

Berol Quarter

Local Planning Authority: Haringey

Local Planning Authority reference HGY/2023/0261 & HGY/2023/0241

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

Full planning permission for the refurbishment and extension of Berol House to include Use Class E floorspace; and the redevelopment of 2 Berol Yard to provide new residential homes and Use Class E floorspace; with associated landscaping, public realm improvements, car and cycle parking, and other associated works.

The applicant

The applicant is **Berol Quarter Limited**, the agent is **Lichfields**, and the architect is **Allies and Morrison LLP**.

Key dates

GLA pre-application meeting: 10 August 2022

GLA stage 1 report: 27 March 2023

LPA Planning Committee decision: 3 July 2023

Strategic issues summary

Land use principles: The development of this allocated, brownfield site for a high-density, mixed-use development is acceptable in principle.

Affordable housing: Overall, the affordable housing offering would comprise 35% Discount Market Rent housing, of which, 30% would be at London Living Rent levels and the remaining 70% at Discount Market Rent. With an appropriate tenure split between DMR and LLR the proposal is generally considered to be Fast Track compliant.

Urban design: The proposal is located within an area that is identified as suitable for tall buildings. The height, massing, separation distances and width of the green link are now considered to be acceptable.

Transport: Officers are satisfied that the development is in general accordance with the transport policies of the London Plan and the Stage 1 issues have on balance been adequately addressed.

Other issues on **sustainable development** and **environment** 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.

Context

1. On 6 February 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 categories of the Schedule to the Order 2008:
 - **Category 1A:** “Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats”
 - **Category 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 outside Central London and with a total floorspace of more than 15,000 square metres” and
 - **Category 1C:** “Development which comprises or includes the erection of a building of 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/0100/S1 ([link to report here](#))¹ and subsequently advised Haringey Council:
 - **Land Use Principles:** The development of this allocated, brownfield site for a high-density, mixed-use development is acceptable in principle.
 - **Affordable housing:** Overall, the affordable housing offering would comprise 35% Discount Market Rent housing, of which, 30% would be at London Living Rent levels and the remaining 70% at Discount Market Rent. With an appropriate tenure split between DMR and LLR the proposal is generally considered to be Fast Track compliant.
 - **Urban design:** Whilst the site is within a location identified as appropriate for tall buildings, there are some concerns about height, massing, separation distances and width of the green link, which indicates potential over-development.
 - **Transport:** Further information on the strategic transport issues arising from this development will be required to ensure full compliance with the London Plan.
 - **Sustainable development:** Further information on Energy, Whole Life Carbon and Circular Economy is required to ensure full compliance with London Plan requirements.
 - **Environment:** Further information is required on sustainable drainage, air quality and biodiversity.

¹ <https://planapps.london.gov.uk/planningapps/HGY-2023-0261%20&%20HGY-2023-0241>

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 3 July 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 6 December 2024 it advised the Mayor of this decision. Under 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 19 December 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 sending 888 notifications to local addresses, and issuing site and press 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. Following the neighbourhood consultation process Haringey Council received a total of 5 responses (2 in objection, 2 in support and 1 comment). The reasons for objection and support raised as part of the neighbourhood consultation process are collectively summarised below.

Neighbourhood objections

8. Objections were focused on the scale of the proposed building (Berol Yard) in relation to Berol House.

Neighbourhood support

9. Comments of support have been received in relation to the proposed development helping to make Tottenham more of a destination location within London and contribution to the redevelopment of Ashley Road.
10. Neighbour representations also welcome the addition of high quality retail and office floorspace to create a more vibrant atmosphere in the area.

Responses from statutory bodies and other organisations

Environment Agency

11. This application falls outside EA's remit for comment. Although this site falls within Flood Zone 2, the advice falls under national Flood Risk Standing Advice (FRSA).

Greater London Archaeology Advisory Service (GLAAS)

12. The development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. A two-stage archaeological condition could provide an acceptable safeguard. This would comprise evaluation to clarify the nature and extent of surviving remains and then, if necessary, by a full investigation. Condition and Informative recommended.

