Policy SP13 Open space and biodiversity;
- Policy SP14 Health and wellbeing.

Haringey Unitary Development Plan Saved Policies

- Policy UD3 General principles;
- Policy UD7 Waste storage;
- Policy ENV5 Works affecting water courses;
- Policy ENV6 Noise pollution;
- Policy ENV7 Air, water and light pollution;
- Policy ENV11 Contaminated land;
- Policy EMP4 Non employment generating uses;
- Policy EMP5 Promoting employment uses;
- Policy TCR2 Out of centre development;
- Policy M9 Car-free residential developments;
- Policy M10 Parking for development;
- Policy OS5 Development adjacent to open spaces;
- Policy OS17 Tree protection, tree masses and spines;
- Policy CSV8 Archaeology.

52 Schedule 1 of the UDP - Site-specific proposals, includes proposals covering the wider site around Tottenham Hale station and designates Site 20: Tottenham International (including Tottenham Hale station, the retail park, Hale Wharf and Tottenham Marshes) for comprehensive mixed use development to include an integrated transport exchange, employment, university campus, retail, housing and leisure including the enhancement of the open space, education and community facilities.

Emerging Tottenham Area Action Plan (AAP) (January 2016)

53 The pre-submission draft of the AAP was considered by the Council at its meeting on 23 November 2015 and was published for consultation on 8 January 2016. Consultation closed on 4 March 2016. The Examination in Public in to the emerging document took place in August and September 2016 and the examining Inspector's report is awaited. Given its state of advancement, the AAP is a material planning consideration that can be accorded some weight, although not the same weight as the adopted development plan. Relevant policies are:

- Policy AAP1 Regeneration & masterplanning;
- Policy AAP3 Housing;
- Policy AAP4 Employment;
- Policy AAP5 Conservation and heritage;
- Policy AAP6 Urban design and character, including tall buildings;
- Policy AAP9 Tottenham Green Grid;
- AAP Site allocation TH9: Hale Wharf.

Emerging Development Management Policies DPD (DM DPD) (January 2016)

54 The pre-submission draft of the DM DPD also underwent Examination in Public in August and September 2016 and the Inspector's report is similarly awaited. It too can be accorded some weight as a material consideration. The DM DPD will update local thematic policies for the borough, superseding the saved UDP policies and existing SPDs. The relevant policies are:

- Policy DM1 Delivering high quality design;
- Policy DM2 Accessible and safe environments;

- Policy DM3 Public realm;
- Policy DM5 Locally significant views and vistas;
- Policy DM6 Building heights;
- Policy DM9 Management of the historic environment;
- Policy DM10 Housing supply;
- Policy DM11 Housing mix;
- Policy DM12 Housing design and quality;
- Policy DM13 Affordable housing;
- Policy DM19 Nature conservation;
- Policy DM20 Open space and green grid;
- Policy DM21 Sustainable design, layout and construction;
- Policy DM22 Decentralised energy;
- Policy DM23 Environmental protection;
- Policy DM24 Managing and reducing flood risk;
- Policy DM25 Sustainable drainage systems;
- Policy DM27 Protecting and improving groundwater quality and quantity;
- Policy DM28 Watercourses and flood defences;
- Policy DM29 On-site management of waste water and water supply;
- Policy DM31 Sustainable transport;
- Policy DM32 Parking;
- Policy DM37 Maximising the use of employment land and floorspace;
- Policy DM38 Employment led regeneration;
- Policy DM41 New town centre development;
- Policy DM44 Neighbourhood parades and other non-designated frontages;
- Policy DM45 Maximising the use of town centre land and floorspace;
- Policy DM48 The use of planning obligations;
- Policy DM49 Managing the provision and quality of community infrastructure;
- Policy DM55 Regeneration and masterplanning.

Emerging Alterations to Strategic Policies DPD

55 The pre-submission draft of the Alterations to Strategic Policies DPD also underwent Examination in Public in August and September 2016, with the report again awaited, and can be accorded some weight as a material consideration. The most relevant emerging change to the strategic policies is the uplift in Haringey's strategic housing requirement as expressed in Policy SP1 (Managing Growth) from 8,200 new homes to 19,802 new homes from 2011-2026, reflecting the increased target within the London Plan (2016). The number of new homes to be accommodated in the Growth Areas of Haringey Heartlands/Wood Green, Tottenham Hale and North Tottenham is also increased from 5,000 to 13,500 up to 2026. Policy SP2 (Housing) is also amended to reflect the increased housing target, and reduces the strategic affordable housing target from 50% to 40%.

Supplementary planning guidance (SPG) and supplementary planning documents (SPD)

56 The following adopted SPDs and SPG are also relevant to the proposal:

- Planning Obligations SPD (2014);
- Sustainable Design and Construction SPD (2013);
- Open Space and Recreational Standards SPD (2008);
- Tottenham Hale Urban Centre Masterplan SPD (2006);

- SPG1a - Design Guidance (2006).

57 The following draft SPGs are relevant to the proposal:

- SPG2 – Conservation and Archaeology (draft 2006);
- SPG7a – Vehicle and pedestrian movement (draft 2006).

Other relevant plans and strategies

58 The Lee Valley Regional Park Authority (LVRPA) has an adopted Park Plan (2000) and an adopted Park Development Framework (2011), for which proposals for Area 3 (including Hale Wharf) were adopted in April 2013. The LVRPA is not a planning authority but has a duty under the Lee Valley Regional Park Act 1966 to develop, improve, preserve and manage the Park, either directly or through others. Local planning authorities with land in the Park are under a mandatory obligation to include those parts of the Park Development Framework affecting their areas within their own relevant planning strategies and policies although inclusion does not infer that the planning authority necessarily agrees with them. The LVRPA acts as a statutory consultee on planning applications affecting land within the Park.

59 The aspiration for the Hale Wharf site within the Park Development Framework is that it will accommodate a Park compatible leisure use, e.g. new recreational or sporting facilities or waterside visitor facilities, that development will enhance the landscape quality, preserve the ecology of the waterways and adjacent wetlands, and will encourage sustainable transport.

Haringey Community Infrastructure Levy

60 London borough councils are able to introduce Community Infrastructure Levy (CIL) charges which are payable in addition to the Mayor's CIL. Haringey Council's draft CIL examination hearing took place on 18 December 2013. The Inspector's report on the Council's proposed charging schedule was published on 4 February 2014, and was found to be sound. Haringey Council's CIL came into effect on 1 November 2014. The Haringey CIL charging schedule for the eastern part of the borough (where the application proposal is located) sets a rate of £15 per sq.m. for housing and student housing, £95 per sq.m. for supermarkets and £25 per sq.m. for retail warehousing. There is a nil charge for offices, industrial and warehouse uses, small scale retailing and health and education uses.

Response to consultation

61 As part of the planning process Haringey Council has carried out statutory consultation on the application. The application was publicised by sending notifications to approximately 2,750 addresses in the vicinity of the site including four Residents' Associations, and posting 10 site notices close to the site. The consultation also included all relevant statutory bodies. All consultation responses received in response to Haringey Council's local consultation process, and any other representations received by Haringey and/or the Mayor of London in respect of this application at the time of writing this report, are summarised below, and have been taken into account in this report. The Mayor has had all consultation responses made available to him in either electronic or hard copy.

62 In addition, Mayor has carried out consultation on revised plans submitted subsequent to him taking over the application, and comments received are outlined below.

Statutory consultee responses to Haringey Council

63 Greater London Authority (including Transport for London): The Mayor's consultation stage comments (GLA report ref: D&P/1239a/01) and the Mayor's stage II decision (GLA report ref: D&P/1239a/02) are set out in those reports and summarised in the 'Relevant case history' section above.

64 Transport for London: Commented as part of the stage 1 and 2 reporting above, and also provided a separate detailed response to Haringey Council, setting out issues in relation to car parking and access, trip generation and mode split, highway impact, walking and cycling, cycle hire, buses, London Underground, travel planning, Crossrail and CIL. Specific issues relating to the approach to the transport assessment, impact on public transport, pedestrian and cycling access and infrastructure and car parking were set out, along with a number of suggested conditions and s106 obligations. The detailed consideration of these points is set out in the Transport section below.

65 Historic England: Did not consider that it was necessary for the application to be notified to them; no comments offered.

66 Historic England (Greater London Archaeological Advisory Service): Concludes that the proposals are unlikely to have significant impact on heritage assets of archaeological interest and thus no further assessment or conditions are necessary.

67 Natural England: Notes the applicant's Habitat Regulations Screening Report and agrees with its conclusions that with the implementation of the proposed mitigation, the proposals are unlikely to have significant effects on the Lee Valley SPA and Ramsar site, nor would they damage any of the interest features of the Walthamstow Reservoirs SSSI. No objections are therefore raised to the proposals.

68 Environment Agency: No objections raised, subject to conditions relating to minimum floor level, compliance with flood risk assessment, continuous access to vehicular ramps and integrity of river walls.

69 Thames Water: No overriding objections raised but notes the requirement for conditions in relation to waste water and surface water drainage and water supply infrastructure. Notes that the existing water supply infrastructure has insufficient capacity, such that a condition requiring submission of an impact study would be necessary. A condition requiring a drainage strategy is also required, detailing the site's proposed foul water and surface water discharge rates, to avoid adverse impact on the public sewerage network.

70 Metropolitan Police Crime Prevention Design Officer: Applicants have satisfactorily addressed earlier concerns raised regarding the adequacy of the proposed boundary treatment at the rear of dwellings and the proposed lighting of bridges. Request further input at the detailed design stage.

71 London Underground Limited: No objections raised, but a condition is requested requiring detailed design and method statements for construction below ground floor level for Phase 1 development, to ensure no adverse impact on LU infrastructure.

72 London Fire Brigade: No objections raised.

73 London Wildlife Trust: No objections or comments.

74 Canals and River Trust: The Canals and River Trust is the joint applicant for this application. It is also the navigation authority and has responded as a statutory consultee. The Trust raise no objection to the proposals, but requests that conditions are attached to reserve details of a temporary surface water discharge scheme and the submission of a feasibility study into the use of waterborne freight during the demolition and construction phase. It also recommends the use of “bat-friendly” lighting.

75 Inland Waterway Association: Raise objection on the basis that no specific consideration has been given to the effect on boats using Tottenham Lock in relation to potential loss of sunlight and wind turbulence caused by tall buildings. Operations and movements around the lock could be hazardous in strong and blustery wind and loss of sunlight could cause slippery ground conditions.

76 Commercial Boat Operators’ Association: Opposes the proposed development as it would result in a loss of a wharf for unloading and loading barges. Development should allow the continued use of the wharf for these purposes.

77 Lee Valley Regional Park Authority: Whilst it is recognised that considerable regeneration benefits would arise from the scheme, the Authority objects on the basis that the scale of proposed Block A is excessive, and its scale will dominate views across and through the Regional Park. Its design does not reflect the “sense of place” of this site or provide visual interest. The proposed ecological measures and bridges, whilst welcome, are insufficient to overcome the objection.

78 London Borough of Waltham Forest: No objection raised, but some concerns raised regarding the potential impact on the open character of the Walthamstow Wetlands as an important wildlife and ecological area, and seek an appropriate financial contribution by way of mitigation towards the Wetlands. (NB independent ecological advice has identified no harm to the Wetlands from the proposed buildings and thus a financial contribution is not considered necessary).

79 RSPB: No objections raised (comments similar to the London Wildlife Trust).

Individual neighbourhood responses

80 At the time of reporting the application to its planning committee, Haringey Council reports that it had received 166 responses in objection to the proposal and no responses in support. However, it is noted that four responses in support were received before the date of the committee meeting. All responses were provided to the GLA subsequent to the decision to take over the application and have been made available to the Mayor in advance of the hearing.

81 The main concerns and issues raised in objection to the proposals can be summarised as follows:

- Excessive building height.
- Overshadowing/loss of daylight/loss of sunlight.
- Adverse impact on natural environment and wildlife.
- Adverse impact on schools, health and other community services.
- Insufficient affordable housing.
- Poor design/character.
- Increase in traffic and increased car parking pressures in surrounding streets.
- The proposals contravene planning policy.
- No need for so much housing in order for the Council to meet its housing target.
- Loss of privacy.
- Loss of the wharf as a transport facility, adverse impacts on boats moored on the wharf and inadequate consideration of use of river by boats.

- Loss of existing employment.
- Inadequate provision of employment uses, and fear that it may remain vacant.
- Tottenham Hale Station already at capacity and train services that use Tottenham Hale are already over-stretched.
- Adverse impacts during construction (noise, traffic, air quality & impacts on wildlife).
- Proposed phasing will spread out these adverse impacts over a longer period.
- Adverse noise when built.
- General dwelling mix is inappropriate, too many 2-bed homes, which is not what Tottenham needs.
- Insufficient assessment of views.
- Lack of community benefit.
- Impact on users of the towpath.
- Increase in littering.

82 The responses in support outlined the need for more housing and the poor existing quality of the adjacent Paddock, which the development could improve.

Other responses to the Council, including residents' groups and elected members

83 Ferry Lane Action Group: Object to the height of the proposed towers, which would dominate views from residents' homes and would detract from sense of openness and contact with natural environment.

84 Stonebridge Boaters: Impact of development on residential boat moorings has not been fully considered by the applicant's ES; the boat moorings could be adversely affected by air quality noise, dust, wind, loss of daylight and overshadowing. Object to height of buildings and the potential impact on wildlife.

85 Tottenham Civic Society: Object to the application on the basis that the height of the proposed tower would fail to make a positive contribution to the Hale area. The design precedents are alien to the area. There is a lack of affordable housing.

86 The Regent's Network: Object to the development on the basis that it would have a negative impact on the waterways, including the use and purpose of the Blue Ribbon Network. Hale Wharf should be retained as a commercial wharf and jobs should be prioritised.

87 Joanne McCartney, London Assembly Member for Enfield and Haringey: objected on grounds that the height of the 21 storey building is much too high and out of keeping with the local area; that it would overshadow and impact the privacy of Hale Village opposite and detract from the openness of the area; would be in breach of the Tottenham Area Action Plan (Pre-Submission Version January 2016), which states that tall buildings should be located at public transport nodes and then scaled down; that the design is not in keeping with surrounding developments and its waterside setting; that it would not make a positive contribution to the quality and character of the area; that the height of the proposed development would block locally significant views across the Lee Valley Regional Park; that there is very little affordable housing (34 out of 505 units); and the effect on wildlife such as bats and birds, especially being so close to the Lee Valley Park and Tottenham/Walthamstow marshes.

88 Councillor Lorna Reith (ward member for Tottenham Hale): objected on grounds that the proposal is contrary to the Tottenham Area Action Plan (Pre-Submission Version January 2016), which says that the highest density development should be located adjacent to public transport nodes, in Growth Areas and Areas of Change, and should transition to lower rise areas; that it is out of keeping with the existing character of the area, which is open river and marshes, surrounded by

Green Belt land; that it would destroy the views from neighbouring residents and tower over their homes; that it disregards the local heritage; that the design is of a poor and uninspiring quality; that the tall illuminated buildings next to the river will impact wildlife; that the Council's target of 5,000 homes in the Tottenham Hale area will be met without this development; insufficient affordable housing (34 units); lack of community benefits; and pressure on existing infrastructure.

89 Councillor Reg Rice (ward member for Tottenham Hale): objected on grounds that the development does not make a positive contribution to the character of the area; the design is poor and unimaginative; the towers are far too tall and are wrongly placed on the bank of a river; and no consideration is given to the proximity to the Green Belt or to reflect a much more rural setting.

90 Internal consultees: Borough officers have provided comments in relation to policy, access, community safety, environmental health, noise, licensing, air quality, drainage, transport, housing, sustainability, trees, urban design and waste. The points raised have been considered in the body of the report and are reflected in the suggested conditions.

Representations made to the Mayor of London

91 Prior to the Mayor's Stage 2 decision, the Mayor received 47 direct representations (46 in objection and one in support), which were outlined in the Stage 2 report. The objections included representations from the Tottenham and Wood Green Friends of the Earth Group, Tottenham Civic Society, the Ferry Lane Action Group, the Pavillion Residents' association and 42 local residents, who raised objections and comments as listed above. A number of the responses requested that the Mayor did not take over the application for his own determination. Additionally, the following individuals sent representations:

92 Rt. Hon. David Lammy, MP for Tottenham: Objects to the proposal with grounds including the massing being out of context with the site's setting; overly dense and overbearing; adverse effects on wildlife; lack of benefits to the local community; and lack of affordable housing.

93 Joanne McCartney, London Assembly Member for Enfield and Haringey: Objected with grounds as stated above and supporting Haringey Council's decision.

94 Councillor Lorna Reith: Objected with grounds as stated above and asked the Mayor to allow Haringey Council's decision to stand.

Re-consultation exercise

95 The Mayor took over the planning application on 4 January 2017. Since that time, a re-consultation exercise took place on 27 January 2017 for 21 days in relation to revisions to the scheme that had been updated since the original consultation exercise. Letters were sent to all those consulted by the Council when the application was first submitted, in addition to all those who had responded to the planning application thus far. This consultation exercise was undertaken by the Council on behalf of the Mayor. A press notice was posted in the Tottenham Independent and site notices were erected.

96 Responses: The Mayor and/or GLA officers have received 65 emails or letters (63 responses in objection, one response in support and one neutral response) as a result of the consultation exercise. The majority of the objections reiterate concerns raised with the Council at the initial consultation stage, as detailed above. These responses have been made available to the Mayor for viewing, and have been taken into account in this report. Responses have been received from the following individuals and groups, reiterating the comments and objections to the application that have been raised previously:

- The Lee Valley Regional Park Authority;
- Commercial Boat Operator’s Association;
- Stonebridge Boaters;
- Tottenham & Wood Green Friends of the Earth;
- Ferry Lane Action Group;
- Pavillion Residents’ Association;
- Councillor Lorna Reith;
- Councillor Carroll Vincent;
- Councillor John Bevan.

97 In summary, the issues raised in objection are:

- The height of the proposed buildings is excessive and will have a harmful impact on the natural environment, waterways, local character and views.
- Amended plans don’t address main objection which is to the height of the proposed buildings.
- The design of the buildings is uniform and uninteresting; design is out of character with local area; proposals create poor quality public space.
- Bridge design is poor.
- There would be long term loss of employment; site should provide more commercial and leisure uses.
- The Tottenham AAP predicts that other sites will exceed the 5,000 new homes target and this site is not needed.
- The proposed bridges are unnecessary.
- Lack of parking; impact on local traffic.
- Noise and overshadowing of neighbouring residential properties including houseboats.
- Lack of supporting facilities and community benefits.

98 The response in support noted that there is precedent for well designed high rise buildings near to natural beauty spots and that the Paddock would benefit from being overlooked. The neutral response raised enquiries about timescales.

99 The Environment Agency responded with no further comments.

Representations summary

100 All the representations received in respect of this application have been made available to the Mayor in printed form however, in the interests of conciseness, and for ease of reference, the issues raised have been summarised in this report as detailed above.

101 The main issues raised by the consultation responses, and the various other representations received, are addressed within the material planning considerations section of this report, and, where appropriate, through the proposed planning conditions, planning obligations and/or informatives outlined in the recommendation section of this report.

Environmental Impact Assessment

102 Planning applications for development that are covered by the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 are termed “EIA applications”. The requirement for an EIA is based on the likelihood of environmental effects arising from the development. The proposed development is considered to be Schedule 2 development likely to have significant effects on the environment by virtue of factors such as nature, size or location.

Consequently, the application is considered to form an application for EIA and it has been necessary that an Environmental Statement be prepared in accordance with EIA Regulations.

103 The applicants submitted a Scoping Report (submitted 13 January 2016) outlining the scope of the Environmental Statement (ES) at pre application stage. Following consultation with the relevant consultation bodies, Haringey Council issued a Scoping Opinion on 21 March 2016. This confirmed that the scheme constituted EIA development and set out advice and instructions in relation to the methodology of the assessment. It identified a range of potential effects that would need to be included in the ES that was required to be submitted with the application.

104 The submitted ES been divided into four volumes covering the 1) main assessment text; 1a) the townscape, heritage and visual impact assessment; 2) figures; and 3) technical appendices (including transport assessment, air quality, noise and vibration, ecology, contamination, archaeology, daylight, sunlight and overshadowing, lighting, wind microclimate and socio-economic effects. The statement included qualitative, quantitative and technical analysis of the impacts of the development on its surrounding environment in physical, social and economic terms. The impacts of the planning application are assessed individually and cumulatively with other consented applications in the vicinity of the application site.

105 Under the various subject headings, this report refers to the content and analyses contained with the ES and comments upon its findings and conclusions.

106 An addendum to the ES was submitted by the applicants on 26 January 2017 to accompany the revised parameter plans. The addendum confirms that the revisions do not cause any additional impacts that were not previously assessed, and revision to the ES is not therefore necessary.

Material planning considerations

107 Having regard to the site and the details of the proposed development, relevant planning policy at the local, regional and national levels; and, the consultation responses and representations received, the principal planning issues raised by the application that the Mayor must consider are:

- Land use principles (Upper Lee Valley Opportunity Area, Housing Zone, mixed use development, employment, leisure and residential uses);
- Green Belt and open space;
- Blue Ribbon Network (barge and wharf uses);
- Nature conservation (including impact on the Blue Ribbon Network; Lee Valley Special Protection Area and Ramsar site; Walthamstow Wetlands);
- Housing (including affordable housing, housing tenure, mix, density and housing quality);
- Design (including urban design, views, the historic environment, listed buildings);
- Inclusive design;
- Residential amenity (including daylight and sunlight, overshadowing, privacy/overlooking; noise/disturbance);
- Sustainability (including climate change mitigation and adaptation, including sustainable drainage);
- Other environmental considerations (including air quality, contaminated land and waste management),
- Transport, including parking provision, and;
- Mitigating the impact of development through planning obligations and conditions.

108 These issues are considered within the following sections of the report.

Land use principles

109 The site is within the Upper Lee Valley Opportunity Area, the Tottenham Housing Zone, the London- Stanstead-Cambridge-Peterborough growth corridor, and the Crossrail 2 growth corridor, with a Crossrail 2 station proposed at Tottenham Hale. Haringey Council recognises the site as a key development site within its emerging Local Plan and Tottenham Area Action Plan. The principle of redevelopment must be considered in the context of the London Plan and borough policies relating to the above designations as well as the NPPF, together with other policies relating to mixed-use development, employment, offices, and retail uses. In terms of the proposed uses, the following is noted:

110 The NPPF identifies a set of core land-use planning principles which should underpin both plan-making and decision-taking. Those of particular relevance to the site are that planning should:

- proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs;
- encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas; and
- actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

111 London Plan Policy 2.13 sets out the Mayor's policy on Opportunity Areas. London Plan paragraph 2.58 states that Opportunity Areas are 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. Paragraph 2.61 confirms that Opportunity Areas are expected to make particularly significant contributions towards meeting London's housing needs. London Plan Table A1.1 sets out the strategic policy direction for the Upper Lee Valley Opportunity Area (ULVOA), identifying that the Upper Lee Valley occupies a strategic position in the London-Stansted-Cambridge-Peterborough growth corridor and provides a range of development opportunities, including a growth point at Tottenham Hale, which is considered suitable for higher density development.

