

30-36 Clarendon Road, Wood Green

Local Planning Authority: Haringey

Local Planning Authority reference HGY/2022/3846

Strategic planning application stage 2 referral

Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.

The proposal

Demolition of the existing buildings and construction of a building up to 11-storeys (plus basement) to provide 51 residential units and 560 sq.m. of commercial floorspace with access, parking and landscaping.

The applicant

The applicant is **Paul Simon Magic Group** and the architect is **Stockwool**.

Key dates

GLA stage 1 report: 27 March 2023

LPA Planning Committee decision: 5 June 2023

Strategic issues summary

Land use principles: The redevelopment of this allocated site within the Wood Green Growth Area and a Strategic Area for Regeneration is supported in line with London Plan Policies H1, E2, SD10 and Objectives GG1 and GG2.

Affordable housing: The scheme will provide 36% affordable housing comprised of 59.6% London Affordable Rent, 14.9% London Living Rent and 25.5% London Shared Ownership and qualifies for the Fast Track Route. Affordability, eligibility and an early stage viability review are being secured by planning obligation.

Other issues on **Urban design, Transport** and **Sustainable development & Environmental issues** have also been resolved.

The Council's decision

In this instance Haringey Council has resolved to grant permission subject to planning conditions and conclusion of a Section 106 legal agreement.

Recommendation

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

Context

1. On 25 January 2023, the Mayor of London received documents from Haringey Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under the following category of the Schedule to the Order 2008:
 - **Category 1C:** *“Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London.”*
2. On 27 March 2023, the Deputy Mayor for Planning, Regeneration and Skills, acting under delegated authority, considered planning report GLA/2023/0068/01 ([link to report here](#))¹ and subsequently advised Haringey Council that whilst the proposal is supported in principle, the application does not fully comply with the relevant policies, as summarised below:
 - **Land Use Principles:** The redevelopment of this allocated site within the Wood Green Growth Area would contribute to the continued regeneration of this Strategic Area for Regeneration and is supported in line with London Plan Policies H1, SD10 and Objectives GG1 and GG2.
 - **Affordable housing:** The scheme is proposing 36% affordable housing by habitable room, comprised of 60% affordable rent and 40% intermediate tenure. Confirmation of the affordable rent levels and the intermediate product is required, and an early stage viability review secured.
 - **Heritage and urban design:** Broadly supported and the proposal complies with Policy D9B and may accord with the qualitative assessment criteria set out at Policy D9C; and no harm would be caused to any nearby heritage assets.
 - **Transport:** Car-free nature of the proposal is supported and the improvements identified in the Active Travel Zone assessment should be secured via a Section 278 agreement; the amount of commercial cycle parking should be increased and all cycle parking designed to meet LCDS standards; and various transport-related plans to be secured.
 - **Sustainable development & Environmental issues:** The development is estimated to achieve a 71% and 57% reduction in CO₂ emissions compared to 2013 Building Regulations for the domestic and non-domestic elements respectively; further information is required on the energy strategy as well WLC, circular economy, water, air quality, urban greening and biodiversity.
3. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report.
4. On 5 June 2023, Haringey Council decided that it was minded to grant permission for the application subject to planning conditions and conclusion of a Section 106 agreement, and on 22 January 2024 it advised the Mayor of this decision. Under

¹ <https://planapps.london.gov.uk/planningapps/HGY-2022-3846>

the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008 the Mayor may allow the draft decision to proceed unchanged; direct Haringey Council under Article 6 to refuse the application; or issue a direction to Haringey Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 4 February 2024 to notify the Council of his decision and to issue any direction.