Metropolitan Police – Designing Out Crime Officer

13. No comment received at time of publication – However, a secured by design condition is recommended which would ensure that the proposed development would meet the principles of secure by design.

Thames Water

14. A condition relating to surface water is recommended and an informative due to closeness to a Thames Water Sewage Pumping Station. A condition is also recommended relating to ensuring the existing water network infrastructure has sufficient capacity to accommodate the development.

London Underground / DLR Infrastructure Protection

15. No objection in principle to the above planning application, there are a number of potential constraints on the redevelopment of a site situated close to London Underground railway infrastructure. Therefore, a condition is requested to be discharged in a phased manner as and when they are completed.

Health and Safety Executive (HSE)

16. Following a review of the information provided with this consultation, HSE is content with the fire safety design, to the extent that it affects land use planning.

Natural England

17. Natural England has no comment on this application with regards to designated sites.

NHS North Central London

18. Request for a minimum s106 contribution of £233,335.00 to “increase capacity of health infrastructure serving the proposed development”.

Response to public consultation - conclusion

19. 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

20. 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

21. Since consultation stage the following is now a material consideration:
- Characterisation and Growth Strategy LPG (June 2023); and
 - Optimising Site Capacity: A Design-Led Approach LPG (June 2023)
 - Digital Connectivity Infrastructure LPG (November 2024)
 - The National Planning Policy Framework was published on 12 December 2024 and is a material consideration for all planning decisions.

Land use principles

22. At consultation stage (Stage 1), it was determined that the development of this brownfield opportunity area site for a high-density, mixed-use development is acceptable in principle.

Affordable housing

23. Overall, the affordable housing offering would comprise 35% Discount Market Rent housing, of which, 30% would be at London Living Rent levels and the remaining 70% at Discount Market Rent. With an appropriate tenure split between DMR and LLR the proposal is Fast Track compliant.
24. This has been appropriately secured within the S106. Therefore, the proposal is compliant with Policy H4 and provides an acceptable level of affordable housing.

Urban design

25. At Stage 1, it was confirmed that the site was within a location identified as appropriate for tall buildings. Nevertheless, some concerns were raised in regard to the height, massing, separation distances and width of the green link. The architectural approach was supported.
26. As noted at paragraph 6.6.15 of the Haringey Committee Report

'The GLA Officer initially raised concerns about the projection filling the Green Link. However, they subsequently commented, following sight of the latest QRP comments, that they are now generally satisfied that the urban design

considerations in relation to height, massing, and separation distances are appropriately resolved.'

27. Specifically, the third Haringey Quality Review Panel (QRP) on 1 March 2023 noted the following about the height and massing:

'The panel's initial concerns about the appropriateness of the tower's scale in this context have been addressed by creating a skilful relationship with the emerging surrounding buildings, and by the quality of residential accommodation.'

28. In accordance with Policy D9(b) the site is in an area that is suitable for tall buildings, with no defined height parameter within the site allocation.
29. Additionally, in undertaking a full assessment including review of the Councils Committee Report, our assessment of Policy D9(c) has determined that the proposed visual, functional, environmental, and cumulative impacts of the development have been appropriately considered and are acceptable.
30. Having regard to the above, the urban design matters broadly comply with London Plan policies and are therefore considered to be acceptable.

Fire safety

31. At Stage 1 it was confirmed that the application was accompanied by a Fire Statement prepared by a suitably qualified third-party assessor, AESG.
32. The residential building, which is greater than 18 metres in height, would incorporate two staircases.
33. The draft decision notice has secured the submission of an updated Fire Strategy prior to above ground works (Condition 11).
34. Based on the above, the proposal is considered to comply with Policy D12.

Transport

35. At Stage 1, further information on the strategic transport issues arising from this development was requested to ensure full compliance with the London Plan. This included further updates to the ATZ, cyclist access points, a link load analysis for Tottenham Hale Station, as well as cycle parking.
36. A number of improvements and conditions have been secured including a Car Parking Management Plan with associated on site restrictions, an on street permit free agreement, cycle parking, delivery and servicing plan, a demolition and detailed construction management plan, LU asset protection and a travel plan. The S106 also safeguards the future proofing of the proposed bridge connection.
37. Officers are satisfied that the development is in general accordance with the transport policies of the London Plan and the Stage 1 issues have on balance been adequately addressed.