112 The Mayor's Upper Lee Valley Opportunity Area Planning Framework (ULV OAPF) identifies Tottenham Hale as a location of significant growth, including at least 5,000 homes, 4,000 jobs, high density housing and tall buildings.

113 The ULV OAPF identifies the site at Hale Wharf as an opportunity to provide residential, retail, leisure and workspace within a "Landmark residential-led development with public realm maximising the waterfront location".

114 Haringey Council's Strategic Policies DPD Policy SP1: Managing Growth states that the Council will promote development in two growth areas: Haringey Heartlands and Tottenham Hale, and that these areas have the greatest capacity for growth. Development in these growth areas is expected to provide approximately 5,000 homes (3,410 units in Tottenham Hale), and the majority of new business floorspace, and developments will be expected to maximise site opportunities. The emerging Alterations to Strategic Policies DPD has raised the expectation for housing delivery in Tottenham Hale to a minimum of 5,080 new units.

115 Haringey Council's Saved UDP Policies include Schedule 1 (Site-specific proposals), which designates Site 20: Tottenham International (including Tottenham Hale station, the retail park, Hale Wharf and Tottenham Marshes) for comprehensive mixed use development to include an integrated transport exchange, employment, university campus, retail, housing and leisure including the enhancement of the open space, education and community facilities. This site designation applies to the wider area around Tottenham Hale station, which is expected to support this range of land uses.

116 At a site-specific level, Hale Wharf is identified as a key development site in Haringey Council's adopted (2006) Tottenham Hale Urban Centre Masterplan SPD. The site is recognised as presenting a unique opportunity to contribute significantly to the regeneration of Tottenham Hale, through the provision of a new mixed-use development, with improved access to the waterfront and a new public space along the eastern bank of the River Lee. Hale Wharf is envisaged to become a landmark for the area, providing local orientation and a distinctive destination for the area. Development on the site is envisaged to combine retail, leisure and workspace with residential uses on the upper floors. It is suggested that development should be sub-divided into blocks to achieve permeability and to create visual and pedestrian access to water and open space.

117 Within Haringey Council's emerging Tottenham Area Action Plan (2013), Hale Wharf forms one of 13 allocated opportunity sites in Tottenham Hale. Site TH9 includes the application site and the adjoining Paddock and garage site. The site allocation is for a comprehensive redevelopment to provide a mix of uses, with replacement employment, new residential and a leisure destination linked to the Lee Valley Regional Park. An indicative housing capacity of 405 residential units and employment capacity of 3,200 sq.m. is given. The site allocation confirms that the site will continue to hold a designated employment area status. A number of development guidelines are outlined, including ensuring that development preserves and enhances the ecological assets of the rivers and adjacent wildlife areas, provides family housing, and responds to the proximity and openness of the Green Belt, including development being responsive to the natural environment on the eastern side of the site.

118 To summarise the overall land use principles, Hale Wharf is a key site in the delivery of the objective for significant growth within the Upper Lee Valley Opportunity Area and within the borough of Haringey, in accordance with the objectives of the London Plan and the local planning authority, through in particular adopted SPD and the borough's emerging development plan documents. A residential-led, mixed use development on the site is consistent with the aims of strategic and local planning policy guiding development in Tottenham Hale. Specific land use considerations are outlined further below.

Housing

119 The Mayor designated Tottenham as a Housing Zone in February 2015. The designation allocated £44m of funding to deliver 1,956 homes in Tottenham Hale by 2025. Housing Zones are identified in London Plan Policy 8.1 'Implementation' to deliver the full housing potential of Opportunity Areas.

120 London Plan Policy 3.3 provides explicit strategic support for the provision of housing within London, and sets a target for the Council to deliver a minimum of 15,019 homes in the Plan period 2015-2025. London Plan Policy 2.13 (and supporting Table A1.1) recognises the significant potential of the Upper Lee Valley Opportunity Area to accommodate new homes, and identifies a minimum of 20,100 new homes to be accommodated within the area. Haringey Council's Strategic Policy SP1 seeks to focus the majority of housing growth in the designated Growth Areas, including Tottenham Hale. Therefore, given the site's context within the Upper Lee Valley Opportunity Area and the Tottenham Housing Zone, and in light of the Council's local policy designations, the principle of the housing-led redevelopment of this site, to include up to 505 new homes, which

equates to a third of the Council's annual housing target, is supported and in line with both London Plan and local planning policy.

121 The housing element of the proposals is discussed in further detail in paragraphs 176-224 of this report.

Employment

122 The application site is not identified as Strategic Industrial Land (SIL) or as locally significant industrial land, but is designated as a "Local Employment Area: Regeneration Area" in Haringey Council's adopted Local Plan, reflecting its capacity to provide regeneration through mixed-use development, including a range of employment-generating uses. The emerging AAP site allocation is for mixed uses including residential, with replacement employment.

123 Haringey Council's Strategic Policy SP8 (Employment) states the Council will secure a strong economy and support local employment and regeneration. The policy categorises employment areas in the borough into three categories, with "Local Employment Area: Regeneration Area" being the most flexible category in the hierarchy, as these areas "can include uses appropriate in a mixed use development such as small scale "walk to" retail, community and residential uses". Saved UDP Policy EMP4 (Non Employment Generating uses) states that planning permission will be granted to redevelop or change the use of land and buildings in an employment generating use provided the redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site, and result in wider regeneration benefits. Emerging Policy DM40 (Loss of Employment Land and Floorspace) continues this approach.

124 The Upper Lee Valley Opportunity Area has an indicative employment capacity of 15,000. However, the supporting text to London Plan Policy 2.13 'Opportunity Areas' states that "There is concern that aspirational employment allocations should not fossilise housing potential. To ensure that housing output is optimised, employment capacities should, if necessary, be reviewed in the light of strategic and local employment projections." London Plan Policy 4.4 'Managing Industrial Land and Premises' provides a strategic aim for boroughs to adopt a rigorous approach to industrial land management, but recognises that managed release may be required to provide other uses in appropriate locations. Policy 4.1 'Developing London's Economy' provides strategic support for the provision of employment floorspace and Policy 4.2 'Offices' supports mixed use development with office provision to improve London's competitiveness.

125 The site currently includes low density commercial and industrial buildings extending to a total of around 6,589 sq.m. (GIA) of floorspace, supporting approximately 116 full time employment (FTE) jobs ranging from workshops, restaurant, warehouses, storage, studios, showrooms and offices. Some of the space is vacant and a number of the buildings are in a poor condition. Three permanent commercial barge moorings are located on the River Lea Navigation, accessed from the site via Ferry Lane, two of which are currently vacant, with one used as office space. The barges (which provide 465sq.m. of floorspace and the capacity for approximately 26 jobs) are to be retained as part of the application proposals.

126 The proposals would provide, in addition to the retained business barges, 170sq.m. of retail floorspace (Use classes A1-A5) and 137sq.m. of office floorspace (Use class B1) in Phase 1 of the development, up to 200sq.m. of retail (Class A1-A5) floorspace within Block C in Phase 2; and up to 1,100 sq.m. of Class B1 office floorspace in Block K, to be delivered in Phase 3 of the development. The floorspace within Block K is proposed to be flexible Class B1/Class C3 floorspace, responding to market conditions at the time of delivery. Block K will be marketed as office floorspace, and should it not be taken up, the building will be constructed for residential purposes, within the maximum of 505 units.

127 In total the proposals would provide up to 1,607sq.m. of employment floorspace, including the provision of Block K as commercial floorspace, in addition to the existing 465 sq.m. in the retained barges. This would generate a total of approximately 119 FTE jobs. As previously noted, Block K is subject to marketing and if the Class B1 space within this block is omitted, the non-residential floorspace in the scheme would equate to 507sq.m., generating approximately 41 FTE jobs.

128 Should Block K not provide office floorspace, the proposals would result in a loss of employment capacity which would not be consistent with the aims of site specific policy which is to provide replacement employment. For this reason, it is recommended that the s106 agreement robustly secures the active marketing of the Class B1 floorspace prior to the commencement of Phase 3, and to permit the residential use of this space only where it can be satisfactorily demonstrated that there is insufficient demand for the employment space. A marketing plan will be required to be submitted before the commencement of the development which will include a list of target tenants and the advertising of the premises using reputable commercial estate agents, and at market rents. Marketing will be required for a period of at least 6 months at an agreed point in the development, with renewed advertisements every two months.

129 Whether or not Block K ultimately provides Class B1 uses, it is recognised that there would be a loss of employment floorspace within the scheme compared to the existing site. Furthermore, it is acknowledged that should Block K not provide office floorspace there would be a loss in the number of FTE jobs, which is contrary to Haringey's saved UDP Policy EMP4. However, this should be balanced against the aspirations for the site to provide a mixed use development as expressed in adopted and emerging local and regional policy, and the major contribution that this site can make to regeneration including the redevelopment of brownfield land and delivery of a significant quantum of housing. As noted in Haringey Council's report to committee, the type of proposed employment uses are compatible with the provision of a residential-led development on the site, enabling a viable mixed use development to come forward on this site in accordance with policy expectations, and realising the site's potential to contribute significantly towards housing provision and its associated regeneration benefits. The loss of the existing poor quality employment floorspace and its replacement with viable, high quality floorspace is thus acceptable.

130 Additionally, it is noted that the proposals are estimated to generate approximately 143 FTE jobs during the construction phase, contributing to local employment, and the s106 agreement will secure commitments to recruiting from the local labour force during the construction phase. As part of the planning obligations negotiated for this site, the development will also contribute £30,000 towards managing a Local Labour Scheme (run by the Haringey Employment & Recruitment Partnership) which helps to provide trained local candidates for jobs in a range of sectors. This is in accordance with Haringey's Strategic Policy SP9, which seeks to secure financial contributions from development that results in a net loss of employment floorspace to invest in training and other initiatives that seek to promote employment and adult education in the borough.

Retail uses

131 The proposals would provide up to 370 sq.m. of flexible retail floorspace (use classes A1-A5) across the first two phases of the development (two units totalling 170sq.m. in Phase 1 and up to 200sq.m. in Phase 2). The site is approximately 300 metres outside the boundary with the proposed Tottenham Hale District Centre. London Plan Policy 2.15 (Town centres) seeks to ensure that developments support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services. Haringey Local Plan Policy SP10 (Town Centres) and saved UDP Policy TCR2 (out of town centre development) apply. These policies seek to protect and enhance Haringey's town centres by directing new retail, leisure and entertainment uses towards them, and limiting these uses outside of town centres.

132 In this case, the amount of retail floorspace proposed is limited, and well below the 2,500sq.m. of floorspace which would warrant a retail impact assessment to be undertaken according to national planning guidance. The site's designation as a Local Employment Area: Regeneration Area, and its allocation for mixed use development supports the provision of flexible, small scale retail uses as part of the employment offer. Given the significant amount of housing proposed on this site and on other nearby sites in Hale Village, the retail uses would serve and support the residential uses, promoting sustainable development, and are unlikely to adversely impact on the vitality or viability of established or proposed town centres. The retail uses are thus acceptable and in accordance with policy.

133 Haringey Council's emerging Policy DM47 (Hot food takeaways) seeks to resist new hot-food takeaways (Class A5 uses) within 400 metres of schools. As Class A5 uses are included within the flexible A-class uses proposed, and the unit within Block A is within 400 metres of a primary school, it is recommended that a planning condition is used to prevent the use of this unit for Class A5 purposes, in order to ensure compliance with this policy.

Leisure

134 As noted above, the adopted and emerging site specific policies for the Hale Wharf site envisage that development proposals will include leisure uses linked to the Lee Valley Regional Park. The Lee Valley Regional Park Authority's Park Development Framework (2011) includes an aspiration for the Hale Wharf site to accommodate a Park compatible leisure use such as recreational facilities or waterside visitor facilities. The application does not include specific leisure facilities or visitor facilities linked with the Park within the proposed scheme, although the commercial spaces proposed such as retail and cafe uses have the potential to provide informal facilities for visitors. However, the scheme would deliver an improved environment and facilities for users of the Park by providing two pedestrian bridges and landing space for a third bridge resulting in new east-west links through the site and improved connections into the Park's spaces. Additionally, new publicly accessible open spaces will be provided on the site itself. These include an area of formally landscaped space which can be used for temporary leisure uses such as market stalls as explained further in paragraph 236, and landscaped open space to the north of the site which will provide a new area of green open space in designated Green Belt as explained further in paragraph 153. Additionally, whilst the proposals do not provide specific leisure uses, the development will contribute £500,000 towards qualitative improvements to the Park itself through the upgrade of the Paddock.

135 The scheme delivers strongly on the other priorities identified in the adopted and emerging site allocation, including the provision of housing, workspace and increased connectivity through the Park. The proposals would contribute significantly towards the regeneration of Tottenham Hale with associated benefits to this part of the Park. On balance, the proposed land uses are acceptable having regard to adopted and emerging site specific policy.

Blue Ribbon Network

136 London Plan Policies 7.24-7.28 address the Blue Ribbon Network and the approach to maintaining this strategic network of waterspaces for water related purposes, in particular for passenger and freight transport. Policy 7.24 states that development should contribute to the overall quality and sustainability of London by prioritising uses of the waterspace and land alongside it safely for water related purposes. Policy 7.26 states that development should protect existing facilities for waterborne freight traffic, in particular safeguarded wharves should only be used for waterborne freight handling use. Policy 7.27 states that development proposals should protect and improve existing access points to (including from land into water such as slipways and

steps) or alongside the Blue Ribbon Network (including paths). New access infrastructure into and alongside the Blue Ribbon Network will be sought.

137 The site is not a safeguarded wharf (as identified in the Mayor's Safeguarded Wharves Implementation Report January 2005 and subsequent Safeguarded Wharves Review: Final Recommendation report (2013)). The site is not currently used by waterborne freight traffic. As such Blue Ribbon Network policies do not require the protection of the wharf for the purposes of accommodating barge freight. The adopted and emerging site allocation policies promote the redevelopment of the site for a mix of uses including residential uses and compatible employment uses and do not promote the use of the site as an active wharf.

138 The scheme would not affect the operation or use of the existing waterspaces, including the operation of the lock and maintenance of existing towpaths. Access to the leisure moorings would be maintained, and the scheme would retain the existing moored business barges on the site. New access infrastructure in the form of pedestrian bridges would also be provided within the proposed scheme, and these will significantly improve the connectivity into and through the Blue Ribbon Network, in line with London Plan Policy 7.26. The scheme would provide improved public access to the waterways via the wharveside open space as outlined in paragraph 236, and would make improvements to the biodiversity and landscape quality of the water's edge which will enhance the environment of the Blue Ribbon Network, in accordance with Policy 7.28.

139 A planning condition has been included to require the applicants to submit a feasibility study into the use of waterborne freight during the demolition and construction, in line with the aims of encouraging the water network for freight. The development is therefore in compliance with the land-use related Blue Ribbon Network policies.

Social infrastructure and funding

140 London Plan Policy 3.16 (Social infrastructure) requires boroughs to ensure that adequate social infrastructure provision is made to support new developments. Since the introduction of the borough's community infrastructure levy (CIL), CIL receipts from new development are expected to take the place of traditional individual s106 contributions towards the provision of necessary additional social infrastructure such as school places, healthcare facilities and leisure facilities. The Borough CIL receipt from this development is expected to be up to £643,489 (£289,231 for Phase 1 and up to £354,258 for Phases 2/3). Site specific works, such as highway infrastructure, landscaping and public realm and contributions to open space to mitigate the impacts of the development, are recoverable via the s106 agreement, as set out in paragraphs 413-426 below.

141 In addition, this site is subject to significant public funding towards infrastructure which will help unlock the potential for higher density development on the site and deliver the objectives of the Opportunity Area and Housing Zone. The GLA, through its Housing Zone budget, has committed a recoverable grant of £11.95 million towards site enabling works, and £2.72 million towards the cost of the proposed pedestrian bridges. Together with funding from the Council, the proposed bridges would be fully funded. The applicants will maintain the bridges, and provision for their permanent maintenance is secured within the s106 agreement.

Principle of development conclusion

142 As set out above, given the site's context within the Upper Lee Valley Opportunity Area, the Tottenham Housing Zone, the site's local designation within the draft Tottenham Area Action Plan, and the strategic priority afforded to housing, the principle of the housing-led redevelopment of this site is strongly supported. The application includes the provision for replacement employment if shown to be needed. Whilst no specific Park-linked leisure facilities are included within the scheme, given the significant benefits that the scheme will provide towards regeneration

and in the light of the proposed improvements to open space and the Blue Ribbon Network, this is acceptable. The loss of the wharf is acceptable as it is not safeguarded and the Local Plan does not promote its continued use. No reasons for refusal are cited by Haringey Council in relation to land use principles.

143 Having regard to the above, the proposal would make a significant contribution towards the wider policy and regeneration objectives of the Opportunity Area, including housing and employment. The principle of the proposed uses therefore accords with the NPPF, London Plan and Council policy, the Upper Lee Valley Opportunity Area Planning Framework, the Tottenham Urban Centre Masterplan SPD, the emerging Tottenham Area Action Plan, including the site specific allocation TH9 – Hale Wharf, and the Lee Valley Regional Park Authority's Park Development Framework.

Phasing

144 The development would be carried out in three phases as outlined in the introduction. Phase 1 comprises the detailed element of the scheme, whereas Phases 2 and 3 are submitted in outline form. However, Phases 2 and 3 could be constructed simultaneously. As the affordable housing would be delivered in Phases 2 and 3, the s106 agreement will secure the completion of the development in accordance with an approved phasing programme, and will ensure that Phase 2 is commenced and a contract for the disposal of the affordable housing with a registered provider is entered into prior to the full occupation of Phase 1.

145 The pedestrian Bridges 1 and 2 are shown on the phasing plan to be delivered in Phase 1, but the bridges have been submitted in outline form. It is intended that Bridges 1 and 2 are delivered during the construction of Phase 1, if a feasibility study shows that it is feasible to link the site into the Hale Village energy centre (as the bridges would carry the necessary connection pipes). This is discussed further in paragraph 336 below. If this is not feasible, the bridges would be delivered prior to the occupation of Phase 2. The s106 agreement would secure both scenarios, and in either case would ensure that the bridges are open for use prior to the occupation of more than half of the proposed dwellings and would thus be acceptable in planning terms.

146 The submitted drawings for Phase 1 include a temporary area for parking during construction. This will ultimately form part of the built development zone for Phases 2/3. The public realm in Phase 1 would be completed in two stages. Stage 1 would complete the eastern side of the public realm, the frontage to Ferry Lane and the play space and gardens between Blocks A and B. Stage 2 would complete the remaining areas of public realm, including the wharfside walk, Bridge Square and the western side of the proposed tree avenue. This staged approach would allow for the construction phase to progress while providing a safe and attractive route for residents.

Green Belt and open space

147 Part of the site is within designated Green Belt. Whilst the Green Belt boundary is not clearly indicated on Haringey Council's adopted proposals map, an interrogation of the map layers and a comparison with previous adopted proposals maps shows that a piece of land within the application site from the northern boundary and running south for 37 metres is designated as Green Belt. A strip of land along the eastern boundary, ranging in width between 2-4 metres, is also within the Green Belt.

148 It is noted that Haringey Council's report to committee referred only to the northern part of the site being within Green Belt. Furthermore, the Council's report stated that no buildings were proposed on this part of the site. The GLA's Stage 2 report to the Mayor confirmed that areas in the northern and eastern parts the site were within the Green Belt as stated above. The Mayor's report

also acknowledged that the outline application proposals at that time showed that part of the northernmost indicative block (Block G) would be built on land designated as Green Belt. The report stated that the application would need to be revised to revise the development zones and remove any indicative buildings on Green Belt land, in order to comply with relevant planning policy.

149 Since the Mayor's decision at Stage 2, GLA officers have worked with Haringey Council to confirm the boundaries of the Green Belt as shown on Haringey's adopted Local Plan proposals map. Following confirmation of the Green Belt boundary, the applicants have submitted revised plans that reduce the extent of the development zones and omit any built development on land designated as Green Belt. The amendments have necessitated the omission of one of the indicatively proposed residential blocks (Block G) and the redistribution of the floorspace indicatively provided into Blocks C, D and E, ensuring that the extent and quantum of development remains within the parameters that have been applied for. The amendments are:

- Revised Parameter Plans for the outline component of the scheme, omitting Block G and provision of additional storeys to Blocks C, D and E. The height of these blocks will not exceed the maximum height parameter of 46.41 metres and 37.05 metres AOD.
- Landscaping of the northern and eastern parts of the site within Green Belt.
- No changes are proposed to the size, mix or number of residential units indicatively proposed.

150 The GLA carried out public consultation for 21 days, notifying stakeholders of these revisions, as detailed in paragraph 95 of this report.

151 The NPPF sets national policy guidance on the protection of Green Belt land, and states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Green Belt serves five purposes:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

152 London Plan Policy 7.16 'Green Belt' and Haringey Strategic Policy SP13 'Open space and biodiversity' generally accord with national guidance and reiterate that Green Belt will be given the strongest level of protection against encroachment by inappropriate development.

153 As stated above, the application plans have been revised to ensure that no built or other inappropriate development is proposed on land designated as Green Belt. The designated Green Belt land within the application site will become landscaped open space including soft landscaping and trees, with an area of hardstanding forming a pathway through the site to the northern boundary, and a small section of reinforced grass surface forming a turning area for cars parked south of the Green Belt boundary. This landscaping will not reduce the openness of the designated Green Belt and will indeed significantly improve on the quality of the space which is currently entirely hardstanding and used for the storage of pallets. As such, the application proposals do not conflict with the aim of Green Belt policy, which is to prevent designated land being built upon, and do not conflict with the purposes of including land within Green Belt.

154 Haringey Council's saved UDP Policy OS5 'Development adjacent to open spaces' seeks to carefully control development close to the edge of Green Belt and other designated open space, in order to ensure that it protects or enhances the value and visual character of the open land. The justification for this policy is that the character of the open land is valuable; that development adjacent to the designated open space can affect its open character and views from and to it; and that development may affect the natural habitat of adjacent open space.