5. The decision on this case, and the reasons, will be made available on the City Hall website: www.london.gov.uk

Response to neighbourhood consultation

6. Haringey Council publicised the application by issuing site notices. The relevant statutory bodies were also consulted. Copies of all responses to public consultation, and any other representations made on the case, have been made available to the GLA.
7. Follow the neighbourhood consultation process Haringey Council received a total of **9** responses (**8** in objection and **1** general). The reasons for objection raised as part of the neighbourhood consultation process are collectively summarised below.
 - **Land use principles:** Additional housing is not needed in the area; the commercial use proposed is excessive; and concerns that the commercial space will remain vacant.
 - **Heritage and design:** Prior to a decision being made, an appraisal of the Conservation Area should be undertaken; will impact the conservation area and setting of the listed building; excessive bulk and height; contrary to the Haringey Heartlands Development Framework April 2005; overdevelopment; height is not in accordance with the Clarendon Square development; height does not accord with the Clarendon Square development; out of character; and the proposal will obstruct the skyline.
 - **Amenity:** Impact on quality of life due to loss of light and privacy; overshadowing; and increased noise and disturbance during construction.
 - **Transport:** Increased traffic and pressure on parking; car-free nature of the development should be clarified; existing congestion in the surrounding area including Turnpike Lane; the junction of Turnpike Lane/Hornsey Park is not pedestrian friendly; highway safety; and increased deliveries and vehicle trips due to an increase in residents will make existing issues such as congestion and access for emergency vehicles worse.
 - **Other:** Insufficient green space/landscaping; application does not address mitigation of flooding that occurs at the junction of Turnpike Lane/Hornsey Park during heavy rainfall; air quality concerns; and inadequate drainage

Responses from statutory bodies and other organisations

Thames Water

8. No objection, subject to a condition relating to piling and informatives on minimum water pressure and groundwater discharge. These requests are being secured and are set out in the draft decision notice.

London Fire Brigade

9. No comments received.

Health and Safety Executive

10. No objection.

Metropolitan Police (Designing out crime)

11. No objection, subject to the imposition of conditions requiring 'Secured by Design' accreditation for each building. An appropriate condition is included in the draft decision notice.

Response to public consultation - conclusion

12. Having considered the local responses to public consultation, Haringey Council has sought to secure various planning obligations, conditions and informatives in response to the issues raised. GLA officers have had regard to the above statutory and non-statutory responses to the public consultation process, where these raise material planning issues of strategic importance.

Update

13. Since consultation stage GLA officers have engaged in joint discussions with the applicant, the Council and TfL officers with a view to addressing the above matters. Furthermore, as part of the Council's draft decision on the case, various planning conditions and obligations have been secured. An update against the issues raised at consultation stage is set out below, having regard to responses to the public consultation.

Relevant policies and guidance

14. Since consultation stage the following are now material consideration:
 - Characterisation and Growth Strategy LPG;
 - Small Site Design Codes LPG;
 - Optimising Site Capacity: A Design-led Approach LPG;
 - Housing Design Standards LPG;
 - Development Viability draft LPG; and,
 - Affordable housing draft LPG.

Land use principles

15. As set out in the Stage I report, the redevelopment of this allocated site within the Wood Green Growth Area would contribute to the continued regeneration of this Strategic Area for Regeneration and is supported in line with London Plan Policies H1, E2, SD10 and Objectives GG1 and GG2.

Affordable housing

16. At Stage I, the application proposed 36% affordable housing by habitable room. Since the initial consultation, further clarification has been provided on the types of affordable housing products to be provided. The final unit mix is shown in Table 1 below.

Table 1: Housing mix

Tenure	Studio	1Bed	2Bed	3Bed	Units	Habitable Rooms	Habitable Rooms (%)
London Affordable Rent	-	2	4	3	9	28	36%
London Living Rent	-	2	1	-	3	7	
Shared ownership	-	1	2	1	4	12	
Market	3	14	6	12	35	85	64%
Total	3	20	12	15	51	132	100%

17. The scheme will deliver 36% affordable housing by habitable room (without public subsidy) with a tenure split of 59.6% London Affordable Rent, 14.9% London Living Rent and 25.5% London Shared Ownership. The proposed affordable housing products are in line with paragraph 4.6.3 of the London Plan and are therefore acceptable. Regarding the intermediate products, these are to be made available to households on a range of average total gross household annual incomes that are in line with the requirements of the London Plan, the Mayor's Affordable Housing and Viability SPG and the London Plan Annual Monitoring Report. The requisite early-stage review and the abovementioned affordability and eligibility are included in the draft Section 106 agreement.

Heritage and urban design

Heritage

18. As stated in the Stage I report, the proposed development would not cause any harm to the significance of heritage assets and therefore complies with London Plan Policy HC1. This is a view shared by the Local Planning Authority and is reflected in the Committee report.