Sustainable development

Energy

38. At Stage 1, it was noted that the energy statement did not yet comply with London Plan Policies SI2, SI3 and SI4. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements.
39. The applicant updated their Energy Statement and the GLA template on a number of subsequent occasions. On balance, the applicant has addressed most of the points raised within the GLA energy template and therefore the proposal is in accordance with London Plan policy.
40. The Energy Strategy (dated 13 June 2023) has been secured as an approved document (as per Condition 24). The draft s106 has secured the carbon offset contribution (estimated at £327,750.00) as well as 'Be Seen' energy monitoring.

Whole Life-Cycle Carbon

41. At Stage 1, it was noted that the applicant had not yet submitted a WLC Assessment and, as such, the proposal did not yet comply with Policy SI2.
42. The applicant has updated the WLC Assessment on two occasions since Stage 1. This has acceptably addressed WLC matters and the proposal is considered to comply with Policy SI2.
43. The Whole Life-Cycle Carbon Assessment (dated 25 May 2023) has been secured as an approved document. Furthermore, a condition (Condition 29) secures post construction assessment and monitoring.

Circular Economy

44. At Stage 1, it was acknowledged that whilst the applicant had submitted a Circular Economy Statement, they had not yet submitted a GLA Circular Economy template. This is required in order to determine compliance with Policy SI7 and D3. Additionally, it was welcomed that the Applicant proposed to retain and refurbish the existing building on the site.
45. Since this time, the applicant has updated the Circular Economy Statement and GLA template on two occasions. This is now considered to comply with Policies SI7 and D3 regarding circular economy principles.
46. The Circular Economy Statement (dated 25 May 2023) has been secured as an approved document. Furthermore, a condition (Condition 28) secures post construction assessment and monitoring.

Environmental matters

Flood risk, sustainable drainage and water efficiency

47. At Stage 1 it was confirmed that the FRA provided for the proposed development generally complied with Policy SI12 of the London Plan and that the surface water drainage strategy for the proposed development generally complied with Policy SI13.
48. A Flood Warning and Evacuation Plan (FWEP) will need to be prepared (secured by condition) including consideration of the identified risk of reservoir flooding.
49. Therefore, GLA officers determined that the proposal broadly complies with Policies SI12 and SI13 of the London Plan.

Air quality

50. At Stage 1, the Air Quality Assessment was reviewed and considered to be of sufficient quality.
51. Conditions have been secured to mitigate the impacts of construction and dust including:
 - Condition 43: Submission of an Updated Air Quality Assessment.
 - Condition 44: Management and Control of Dust.

Urban greening

52. At Stage 1, the proposal's urban greening factor (UGF) score was deemed to be compliant at 0.35. This was attributed to the fact that the Planning Statement set out that the proposals are an equal mix of residential and commercial, therefore it was considered that this application meets the target set by Policy G5 of the London Plan.

Section 106 agreement

53. The Section 106 agreement will include the following provisions:
 - On-site affordable housing (DMR and LLR):
 - Minimum of 35% by habitable room (202 habitable rooms).
 - Tenure mix – 30% London Living Rent (LLR) Housing and 70% Discount Market Rent (DMR) Housing.
 - Proposed Number of Habitable Rooms by tenure: DMR = 78 (2-bed) and 64 (3-bed); LLR = 36 (2-bed) and 24 (3-bed).
 - Triggers for provision - No occupation of the Market Rent Housing Units until all of the Affordable units have been delivered.