155 It should be reiterated that no buildings are positioned on Green Belt. The proposed buildings would be visible from open spaces such as the Paddock and from the marshes, reservoirs and River Lee Navigation towpath and would to some degree change their visual character, but the quality and function of the open spaces is not diminished by the visibility of tall buildings on the edges marking the urban centre. In the case of the Paddock, it should be noted that this space is currently experienced as a green space within an urban environment. Many of its pathways are screened by trees, but there are views of existing industrial buildings and the Hale Village development from several viewpoints. The scale of visible development would undoubtedly be greater, however the essential characteristics of this open space would not be altered. The space is also significantly degraded by fly tipping, littering and rough sleeping. The proposed development would bring about linkages to this space and will contribute funds towards its upgrade and maintenance which should significantly improve the environment for visitors.

156 In the case of the Lee Valley Regional Park and its waterways, part of value and character of the valley is that the waterways pass through a varied landscape of built environment, industrial heritage and green and open space and the visitor can experience all types of landscape when passing through the park. The fact that the valley would pass through an urban centre and a growth area marked by tall buildings would not diminish the character of the park, rather it would contribute to the variation in landscape which defines it. It has been established, as explained below in paragraphs 158-172 of this report, that the development would not harm the ecological value of the park or its natural environment. In these respects, it is considered that the impact of the proposals on local open spaces is acceptable and the scheme complies with the requirements of Haringey saved UDP Policy OS5.

157 The character of the local environment and impact on natural habitat are also important considerations in their own right, and these will be considered in the following sections addressing the natural environment and design.

Natural environment

158 The site is sensitive in relation to nature conservation as it lies partly within the Lee Valley (Metropolitan) Sites of Importance for Nature Conservation (SINC), specifically the landings and span for the proposed Hale Village Green Link Bridge adjacent to Pymme's Brook; a narrow strip of the landscaped eastern edge of the site; and the northern tip of the site. The northern tip of the site extends by approximately 19 metres into the SINC, with an area of approximately 500 sq.m. This area is predominantly hardstanding (approximately 400 sq.m.) and used by a pallet business, with limited scrub and trees on narrow strips to the east and west.

159 The site is within 500 metres of three others SINC, namely, Tottenham Marshes SINC (Borough Grade I), Tottenham Hale to Northumberland Park Railside SINC (Borough Grade II) and East Hale Allotments (Local). It is also adjacent to the Lee Valley Special Protection Area (SPA), Ramsar site, Important Bird Area and within 20 metres of the Walthamstow Reservoirs Site of Special Scientific Interest (SSSI), which is protected for wetland habitats and species. Whilst the solid land areas of the site itself are of low ecological importance, the waterways and adjacent wetland and woodlands are likely to provide valuable foraging and habitat to bats, wetland bird species, aquatic mammals and fish.

160 London Plan Policy 7.19 (Biodiversity and access to nature) states that wherever possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity. It gives the highest priority to protecting sites of international importance (including SPAs and Ramsar sites) and national importance (including SSSIs). The policy gives “strong” protection to sites of metropolitan importance. Policy 7.28 (Restoration of the Blue Ribbon Network) addresses the need for development to protect biodiversity and increase the habitat value of the Network.

161 Haringey Strategic Policy SP13 (Open Space and Biodiversity) states that all development must protect and improve sites of biodiversity and nature conservation, including SINC. Paragraph 6.3.24 states that the Council will not permit development within SINC unless there are exceptional circumstances and where the importance of any development coming forward outweighs any nature conservation value of the site, or where the site has more than one designation. Emerging Policy DM19 (Nature Conservation) requires that where possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity and should protect and enhance SINC.

162 The applicant’s Environmental Statement (ES) has considered the impacts of the proposals on ecology and biodiversity. Both the construction and demolition phases and the impact of the operational development have been considered. The ES contains recommendations for mitigation measures where necessary, to prevent adverse impact on ecology and wildlife.

163 During the construction phase, the development would have potential impacts on the adjoining ecologically sensitive areas, including clearance of vegetation, the potential for noise, reduction in air quality, contamination, light disturbance and contamination/ spillages into waterways and the adjacent habitats. During the operational phase, the potential impacts of the built development could include the overshadowing of natural habitats by the new buildings, the reduction of sightlines and displacement of birds, the potential for bird strikes and interference with bird flight paths, the impact of noise and light disturbance, and pressures from the increased number of visitors to the Regional Park.

164 The applicant’s ES has considered these impacts and concludes that with the implementation of appropriate mitigation and enhancement measures, the proposals are unlikely to have adverse impact on the wildlife and ecology of the site and its surroundings. The recommended measures include the following:

Construction and demolition phases:

- Submission of a construction environmental management plan (CEMP) which will include controls on invasive plants, prevention of accidental spills and a pollution prevention plan, avoidance of clearance works during bird nesting season or the presence of an Ecological Clerk of Works.
- Submission of a lighting management plan which will address light spillage during demolition and construction.
- Use of 2 metre acoustic hoarding on the eastern boundary of the site to reduce noise disturbance.
- Any demolition works that would need to take place without acoustic hoarding would be timed to avoid the presence of overwintering birds, i.e. between May and August.
- Measures for the protection of water voles (including further surveys, re-location, and the creation of aquatic vegetation through the use of floating reed beds).
- Removal and prevention of invasive non-native species on the site.

Operational phase:

The following design interventions are proposed:

- The massing of the proposals has been designed to reduce in scale and “rake away” from the closest parts of the adjoining designated ecological areas. Overshadowing analysis has found that there would not be significant impact on wildlife habitat from the new buildings. Modelling shows that there is no significant risk of displacement or bird strike.
- The proposals will provide new areas of open space and soft landscaping to the northern and eastern parts of the site, which will be biodiversity zones including the planting of native and nectar-rich species. This will significantly improve the environment provided by the existing parts of the site within the SINC, which are predominantly hardstanding in use by a pallet business.
- Aquatic planting in the form of floating reed beds will be installed in the Lee Navigation to provide support for aquatic plant species and invertebrates, and shelter for breeding fish.
- A 3.8 metre wide verge will be established between the eastern face of the proposed buildings and the bank of the Flood Relief Channel, planted with herbaceous plants such as grasses and forbs.
- Insect hotels and bat and bird boxes will be located within the biodiversity zones and on buildings where appropriate.
- A lighting design code will set the technical parameters for the proposed development which will address light spill, sky glow and glare.
- A pollution prevention plan will be submitted and implemented.

165 The applicants have submitted a Habitat Regulation Assessment (HRA) Screening Report to provide information to the Council and Natural England on the proposed development and to help the decision maker to determine whether an appropriate assessment under Regulation 61 of the Conservation of Habitats and Species Regulations 2010 (as amended) is required. The determination required by Regulation 61 now needs to be discharged by the Mayor of London, who is exercising powers of the local planning authority for the purposes of determining the application.

166 The HRA Screening Report concludes that with appropriate mitigation measures in place, as also identified in the ES and discussed above, significant effects on the Lee Valley SPA and Ramsar site alone or in combination with cumulative schemes are unlikely, and no further assessment is considered necessary. The Report considers the likely effects of the proposed development relating to noise, lighting, air quality, overshadowing, reduced sight lines, bird strikes, pollution, invasive weeds and increased visitor pressures. It concludes that the proposed development would not undermine the integrity of the Lee Valley SPA and Ramsar sites or impact on their conservation objectives.

167 The Council, during its assessment of the application, commissioned independent advice on ecology issues from the Nature Conservation Ranger Team at Redbridge Council. The independent advice confirmed that there were no objections to the proposals in principle in terms of their impact on ecology, provided that the mitigation measures outlined above, as well as the long-term management and maintenance of soft landscaping, are implemented.

168 Natural England was consulted on the proposals and the HRA Screening Report and confirms that provided the proposed mitigation package is implemented there are unlikely to be significant effects on the Lee Valley SPA and Ramsar site or the Walthamstow Reservoirs SSSI. Natural England confirmed that no further assessment is necessary and raised no objections to the proposals.

169 Additionally, the London Wildlife Trust and the RSPB were consulted on the proposals, and neither raised objections. Whilst the Lee Valley Regional Park Authority has raised objections to the

height of the buildings in terms of their impact on the character of the Park, it has not been suggested that the ecological mitigation measures are insufficient or that the proposals would have adverse impact on ecology.

170 On the basis that the above design and mitigation measures will be secured by condition and via the Design Codes, officers are satisfied that the proposals would avoid harmful impact on wildlife, the ecology and biodiversity, and will provide for the suitable protection and enhancement of the natural environment. In particular, on the basis of all of the available material, including the view of Natural England, officers are satisfied that with the proposed mitigation measures the proposed development is not likely to have a significant effect on the Lee Valley SPA and Ramsar site. As such, no appropriate assessment pursuant to Regulation 61 of the 2010 Regulations is required.

171 The proposals comply with the requirements of London Plan Policy 7.28, with improved public access to the waterways via the wharveside open space and the new pedestrian bridges, enhancement of the existing moorings, and improvements to the biodiversity and landscape quality of the water's edge which will enhance the environment of the Blue Ribbon Network. The proposals are in accordance with London Plan Policy 7.19, Haringey Strategic Policy SP13 and Haringey emerging Policy DM19.

172 It should be noted that revised plans have been received since the submission of the applicant's ES. The revisions have reduced the extent of the development in the north of the site, creating approximately 1,100 sq.m. of additional soft landscaped, planted open space which will include the planting of native species and additional bat boxes and insect hotels. The landscaping will be secured via conditions and the Design Code. The analysis within the ES was based on the original development zones applied for and the maximum height parameters, which would not be exceeded by the revised proposals. The revised proposals would not increase the previously modelled impact of the proposals on ecology and biodiversity, or on the European Protected Sites, and could indeed have beneficial effects, therefore it is not considered necessary to carry out additional analysis.

Trees

173 London Plan Policy 7.21 (Trees and woodlands) supports the retention of existing trees of value and the planting of additional trees where appropriate. Policy 5.10 (Urban Greening) states that development proposals should integrate green infrastructure from the beginning of the design process to contribute to urban greening, including the public realm. Haringey Local Plan Policy SP 13 (Open Space & Biodiversity) seeks the protection, management and maintenance of existing trees and the planting of additional trees where appropriate.

174 The applicants have submitted an Arboricultural Impact Appraisal and Method Statement. Due to the current nature of the site, which is largely covered in hardstanding and storage areas, there are only a small number of existing trees on the site, located on the eastern and western edges. There are four existing individual trees and three groups of trees. These consist mostly of self-seeded trees including Sycamore, Hawthorn and Willow. Most trees within the site are assessed as being of low quality and value (Category C) and none are graded as high quality and value (Category A).

175 The proposals would result in the loss of two existing trees: an apple tree near the existing site entrance on Ferry Lane and a Hawthorn tree located towards the north-western corner of the site. Groups of trees on the strip of land between Pymmes Brook and the River Lee Navigation may also need to be removed to make way for the proposed pedestrian Bridge 1. The proposals include substantial new tree planting, including 17 trees in the new "avenue" towards the south of the site, tree planting within the central courtyard and approximately 1,100 sq.m. of landscaped space

including tree planting to the north of the site. The tree planting includes native species such as Oak, Alder and Hornbeam. The proposals would thus significantly enhance the tree cover and the biodiversity value of the site, and thus the loss of the low-category existing trees is acceptable. Conditions are recommended to ensure that the existing trees to be retained are protected during construction works.

Housing

Housing mix and tenure

176 The application would provide up to 505 residential units. The detailed element (Phase 1) would deliver 249 dwellings, with Block A providing 141 homes for private sale and Block B would be a private rented sector (PRS) block, providing 108 homes for market rent. Phase 1 would provide the following housing mix:

Unit type	Building A (Market sale)	Building B (Market rent (PRS))	Total
Studio	7	0	7
One-bed	54	50	104
Two-bed	80	51	131
Three-bed	0	7	7
Total	141	108	249

Table 1, Phase 1 housing mix

177 The outline element (Phases 2 and 3) would thus provide up to 256 dwellings providing a maximum total of 505 units. The affordable housing would be delivered within Phases 2 and 3. The overall indicative housing mix is therefore as follows:

Unit type	Market (sale)	Market (rent)	Affordable rent	Intermediate (shared ownership)	Total	%
Studio	10	0	0	0	10	2%
One-bed	75	50	0	67	192	38%
Two-bed	88	51	17	76	232	46%
Three-bed	47	7	17	0	71	14%
Total	247	108	34	143	505	100%

Table 2, overall indicative housing mix

178 London Plan Policy 3.8 and the Housing SPG promote housing choice in terms of the mix of housing sizes and types, taking account of the housing requirements of different groups and the changing roles of different sectors, including the private rented sector, in meeting these. Policy 3.8 also provides specific support for PRS units in addressing housing needs and increasing housing delivery. London Plan Policy 3.11 states that priority should be accorded to the provision of affordable family housing.

179 Haringey Local Plan Policy SP2 (Housing) requires dwelling mix to comply with the Council's Housing SPD (2008). However, this has been formally revoked and no longer forms part of planning policy. The Council's Strategic Housing Market Assessment (SHMA) (May 2014) identifies a preference for larger homes, although it estimates that around 67% of future demand will be for one and two bedroom properties. Emerging Policy DM 11 (Housing Mix) requires the mix of housing to have regard to individual site circumstances. In relation to the affordable housing mix, the Council's draft Housing Strategy (2015-2020) sets out the following target percentage mix within schemes:

- Affordable Rent: 1-bed – 15%, 2-bed – 43%, 3-bed – 32% and 4-bed – 10%
- Intermediate: 1-bed – 20%, 2-bed – 50%, 3-bed – 25% and 4-bed – 5%

180 The proposed housing mix provides predominantly one and two bedroom units, with 14% family sized housing. However, it is noted that 50% of the proposed affordable rented units would be family sized units, which is supported by London Plan Policy 3.11 and exceeds the target of 42% affordable rented family housing in the Council's emerging Housing Strategy as set out above. It is recognised that one and two bed units are more suitable for flatted development, which this site will predominantly provide. The three bed units are proposed to be located largely at ground and first floor levels (duplex units) in low rise blocks, which are more suitable for family dwellings. A large proportion of one and two bed units are considered appropriate in this highly accessible location which is suitable for high density development, and smaller units are particularly suitable for PRS use. As stated in the Mayor's Housing SPG (paragraph 164): "Build to rent can be particularly suited to higher density development within or on the edge of town centres or transport nodes. Local policies requiring a range of unit sizes could be applied flexibly to build to rent schemes in these locations to reflect demand and the distinct viability challenges faced by build to rent."

181 Haringey Council assessed the housing mix in its report to committee and confirmed that the mix met local needs for this area and borough requirements. No reasons for refusal were cited by Haringey Council with regard to the housing mix. Having regard to local need and the site circumstances, the proposed housing mix is acceptable and in accordance with London Plan and local policy.

182 The proposal provides 108 units for private rent. This is supported by London Plan Policy 3.8 as outlined above. The Mayor's Housing SPG provides further guidance on PRS schemes, and suggests that where the provision of PRS reduces the overall quantum of affordable housing that can be provided on the site, then the PRS element should be subject to a covenant, Section 106 agreement or other legal agreement, to retain the PRS in a single ownership for a typical period of 15 years, and preventing the loss of PRS units to market sale within this period. The s106 agreement for the proposals will include such a covenant and would prevent the occupation of the PRS units for any other tenure except PRS for a period of 15 years from first occupation. A mechanism will also be secured in the s106 agreement, to require the clawback of any affordable housing that would have otherwise been viable in the scheme without the inclusion of PRS, in the event of any transfer of the units out of PRS tenure within 15 years. The affordable housing elements are further discussed in the following section.

Affordable housing and financial viability

183 London Plan Policy 3.11 (Affordable housing targets) states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London up to 2031. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the

affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

184 London Plan Policy 3.12 (Negotiating affordable housing on individual sites) requires that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes. Negotiations on sites should take account of their individual circumstances including development viability, resources available from registered providers (including public subsidy), the implications of phased development including provisions for re-appraising the viability of schemes prior to implementation ('contingent obligations'), and other scheme requirements.

185 Under Policy 3.12 it is set out in paragraph 3.71, that *"Developers should provide development appraisals to demonstrate that each scheme provides the maximum reasonable amount of affordable housing output. Boroughs should evaluate these appraisals rigorously, drawing on the GLA development control toolkit and other independent assessments which take account of the individual circumstances of a site, the availability of public subsidy and other scheme requirements."*

186 On 29 November 2016 the Mayor published his draft Affordable Housing and Viability Supplementary Planning Guidance (SPG) which sets out his preferred approach to the delivery of affordable housing, introducing a 35% threshold approach to viability. The document also sets out detailed guidance to the form and content of viability assessments and the requirements for review mechanisms. The public consultation on the draft document closed on 28 February 2017. Alongside the draft SPG, the Mayor also launched in November 2016 a new Affordable Homes Funding Programme for the period of 2016-21, which introduced new affordable products, rent benchmarks and grant rates.

187 Haringey Strategic Policy SP2 (Housing) seeks a borough wide target of 50% affordable housing based on habitable rooms, subject to viability, on all sites capable of delivering ten or more units. An affordable housing tenure split of 70% affordable rent and 30% intermediate housing is sought.

188 Haringey Council's emerging revised Local Plan Policy SP2 and emerging Development Management DPD Policy DM13 (Affordable Housing) seek a lower target of 40% affordable housing, based on evidence of development viability. A borough wide tenure split of 60% affordable/social rent and 40% intermediate housing is proposed, in line with the London Plan target split.

189 The emerging Tottenham AAP Policy AAP3 (Housing) states that the Council will expect affordable housing to be delivered in accordance with the above borough-wide policies, with the exception of the preferred tenure split which is reversed in order to rebalance the predominant social rented tenure in Tottenham and to introduce alternative affordable tenures. The target split in the AAP area is thus proposed to be 60% intermediate and 40% affordable rented housing.

190 When the Mayor considered the application at Stage 1, the application proposed up to 34 affordable units in the form of affordable rented units to be provided in Phase 3, equating to 9% of the scheme on a habitable room basis. Whilst the constraints of developing this site were acknowledged (e.g. the increased development costs of developing an island site surrounded by water, and the limitations for increased height and density adjacent to ecologically sensitive areas), it was noted that the proposal would benefit from a GLA grant of £11.95 million towards infrastructure within the scheme. As significant public funding was committed to the scheme, GLA officers and the Mayor considered that the level of affordable housing should be increased, and that a portion of the affordable units should be provided in Phase 1.

191 Following independent review of the applicant’s viability assessment by consultants appointed by the Council (BNP Paribas), the applicant engaged in further discussions with the Council and the GLA. As it was demonstrated that the scheme could not currently viably deliver a policy-compliant level of affordable housing, the GLA agreed to contribute grant of up to £7.75m, payable to a Registered Provider, to enable delivery of 30% affordable housing by habitable room. The additional affordable housing agreed was in the form of 116 shared ownership units. The housing grant is in addition to the £11.95 recoverable grant towards site enabling works and the £2.72 million towards the cost of the proposed bridges, from the Housing Zones budget.

192 Haringey Council reported the 30% offer, which included a proposal for a recycling mechanism to achieve up to 35%, to its planning committee in November 2016. Since the Mayor’s decision to take over the application in January 2017, GLA officers have reviewed the scheme viability and worked with the applicants to secure additional affordable housing. The baseline affordable housing commitment has subsequently been increased to 35.7% by habitable room (35% by unit). This will be the minimum level of affordable housing that will be secured within the s106 agreement.

193 The affordable housing will be subject to reviews of viability, and depending on how much viability improves this could result in provision of up to 50% and the recovery and recycling of the GLA’s grant funding. Review mechanisms will be secured at three stages in the development process as explained further below.

194 To summarise, the increased affordable housing offer comprises the following:

Affordable units	Number of units	% by unit	% by habitable room
Intermediate	143	80.8%	75.3%
Affordable rent	34	19.2%	24.7%
Total (% of scheme)	177 (35%)	35%	35.7%

Table 3: Affordable Housing breakdown

195 The affordable rented housing would be provided at the following rents:

Affordable rent	
One bedroom	Up to 80% market rent or Local Housing Allowance (LHA)
Two bedroom	Up to 65% market rent or LHA
Three bedroom	Up to 55% market rent or LHA

196 The income thresholds for the shared ownership units will be capped at a gross household income of £90,000, in line with London Plan Policy 3.10 (as updated by the July 2016 update to the 2014-15 London Plan Annual Monitoring Report), and maximum housing costs will be 45% of net household income in line with Haringey Council’s draft housing strategy. Whilst this will be maximum income cap, the s106 agreement will secure housing at a range of income thresholds below the upper limit to ensure the housing is genuinely affordable, in line with the guidance within the Mayor’s draft Affordable Housing and Viability SPG (para.2.41).

197 The amount of proposed affordable housing, whilst meeting the threshold target of 35% as set out within the Mayor’s draft Affordable Housing and Viability SPG, is below Haringey Council’s adopted policy target of 50% and the emerging policy target of 40% by habitable room. The tenure split, weighted heavily towards intermediate provision, is also at variance from Haringey Council’s

adopted tenure split target of 70:30 affordable rent: intermediate and the emerging Tottenham AAP target of 60:40 intermediate: affordable rent. Given this, prior to the Council reporting the application to its planning committee, the applicant's revised 30% offer with grant funding was reviewed again by the Council's independent consultants, who confirmed that the proposed scheme could not support in excess of 30% affordable housing and that this amount with the proposed tenure split represented the maximum reasonable amount.

198 Having reviewed the viability information since the Mayor's decision to take over the application, GLA officers noted that up to 35% could be viable within the scheme on a growth basis, and this analysis subsequently informed the revised 35% offer by the applicants. Having considered the information submitted by the applicants, the Council's consultant, and the revised 35% baseline offer, officers are satisfied that the above affordable housing offer represents the maximum reasonable amount of affordable housing, taking into the individual circumstances of the site. The rents and income levels specified within the S106 agreement will ensure that the affordable homes are genuinely affordable to local people. On this basis, the affordable housing provision complies with NPPF policy, as well as London Plan and Haringey Council's local policies, which require the maximum reasonable amount of affordable housing to be delivered on sites subject to viability.

199 It should also be noted that through the emerging Tottenham AAP Policy AAP3 Haringey Council has committed to a "portfolio based approach" to sites, working collaboratively with landowners through the planning system to coordinate the provision of housing tenure and types. This means that each site will be considered in terms of its specific characteristics and suitability for different housing types and tenures and balanced against proposals for other sites in Tottenham Hale, with the Council playing a key role in managing the distribution across the area. For example, some sites may be more appropriate for family or smaller units, while others may suit particular tenure types. The Hale Wharf site has been identified as particularly suitable for affordable rented family housing, which this scheme provides in a mixture of two and three bedroom units, as well as smaller shared ownership units. The portfolio approach currently projects 40% affordable housing across all sites within the AAP area.