Urban design

19. The application was subject to a design review in line with London Plan Policy D4 and at Stage I the approach to design was broadly supported given the well-activated east and north-east facing frontages, downward transitioning in height response to the ground plus 2-storey properties along Hornsey Park Road, varied detailing and the proposed and materials palette. The application was also determined to be compliant with London Plan Policy D9B.
20. Notwithstanding the above, further information necessary to fully assess the application against London Plan Policy D9C was required. GLA officers determined at Stage I that the application could comply with Policy D9 once the outstanding impacts identified as part of the proposal's assessment against Policy D9C were satisfactorily resolved.
21. On visual impacts, as requested at the initial consultation, the submission of a lighting strategy is being secured by planning condition. Regarding functional impacts, a delivery and servicing management plan is being secured by condition as recommended at Stage I. No adverse impacts on aviation, navigation and telecommunication are expected. On environmental impacts, as set out in the Stage I report, the application is supported by a wind assessment, daylight and sunlight assessment and acoustic report. The Council has undertaken a review of the submitted documents and raised no objections, subject to appropriate mitigating conditions. Given the LPA's assessment, GLA officers' own analysis and the securing of the mitigation measures proposed for noise, no adverse environmental impacts are expected.
22. Having considered the visual, functional, environmental and cumulative impacts, and compliance with the London Plan as a whole, the proposed tall building is acceptable in line with London Plan Policy D9.

Fire safety

23. The building is over 18 metres in height and contains two staircases for its single core, as set out in the Stage I report.

Transport

24. The Section 106 agreement will secure a construction logistics and management plan and a financial contribution of £5,000 towards its monitoring. A total of £20,000 is also being secured via the Section 106 agreement for the 5-year travel plan initiative. This aligns with London Plan Policies T1 and T4.
25. The proposed width of Clarendon Road has been assessed to be satisfactory, as it will be accessible and suitable for two-way bus operation based on 12-metre electric double decker buses. This will ensure that buses can serve the wider Haringey Heartlands area and is therefore welcomed.
26. At Stage 1, the quantum of cycle parking for commercial use was not compliant with London Plan policy and needed to be increased. London Plan compliant levels of cycle parking for both the residential and non-residential aspects will be secured by condition.

27. It is noted that there will be two residential Blue Badge car parking spaces on-site, and if future demand arises, the existing on-street bays will be converted to accommodate additional blue badge parking. For commercial use, there are no allocated Blue Badge spaces provided; however, there are existing parking bays located directly outside of the site that are capable of future conversion as required.
28. A s278 agreement will be secured with Haringey Council for improvements to the highway works, public realm, cross over and footway works on Clarendon Road. A full delivery and servicing plan is being secured by condition in line with London Plan Policy T7.
29. In view of the above, the overall proposals comply with the transport policies of the London Plan.

Sustainable development and Environmental issues

Energy

30. At the initial consultation, it was noted that on-site reductions of 71% and 57% (for the domestic and non-domestic elements respectively) in CO₂ emissions compared to 2013 Building Regulations were expected.
31. Since the Stage I, as requested by GLA officers, the applicant has provided an updated GLA carbon emission reporting spreadsheet and additional information related to aspects of the energy strategy such as overheating, heat pumps, energy costs to applicants and modelling. A planning condition requiring the submission of a revised overheating report is being secured. In addition, 'Be seen' post-construction monitoring, a carbon off-set contribution of at least £70,680 and connection to a future district heat network will be secured in the Section 106. The outstanding energy matters have therefore been satisfactorily addressed since the initial consultation.

Whole Life-cycle Carbon

32. The application is supported by a WLC assessment as required by London Plan Policy SI2 and at Stage I the submission of an Excel version of the GLA WLC template was requested before a full assessment could be undertaken by GLA officers. Since the Stage I, GLA officers have received the Excel template, fully reviewed the WLC assessment and requested additional information. Having received all of the information requested and secured post-construction assessment, the application complies with Policy SI2.