- Location of different tenures (a plan of the affordable housing showing where both DMR and LLR is located).
- Affordable housing residents to have access to the same communal amenity and play space as Market Rent housing.
- Viability Review Mechanism:
 - Early-Stage Review if not implemented within 2 years in whole or in part; and
 - Development Break review – review if construction is suspended for 2 years or more.
- Build to Rent Obligations:
 - The homes shall be held under a covenant for at least 15 years (apart from affordable units, which shall be secured in perpetuity).
 - A clawback mechanism if BTR homes are sold.
 - Unified ownership and management of the private and affordable elements of the scheme.
 - BtR housing shall be provided in accordance with an approved BtR marketing and letting scheme.
 - Not to occupy or cause or permit the occupation of any BtR Housing Unit until a BtR Management Plan has been submitted to and approved by the Council. The BtR Management Plan shall incorporate the following requirements, unless otherwise agreed in writing with the Local Planning Authority:
 - a) Each BtR Housing Unit shall be self-contained and let separately for private Residential Use;
 - b) Rent and service charge certainty shall be provided for the tenancy period on a basis made clear before the tenancy agreement is signed including any annual increases, which should be formula-linked;
 - c) Longer tenancies (three years or more) shall be made available to all tenants;
 - Each lease of each BtR Housing Unit shall contain a break clause;
 - Providers must not charge up-front fees of any kind to tenants or prospective tenants outside of deposits and rent-in-advance.
- Additional Affordable Workspace with proposed 20% discount of the prevailing market rent unit.

- Commercial and Retail strategy which identifies how the proposed uses would complement and enhance the commercial offer in Tottenham Hale, considering the wider regeneration.
- Employment & Skills: Submission of an employment and skills plan; construction jobs for local residents; skills based training; including other provisions.
- Public Art: Submission of a public art/lighting installation scheme.
- Future proofing bridge connection works as part of the 2 Berol Yard building, including access provision, construction works, etc.
- Cultural and Arts Space: 161sqm of Cultural and Arts Space floorspace to be constructed on the first floor of 2 Berol Yard - plus public gallery and winter garden area until the potential future bridge is opened; including access and lease clauses.
- Public realm: submission of a public access plan, including provision for public access to footpaths, cycleways, open spaces, and the Cultural and Arts Space, including the potential future bridgehead.
- NHS Contribution: Provide a capped contribution of £25,000 prior to Practical Completion of 2 Berol Yard to support local NHS services.
- Travel Plans (Commercial and Residential Travel Plans (£3,000 contribution per plan)): A requirement for detailed travel plans to be submitted for approval prior to occupation.
- Car Club: A commitment to provide residents with three years car club membership including a £50 annual credit for those who register.
- Car Capping: No future occupiers will be entitled to apply for a residents or business parking permit. £5,000 for revising the Traffic Management Order.
- Construction Logistics / Monitoring Contribution: A payment of £20,000.00 to be paid to the Council.
- Considerate Constructors Scheme: A commitment to sign up to the scheme for the entirety of construction works.
- Ultrafast Broadband: All rooms of accommodation and commercial spaces must have access to ultrafast broadband connections (above 100MB/s).
- Carbon Management & Sustainability – Future connection to District Energy Network (DEN):
 - An amended energy statement is to be provided on first occupation of the development.
 - Estimated carbon offset contribution, plus a 10% management fee; carbon offset contribution to be re-calculated at £2,850 per tCO2 at

the Energy Plan and Sustainability stages (See Carbon Offsetting below for more detail).

- Be Seen commitment to uploading energy data.
 - A covenant to comply with the Council's standard DEN specification for the building DEN and for any components of the area wide DEN installed on site.
 - Submission of Energy Plan for approval by LPA.
 - Sustainability Review.
- Carbon offsetting: Provision of a contribution to offset the carbon emissions of the development where not met on site against the zero-carbon target. Estimate of the carbon offset figure is £327,750.00.
 - Monitoring costs: Based on 5% of the financial contribution total, and £500 per non-financial contribution.
 - Securing Design Quality: Retain the existing architects for both buildings as Design Guardians to safeguard the design quality.
 - Berol House Relocation Strategy: Submission of a relocation strategy to be submitted prior to construction to identify how existing occupants within Berol House would be supported to find new suitable premises.

Legal considerations

54. 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

55. 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.

56. 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.
57. 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

58. The strategic issues raised at consultation stage with respect to the urban design, transport, sustainable development and environment have been acceptably resolved on balance, 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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