200 In relation to the tenure split, officers have had regard to the intention behind Haringey's emerging Tottenham AAP Policy AAP3 which aims for weighting in favour of intermediate tenures in order to redress the current dominance of social rented accommodation in the Tottenham area. This is supported by London Plan Policy 3.9 which aims for a balanced mix of tenures to create mixed and balanced communities, particularly in some neighbourhoods where social renting predominates. The Mayor's draft Affordable Housing and Viability SPG also sets out that in Opportunity Areas and Housing Zones, it may be appropriate to take a more flexible approach to tenure and affordable housing product. In this respect, GLA officers are supportive of the proposed tenure split.

201 Details of the affordable housing will be secured in the section 106 agreement, should permission be granted. This will include details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation and rent levels for the affordable rented units.

Review mechanisms

202 Noting that this scheme will be built out in three phases, the requirement for a review mechanism has been a consideration during the financial viability review process. This is acknowledged in London Plan Policy 3.12, as stated above, and paragraph 3.75, which confirms that viability re-appraisals may be used to ensure that maximum public benefit is secured over the period of development. The Mayor's draft Affordable Housing and Viability SPG (2016) reiterates that the Mayor supports the use of review mechanisms, which "support effective and equitable

implementation of planning policy while also providing flexibility to address viability concerns such as those arising from market uncertainty.” In terms of general principles, a review mechanism sets out requirements to re-evaluate the viability of a scheme at a certain point in time or in phases, refreshing and updating inputs and assumptions that are relevant at that time. If a scheme is more financially viable than when approved then the review mechanism would normally trigger the provision of additional affordable housing, either on-site, off-site or in the form of financial contributions towards affordable housing elsewhere.

203 Up to three review mechanisms are proposed for this development at the following stages:

1. If the development has not been substantially implemented within two years of the date of consent, a forward-looking review will take place which will analyse the development costs and values at that time, capturing any uplift in viability towards the provision of additional affordable housing on the site up to a level of 50% of the scheme or the level of grant funding;
2. A viability review will be submitted prior to the commencement of Phase 2. This review will consider the actual build costs and sales values achieved within Phase 1, using this information to forecast whether there will be a surplus to put towards the provision of additional on-site affordable housing within Phases 2 and 3 up to a level of 50% of the scheme or the level of grant funding; and
3. A final review will take place upon substantial completion of Phases 2 and 3, i.e. at the end of the development. This review will be based on the actual build costs and sales values achieved within the scheme and will establish whether a surplus has been generated which can be used as a financial contribution to securing additional off-site affordable housing, up to a level of 50% of the scheme or the level of grant funding.

204 In addition, there will be further reviews if development stalls for a period of more than 24 months. Officers are satisfied that these review mechanisms are required to ensure that the maximum reasonable level of affordable housing is secured over the lifetime of the development.

Housing quality and residential standards

Density

205 London Plan Policy 3.4 (Optimising housing potential) requires development to optimise housing output for different locations taking into account local context and character, the design principles in Chapter 7 and public transport capacity.

206 Table 3.2 within the London Plan provides net residential density ranges to guide development. The public transport accessibility level (PTAL) of the site ranges from 4 in the northern part of the site to 6a in the south, (6b being the highest on the density range). The site lies in an “urban” setting, as defined by the London Plan. Consequently, Table 3.2 of the London Plan sets out an indicative density range of 45-260 units or 200-700 habitable rooms per hectare.

207 Based on the net residential site area of 1.78 hectares and the maximum proposed units (505) and number of habitable rooms (1,374), the residential density would be 284 units per hectare and 772 habitable rooms per hectare. This is slightly above the indicative density range in the London Plan. However, as mentioned elsewhere in this report, the site is considered suitable for higher density development. It is highly accessible to public transport, being within 300 metres of Tottenham Hale station and numerous bus routes, and the proposed pedestrian bridges will reduce the walking distance from the northern parts of the site to public transport and services, thus making the site more accessible. The bridges would increase PTAL ratings for the northern part of

the site, resulting in all of the site being within PTAL 5, and the part of the site benefitting from PTAL 6a increasing to take in the indicative location of Blocks C and K.

208 The developable areas of the site are also constrained and surrounded by water and open space (which are not included in the density calculation). It is noted that the Mayor's Housing SPG (2016) lends support to higher density development in Opportunity Areas and growth areas, including realising the housing potential from major transport schemes such as Crossrail 2. The SPG states, at paragraph 7.5.8, that "Densities in opportunity areas and on other large sites may exceed the relevant density ranges in Table 3.2 of the London Plan, subject to development achieving the highest standards in terms of residential and environmental quality and proposals addressing the other qualitative concerns set out in Section 1.3 of the SPG". Given the site's location within an Opportunity Area, the London- Stansted-Cambridge-Peterborough growth corridor, the Crossrail 2 growth corridor and a Housing Zone, the considerations on the high quality of the design and residential standards which are considered below, and given the access to open space and the Lee Valley Regional Park, the density is supported.

Standard of accommodation

209 Policy 3.5 within the London Plan seeks to ensure that housing developments are of the highest quality internally, externally, and in relation to their context and to the wider environment. Table 3.3, which supports this policy, sets out minimum space standards for dwellings. The Mayor's Housing SPG builds on this approach, and provides further detailed guidance on key residential design standards including unit to core ratios, and the need for developments to minimise north facing single aspect dwellings.

210 Haringey Local Plan Policy SP2 (Housing) and emerging Policy DM12 (Housing) require high quality new residential development and for development to meet the Mayor's Housing SPG standards.

Detailed application (Blocks A and B)

211 Internal and external space standards: The detailed application confirms that all units within Blocks A and B will meet the London Plan and Housing SPG internal space standards, and 2.5 metre floor-to-ceiling heights will be achieved. All units would have access to private outdoor amenity areas in the form of gardens, terraces or projecting balconies, which meet the Mayor's SPG external space standards.

212 Layout, aspect and daylight: None of the units within Blocks A and B would be single aspect units which face predominantly north. Single aspect units are proposed in each block facing east and west (4-6 units on each floor). The applicant's internal daylight and sunlight assessment demonstrates that 80% of the bedrooms and living rooms/kitchens meet the minimum Average Daylight Factor (ADF) recommended by the Building Research Establishment's guidelines (which form the industry standard for assessing appropriate natural lighting levels). The rooms which fall below the standards are all living rooms which are affected by the overshadowing effect of the projecting balconies to flats above. All units would have at least one room which meets the minimum ADF, and all units have access to their own balcony accessed from the living room. It should be noted that the proposals do not include non-daylit internal kitchens and the calculations are therefore based on the combined area of the open plan living/kitchen space which provides a deeper than usual floorplate. It is therefore considered that the proposals provide satisfactory levels of daylight to all units.

213 Blocks A and B would provide 6-9 units per core, with dual lifts for each core. Whilst the lower floors in each block would exceed the Mayor's SPG standard which aims for a maximum of

eight units per core, given the marginal breach of the standard the generally high quality of the accommodation overall it is not considered that this would compromise the living environment for future residents.

214 Noise: Block A is positioned close to the main road at Ferry Lane. The impact of noise from this road within the residential units can be addressed by adequate sound insulation of the building envelope. It is thus recommended that a condition is attached to require details of the insulation, ventilation strategy and glazing specifications to be submitted prior to the commencement of the development, to ensure a satisfactory internal noise environment for future residents.

215 Outlook and privacy: The separation distance between Blocks A and B is approximately 16 metres. Haringey Council's emerging Policy DM1 (Delivering high quality design) requires that developments provide "an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and the residents of the development", although no specific separation distance is quoted. The Mayor's Housing SPG notes that "in the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18-21 metres between habitable rooms. Whilst these can still be useful yardsticks for visual privacy, adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density." In an urban context officers consider that 16 metres is an acceptable distance between new residential properties as 14-16 metres is typically the width of traditional residential streets of terraced housing. The proposed design of the blocks would position dual-aspect units facing one another, so that each affected unit has an alternative aspect.

216 The detailed elements of the scheme would deliver high quality residential accommodation, and the standard of the units is in broad compliance with London Plan policy and guidance, and local plan policies.

Outline application (Blocks C-K)

217 The detailed design of the residential units provided in the outline part of the application will be considered at the reserved matters stage, and the Council will be able to assess the quality of the residential units in Blocks C-K against relevant policies and standards at that stage. The Illustrative Masterplan, Parameter Plans and submitted Design Codes show that the development zones would be divided into eight separate blocks with minimum gaps between the blocks. The blocks would provide different residential typologies. Parkside family homes (Blocks H, I and J) in blocks of 4-5 storeys would be provided in the eastern part of the site, comprising of 2-3 bedroom maisonettes and duplexes with individual ground floor entrances and ground floor private gardens. Waterside apartment blocks (Blocks C-F) in the western part of the site would be 5-10 storeys high and would comprise of 1-3 bedroom units, including maisonettes at ground floor level with individual ground floor access and private back gardens. Projecting balconies would be provided to dwellings above ground floor. There would be a maximum of 8 units per core in Blocks C-F. Block K would provide flexible commercial and/or residential space. If used for residential units, this block would also provide 1-3 bed dwellings including maisonettes that would be accessed via their own front doors at ground level. A maximum of 9 units per core would be provided in this building.

218 The Parameter Plans show development zones with minimum gaps of 6 metres within the easternmost zone and 10 metres within the westernmost zone. The submitted indicative block layout shows that there would be 6 metres between Blocks H and I, 7 metres between Blocks K and J and 12 metres between the ends of each block in the western zone. Blocks C and K, which face each other across the narrowest part of the site, are shown to be approximately 10 metres apart at their closest point. The design and layout of the blocks is only indicatively shown and the detailed design, including the gaps between blocks, will be submitted at the Reserved Matters stage.

However, given the potential distances between the residential units at the ends of each block and in facing blocks, the detailed design will need to ensure that adequate privacy between units is maintained. This can be achieved by careful consideration of habitable and non-habitable room layouts and use of obscure glazing/privacy screening where necessary. As there is no submitted Design Code which specifically covers this point, it is recommended that a condition is attached to ensure that the Reserved Matters applications include further details on how the layout and design of the buildings would ensure adequate levels of privacy.

219 The Parameter Plans and Design Codes for the outline application show that the scheme would be capable of delivering a high quality of residential accommodation at the detailed design stage. The proposals would show broad compliance with London Plan policy and the Mayor's Housing SPG standards. The Mayor's Housing SPG's standard 28, which requires proposals to demonstrate how habitable rooms are provided with an adequate level of privacy, and local policy DM1 on overlooking and privacy, can be met via the submission of a condition showing how room layout and design would mitigate against instances of close proximity between blocks, and this requirement will be further addressed at the Reserved Matters stage.

Open space and play space

220 London Plan Policy 3.5 sets out expectations in relation to quality and design of housing development, to include public, communal and open spaces. Policy 3.6 requires developments that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. Guidance on the application of this policy is set out in the 'Shaping Neighbourhoods: Children and Young People's Play and Informal Recreation SPG'. This sets a benchmark of 10 sq.m. of useable child play space to be provided per child, with under-fives play space provided on-site as a minimum (within 100m walking distance from a residential unit). Provision for 5-11 year olds should be provided within 400 metres of residential units and provision for over-12s should be provided within 800 metres.

221 Haringey Council's Local Plan Policy SP13 (Open space and biodiversity) requires new developments to provide a minimum of 3 sq.m. of informal or formal playspace per child and an aspirational target of 10 sq.m. as set out in the Mayor's SPG. Additionally, Haringey Council's adopted SPD 'Open Space and Recreational Standards' sets out a borough-wide open space requirement of 1.65 hectares of open space per 1,000 people and 0.24 hectares of allotment space per 1,000 people with new developments either providing the space on site or via off-site contributions.

222 Using the methodology in the Mayor's SPG and in view of the revised affordable housing mix, the scheme would generate a child yield of approximately 93 children, of which 46 would be under five. As such, to meet the SPG, 930 sq.m. of playspace should be provided, including 460 sq.m. of dedicated doorstep play space for under fives. The scheme includes 440 sq.m. of doorstep play space for under-fives, with 100 sq.m. coming forward in Phase 1, adjacent to block B; and 350 sq.m. in Phase 2, within the central courtyard. This is marginally below the Mayor's SPG minimum requirement, however the family sized units within the outline elements of the scheme would be provided with rear gardens (which would be secured through the relevant Design Codes) which would provide additional space suitable for children's play, and the on-site playspace provision is thus acceptable. There is existing playspace at Hale Village, within 400 metres of the site, which can accommodate the required provision for 5-11 year olds, and a number of play spaces for over-twelves are within 800 metres, including the Paddock adjacent to the site, which will have a direct pedestrian route into it when Bridge 3 is constructed. Given the constrained nature of the site it is accepted that it is not practicable to provide dedicated playspaces for older children on-site, and thus off-site provision is acceptable in this instance. A financial contribution of £500,000 would be secured in the s106 agreement towards the maintenance and improvement of the Paddock.

223 As well as dedicated child playspace, the scheme includes approximately 2,880 sq.m. of accessible open space (including the additional space in the north of the application site created by the latest revisions to the plans). The development is expected to generate a resident population of approximately 1,030 people using the methodology in Haringey's SPD, and thus the open space provision, whilst welcomed as providing quality amenity space for residents, falls short of the SPD requirements. In this instance a contribution towards local open space is acceptable given that it would not be feasible to provide the required space on the site. The contribution towards the Paddock (which is in addition to the local CIL receipt that can be put towards the provision of infrastructure including open space), has thus been secured.

224 Further discussion on the landscaping proposals is contained in the urban design section below.

Urban design and heritage

225 The NPPF (at paragraph 56) states that good design is a key aspect of sustainable development and is indivisible from good planning. Paragraph 63 states that, in determining applications, great weight should be given to outstanding designs which help raise the standard of design more generally in the area. In achieving the Mayor's vision and objectives relating to neighbourhoods and architecture, Chapter 7 of the London Plan sets out a series of policies about the places and spaces in which Londoners live, work and visit. Policy 7.1 (Lifetime neighbourhoods) sets some overarching design principles for development in London. Other relevant design policies in this chapter include specific design requirements relating to: inclusive design (Policy 7.2); designing out crime (Policy 7.3); local character (Policy 7.4); public realm (Policy 7.5); architecture (Policy 7.6); tall and large scale buildings (Policy 7.7) and heritage assets (Policy 7.8). These are discussed more specifically below.

226 Haringey Council's Local Plan Policy SP11 (Design) sets out a number of criteria in relation to architecture and urban design. Policy SP12 (Conservation) sets out the approach to ensuring the conservation of the historic significance of Haringey's heritage assets, their setting and the wider historic environment. Saved UDP Policy UD3 (General principles) sets out general design principles for new development including a requirement for proposals to complement the character of the local area and be of a nature and scale that is sensitive to the surrounding area.

227 Haringey's Emerging Development Management Policies DM1 (Delivering high quality design), DM3 (Public realm) and DM6 (Building heights) are also relevant. Policy DM1 sets out the following "Haringey Development Charter":

All development and changes of use must achieve a high standard of design and contribute to the distinctive character and amenity of the local area. The Council will support design-led development proposals which meet the following criteria:

- a. Relate positively to neighbouring structures, new or old, to create a harmonious whole;*
- b. Make a positive contribution to a place, improving the character and quality of an area;*
- c. Confidently addresses feedback from local consultation;*
- d. Demonstrate how the quality of the development will be secured when it is built; and*
- e. Are inclusive and incorporate sustainable design and construction principles.*

228 The emerging Tottenham Area Action Plan includes the following relevant policies on design and conservation: Policy AAP1 (Regeneration and masterplanning) requires applicants to show how proposals within the AAP contribute to the wider objectives of the site, neighbourhood and wider AAP and integrate and complement successfully with existing and proposed neighbouring developments; Policy AAP5 (Conservation and heritage) seeks to protect and enhance heritage assets; and Policy AAP6 (Urban design and character including tall buildings) sets out criteria for assessment of tall buildings.

229 The site specific allocation for Hale Wharf (Site TH9) within the AAP sets out development guidelines, which include:

- *Building heights which respond to the proximity and “openness” of the Green Belt;*
- *Buildings orientated to allow a continuous site line from the Green Link into the Lee Valley Regional Park, with buildings on the eastern side of the Wharf site being responsive to the natural environment of the park and river; and*
- *Improvement of access into the Hale Wharf site.*

230 The Upper Lee Valley OAPF, which is adopted supplementary planning guidance to the London Plan, identifies Tottenham Hale as a suitable location for tall buildings. The Hale Wharf site is identified as a site which could provide a “landmark residential-led development with public realm maximising the waterfront location”, and the OAPF confirms the aspirations for three new bridges providing east-west links from Hale Wharf into the Hale Village Green Link and beyond to the Paddock.

231 Whilst not forming planning policy, it should be noted that the Lee Valley Regional Park Authority’s Landscape Sensitivity Study (2013) identifies this area as highly sensitive to large scale development and identifies the importance of maintaining east-west views across the area. The Authority’s Park Development Framework for Area 3 (The Waterlands: Walthamstow Wetlands to Tottenham Marshes) seeks to develop this site in ways that are compatible with its location in the Regional Park, including new development of a scale and design compatible with its location which responds to the Walthamstow Wetlands.

232 The scheme has been considered in detail at pre-application stage, during the initial Stage 1 consideration by the Mayor, and by the Council in reporting the application to Committee. The scheme was presented to Haringey’s Quality Review Panel (QRP) on three occasions (18 November 2015, 20 January 2016 and 22 June 2016). The response from the QRP to the scheme was generally positive and the panel lent support to the scheme, noting in particular that the silhouette created by the proposals was very good, and whilst the scheme is large, it performs the function of terminating a vista very well and the articulation of the massing works well. The panel noted that the quality of the detailing and public realm would be crucial to the success of the scheme.

Layout and masterplanning

233 The site is a long, relatively narrow piece of land (31–60 metres wide) and is largely surrounded by watercourses. There are a number of constraints and opportunities to developing the site which the proposed layout and massing strategy have sought to address. These include the need to provide public access through the site including access to the existing leisure moorings to the north of the site, the ecological sensitivity of parts of the site and the surrounding land and waterways, and the aspiration for greater connectivity through the provision of pedestrian bridges.

234 The proposed illustrative masterplan for the site has sought to respond to the aspirations by aligning development zones on the edges of the site, which progressively reduce in scale towards the north, and create a central landscaped courtyard and access through to green open space in the north of the site.

235 The masterplan envisages three different zones, responding to the different character areas of the site:

236 An “urban zone”, comprising the tallest buildings (16-21 storeys), would be formed in the southern portion of the site responding to the urban context of Ferry Lane. This is where most public activity would be concentrated. Blocks A and B would be positioned alongside the eastern edge of the site, creating a generous “wharfside” open space to the west at the entrance of the site. This space would include the landing point for the new pedestrian bridge, and the layout would allow clear views of the bridge and the lock operation from Ferry Lane. This space would be hard landscaped which would allow for public uses such as markets. This zone comprises the detailed application component, apart from the bridge and its landing point which are submitted in outline form.

237 The central connecting zone would provide medium rise buildings (4 to 9 storeys) arranged around a central courtyard with formal doorstep playspace and public access route. This zone provides apartment typologies in buildings with active frontages to the courtyard. The development zones in the outline parameter plans secure minimum gaps between buildings, allowing visual permeability through the site. The landing point for a bridge connecting the site with the Paddock would be provided in this zone (the provision of the bridge itself is not included in this application but it would be secured by the s106 agreement).

238 The northern “park zone” would provide buildings of a lower height and density (4 to 6 storeys) and a green landscaped space in the northern tip of the site responding to the Green Belt and the need to safeguard the sensitive ecological areas.

239 The detailed application shows that Buildings A and B would be activated at ground level with commercial frontages and residential entrances that open out on to the public realm. Although these buildings would include extensive servicing and cycle storage areas at ground floor level because of the absence of a basement storey in either of the buildings, the level of animation provided by the active frontages and the upper floor windows and balconies would provide an acceptable edge to the public realm in this urban zone. The Design Codes for the outline elements show that buildings will be designed to include ground floor maisonettes with individual front doors accessed from the central courtyard. This will provide a high degree of animation and natural surveillance of the residential public realm and playspaces.

Landscaping

240 The layout is underpinned by a landscaping strategy which seeks to create high quality, visually pleasing and functional spaces appropriate to each “zone”, including biodiverse areas. The illustrative masterplan indicates hard surfacing with an avenue of trees in the urban zone as described above, which is an appropriate visual response to the historic wharf use of the site, and will allow for functional public use, such as seating, market stalls and the bridge landing. The landscaping of the interior courtyard will allow for formal and informal playspace, seating and soft landscaping and planting, creating an attractive setting for the residential blocks. Private amenity areas would also front on to the courtyard, enclosed by low walls.

241 The land at the north and north-east of the site, which are in or adjacent to Green Belt and/or nature conservation areas would be a grassed area with trees, planted with native species and wildflowers, creating biodiverse areas to complement the ecological importance of the

surrounding areas. Other than beside the wharveside open space, the waterside banks on each side of the site would have 3.8 metre planted edges, with access restricted for maintenance only. Floating reed beds and insect hotels will be provided in these areas, as outlined in paragraph 164 above.

242 Vehicular access through the site would be provided via a central traffic calmed shared surface with a separate pedestrian footway on either side. Parking will be separated from the landscaped amenity areas by being accommodated alongside the central street and in courtyards at the ends of the blocks. Parking areas would be overlooked by residential windows and the number of spaces would be limited to 58 spaces on the site overall, ensuring that the site is not visually dominated by surface parking.

243 The applicant's Design and Access statement highlights the opportunity for public artwork to be placed within the proposed public open spaces on the site. This is welcomed as it would build upon the series of public artwork which exists along the River Lee. A planning condition would require proposals for public art to be submitted to the Council and implemented once approved.

244 The Parameter plans and Design Codes provide the framework for the detailed landscaping of the outline elements of the scheme. Planning conditions will secure the quality of the landscape design and surface materials.

Summary of masterplanning principles

245 The illustrative masterplan shows a building layout and landscaping proposals which optimise the development capacity of the site whilst responding well to its constraints and the aspirations and objectives outlined in the Tottenham AAP's site allocation. The proposed layout is thus supported.