Circular economy

33. In accordance with Policy SI7 of the London Plan, a circular economy statement was submitted with the application at the initial consultation. Owing to the absence of the required GLA template at the time of review, GLA officers were unable to undertake a thorough assessment of the circular economy statement. Since the initial review, GLA officers have received the template, reviewed the circular economy statement and requested additional information. Having received all of

the information requested and secured post-completion reporting via a planning condition, the application accords with Policy SI7.

Air quality

34. As stated at Stage I, the application is accompanied by an air quality assessment and the development would be air quality neutral. Further clarification particularly in relation to the operational phase exposure assessment has been provided as requested at the initial consultation. In addition, appropriate conditions to address Non-Road Mobile Machinery (NRMM) and air quality dust management, as requested at Stage I, are included in the draft decision notice.

Urban greening

35. The application will achieve an Urban Greening Factor (UGF) score of 0.43, which exceeds the target for predominantly residential developments set out under Policy G5 of the London Plan. As stated in the Stage I report, in keeping with London Plan Guidance on Fire Safety as it relates to combustible materials, the Council is reminded that the use of green walls should be reviewed against this guidance and updated as appropriate. Where this review finds it necessary to remove a green wall, opportunities should be sought to make up any reduction in the UGF by improving the quality or quantity of greening across the wider masterplan.

Biodiversity

36. At Stage I, the applicant was required to submit quantitative evidence that the proposed development secures a net biodiversity gain in accordance with London Plan Policy G6. The applicant has provided a Biodiversity Net Gain (BNG) report, which states that there would be 432.26% BNG for habitat units and a loss of linear units by 100%. As requested, an appropriate management and maintenance plan to support long-term maintenance and habitat creation is being secured by planning condition.

Section 106 agreement

37. The Section 106 agreement will include the following provisions:
- 36% affordable housing [minimum of 47 habitable rooms];
 - Minimum of 21% per cent [28 Habitable Rooms] as London Affordable Rent;
 - Minimum of 9% [12 Habitable Rooms]) as London Shared Ownership;
 - Minimum of 5% [7 Habitable Rooms] as London Living Rent;
 - Affordable housing eligibility;
 - 10% Part M4(3) units;
 - Early-stage financial viability review;
 - Construction Logistics and Management Plan;
 - Commercial Site Management Parking Plan;
 - Travel plans;
 - Highway works;
 - Car club scheme;

- District Energy Network feasibility, design, future connection etc;
- EN Feasibility Study;
- Local employment, training, apprenticeships and procurement;
- Apprenticeship Support contribution of £1,500;
- Traffic Management Order contribution of £4,000;
- Construction Logistics and Management Plan Monitoring contribution of £5,000; and,
- Travel Plan Monitoring contribution of £20,000.

Legal considerations

38. Under the arrangements set out in Article 5 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor has the power under Article 6 to direct the local planning authority to refuse permission for a planning application referred to him under Article 4 of the Order. Mayor also has the power under Article 7 to direct that he will become the local planning authority for the purposes of determining the application. The Mayor may also leave the decision to the local authority. In directing refusal, the Mayor must have regard to the matters set out in Article 6(2) of the Order, including the principal purposes of the Greater London Authority, the effect on health and sustainable development, national policies and international obligations, regional planning guidance, and the use of the River Thames. The Mayor may direct refusal if he considers that to grant permission would be contrary to good strategic planning in Greater London. If he decides to direct refusal, the Mayor must set out his reasons, and the local planning authority must issue these with the refusal notice. If the Mayor decides to direct that he is to be the local planning authority, he must have regard to the matters set out in Article 7(3) and set out his reasons in the direction.

Financial considerations

39. Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government guidance emphasises that parties usually pay their own expenses arising from an appeal.
40. Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or, behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.
41. Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the Council to do so) and determining any approval of details (unless the Council agrees to do so).

Conclusion

42. The strategic issues raised at consultation stage with respect to affordable housing, urban design, transport and sustainable development and environment have been addressed, and having regard to the details of the application, the matters set out in the committee report and the Council's draft decision, and considering the material planning considerations of strategic importance raised in responses to the public consultation, the application is acceptable in strategic planning terms, and there are no sound planning reasons for the Mayor to intervene in this case. It is therefore recommended that Haringey Council is advised to determine the case itself, subject to any action that the Secretary of State may take.

For further information, contact GLA Planning Unit (Development Management Team):

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