Height and massing

246 The massing strategy for the site positions the tallest buildings to the south of the site, and the scale would progressively reduce towards the north. The two tall buildings comprise the detailed application element and their heights would be fixed at a part 8, part 21 storey building furthest south (Block A) and a part 11, part 16 storey building (Block B) positioned to the north of Block A. The outline element consists of parameter plans which secure site levels, maximum and minimum building footprints, upper floor horizontal limits and maximum building heights. Design Codes inform the detailed design parameters for the buildings that will be submitted at the reserved matters stage, and the submitted illustrative masterplan indicates one way in which the proposed parameters and Design Code principles could be implemented. The masterplan shows eight buildings ranging in height from 23.5 metres AOD (approximately 4 storeys) to 46.41 metres AOD (approximately 10 storeys). The taller buildings would be positioned alongside the western boundary and the buildings would reduce in scale in two steps towards the north (from a maximum of 10 storeys, to seven, to six storeys). Smaller scale development (4-5 storeys) would be positioned alongside the eastern boundary).

Tall buildings policy

247 The site is identified as a suitable location for tall buildings within the Upper Lee Valley OAPF, Haringey's emerging Development Management DPD and within the emerging Tottenham AAP.

248 The London Plan (Policy 7.7 'Location and design of tall and large buildings') sets out the strategic policy with regard to tall buildings. The Mayor will promote the development of tall

buildings where they create attractive landmarks enhancing London's character and help to provide a catalyst for regeneration where they are acceptable in terms of design and impact on their surroundings. Suitable locations for tall buildings may include the Central Activities Zone and Opportunity Areas, and areas of good access to public transport.

249 The Upper Lee Valley OAPF identifies Tottenham Hale as a location for future tall buildings, being one of the identified urban growth centres close to public transport. The document explains that the Council will carry out detailed characterisation studies to assess the suitability of tall buildings in these areas and identify suitable locations for them where appropriate. The OAPF envisages that the development site at Hale Wharf will provide a "landmark residential-led development with public realm maximising the waterfront location".

250 Haringey's adopted Policy SP11 (Design) states, in relation to tall buildings, that one of the considerations in assessing applications for tall buildings will be the Area Action Plan for the site and surrounding area and the supporting Characterisation Study.

251 Haringey's emerging Policy DM6 (Building heights) expects building heights to be of an appropriate scale which respond positively to the site's surroundings, the local context, and the need to achieve a high standard of design. Proposals for taller buildings that project above the prevailing height of the surrounding area must be justified in community benefit as well as urban design terms. It states that tall buildings will only be acceptable in areas identified on Map 2.2, which identifies the application site as suitable for a tall building. The policy states that tall buildings should also act as landmarks, identifying locations of civic importance, major public transport interchanges, and areas of high visitation. They should also be elegant and well proportioned, and visually interesting when viewed from any distance or direction; and positively engage with the street environment.

252 The emerging Tottenham AAP (in Policy AAP6) reiterates that Tottenham Hale is potentially suitable for the delivery of tall buildings, and states that tall buildings along parts of Ferry Lane are appropriate. The policy states that the recommendations of the Urban Characterisation Study will ensure the height of new buildings respond and help to define the surrounding character, whilst optimising opportunities for intensification and regeneration in order to help create legible neighbourhoods.

253 The Tottenham Hale Urban Characterisation Study (February 2015), which forms part of the evidence base for Haringey's emerging Local Plan, recommends building heights for the area. The majority of the Hale Wharf site is recommended for buildings of approximately 12-21 metres (3-6 storeys), with taller buildings of 21-39 metres (6-11 storeys) towards the south of the site near Ferry Lane.

Tall building and massing analysis

254 The massing strategy for the site has been carefully considered in line with the above policies. The proposals would position the tall buildings close to Ferry Lane, where they relate to the existing and forthcoming tall buildings in Hale Village and close to the public transport links at Tottenham Hale. The scale of the buildings would then reduce in the northern part of the site, with the lower 4-6 storey buildings positioned alongside the Green Belt and the sensitive ecological areas. In this respect, the massing strategy responds appropriately to the sensitivities of the site.

255 It is recognised that Blocks A and B, at 21 and 16 storeys are almost twice the height recommended in the Tottenham Hale Urban Characterisation Study, albeit that no prescriptive height guidelines were taken forward within the site specific proposals in the emerging AAP document. The AAP does state that the recommendations of the Urban Characterisation Study will ensure the height of new buildings respond and help to define the surrounding character, whilst

optimising opportunities for intensification and regeneration. As such, the height of the buildings proposed within this application need to be considered carefully having regard to their townscape and visual impact.

256 The impact of the tall buildings on the local townscape, heritage assets and views from open spaces has been fully considered within the applicant's Townscape, Heritage and Visual Impact Assessment (THVIA), which has been submitted as part of the Environmental Statement. The THVIA has used Accurate Visual Representations (AVRs) to assess the proposal's impact on the following key townscape, heritage and visual receptors:

- Townscape Receptors - Tottenham Hale, Wetlands, Bruce Grove, Blackhorse Lane and Springfield Park/Clapton Common Character Areas;
- Heritage Receptors (Conservation Areas) - Tottenham High Road Historic Corridor (comprising six co-joined conservation areas), Bruce Castle, Clyde Circus and Leucha Road (within LB Waltham Forest) Conservation Areas;
- Heritage Receptors (Listed Buildings) - Ferry Boat Inn, Forest, Pumping Stations Building and Engine, No. 62 High Cross Road), Locally Listed buildings (Berol House and former Eagle Pencil Works at No. 25 Ashley Road and The Green School (at rear of former Grammar School), Somerset Road and the bridge over Lee adjacent to the Ferry Boat Inn, and the Marine House Pumping Station at Ferry Lane/Forest Road;
- Heritage Receptors (Registered Parks & Gardens) – Springfield Park;
- Visual Receptors – the following 16 views:
 - View 1: Chalk Bridge, looking south west;
 - View 2: Stonebridge Lock, looking south west;
 - View 3: Lee Navigation Towpath (North), looking south west;
 - View 4: Tottenham Marshes, looking south;
 - View 5: Chesnut Road, looking east;
 - View 6: Tottenham High Road at Monument Way, looking east;
 - View 7: Green Link, looking east;
 - View 8: Tottenham Hale Station at Ferry Lane, looking east;
 - View 9: Lee Navigation / Towpath South, looking north east;
 - View 10: Blackhorse Road Railway Bridge, looking west;
 - View 11: Forest Road at Dagenham Brook, looking west;
 - View 12: Forest Road / Ferry Lane, close to Ferry Boat Inn, looking west;
 - View 13: The Paddock, looking north west;
 - View 14: Springfield Park, looking north;
 - View 15: Walthamstow Wetlands, looking north;
 - View 16: Lockwood Reservoir, looking south west.

257 Officers are satisfied that the applicant's THVIA has presented accurate views from all relevant vantage points to enable a full assessment of the proposals and their impact.

258 In terms of the impact on the identified townscape and visual receptors, the proposals would clearly have a significant impact on certain views within the local townscape and landscape, including significant changes to views from within the Lee Valley Regional Park. However, the significance of the degree of change does not necessarily indicate that the proposals are harmful. In this case, the proposals would involve the redevelopment of an underused industrial site for a scheme of high quality architecture, which will improve the quality of the townscape and will complement the regeneration of Tottenham Hale.

259 The tall buildings on the site would act as a landmark, in line with the aspiration of the OAPF, marking the entrance to Tottenham Hale centre with distinctive and high quality buildings. The form of the buildings would respond positively to the surrounding townscape and landscape features and would provide appropriate termination to views. From the south, Building A appears prominently in the view from the riverside, but would appear as a slender form with a lower element fronting the road and forming a “prow” to the waterside. From the east, where the bulk of the buildings could have most impact, care has been taken to break up the bulk and articulate the elevations and rooflines to provide visual breaks, ensuring that the development is not overdominant. In views south towards the development from the River Lee Navigation towpath, the gradation in scale of the development will be appreciable, with the lower scale buildings in the foreground and rising towards the south. This will contribute to the legibility of Tottenham Hale with a strong sense of transition from the open environs of the Lee Valley Park towards the town centre.

260 In more distant views and in views from Tottenham Hale centre, the tall buildings would appear as part of an established cluster of tall buildings and large scale development, taking into account the cumulative impact of existing and approved development at the Hale Village site. In this respect, the tallest proposed elements relate well to the urban context of Ferry Lane and the existing and emerging context of development at Hale Village, including the approved application proposals for an 18 storey tower on this site.

261 In terms of the overall massing, the Parameter Plans appropriately secure maximum building heights and minimum gaps between the outline application proposals to break up the massing, and to provide east-west visual connections through the Regional Park as well as physical links in line with the development guidelines within the AAP site allocation proposals.

262 To conclude on the massing and height principles, the tall buildings are appropriately positioned, having regard to the fact that the site has been identified as suitable for tall buildings. The massing of the proposals responds sensitively to the proximity and openness of the Green Belt and to ecologically sensitive areas by reducing the scale to the north, and positioning lower scale buildings on the eastern side of the wharf side addressing the park and river. The high quality of the architecture and the distinctive form of the tall buildings would create a landmark residential-led development, and this combined with the significantly improved links and permeability created by the proposals will contribute positively towards place making and regeneration.

263 Subject to detailed design and architectural quality, which is considered below and will be secured by condition, the principle of height and massing is supported. The impact on heritage is considered separately in paragraphs 269-284 below.

Detailed design and architecture

264 The detailed application shows an approach to the architecture of the buildings which can be characterised as ‘robust historic waterside buildings’, using stock brick and incorporating a varied pitched roofline with gabled ends. This responds well to the historic wharf uses of the site, resulting in a simple yet distinctive appearance of a high quality, which is strongly supported. Planning conditions will ensure that a high quality of detailing and materials will be implemented in the completed development. A planning condition also secures the retention of the scheme’s architect to undertake the detailed design of the project, to provide assurance that the design quality will be delivered as presented in the application submission.

265 The Design Codes for the outline elements of the scheme will secure a similar aesthetic. The Codes include guidance on building use and typology, roof design, appearance (building character, materials and detailing), minimum gaps and views between buildings, plant, streetscape and

waterside edges, refuse storage and services. The Design Codes are suitably rigorous to ensure that a high quality scheme is delivered, and adherence to the Codes will be secured by condition.

Bridge design

266 The need for new bridge connections has been identified through the Upper Lee Valley OAPF, and Haringey's Tottenham Hale District Centre Framework (2014) which forms part of the evidence base for the Tottenham AAP, as a means to link new and existing communities, provide access to public transport and nature, and reinforce the distinctiveness of place. Improving the connectivity of the site, particularly the later phases towards the north, is important to the success of the scheme.

267 The River Lee Navigation Bridge and the Pymmes Brook Bridge are included in the outline planning application, and are subject to parameter plans. A series of detailed design principles including access, materials, ecological impact, lighting and public realm are contained within the Design and Access Statement. Whilst these principles are not expressed as Design Codes, planning conditions are recommended which will secure adherence to the design principles in the subsequent Reserved Matters application(s) for these structures to ensure design quality. The phasing for the delivering of the bridges is explained in paragraph 145, with the bridges to be constructed before the occupation of Phase 2.

268 The Paddock Bridge towards the north of the site is not included in the application; however its location and landing point within the application site are secured. The s106 agreement will ensure that the applicants submit a detailed application for this bridge prior to the occupation of the market housing units in Phase 3, and that this bridge is constructed and brought into use before full occupation of the development.

Heritage

269 The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings section 66 of the act states that all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*". The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be.

270 Pursuant to section 72 of the Listed Buildings Act, planning decisions must also give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development.

271 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."

272 Criterion D of Policy 7.8 of the London Plan states "*Development affecting heritage assets and their setting should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail*". The supportive text explains that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character. Criterion E states that new development should make provision for the protection of archaeological resources, landscapes and significant memorials.

273 Haringey Local Plan Policy SP12 (Conservation) requires the conservation of the historic significance of Haringey’s heritage assets, their setting and the wider historic environment. Emerging Policy DM9 (Management of the Historic Environment) continues this approach.

274 The site is not in a conservation area. There are ten conservation areas within 2 kilometres of the site, and three statutorily listed buildings and four locally listed buildings within 1 kilometre. The figures below show the locations of the nearest conservation areas and listed/locally listed buildings.

275 The site is also within the Lee Valley Archaeological Priority Area. Springfield Park, a Registered Park and Garden (Grade II) is just under 2 kilometres to the south, within the borough of Hackney.

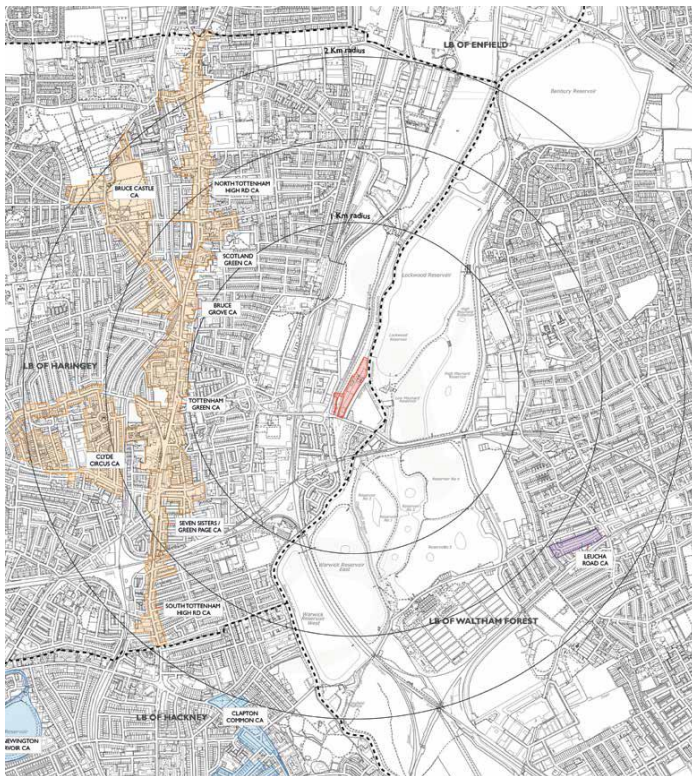


Figure 3 – conservation areas (shaded) within 2 km of the site.

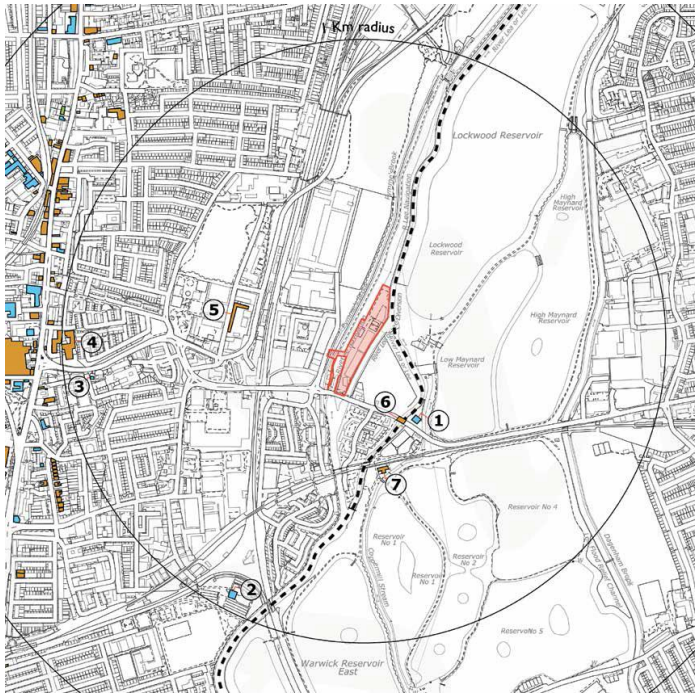


Figure 4 – listed and locally listed buildings within 1 km radius:

Listed buildings (Grade II):

1. Ferry Boat Inn
2. Pumping Station Building and Engine, Markfield Park
3. 62 High Cross Road

Locally listed buildings:

4. The Green School, Somerset Road
5. 25 Ashley Road (Beryl House and former Eagle Pencil Works)
6. Bridge over Lee adjacent to Ferry Boat Inn
7. Marine House Pumping Station, Ferry Lane

Conservation areas

276 The Tottenham High Road Historic Corridor (comprising North Tottenham, Scotland Green, Tottenham Green, Bruce Grove, Seven Sisters/Green Page and South Tottenham High Road Conservation Areas) is approximately 1 kilometre to the west of the site. The Bruce Castle and Clyde Circus Conservation Areas are approximately 1.5 kilometres from the site, as is the Leuca Road Conservation Area (within LB Waltham Forest). A small part of the Clapton Common Conservation Area (within LB Hackney) is within 2 kilometres of the site.

277 The applicants have carried out an assessment of the impacts of the proposals on heritage assets as part of the Townscape, Heritage and Visual Impact Assessment within the Environmental Statement (ES), and have assessed the impacts on each heritage asset which could be affected as outlined in paragraph 256 above. Officers are satisfied that these assessment points form a comprehensive basis from which to assess the proposals’ impact on heritage assets.

278 Owing to the distance to the nearest conservation area (the Tottenham High Road Historic Corridor Conservation Areas), and the fact that the site does not generally align axially with roads branching off the corridor, there are few places within the historic corridor from which the development would be visible. Where the buildings are visible from the conservation areas, they would appear as a distant point in the background and would not adversely affect the townscape quality, character and appearance of the conservation areas. The consented Hale Village tower will appear more prominently in views from the historic corridor. The other conservation areas identified above are more than 1.5 kilometres from the site and owing to the considerable distance, the proposals would have no material effect on these areas. The overall impact on conservation areas would be negligible.

Listed buildings

279 The Ferry Boat Inn is a Grade II listed early 18th Century public house and is located on Ferry Lane, approximately 250 metres to the east of the site. There are two other Grade II listed buildings within 1 kilometre of the site: the Pumping Station Building and Engine in Markfield Park to the south west of the site, and 62 High Cross Road to the east, which are both approximately 900 metres from the site.

280 With regard to the Ferry Boat Inn, the new buildings would be clearly visible in the background to this listed building when looking obliquely across its south elevation from the east, and would increase the scale of development visible in this view. The immediate setting of this historic building is however defined by the peninsula site on which it sits, framed by the trees lining the River Lee and the Coppermill Stream on either side of the site, and the principal view of the building is north towards its front elevation. The development will not affect the immediate setting of the building which forms part of its historic significance. The introduction of taller buildings in the urban backdrop to the building would not adversely affect the wider setting or current appreciation of this heritage asset.

281 The proposals would not impact on the setting of the two other listed buildings due to their distance from the application site and the fact that the proposed buildings would not be seen together in any significant views of these buildings.

Locally listed buildings and Registered Parks and Gardens

282 The impact of the proposals on the four locally listed buildings and structures within 1 kilometre have been considered. There are unlikely to be any views of the proposals from the Green School, Somerset Road. The development would be seen in part from no.25 Ashley Road, the bridge over the Lee adjacent to the Ferry Boat Inn and the Marine House Pumping Station. However, the proposed buildings would be seen as part of the urban backdrop to these buildings where they are visible, and would not harm the setting or significance of these buildings and structures. Springfield Park is almost 2 kilometres away from the site and although the taller elements of the proposal will be visible from the park, these will appear in the distance and the effect on the park and its significance would be negligible.

Archaeology

283 The applicant's ES recommends a programme of archaeological works is undertaken to mitigate any impact of the proposals on archaeological heritage assets, given the site's location within the Lea Valley Archaeological Priority Area, and this will be secured by condition.

Conclusion on heritage assets

284 The proposals would not have an adverse impact on the setting or historic interest of heritage assets. As such, the duty included in s.66 of the Act is satisfied, and the proposals comply with London Plan Policies 7.8 and Haringey Policies SP12 and DM9.

Designing out crime

285 Policy 7.3 of the London Plan seeks to ensure that measures to design out crime are integral to development proposals and considered early in the design process. A number of criteria are set out in this policy regarding reducing opportunities for criminal behaviour and contributing to a sense of security without being overbearing or intimidating. Haringey Local Plan Policy SP11 (Design) requires proposals to incorporate solutions to reduce crime and fear of crime. Haringey's emerging Policy DM2 (Accessible and Safe Environments) states that development should comply with the principles of "Secured by Design".

286 The illustrative masterplan for the scheme has carefully considered the interaction of the buildings with the public realm, clearly delineating the "fronts" and "backs" of buildings and ensuring that public open spaces are overlooked by active uses at ground and upper floors. Whilst there are large ground floor cycle and refuse stores within the detailed design of Buildings A and B, the adjacent spaces would be overlooked by residential uses from first floor level and above, and

the ground floor would include large residential entrances and commercial uses to ensure that the public realm remains safe.

287 The applicants have engaged in discussions with the Metropolitan Police Crime Prevention Officer (PCPO) who has provided advice in relation to Secured by Design principles, in terms of the layout, orientation and surveillance of public spaces, provision of defensible amenity space, surveillance of gaps between buildings, setting the height of balconies and design of rainwater goods to prevent climbing aids, street lighting and technical specifications of doors, windows and letterboxes. The PCPO has confirmed that the scheme is generally acceptable in terms of crime prevention and that the courtyard and homes are well designed. Some concern was raised about the height of the proposed 1.2 metre boundary treatment to the rear paths and the sides of the outline blocks, and the lighting of the proposed bridges. However, it is accepted that the final specification of these features can be addressed further at the detailed reserved matters stage, and a condition has been recommended to enable further details to be submitted for approval at that stage.

288 The lighting strategy must balance security considerations with environmental considerations, noting that parts of the site are ecologically sensitive and could be adversely affected by light pollution. The applicants have committed to work with the PCPO to achieve an acceptable solution to this and the boundary heights at the reserved matters stage, and conditions are recommended to ensure that the scheme achieves Secured by Design accreditation, which will require further discussion between the applicants and the PCPO to take place. As such, the proposals are acceptable with respect to designing out crime and comply with London Plan 7.3 and Haringey Policies SP11 and DM2.

Conclusion on urban design and heritage

289 In summary, the masterplanning principles for the scheme are well-considered, respond to the development principles outlined in the site specific allocation and achieve a high quality of placemaking. The massing strategy responds to the sensitivities of the site including the adjacent Green Belt and ecologically sensitive areas, and the tall buildings are appropriately located. The quality of the design, architecture and materials will ensure a distinctive and high quality landmark development which will contribute positively to the regeneration of Tottenham Hale and towards achieving the aims of the Upper Lee Valley OAPF. The Design Codes will ensure the implementation of a quality development at the Reserved Matters stage. The development would not have an adverse impact on heritage assets. The development will thus comply with the relevant development plan policies set out in paragraphs 225-230 above.

290 The applicant's commitment to ensuring a high standard of design quality is welcomed and maintaining the various architects, or those of similar calibre as the project architects on the scheme post planning would be secured by way of condition.

Inclusive design

291 London Plan Policy 7.2 (An inclusive environment) requires that all future development meets the highest standards of accessibility and inclusion, and that the design process has considered how everyone, including those with disabilities, older people, children and young people, will be able to use the places and spaces that are proposed. London Plan Policy 7.6 (Architecture) requires that buildings and structures meet the principles of inclusive design, and Policy 3.8 (Housing choice) requires that ninety percent of new housing meets Building Regulation requirement M4(2) 'accessible and adaptable dwellings' and ten per cent of new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', that is, designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users. Haringey Council's

Local Plan Policy SP11 (Design) and saved UDP Policy UD3 (General Principles) also promote accessible and inclusive design.

292 The applicants have provided an accessibility statement within the Design and Access Statement which focuses on the inclusive design measures within the detailed parts of the application (Blocks A and B and associated public realm). The illustrative masterplan also shows how key inclusive design features would be incorporated for the outline element, and these would be secured at the Reserved Matters stage.

Accessible homes

293 All residential units in Phase 1 would meet Building Regulation requirement M4(2). A total of 25 dwellings in Phase 1 would meet Building Regulation M4(3), representing just over 10% of the units within this detailed phase, although it is noted that all of these M4(3) units would be market rented homes. However, Phases 2 and 3 will also deliver accessible homes and a condition will ensure that the overall scheme will deliver 10% of units to M4(3) standards and that the wheelchair accessible/adaptable homes are provided across the full range of tenures and unit sizes. Detailed layouts for the M4(3) units in Phase 1 are also secured by condition to ensure that the detailed application delivers accessible homes of an acceptable standard.

Public realm

294 The site has a level change of over 1 metre, mostly at the southern end, and it is proposed to address this with gently sloping footpaths not exceeding 1:21 gradient with level landings for every 500mm rise. Whilst the central vehicular route would be a shared surface, there would be a separate footway on both sides of this route, ensuring that there would be no conflict between vehicles and pedestrians. The public realm has been designed to be inclusive to all users, including adequate illumination and tactile and visual aids for navigation.

295 Whilst the bridge design is reserved for future detailed applications, the bridge design guidelines within the Design and Access Statement and the landing areas shown on the application drawings make it clear that Bridges 1 and 2 will be accessed via stairs and lifts at either end. This is because the narrow areas of land on either side of the bridges would not accommodate ramped access at the scale required by the elevated bridges and the provision of ramped access would involve the removal of significant sections of river edge vegetation. The lift access is therefore an acceptable solution to ensuring the bridges are accessible to all. The lifts would be permanently maintained by the applicants as part of its commitment to maintaining the bridges, which will be secured within the s106 agreement.

Car parking

296 The overall development would include 58 car parking spaces, of which 50 would be reserved as Blue Badge accessible parking spaces, equating to one space per M4(3) unit, in accordance with London Plan parking standards set out in Table 6.2. A total of 25 accessible parking spaces would be provided in Phase 1 to accommodate the 25 wheelchair accessible/adaptable units within this phase. The accessible car parking provision thus complies with London Plan policy. A car park management strategy, which will detail the number, location, design and allocation of Blue Badge car parking spaces in each Phase, will be secured within the s106 agreement.

Neighbouring amenity impacts

297 A core principle of the NPPF is to always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London Plan Policy 7.6 (Architecture) states that the design of new buildings should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings in relation to privacy, overshadowing, wind and microclimate. London Plan Policy 7.7 (Location and design of tall buildings) states that tall buildings should not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference. London Plan Policy 7.15 (Noise) seeks to reduce and manage noise associated with development.

298 Haringey Council's Saved UDP Policy UD3 (General Principles) states that development proposals are required to demonstrate that there is no adverse impact on residential amenity or other surrounding uses in terms of loss of daylight, sunlight, privacy or overlooking. Emerging Policy DM1 (Delivering high quality design) requires development proposals to ensure a high standard of privacy and amenity for the development's users and neighbours, including ensuring appropriate sunlight and daylight, avoiding overlooking and loss of privacy and addressing issues of vibration, noise, fumes, light pollution and microclimatic conditions. Emerging Policy DM6 (Building heights) specifically addresses the impacts of tall buildings, including their impact on microclimate.

299 The site sits on an island, with open space and commercial properties to the north and east. The closest existing permanent residential properties to the site are positioned on the other side of Ferry Lane to the south and within Hale Village on the other side of the Lee Navigation to the west, as follows:

- Coppermill Heights (homes in Hale Village);
- Crane Heights (homes in Hale Village);
- Merlin Heights (homes in Hale Village);
- Egret heights (homes in Hale Village);
- Kingfisher Heights (homes in Hale Village);
- Reedham Close (homes to the south of Ferry lane);
- Thistle Court (homes to the south of Ferry Lane);
- Angelica Court (homes to the south of Ferry Lane);
- Lock Keeper's Cottage, Ferry Lane

300 The Hale Village development also includes an additional block which was under construction at the time of submission of the application (now known as Lapwing Heights). Whilst the analysis has not therefore captured the locations of windows in the facade for this block, the impacts are assumed to be similar or lesser to those on Kingfisher House, immediately to the south, as the new building is the same lateral distance from the application boundary and facing proposed buildings of a lesser height. The homes in Hale Village are a minimum of 80 metres from the proposed buildings on the application site. The homes to the south of Ferry Lane are a minimum of 45 metres from the proposed buildings on the application site. The Lock Keeper's Cottage on the River Lee Navigation Towpath to the west of the site is the closest residential property, being approximately 40 metres from the application site boundary.

301 Additionally, to the west and north of the site there are a number of leisure moorings (i.e. long term boat moorings which are not authorised for primary residential use) and their amenity space, alongside the River Lee Navigation. There is one commercial property within 100 metres of the site, namely the car wash/garage on Ferry Lane to the south east.

Daylight and sunlight assessment

302 The applicants have submitted a full daylight/sunlight assessment within the Environmental Statement (ES), which considers the impact of the proposal upon existing nearby properties and also the resultant daylight and sunlight levels within the proposed residential units and public spaces. The analysis is based on Building Research Establishment (BRE) Guidelines with specific reference to Vertical Sky Component for assessing daylight and Annual Probable Sunlight Hours (APSH) for assessing sunlight. It also assesses average daylight factor (ADF) for the proposed properties being built (detailed above under paragraph 212).

303 Since the submission of the ES (May 2016) and the addendum to the ES (January 2017) a letter of further clarification to accompany the ES has been submitted by the applicants, dated 1 March 2017. This has confirmed that the Lock Keeper's Cottage is in residential use and has updated the conclusions of the ES in relation to this property accordingly.

304 Vertical Sky Component (VSC): This method of assessment is a "spot" measurement of daylight, taken at the mid-point of a window. It represents the amount of visible sky that can be seen from that reference point from over and around the obstruction in front of the window. That area of visible sky is expressed as a percentage of an unobstructed hemisphere of sky and therefore represents the amount of daylight available for that particular window. The maximum VSC value is almost 40% for a completely unobstructed vertical wall or window. A window may be adversely affected if its VSC measured at the centre of the window is less than 27% and less than 0.8 times is former value.

305 It should also be noted however that the 27% VSC recommended guideline is based on a low density suburban housing model and in an urban environment it is recognised that VSC values in excess of 20% are considered as reasonably good, and that VSC values in the mid-teens are deemed acceptable.

306 Average Probable Sunlight Hours (APSH): In relation to sunlight and overshadowing, the ES sets out an analysis of APSH of windows which face the site and are located within 90° of due south (as per the application of the BRE Guidelines). A window may be adversely affected if a point at the centre of the window receives for the whole year less than 25% of the APSH, including at least 5% of the APSH during the winter months (September 21 to March 21) and less than 0.8 times its former sunlight hours during either period, and for existing neighbouring buildings, if there is a reduction in total APSH which is greater than 4%.

307 To confirm, the BRE Guidelines are intended for building designers, developers, consultants and local planning authorities. The advice it gives is not mandatory and should not be used as an instrument of planning policy. Of particular relevance, it states: *"This guide is a comprehensive revision of the 1991 edition of Site Layout Planning for Daylight and Sunlight: A Guide to Good Practice. It is purely advisory and the numerical target values within it may be varied to meet the needs of the development and its location."* As stated above, the guidelines are based on a suburban model, and in urban areas such as this one, VSC values of less than 27% would be considered to maintain reasonable daylight conditions.

308 Daylight: The ES sets out an analysis of 465 windows in the residential properties referred to above, using the VSC criteria. The assessment concludes that 413 windows analysed (89%) would either retain a VSC of at least 27% or retain a VSC which is at least 0.8 times its former value, thereby meeting BRE Guidelines criteria in regards to VSC. All 183 of the residential properties to the following properties south of Ferry Lane met the relevant VSC criteria and the potential effect with regard to daylight availability on the flats within the following properties is therefore concluded to be negligible:

- Reedham Close;
- Thistle Court;
- Angelica Court.

309 Of the 282 windows analysed within the flats in Hale Village, 230 (82%) met the relevant criteria and the impact on these properties in terms of daylight is thus negligible. 52 windows (12%) showed losses of VSC of more than 20% of their former value. These impacts are as follows:

- Coppermill Heights: 13 windows in this building would retain less than 0.8 times their former value of VSC. Of these, only one window would receive less than 0.6 times its former value (classified as a “major” impact in the applicant’s ES) – this is a first floor, north facing window to a commercial premises which has windows on another aspect which would continue to receive acceptable levels of daylight. All other affected windows to residential properties in this building would experience relatively minor losses in VSC and/or the results are disproportionately affected by the low existing levels of daylight due to the presence of overhead balconies, meaning that the further losses are unlikely to significantly affect amenity.
- Crane Heights: 9 windows in this building would retain less than 0.8 times their former value of VSC. Seven of these windows are bedroom windows on the ground to sixth floors which are affected by low existing daylight levels due to the presence of overhanging balconies above these windows. These properties have separate living areas which would all retain good levels of daylight. The other two affected windows are windows at ground level which would retain acceptable or good levels of VSC (16% or above) despite losing more than 20% of their VSC.
- Merlin Heights: 11 windows in this building would retain less than 0.8 times their former value. Similar to the above, 7 of these windows are bedroom windows affected by lower existing levels of light due to overhanging balconies and these properties would retain access to living areas with good levels of daylight. The other affected windows would continue to receive acceptable or good levels of daylight (16-26.9%) despite the loss of VSC.
- Egret Heights: 9 windows in this building would retain less than 0.8 times their former value. Similarly, eight of these affected windows have lower existing levels of daylight due to overhanging balconies, meaning that the minor losses of daylight have disproportionate impact on the results, and all affected properties have living areas which would continue to receive good levels of daylight. The other affected window would receive very good levels of daylight (26.86%) despite the loss of VSC.
- Kingfisher Heights: 10 windows in this building would retain less than 0.8 times their former value. All of these windows are affected in their existing condition by the presence of overhanging balconies and would continue to receive acceptable daylight conditions as a result of the development.
- Lock Keeper’s Cottage: This property currently comprises two residential properties, although it is noted that the building is included within the boundary of the emerging Tottenham AAP site allocation TH9 (Hale Wharf) and is thus earmarked for comprehensive redevelopment. However updated analysis has been submitted by the applicants (in the letter dated 1 March 2017) that assumes the continued residential use of this property as a worst case scenario. The results of the daylight assessment show that there would be reductions in daylight beyond BRE recommendations to 7 of the 9 windows assessed on the eastern and southern elevations of the building. Of the seven windows affected, two

windows serve bathrooms that are not considered to be habitable rooms that are sensitive to reductions in daylight. Two of the seven windows serve bedrooms on the first floor facing east. These windows will experience reductions in daylight of 0.62 and 0.59 times their former value, but the windows would continue to receive a VSC of more than 20%, which is considered reasonably good in an urban area. Two of the affected ground floor windows are semi glazed doors serving a lobby area and this is not the sole source of light into the habitable room. The remaining affected window is a ground floor east-facing living room/kitchen window which would retain reasonably good VSC for an urban area of more than 21%. This property has windows to a bedroom and living space on the southern elevation which would be unaffected by the development and receive excellent VSC levels of more than 35%.

310 Sunlight: The applicant's study analyses 238 windows in the above mentioned properties which face within 90 degrees of due south. The assessment considers Annual Probable Sunlight Hours (APSH) and Winter Probable Sunlight Hours (WPSH) in line with BRE guidance.

311 In terms of APSH, it was found that 213 of the 238 windows (89%) would meet the relevant BRE guidance. 25 windows (11%) fell below the relevant criteria, with the impacts as follows:

- Coppermill Heights: 6 windows fall below the criteria;
- Crane Heights: 6 windows fall below the criteria;
- Merlin Heights: 8 windows fall below the criteria;
- Egret Heights: 1 window falls below the criteria;
- Kingfisher Heights: 4 windows fall below the criteria.

312 The affected windows are generally the same as those affected by daylight reductions, i.e. the existing sunlight levels are mostly bedrooms adversely affected by overhead balconies, and all affected properties have other windows (generally to living rooms) which would continue to receive good levels of sunlight.

313 In terms of Winter Probable Sunlight Hours, 235 windows tested (99%) met relevant WPSH criteria. The three windows that fall below the criteria are in Crane Heights (1 window) and Kingfisher Heights (2 windows). In all three cases, the affected flats have other windows which meet the relevant WPSH criteria and also the APSH criteria, and the overall impact on these properties is not considered to be significant.

314 The applicant's updated assessment has considered the impact on sunlight on windows at the Lock Keeper's Cottage. Only two windows at this property would fall below the APSH and WPSH criteria, which are the semi-glazed doors at ground floor level. As stated above, these windows are not the sole source of light to a habitable room and thus the overall impact on sunlight to this property is acceptable.

315 The impact of daylight and sunlight on the windows of the garage on Ferry Lane has also been assessed. There is no demonstrable impact on daylight or sunlight at the garage site.

316 It should also be noted that whilst the amenity space for the leisure moorings have been considered in terms of any impact on overshadowing as outlined below, the windows to the boats have not been assessed in terms of impact on daylight/sunlight. This is due to the transient nature of boats within leisure moorings, which are not authorised for permanent residential use, notwithstanding that they can provide residential accommodation. Officers consider this to be a reasonable position.

317 The Council's planning officers confirmed in their committee report that they considered the impact on neighbouring properties in terms of daylight and sunlight to be acceptable, and GLA officers concur with this view. The limited and generally minor losses of daylight and sunlight that would occur to certain windows in adjacent permanent residential properties are within the levels of acceptability in an urban environment and the scheme in general achieves a very good level of compliance with relevant BRE Guidance.

318 The internal daylighting for units within the propose scheme has been considered in paragraph 212.

Overshadowing

319 The applicant's ES also looks at the impact of the scheme in terms of overshadowing to amenity spaces at nearby properties. The BRE Guidelines suggest that where large buildings are proposed, it is useful and illustrative to plot a shadow plan to show the location of shadows at different times of the day and year. The path of the sun is tracked to determine where the sun would reach the ground and where ground would be overshadowed. BRE guidance recommends that at least 50% of a garden or amenity area should receive at least 2 hours of sunlight at the Spring Equinox (21 March) to appear adequately sunlit, or else the area which receives 2 hours of direct sunlight on 21 March should not be reduced to less than 0.8 times its former value (i.e. reduced by more than 20%).

320 The ES considers the overshadowing impacts to amenity areas next to the Lock Keeper's Cottage, Reedham Close, Thistle Court and the amenity space for the leisure moorings. All the assessed spaces met the relevant guidelines as outlined above, and the scheme is not considered to adversely affect neighbouring properties or nearby spaces in terms of overshadowing.

Light pollution

321 In terms of light pollution, the ES has considered the effect of external lighting on sensitive residential and wildlife/habitat receptors. The additional letter dated 1 March 2017 has clarified that the Lock Keeper's Cottage has been assessed as a sensitive residential property and the impacts of light pollution on this property have also been considered. The assessment assumes the implementation of the "Hale Wharf Lighting Management Plan" (Appendix 13.B of the ES) during construction and that permanent external lighting complies with the "Hale Wharf Lighting Design Code" (Appendix 13.C of the ES). It is recommended that compliance with an approved Construction Environmental Management Plan (CEMP) that will include the lighting management plan, and compliance with the permanent Hale Wharf Lighting Design Code are secured by planning condition. Mitigation measures to control light pollution, which would be set out within the Lighting Design Code, include the design of lighting to adhere to best practice recommendations, the restriction of external lighting of building facades, setting internal lighting levels to a maximum range and minimising landscape lighting.

322 With regard to light spill and glare, with mitigation in place, there is expected to be a "negligible to slight adverse" impact on residential and wildlife receptors during both the construction and operational phases. With regard to sky glow, during the construction phase there is expected to be a "negligible to slight to moderate" impact on residential properties and a "slight to moderate adverse" impact on wildlife receptors, noting that any impacts are only likely to occur on days with limited daylight hours. With mitigation in place during the operational phase there is expected to be a "negligible" impact on both residential properties and wildlife.

323 Officers are satisfied that the impacts of light pollution from the permanent development on nearby sensitive residential properties would be limited, given the distance to the nearest properties

and the mitigation measures that would be put in place to avoid adverse impacts from lighting. As outlined in paragraphs 162-170 above, the impact on wildlife, with the suggested mitigation measures in place, is also acceptable.

Privacy

324 Haringey Council's policies do not specify minimum privacy distances between existing and proposed units, but require developments to avoid overlooking and loss of privacy. The Mayor's Housing SPG (March 2016) notes that commonly used minimum separation distances between habitable rooms of 18-21 metres are yardsticks, but advocates a more flexible approach to managing privacy.

325 In this case, all of the existing residential buildings that front Mill Mead Road in Hale Village are at least 80 metres from the proposed buildings, and the Lock Keeper's Cottage is a minimum of 40 metres from the proposed site. The existing homes to the south of Ferry Lane are approximately 45-80 metres from the proposed buildings. This is significantly in excess of the yardstick distances of 18-21 metres referred to in the Mayor's Housing SPG, and the development would have no demonstrable harmful impact on privacy to existing homes.

326 The impact on privacy to the proposed units within the scheme itself has been addressed at paragraphs 215-219 above.

Noise

327 Chapter 7 of the applicant's ES reports on the findings of the likely noise and vibration effects of the proposed development during both the construction and operational phases.

328 During the construction phase, there will inevitably be some abnormal noise caused to nearby residential properties caused by construction activities and vehicles. These impacts will be temporary, confined to normal working hours (8am to 6pm) and can be controlled through the implementation of mitigation measures outlined in the Construction Environmental Management Plan (CEMP) (covering hours of works, use of Best Practicable Means, "quiet piling" techniques, erection of hoardings etc). The submission and implementation of the CEMP will be secured by condition, and the s106 agreement will require the developer to adhere to the "Considerate Contractor" scheme.

329 During the operational phase, potential noise impacts from the development on existing neighbouring properties are likely to be confined to noise from plant and services. It is proposed to screen plant with acoustic screening and this will enable plant to adhere to a noise condition which limits noise from plant to be at least 5dB below background noise level, measured at the nearest residential premises.

330 Whilst the ES has not specifically considered impact on the future residents from noise from commercial uses on the site, officers note that the proposed small scale commercial uses are compatible with residential uses and consider that any noise impacts can be adequately controlled via the imposition of conditions limiting the opening hours for any Class A3 (café/restaurant), A4 (drinking establishment) or A5 (hot food takeaway) uses (noting also that a planning condition will also prevent the Class A5 use of units within Block A). As mentioned in paragraph 214 above, conditions are also attached to ensure that the building envelope of Block A is adequately sound insulated to protect future residents against adverse noise conditions from road traffic.

Neighbouring amenity impacts conclusion

331 The assessment above has been based on the information provided by the applicants and analysis by borough officers and GLA officers. It is concluded that on balance, given the context and limited scale of impact, the proposal would not result in a level of sunlight or daylight loss to neighbouring residential properties to warrant alteration to or rejection of the scheme. Furthermore, the overshadowing impacts associated with this development are acceptable; the development would not cause loss of privacy; and issues of noise and disturbance would be adequately mitigated through planning conditions. The proposals would have an acceptable impact on the residential amenity of existing residents close to the site, and the proposals thus comply with London Plan Policies 7.6, 7.7 and 7.15, and Haringey Policies UD3, DM1 and DM6.

Sustainability and climate change

332 London Plan climate change policies, set out in Chapter Five, collectively require developments to make the fullest contribution to the mitigation of, and adaptation to, climate change, and to minimise carbon dioxide emissions. London Plan Policy 5.1 (Climate change mitigation) sets out the strategic approach to reducing carbon emissions in London, and Policy 5.2 (Minimising carbon dioxide emissions) sets out an energy hierarchy for assessing applications. At the time of the submission of this application, Policy 5.2 set a minimum target for carbon dioxide emissions reduction in new buildings of 35% beyond Part L of the Building Regulations (as amended 2013). London Plan Policy 5.3 (Sustainable design and construction) requires future developments to meet the highest standards of sustainable design and construction, and London Plan Policies 5.9-5.15 promote and support the most effective climate change adaptation measures including passive thermal regulation, urban greening, and water management.

333 Haringey Council's Local Plan Policy SP4 (Working towards a low carbon Haringey) sets out the borough's approach to climate change and requires developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems, and the conserving and enhancing of the natural environment.

Energy

Energy strategy

334 The applicants have submitted an energy strategy for the site, and is proposing to reduce carbon dioxide emissions by 36% beyond the 2013 Building Regulations, in compliance with the London Plan target. In reporting the application at Stage 1, it was observed that the scheme broadly followed the London Plan energy hierarchy, with a range of passive design features and demand reduction measures proposed, and district heating, combined heat and power (CHP) and renewable energy sources, and that the carbon savings were in excess of the London Plan's targets. There did remain outstanding issues that required resolution before it could be confirmed that the scheme was fully in accordance with the London Plan and since that time further discussion has taken place. This related to details of further passive design measures to reduce overheating, confirmation of the arrangements for connecting into the Hale Village heat network, and further investigation of renewable energy technology (e.g. photovoltaic (PV) panels).

335 Energy efficiency (Be Lean): A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include mechanical ventilation with heat recovery and low energy lighting. In relation to overheating, the Energy Strategy does identify additional passive design measures to reduce overheating such as the use of internal/external blinds and the

installation of roof vents to allow for discharge of warm air. However it is recommended that a planning obligation within the s106 agreement requires the submission and approval of an Overheating Mitigation Plan for each phase before the main works on that phase commence to ensure that overheating is avoided.

336 District heating (Be Clean): The Hale Village heat network is within the vicinity of the site and the applicants have confirmed that they intend to connect the development into this network if feasible. Whilst it should be technically possible to connect to the network (providing that the existing energy centre is expanded by installing a CHP plant to work alongside the existing gas boiler and biomass boiler, or that the biomass boiler provides an increased proportion of the heat supply), the feasibility is dependent on a number of factors, including the timing for the delivery of Bridge 1 (as the required pipework would be installed beneath this bridge). The applicants have therefore presented two options: one option which assumes the connection to the Hale Village network, and an alternative standalone option which would involve the construction of a single energy centre in the basement of Block A, supplied by three CHP units. Alternative plans for the detailed application phase have been submitted for approval showing this option, and the associated flue exiting above ridge height on Building A.

337 The connection to the district heat network is the preferred option in terms of the aims of London Plan climate change policy. Therefore it is recommended that a planning obligation in the s106 Agreement secures the connection of the scheme to the Hale Village Energy Centre, unless it is otherwise demonstrated (in the form of an additional Energy Plan which assesses and prioritises the connection into the district network) that this is not reasonable or practicable. In this case the alternative option would be implemented.

338 Renewable technology (Be Green): The applicants have investigated the feasibility of a range of renewable energy technologies and has identified photovoltaics (PV) as the most suitable renewable technology; however it is not proposed to install PV as the London Plan Policy 5.2 target is met through CHP alone. However, in the interests of maximising carbon savings on the site and in compliance with London Plan Policy 5.7 (Renewable energy), it is recommended that the Energy Plan to be submitted as part of the s106 obligations includes further consideration of incorporating renewable technology if the alternative (site energy centre) option is pursued.

339 Overall savings: Based on the energy assessment submitted, a reduction of 224 tonnes of CO₂ per year in regulated emissions is expected, compared to a 2013 Building Regulations compliant development, equivalent to an overall saving of 36%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan for applications submitted prior to October 2016. However, it is recommended that planning obligations require an Energy Plan to be submitted and approved which updates the applicant's Energy Strategy, to address the items outlined above. It is also recommended that a planning obligation requires that any shortfall in carbon dioxide savings from the scheme which may be identified by the updated Energy Plan is offset by way of financial contributions. In this respect, the proposals are in compliance with London Plan and borough policies on energy efficiency and carbon savings.

Flood risk and drainage

340 London Plan Policy 5.12 (Flood risk) seeks to ensure that developments address flood risk and incorporate flood resilient design. Policy 5.13 (Sustainable drainage) states that developments should use sustainable urban drainage systems (SUDS), and should ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy.

341 Haringey Local Plan Policy SP5 (Water Management and Flooding) seeks to ensure that development reduces forms of flooding, implements SUDS to improve water attenuation, quality and amenity, apply the NPPF Sequential and Exceptions Tests and restore and enhance the Blue

Ribbon Network, including Pymmes Brook and the River Lee and its tributaries. Saved UDP Policy ENV5 (Works affecting water courses) states that development which is likely to adversely affect defined watercourses must take measures to provide appropriately designed drainage works. Emerging Policies DM24 (Managing and reducing flood risk), DM 25 (Sustainable Drainage Systems) and DM28 (Watercourses and Flood Defences) call for measures to reduce and manage flood risk, and incorporate SUDS.

Flood risk

342 The application is supported by a Flood Risk Assessment (FRA) and Chapter 11 of the ES assesses any likely significant effects of flooding and drainage. The site is within Flood Zone 2 and is allocated for development in adopted and emerging site-specific policies. "More vulnerable" uses such as housing are appropriate in Flood Zone 2 and the Sequential Test is passed. There is no need to apply the Exceptions Test.

343 The FRA concludes that the site has a low probability of flooding (tidal, fluvial, groundwater and reservoirs) and establishes a Finished Floor Level for the site of 9.00 metres AOD, which is broadly in line with existing ground levels. The proposed development sets ground levels at this height, which allows for a minimum 450mm freeboard above the 1-in-1000 year flood level. This would ensure that the proposed development remains at low risk of flooding and there would be no loss of floodplain volume or corresponding increase in flood risk to downstream receptors.

344 The Environment Agency (EA) raises no objection to the proposals, subject to the development being carried out in accordance with the FRA, including implementing a Finished Floor Level of 9.00 metres AOD. The EA requests that any development ensures the maintenance of access to the Pymmes Brook, and that conditions ensure continued access to the access ramps and safeguarding of the structural integrity of river walls. It is recommended that these are secured by planning conditions.

345 Officers have assessed the submitted FRA and available Environment Agency flood risk data, and concur that the development would be at low risk from flooding and that the development is appropriate. The development thus complies with London Plan Policy 5.12 and Haringey's emerging policy DM24.

Drainage

346 The site is currently largely impermeable, and the development would introduce a range of sustainable drainage and water attenuation measures such as infiltration in soft landscaping areas, porous hardstanding and beneath ground water storage tanks to improve the existing surface water run off levels. Surface water would flow into drains along the proposed access road and would discharge into the River Lee Flood Relief channel as existing. These measures would restrict peak surface water flows to the public sewer network, for the 1 in 100 year flood event plus climate change, to 50% of existing rates in line with London Plan policy.

347 Thames Water was consulted on the application and raised no objection, but requested that a detailed drainage strategy is submitted by condition and discharged in consultation with them. This condition has been included.

Sustainability strategy

348 The applicants have submitted a Sustainability Statement for the site, which sets out a number of climate change adaptation measures proposed in the design and construction process. Where appropriate, the themes within the Sustainability Statement have been considered separately in this report under sections addressing energy, flood risk and drainage, transport, ecology and

biodiversity, waste management, landscape, amenity and playspace, heritage and archaeology, contaminated land and air, noise and light pollution. The remaining themes are considered as follows:

349 BREEAM/sustainable homes: Whilst the Code for Sustainable Homes (CfSH) is no longer in operation, the applicants are targeting the equivalent of a Level 4 CfSH rating or an equivalent Home Quality Mark Rating. It is also targeting a BREEAM “very good” rating for non-residential floorspace and, where possible, to specify Green Guide A+-B rated building elements. It is recommended that the commitment relating to BREEAM is secured by way of planning condition.

350 Water use demand: The applicants have set out the measures that would be incorporated into the scheme to reduce the water demand of the development, including water metering and use of water efficient appliances and fittings. This is welcomed in accordance with London Plan Policy 5.15 (Water use and supplies), Haringey Local Plan Policy SP5 (Water management and flooding) and emerging policy DM29 (On-site management of waste water and water supply), and the implementation of these measures will be secured by condition.

351 Materials and construction waste recycling: The applicants have set out commitments to using FSC certified timber for both temporary and permanent construction, and to using recycled materials where possible. A site waste management plan would be implemented, which would aim to produce less than 6.5 tonnes of waste per 100 sq.m. during construction, and reduce non-demolition waste directed to landfill by 70%. The commitments within the site waste management plan would be secured by condition.

Conclusion on climate change and sustainability

352 The proposed development would minimise carbon dioxide emissions to meet London Plan targets and local policy regarding climate change. The development would not increase flood risk and would deliver sustainable urban drainage benefits over the existing situation at the site. The development has committed to achieve high standards in sustainable design and construction. In these respects, the development is in compliance with relevant planning policies regarding sustainability and adapting to climate change.

Other environmental issues

Air quality

353 London Plan Policy 7.14 (Improving air quality) seeks to ensure that new development minimises increased exposure to existing poor air quality and makes provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)) and be at least “air quality neutral”. Haringey saved UDP Policy UD3 (General Principles) requires proposals to demonstrate that there is no significant adverse impact on residential amenity or other surrounding uses in terms of (amongst other things) air quality, and saved UDP Policy ENV 7 (Air, Water and Light Pollution) requires development to include measures to avoid, reduce and mitigate emissions.

354 The whole of Haringey, including the application site, is within an AQMA. The applicants have submitted an assessment of the proposal on air quality, set out in Chapter 6 of the Environmental Statement. This looks at the impacts of demolition and construction, and traffic generated by the scheme, and includes the alternative scenario of including the CHP energy centre in the basement of Block A. It also identifies the residential receptors nearest the sites. An Air Quality Neutral Assessment has been submitted.

355 *Construction Phase*. Whilst the risk to air quality from dust and vehicle emissions during demolition and construction would be high if not mitigated, with proposed mitigation measures, including following best practice to reduce dust emissions from works, the likely effects would be reduced so as to be negligible. As such a planning condition is recommended that requires the approval and implementation of an Air Quality and Dust Management Plan (AQDMP). Subject to this condition, the likely temporary effects on air quality during the construction period are acceptable.

356 *Operational Phase*. The main polluting operations associated with the proposed development once built include emissions from traffic movements and the 5 x natural gas powered CHP plant units and 3 x gas powered boilers (if they are located on site). Design interventions include mechanical ventilation for proposed homes in the detailed element of the application (Blocks A and B) and for certain facades in some of the blocks within the outline application and a flue for the potential energy centre, exiting 1.5 metres above the ridge height of Building A.

357 Having reviewed the applicant's air quality study, it is considered that impacts can be suitably mitigated via the proposed design interventions and AQDMP, which will be secured by condition.

Wind

358 London Plan Policy 7.7 (Location and design of tall and large buildings) states that tall buildings should not affect their surrounding adversely in terms of (amongst other things) microclimate and wind turbulence. The Mayor's Sustainable Design and Construction SPG identifies the Lawson Criteria as a means for identifying suitability of wind conditions. Haringey Emerging Policy DM 5 (Siting and design of tall buildings) states that a tall building must "consider the impact on ecology and microclimate".

359 Chapter 14 of the ES reports on an assessment on wind microclimate. The Assessment was based on both Computational Fluid Dynamics (CFD) and Wind Tunnel Testing, as requested in the Council's Scoping Opinion. Sensitive receptors that were assessed include locations at ground floor around the site, including the proposed entrance at Ferry Lane, Ferry Lane footpath and carriageway, the River Lee Navigation lock and towpaths and the garage to the east of the site. Within the scheme itself, proposed open spaces and a significant number of proposed private amenity spaces (balconies) were tested.

360 A number of mitigation measures were identified following the results of the CFD modelling, including trees to prevent high wind speeds along Ferry Lane, dense planting around the lock gates and play area to the north of Block B and increased screening for balconies above the 8th floor of the proposed housing. The Wind Tunnel Testing assessed the wind environment with and without the wind mitigation measures and specific measures – including a mix of solid and porous balcony parapets and soft landscaping (hedges at 1.5 metres and trees at heights of between 5 and 12 metres) have been embedded within the proposed development.

361 An assessment of potential significant effects has been undertaken, based on meeting the Lawson Criteria 2 (Leisure thoroughfare/strolling) for the intended pedestrian uses within and around the proposed development. The Assessment concludes that, with above mitigation in place, there would be no residual significant adverse effects within or around the proposed development, and that the resulting wind speeds are appropriate for the intended uses.

362 The Council commissioned an independent review of the wind assessment contained in the ES by RWDI, an engineering wind consultancy specialising in wind/microclimate issues. Following clarification from the applicants with regards to potential effects during construction and from the permanent development, RWDI confirmed that it was satisfied that the assessment within the ES is

satisfactory and that the wind environment of the site and surrounding area would be acceptable with the mitigation proposed.

363 It is noted that a number of objections have been raised to the proposals on the basis of the buildings potentially causing adverse wind conditions for boaters and pedestrians using the lock and the towpaths. The lock, canal and towpaths have been included in the analysis of wind conditions surrounding the site as part of the analysis of wind conditions carried out by the applicants and the Council's independent review. The lock and towpath have been considered to be a recreational thoroughfare and as such the analysis of pedestrian comfort levels carried out by the assessment apply to users of these areas. It has been demonstrated that with mitigation measures, the Lawson criteria for comfort and safety are met on the lock and towpaths, and that suitable conditions would be preserved for users of these areas.

364 Officers concur with this analysis and recommend that the proposed mitigation measures are put in place, which would be secured via planning condition. With the measures in place, the proposals are not likely to have an adverse impact on wind conditions for people on the site, or using surrounding areas including the lock, the river and the towpaths.

Waste

365 London Plan Policy 5.17 (Waste capacity) requires adequate provision for waste and recycling storage and collection and Policy 5.18 (Construction, Excavation and Demolition Waste) requires applicants to produce Site Waste Management Plans to arrange for the efficient handling of construction, excavation and demolition waste and materials.

366 Haringey Local Plan Policy SP6 (Waste and Recycling) and Saved UDP Policy UD7 (Waste Storage) require development proposals to make adequate provision for waste and recycling storage and collection. Emerging Policy DM4 (Provision and Design of Waste Management Facilities) states that all proposals should consider how to sustainably manage waste arising from the development during the design, construction and occupation phases of new developments.

367 Construction waste: As outlined under paragraph 351 above, the applicants have submitted an outline site waste management plan which will encourage resource efficiency and material management during construction, including directing 70% of construction waste away from landfill, and planning conditions are recommended to ensure that contractors adhere to this plan.

368 Operational waste: The applicants have prepared an operational waste strategy for the site. This has the following key themes:

- Each residential block would be provided with a dedicated bin store at ground floor level accommodating communal bin storage for each waste stream;
- The stores would be located so that residents do not have to travel more than 30 metres to access them (excluding vertical change);
- The stores would be located so that the Council's appointed contractor would not have to exceed a 10 metre drag distance for communal bins (or where this threshold cannot be met, an estate management team will be employed to relocate bins from their store to a designated presentation area immediately prior to collection day);
- The quantum of bin storage would accord with the relevant Building Regulations and Haringey standards and provide the following:
 - Refuse 1,100 litres/ 6 flats
 - Recycling – 1,100 litres/ 10 flats
 - Food Waste – 360 litres/ 40 flats
- Adequate provision to be made for commercial waste (separate from residential waste).

369 The ground floor refuse stores shown on the plans for the detailed element of the scheme (Blocks A and B) comply with the above strategy and the borough's waste policies. Subsequent applications for approval of Reserved Matters applications for the outline element would enable the consideration of waste storage and collection details at that stage. The Design Code (embedded in the Design and Access Statement) sets out guidance for waste management. It is recommended that the submission and implementation of an approved waste management plan is secured within the s106 agreement to ensure an efficient and sustainable approach to waste management.

Contaminated land

370 London Plan Policy 5.21 (Contaminated land) supports the remediation of contaminated sites and bringing contaminated land back in to beneficial use. Haringey Council's saved UDP Policy ENV11 (Contaminated Land) and emerging Policy DM23 (Environmental Protection) require development proposals on potentially contaminated land to follow a risk management based protocol to ensure contamination is properly addressed and carry out investigations to remove or mitigate any risks to local receptors. Saved Policy ENV5 (Works Affecting Watercourses) addresses development on or close to watercourses.

371 Chapter 9 of the applicant's ES reports on the findings of an assessment of ground conditions and likely significant contamination effects (including the alternative scenario of including a basement in Building A). As with most previously developed sites with a history of industrial use, some land contamination is likely. The contaminated land report has identified the following issues:

- Ground gas: Concentrations of carbon dioxide in excess of the 5%v/v guidance threshold for CS₂ (29) have been recorded;
- Elevated concentrations of contaminants were found in made ground;
- Asbestos containing material was encountered within the made ground in the northern half of the application site;
- Leachable contaminants: heavy metals, ammonium, polyaromatic hydrocarbons within the made ground; and
- Perched Water: (nickel and TPH).

372 The presence of contamination will require further investigation to identify a suitable remediation strategy for the construction and operational phases. It is therefore recommended that planning conditions are used for both the detailed and outline phases of the development requiring investigative work and assessment, and a Piling Impact Study. Subject to these, and a condition requiring the approval and implementation of an appropriate Construction Environmental Management Plan, the potential contaminated land will not cause a significant risk.

Transport

373 Chapter 6 of the London Plan sets out the Mayor's policies on transport. Haringey Council's Local Plan Policy SP7 (Transport) states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport.

374 The emerging Tottenham Area Action Plan states that there should be an improvement of the access into the Hale Wharf site. The Upper Lea Valley Opportunity Area Planning Framework (OAPF) identifies Tottenham Hale as a high class transport interchange and identifies the objectives for significant investment and improvements to transport infrastructure, including four trains per hour on the West Anglia Main Line and improvements to help people walk and cycle more easily

through the area including a fully accessible network of green and blue spaces which open up the Lee Valley Regional Park.

375 As stated in the introduction to this report, the site is located approximately 350 metres to the east of Tottenham Hale interchange station with its Victoria Line and national rail services, and is likely to form part of the core Crossrail 2 route, where services could be operating into central London from the early 2030s. The site is directly served by two bus routes on Ferry Lane, and a further five bus routes serve Tottenham Hale bus station, 400 metres from the site. As such, the site records an excellent public transport accessibility level (PTAL) of 6a at the southern end close to Ferry Lane, (on a scale of 1 to 6, where 1 is classed as very poor and 6 excellent). The PTAL decreases to 5 and then 4 towards the north of the site.

376 Significant improvement works to Tottenham Hale station are planned over the next 18 months, including a new combined entrance hall, an enlarged concourse and improved gate lines, step free access to national rail services and improved interchange, as well as a footbridge that will connect to the Hale Village development. The number of rail station platforms is also expected to increase from two to five to accommodate higher frequency services and ultimately Crossrail 2. Tottenham Hale bus station is also expected to be reconfigured in 2018 to facilitate further development on the 'Island site' as envisaged by Haringey Council's Tottenham Hale Masterplan. In addition to the station works, the Tottenham Hale Gyratory was remodeled to two-way working, which has provided an improved arrangement for highway users, pedestrians and cyclists in the locality. Further improvements to pedestrian and cycle links are planned by Haringey Council and will be delivered as development comes forward in the masterplan area.

377 The main transport issues relevant to this scheme are: ensuring that the delivery of high density mixed use development captures the benefits of the location close to a transport interchange and particularly ensuring the delivery of the proposed footbridges to Hale Village, the principle of car-free development at the site (with only Blue Badge and operational parking provision), the impact of the proposals on the bus network, the new pedestrian/cycle infrastructure, the need to protect the Victoria Line infrastructure beneath the site, arrangements for access and servicing, as well as the adequacy of supporting measures, including the travel plan.

378 The submitted Transport Assessment estimates that the development as a whole would generate 402 (two-way) trips in the AM peak and 326 (two-way) trips in the PM peak. The AM peak figure includes: 150 London Underground trips; 52 train trips; 125 bus trips; 8 car trips; 10 car passenger trips; 13 cycle trips; 38 walking trips; and 5 taxi/other trips. The mode split for the residential element has been considered separately for the units with allocated parking and those without. For the units with parking the public transport mode split is predicted to be 65% and for those without 83%. The cycle mode share across the scheme is expected to be similar to the Haringey average of 3%.

Car parking

379 The proposed development includes 58 car parking spaces as set out in the table below. As the development will be phased, 25 temporary spaces will be initially be delivered for the detailed first phase (blocks A and B).

Car parking type	Provision
Accessible Residential	50 disabled spaces (10% wheelchair accessible units)
General Residential	0 spaces
Business Barges	6 spaces
Car club	2 spaces
Total	58 spaces

380 It is noted that the lack of general car parking on the site was included as a reason for refusal by Haringey Council.

381 The Council's saved UDP Policy M9 (Car-Free Residential developments) sets out that proposals for new development without the provision of car parking will be permitted in locations where there are alternative and accessible means of transport available; public accessibility is good; and a controlled parking zone exists or will be provided prior to occupation of the development. Emerging Policy M10 (Parking for Development) also requires proposals to be assessed against parking standards.

382 London Plan Policy 6.13 (Parking) requires the inclusion of minimum amounts of car parking for disabled people. However, maximum targets are set for general residential and business parking provision, as set out in Table 6.2 of the London Plan. The London Plan states that 'All developments in areas of good public transport accessibility should aim for significantly less than 1 space per unit'.

383 Given the proximity of Tottenham Hale interchange, the inclusion of high quality cycle parking within the scheme as well as the car club spaces referred to below, the largely car free nature of the scheme is appropriate in this location, and is in accordance with the aims of London Plan and borough transport policy.

384 The opportunities for overspill parking are limited. Most of the area to the west of Tottenham Hale interchange is a Controlled Parking Zone (CPZ) whereas the land to the east is open space and waterways. To the south is the Ferry Lane Estate which is managed by Haringey Homes under an estate controlled parking scheme. Similarly Bream Close is privately managed. However, to alleviate any concern about overspill parking in surrounding streets (noting that Haringey Homes have raised concern about existing overspill parking on their estates), it is recommended that the s106 agreement includes an obligation to secure a financial contribution to (a) enable Haringey Homes (which manages Ferry Lane Estate) and the Heron Wharf Management Company (which manages car parking on Bream Close) to consult with local residents about revising existing car parking controls (if this proves necessary) and (b) to enable the Council to consult on, design and implement a small CPZ along Jarrow Road. A Traffic Management Order amendment will prevent future residents at the site from applying for a parking permit in any future CPZ.

385 Additionally, it is recommended that the implementation of an approved parking management plan is secured within the s106 agreement, which will cover the following:

- Number, location, design and allocation of Blue Badge car parking spaces in each Phase (10% minimum, available to other residents if not used);
- Number and location of Electric Vehicle Charging Point EVCP bays (20% of all car parking bays to be EVCP bays on day one and passive provision for a further 20%); and
- Arrangements for the monitoring of use and potential re-allocation of use of the existing business barge car parking spaces.

386 Two car club spaces would also be included within the development (one space would be provided before the occupation of Phase 1 and a second space before the occupation of Phases 2/3) and the s106 agreement will secure three years' free membership for future residents. This measure will help to encourage the use of sustainable travel patterns and discourage car ownership.

387 In conclusion on parking, the proposed parking provision on the site is appropriate for this location which is highly accessible to public transport, and appropriate mitigation measures will be put in place to reduce the potential for overspill parking. The development is thus in line with London Plan and borough policies on parking provision.

Highway access

388 The proposed site access off Ferry Lane would be relocated slightly to the west of the existing access to accommodate the proposed building lines. The progression of the detailed design and highway works to create this will be covered by a Section 278 Agreement between the applicants and the Council as highway authority. Swept path analysis has demonstrated acceptable arrangements for HGVs, refuse vehicles and cars passing through into the site and leaving the site onto Ferry Lane, although the s278 process would undertake all necessary formal design checks.

Pedestrian and cycle access

389 London Plan Policy 6.10 (Walking) requires proposals to provide high quality pedestrian environments. London Plan Policy 6.9 (Cycling) requires the provision of secure, integrated and accessible cycle parking facilities for long stay users (staff and residents) and short stay users (visitors). Emerging Haringey Policy AAP7 (Transport) requires, amongst other things, developments to seek improvements to connectivity and permeability for pedestrians and cyclists.

390 Pedestrian and cycle access would be retained from Ferry Lane. The proposed 'Access and Public Realm' and 'Development Zones at Ground Level' Parameter Plans would enable a minimum width of 2 metres for the pedestrian/cycle paths to be secured at the Reserved Matters stage.

391 The proposals make provision for direct alternative pedestrian routes in the form of two footbridges linking to the west, as referred to in this report, both in outline form. Bridge 1 is the Hale Village Green Link Bridge (HVGLB) and Bridge 2 is an additional footbridge that crosses Pymmes Brook to provide step free access to the towpath, from which lift access would be provided to the HVGLB. A third bridge from the site to Paddock is not included in this application; however, its provision prior to full occupation of the market housing units in the development will be secured within the s106 agreement.

392 The introduction of the HVGLB would reduce walking distances to Tottenham Hale Station and the emerging district centre. It would increase PTAL ratings for the northern part of the site, resulting in all of the site being within PTAL 5, and the part of the site benefitting from PTAL 6a increasing to take in the indicative location of Blocks C and K. This improved accessibility helps to support the higher density of development, and the increased demand for footway capacity, and is thus important to the success of the scheme. As referred to in paragraphs ** above, Bridges 1 and 2 would be delivered prior to the occupation of any buildings in Phase 1 if it is shown to be feasible to connect the development into the Hale Village district heat network. If this is not feasible, an alternative scenario would deliver the bridges prior to any occupation of Phase 2. The s106 agreement would secure both scenarios. For the avoidance of doubt, whilst the early delivery of the bridges in Phase 1 is the preferred scenario, scenario 2 would be acceptable in planning terms as it would ensure that the bridges are open for use prior to the occupation of more than half of the proposed dwellings.

393 Whilst the detailed design of the Paddock Bridge (Bridge 3) is not sought with this application, the Parameter Plans allow for the provision of the bridge and the section 106 agreement will oblige the applicants to submit an application for the Paddock Bridge prior to, or simultaneous with, the application for reserved matters for Phase 3 and to deliver that Bridge before full occupation of the market housing units in Phase 3.

394 Cycle access is proposed to be shared with the pedestrian access routes which is acceptable given the likely low number of vehicle movements within the site. Advisory cycle lanes exist on Ferry Lane, and there are formal cycle route facilities in both directions from the site including Toucan Crossings.

Cycle parking

Phase 1 (Detailed element)

395 Cycle parking for the new residential units in Phase 1 would be provided in ground floor store areas. The application provides 221 cycle parking spaces in a ground floor and mezzanine floor cycle parking area in Block A and 166 spaces in a ground floor area in Block B, with visitor cycle parking within the external landscape area. This accords with London Plan standards and Haringey Council's saved UDP cycle parking standards (which adopt a lesser requirement of one space per unit). It is noted that the design of the cycle parking includes semi-vertical spaces whilst the preferred design would include some horizontal spaces to encourage full use. The layout and design of cycle parking for Phase 1 will therefore be reserved for subsequent approval by condition, in order for an acceptable design to be secured.

Phase 2 and 3 (outline element)

396 Cycle parking will be provided within the buildings and public realm within the outline scheme, to meet London Plan standards. The reserved matters applications will consider the detailed design of these cycle parking areas which, as for the detailed phase, should include some horizontal cycle parking spaces to encourage full use, and to support the car free nature of the scheme.

PERS Audit and pedestrian impact

397 The proposed development is expected to generate 365 walking trips in the AM peak. A Pedestrian Environment Review System (PERS) audit was undertaken for the routes connecting the site with Tottenham Hale station, Tottenham Hale Retail Park and Harris Academy, as well as routes to key facilities and recreation grounds. Whilst most routes were assessed as being good, as a result of the audit it is recommended that the s106 Agreement secures highways works for the provision of Toucan/Tiger crossing on Ferry Lane to the east of the site to replace the existing zebra crossing. The detailed design and location of this crossing will be agreed as part of a s278 agreement with Haringey Council as highway authority for Ferry Lane. The agreed highways works would be carried out by the Council at the applicant's expense.

398 The majority of pedestrian trips from this development will be towards Tottenham Hale station and the emerging district centre to the west. The pedestrian comfort guidance assessment shows that there are currently 959 and 1,087 pedestrian flows along the Ferry Lane north footway in the AM and PM peak hours respectively, and at its busiest this footway experiences a decrease in pedestrian comfort levels.

399 Without the Hale Wharf development in place, background growth is forecast to increase the pedestrian flows on the Ferry Lane north footway to 1,238 and 1,252 in the AM and PM peak hours respectively. The development trip generation would increase these numbers to 1,576 and 1,599 respectively.

400 The pedestrian link bridge between Hale Village and Tottenham Hale Station, which is planned to open in mid-2018 as part of the TfL Station Improvement Project, will help to relieve the pressure on the Ferry Lane north footway. The delivery of Bridges 1 and 2 at the Hale Wharf site will create a more direct route from site to station via Daneland Walk and the new pedestrian link bridge to the station. Therefore, the delivery of Bridges 1 and 2 will help to ease the pressure on the Ferry Lane north footway and mitigate against the additional demands of the proposed development and other background development. As stated above, the s106 agreement will ensure

that these bridges are delivered, at the latest before the occupation of Phase 2 and prior to the full impact of the additional demand.

Delivery and servicing

401 Delivery and servicing vehicle trips have been derived using data from similar sites and approximately 26 trips a day are expected for the residential component of the development and 19 to 25 trips a day are expected for the non-residential component. The site access and internal roads have been designed to accommodate vehicles expected to visit the development including construction vehicles, such as 16.5 metre articulated lorries. It is envisaged that smaller vehicles will use space in public parking courts, and locally widened carriageways in a number of locations to enable larger vehicles to be passed by another car or delivery vehicles.

402 The Delivery and Service Plan (DSP) submitted in support of the application includes swept path analysis for refuse vehicles for both the detailed element of the proposal and the indicative masterplan for the outline element. The swept paths presented are acceptable. It is recommended that implementation for the proposed DSP is secured by way of planning condition.

403 Taking account of the proposed residential and non-residential uses and associated servicing trips, the TA predicts that there would be a reduction in car/vehicle trips to and from the site. The observed daily two-way vehicle movements at the site access (2014) was 535 vehicles, whilst the forecast daily traffic flows at the site access (2021) is 106 vehicles. This equates to an 80% reduction in vehicle traffic. This is welcomed and demonstrates the benefits of the car free nature of the scheme.

Public transport impact

Buses

404 The development is predicted to generate uplift in demand for bus trips of 125 trips during the AM peak and 101 during the PM peak. Broken down by individual bus route, 48 additional trips would need to be accommodated by Route 76, 14 additional trips by Route 123 and 26 additional trips by Route 192. When compared to bus capacity data for those services, it is expected that there could be capacity shortfalls on routes 123 and 192. A financial contribution has been sought from the applicants of £50,000, being reasonable and proportionate to mitigate this impact. This contribution would be secured via the s106 agreement to provide the necessary uplift in bus capacity in the area for 5 years.

London Underground and Rail

405 The development is predicted to generate 150 additional AM peak and 120 additional PM peak trips on the Underground. This would have a negligible impact on the capacity of these services and it is not thus necessary for this uplift in demand to be mitigated. Further capacity improvements are already programmed for the Victoria Line and the accompanying interchange improvements referred to above for Tottenham Hale station will also accommodate the demand for additional underground trips.

406 The southern part of Phase 1 (Block A) sits above the Victoria Line running tunnels and a condition is thus recommended to ensure that ground works do not adversely affect the integrity of the underground infrastructure.

407 For national rail service from Tottenham Hale, 52 additional trips arising from the proposed development are forecast in the AM peak and 43 in the PM peak. This would have negligible impact on these services and will not require mitigation.

Travel planning

408 A framework travel plan has been submitted with the application which is acceptable in its format. The approval and implementation of separate detailed travel plans for Phase 1 and Phase 2/3 prior to the occupation of the respective phases will be secured within the s106 Agreement including funds for monitoring. The plans will include measures in a five year monitoring period to promote sustainable travel by residents and employees on the site.

Construction traffic

409 An assessment of the impact of construction traffic during the construction phases has been presented by the applicants. Assuming that the demolition and construction phase is serviced solely by road, it is predicted that the number of construction vehicles would vary from 40 two-way movements per day (with fewer than 10 in any one hour) to 100 per day (up to 30 in any one hour). At its peak this would represent a 4% increase in daily HGV movements on Ferry Lane. Subject to the implementation of a construction environmental management plan (CEMP) to avoid, where reasonably practical, similar periods of peak construction activity across this and other sites in the area, the likely environmental effect of construction traffic is not likely to be significant. As such the submission and implementation of an approved CEMP that includes the timings of construction traffic movements, will be secured by planning condition.

410 It will also be necessary for the applicants to submit a Construction Logistics Plan (CLP) prior to the commencement of development, and for the construction works to be implemented in accordance with the approved plan, which shall include details of site access arrangements, booking systems, construction phasing and vehicular routes. Given the location, the CLP should specifically consider the scope for load consolidation or modal shift to water use in order to reduce the total number of road trips generated. The submission and implementation of the CLP will thus be secured by condition.

Conclusion on transport matters

411 The proposed development incorporates a number of measures to encourage walking and cycling, principally the proposed footbridges and cycle parking facilities. The development would essentially be 'car free' apart from Blue Badge parking for disabled residents and staff. Given the proximity of Tottenham Hale station and the highly accessible location of the development, the car free nature of the scheme is strongly supported in line with London Plan and Council policy. Subject to the transport mitigation measures outlined in the paragraphs above and secured within the s106 agreement and by condition, the transport impacts are acceptable and the development is compliant with relevant transport policy.

Crossrail and Mayoral CIL

412 The Mayor has introduced a London-wide community infrastructure levy (CIL) to help implement the London Plan, particularly Policies 6.5 and 8.3, and to deliver Crossrail. The rate for Haringey is £35 per square metre. The development includes a maximum of 18,352 sq.m. (GIA) of net additional floorspace. The contribution from the detailed elements of the proposal (Phase 1) is £770,790. If the proposals deliver the upper limit of floorspace indicated within the outline elements of the scheme, the total Mayoral CIL contribution would be up to £1,648,776.

Mitigating the impact of development through planning obligations

413 The NPPF states that *“Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition.”* At the regional level, London Plan Policy 8.2 sets out the Mayor’s priorities for planning obligations, and states: *“Affordable housing; supporting the funding of Crossrail where this is appropriate (see Policy 6.5); and other public transport improvements should be given the highest importance”*. At the local level Haringey Council’s Planning Obligations SPD (2014) provides the basis for determining planning obligations when considering planning applications for development in the borough.

414 Pursuant to the consideration within the previous sections of this report, and in line with the policy context set out above, GLA officers propose to secure a number of planning obligations required to appropriately mitigate the impact of this development. A full list of the obligations is provided under paragraph 7 above, and where appropriate there is detailed consideration given in the relevant topic section of the report. Where appropriate, GLA officers have provided an additional commentary below to support the consideration within this report and to inform the detailed drafting of a section 106 legal agreement.

Affordable housing

415 As discussed in the housing section of this report, 177 affordable units will be secured, comprising 143 shared ownership units and 34 affordable rent units in Phases 2/3. Details of affordable housing definitions, fit out, transfer/lease to a Registered Provider, the income thresholds for the intermediate accommodation, rent levels for the affordable rented units and the retention of the affordable units at the proposed rent levels, would be set out in the section 106 agreement.

416 GLA officers propose three review mechanisms - one if the development has been substantially implemented within two years of the date of consent, a review prior to Commencement of Phase 2, and a final review prior to substantial completion of Phases 3. The reviews will establish whether, in the light of increasing viability, additional affordable housing can be accommodated on site (in the case of the first and second review) or if the scheme can make a financial contribution towards securing additional off-site affordable housing (in the case of the third review), up to a level of 50% of the scheme or the level of GLA grant funding.

Private Rented Sector (PRS) housing

417 The PRS housing will be subject to a minimum 15 year covenant restricting sale out of the PRS tenure; and would be subject to a clawback mechanism if sold out of the covenant. The PRS housing will be provided in accordance with an approved PRS marketing and letting scheme.

Phasing and delivery of infrastructure

418 The development will be carried out in accordance with an approved Phasing Programme. The delivery of Bridges 1 and 2 will be delivered in Scenario a) prior to the completion of Phase 1, or in Scenario b) prior to the occupation of Phase 2. A detailed planning application for the Paddock Bridge (Bridge 3) is also required prior to the commencement of Phase 3, and this bridge must be delivered prior to the substantial completion of Phase 3. The section 106 legal agreement will provide for the management and maintenance of all the bridges by the applicants.

Employment and training

419 The promotion of local labour during construction will be required via the submission of an employment and training strategy to achieve:

- A minimum of 20% local labour during construction;
- Provision of training to the local labour force;
- 25% of the local labour to be full time apprenticeships;
- Assistance to be provided for local suppliers and businesses to tender for work;
- Provision of opportunities for unemployed and economically inactive residents in work placements and priority groups;
- No fewer than 5 career education workshops; and,
- Work with the Council, the Haringey 6th Form College and the Haringey Employment and Recruitment Partnership to provide training and employment opportunities.

420 A local labour scheme management contribution of £30,000 will be paid prior to the commencement of Phase 1.

Transport

421 The following transport mitigation and improvement measures will be secured:

- a) Traffic Management Order amendment to prevent future residents from applying for a parking permit in any future Controlled Parking Zone (£1,000) (Upon first occupation of dwellings in Phase 1);
- b) Car Club provision (2 spaces);
- c) 3 years' Car Club membership and annual £50 credit for all households;
- d) Submission and implementation of approved Travel Plan;
- e) Travel Plan monitoring costs (£3,000 contribution to Council upon first occupation of dwellings in Phase 1);
- f) Parking enforcement/management in nearby streets (£6,000 contribution to Council upon first occupation of dwellings in Phase 1);
- g) Submission and implementation of an approved parking management plan;
- h) Bus contribution (£50,000 payable to TfL upon first occupation of dwellings in Phase 1); and
- i) Toucan/Tiger crossing on Ferry Lane (applicants to fund works to be carried out by the Council pursuant to a s.278 agreement).

Open space

422 A £500,000 financial contribution would be secured towards improvements to the Paddock, as discussed in paragraph 222 above.

Sustainability

423 As discussed in the energy section of the report, an updated energy strategy is required to be submitted prior to the commencement of Phase 1, which considers:

- a) How all reasonable endeavours have been made to connect the development to the Hale Village energy centre (Option 1) and;
- b) If Option 1 is found to be feasible, details of this connection and the resulting carbon reduction shall be provided, or;

- c) If Option 1 is demonstrated to be unfeasible in agreement with the Council and the GLA, then Option 2 shall be implemented, comprising of an on-site energy centre, and details of the energy centre, further consideration of incorporating renewable energy technology and the resulting carbon reduction shall be provided, and;
- d) The updated energy strategy shall report on the overall carbon savings and should these fall below 35% beyond Building Regulations 2013 then the shortfall shall be offset at a rate of £1,800 per tonne.
- e) An overheating mitigation strategy for each phase will be submitted and approved prior to the commencement of the relevant phase.

Block K

424 The active marketing of Block K for Class B1 purposes for at least six months will be secured with an agreed marketing strategy, and the applicants shall demonstrate to the Council's satisfaction that there is insufficient demand for Class B1 use prior to implementing any residential use for this block.

Considerate Contractor Scheme

425 The contractors will be required to sign up to the Considerate Contractor Scheme.

Council's costs

426 The costs to the Council of monitoring and enforcing the section 106 legal agreement will be secured, amounting to up to 5% of total contributions.

Legal considerations

427 Under the arrangements set out in Article 7 of the Order and the powers conferred by Section 2A of the Town and Country Planning Act 1990 the Mayor is the Local Planning Authority (LPA) for the purposes of determining this planning application ref: HGY/2016/1719.

428 Section 35 of the Greater London Authority Act 2007 inserts section 2F into the Town and Country Planning Act 1990 a requirement that for applications the Mayor takes over, the Mayor must give the applicants and the LPA the opportunity to make oral representations at a hearing. He is also required to publish a document setting out:

- who else may make oral representations;
- the procedures to be followed at the hearing; and,
- arrangements for identifying information, which must be agreed by persons making representations.

429 The details of the above are set out in the Mayor's Procedure for Representation Hearings which reflects, as far as is practicable, current best practice for speaking at planning committee amongst borough councils.

430 In carrying out his duties in relation to the determination of this application, the Mayor must have regard to a number of statutory provisions. Listed below are some of the most important provisions for this application.

431 Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that in dealing with such an application the authority shall have regard to:

- a) The provisions of the development plan, so far as material to the application;
- b) Any local finance considerations, so far as material to the application; and
- c) Any other material consideration.

432 Section 70(4) defines “local finance consideration” as:

- a) A grant or other financial assistance that has been, or will or could be, provided to a relevant authority by a Minister of the Crown; or
- b) Sums that a relevant authority has received, or will or could receive, in payment of Community Infrastructure Levy.

433 In this context “grants” might include the Government’s “New Homes Bonus” - a grant paid by Central Government to local councils for increasing the number of homes and their use.

434 These issues are material planning considerations when determining planning applications or planning appeals.

435 Furthermore in determining any planning application and connected application, the Mayor is required by section 38(6) of the Planning and Compulsory Purchase Act 2004 to determine the application in accordance with the Development Plan (i.e. the London Plan and the adopted Local Plan) unless material considerations indicate otherwise.

436 Other guidance, which has been formally adopted by Haringey Council and the GLA (e.g. Supplementary Planning Documents and Supplementary Planning Guidance), will also be material considerations of some weight (where relevant). Those that are relevant to this application are detailed in this Representation Hearing report.

437 Officers are satisfied that the current report to the Mayor has had regard to the relevant provision of the Development Plan. The proposed section 106 package has been set out and complies with the relevant statutory tests, adequately mitigates the impact of the development and provides necessary infrastructure improvements.

438 As regards Community Infrastructure Levy (CIL) considerations, the Mayoral CIL payment associated with this development is estimated to be up to £1,648,776.

439 In accordance with his statutory duty in section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 the Mayor shall have special regard to the desirability of preserving Listed Buildings, their settings and any features of special architectural or historic interest which they possess. The Mayor is also required to give special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas which may be affected by the proposed development (section 72 of the of the Planning [Listed Buildings and Conservation Areas] Act 1990).

440 Where the Mayor takes over an application, he becomes responsible for the section 106 legal agreement, although he is required to consult the relevant borough(s). In this instance, there have been a series of lawyer led meetings to discuss the section 106 content, and it has progressed on a number of key issues, whilst others remain outstanding at this point in time. Both the Mayor and the borough are given powers to enforce planning obligations.

441 When determining these planning applications, the Mayor is under a duty to take account of the provisions of the Human Rights Act 1998 as they relate to the development proposal and the conflicting interests of the applicants and any third party affected by, or opposing, the application, in reaching his decision. Planning decisions on the use of land can only be taken in line with the

Town and Country Planning Acts and decided in accordance with the development plan unless material considerations indicate otherwise.

442 The key Articles to be aware of include the following:

- (a) Article 6 - Right to a fair trial: In the determination of his civil rights and obligations... everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.
- (b) Article 8 - Right to respect for private and family life: Everyone has the right to respect for his private and family life, his home and his correspondence.
- (c) Article 1 of the First Protocol - Protection of property: Every person is entitled to the peaceful enjoyment of his possessions.

443 It should be noted, however, that most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted i.e. necessary to do so to give effect to the Town and Country Planning Acts and in the interests of such matters as public safety, national economic well-being and protection of health, amenity of the community etc. In this case this Representation Hearing report sets out how this application accords with the Development Plan.

444 Regulation 122 of the Community Infrastructure Levy Regulations 2010 states that a section 106 planning obligation may only constitute a reason for granting planning permission for the development if the obligation is necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. These are now statutory tests.

445 The Equality Act 2010 provides that in exercising its functions (which includes the functions exercised by the Mayor as Local Planning Authority), that the Mayor as a public authority shall amongst other duties have due regard to the need to a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

446 The protected characteristics set out in the Equality Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Equality Act acknowledges that compliance with the duties set out may involve treating some persons more favourably than others, but that this does not permit conduct that would otherwise be prohibited under the Act.

447 Officers are satisfied that the application material and officers' assessment has taken into account the equality and human rights issues referred to above. Particular matters of consideration have included provision of accessible housing and parking bays, the provision of affordable and family housing and the protection of neighbouring residential amenity.

Conclusion

448 As detailed above Section 38(6) of the Planning and Compensation Act 2004 requires the decision to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

449 When assessing the planning application the Mayor is required to give full consideration to the provisions of the Development Plan and all other material considerations. He is also required to

consider the likely significant environmental effects of the development and be satisfied that the importance of the predicted effects and the scope for reducing them, are perfectly understood.

450 When considering the proposals, GLA officers have had special regard to the desirability of preserving the setting of listed buildings in the vicinity of the proposed development and they have given special attention to the desirability of preserving or enhancing the character or appearance of the conservation areas near to the site.

451 In preparing this report, officers have taken into account the likely environmental impacts and effects of the development and identified appropriate mitigation action to be taken to reduce any adverse effects. In particular, careful consideration has been given to the proposed conditions and planning obligations which would have the effect of mitigating the impact of the development.

452 This report has considered the material planning issues associated with the proposed development in conjunction with all relevant national, regional and local planning policy, and has found that the proposed development is acceptable in terms of land use principles; Green Belt, nature conservation, housing (affordable housing, mix, density, quality, play and amenity space); design (including urban design, tall buildings, public realm, heritage); inclusive design; neighbouring amenity; sustainable development; environmental issues; transport; and, mitigating the impact of development through planning obligations.

453 The outline elements of the application are accompanied by suitable information, including acceptable Parameter Plans, robust Design Codes, and the provisions of the proposed conditions and s106 obligations, to ensure that the development is in accordance with the aims of local and strategic planning policy. Subject to granting outline planning permission it is considered that subsequent applications for reserved matters are suitable to be decided at local level and the Mayor is recommended to exercise his power pursuant to section 2C of the 1990 Act.

454 Accordingly, the recommendations set out at the beginning of this report are proposed.

for further information, contact GLA Planning Unit (Development & Projects):

Colin Wilson, Senior Manager - Planning Decisions

020 7983 4783 email colin.wilson@london.gov.uk

Sarah Considine, Strategic Planning Manager (Development Decisions)

020 7983 5751 email sarah.considine@london.gov.uk

Katherine Wood, Senior Strategic Planner (case officer)

020 7983 5743 email katherine.wood@london.gov.uk
