

REPORT FOR CONSIDERATION UNDER DELEGATED POWERS (POST-COMMITTEE)

1. APPLICATION DETAILS

Reference Nos: HGY/2023/2306 & 2307

Ward: Bruce Castle (Northumberland Park opposite)

Date received: 24/08/2023

Last amended date: 07/02/2024

Address: 'Printworks' 819-829 High Road, Tottenham, London, N17 8ER

Proposal: Full planning application for the demolition of existing buildings and structures to the rear of 819-829 High Road; the demolition of 829 High Road; and redevelopment for purpose-built student accommodation (Sui Generis) and supporting flexible commercial, business and service uses (Class E), hard and soft landscaping, parking, and associated works. To include the change of use of 819-827 High Road to student accommodation (Sui Generis) and commercial, business and service (Class E) uses. (HGY/2023/2306)

Listed Building Consent for internal and external alterations to 819/821 High Road (Grade II), including reinstatement of hipped roof, demolition works to the rear, façade and related external works, internal alterations, and associated works. (HGY/2023/2307)

Applicant: High Road West (Tottenham) Limited - Tottenham Hotspur Football Club (THFC)

Officer contact: Philip Elliott

2. SUMMARY OF DECISION

- 2.1. The Head of Development Management and Planning Enforcement (Head of DM) issue the grant of planning permission and listed building consent with conditions and informatives imposed following the signing of a Section 106 Legal Agreement (s106) providing for the agreed obligations. See 'Appendix 2 - Heads of Terms, & Planning Conditions and Informatives' for the heads of terms and planning conditions and informatives.
- 2.2. This authorisation follows:
 1. The Planning Sub Committee's (PSC) resolution to grant planning permission and listed building consent on 11th December 2023,
 2. A consideration of additional representations from the London Fire Brigade (LFB) received on 5th February 2024 following the resolution above (as noted in Section 3 of this report); and
 3. Alterations, corrections, and deletions of the conditions (as noted in Section 4 of this report) agreed by the Head of DM in consultation with the Chair of Planning Sub Committee on 08th February 2024;
 4. The signing of a s106 agreement dated 04 March 2023.

3. CONSULTATION RESPONSES

- 3.1. Comments from the LFB were received on the 5th February 2024 subsequent to the PSC resolution. The LFB raised concerns and made comments on the proposal. The full LFB comments are attached to this report at Appendix 1. In summary their comments are as follows:
 1. Concerns relating to single stair for Core B - Concern that the building relies on a single staircase. The LFB highlight that it is expected that legislation will change in the future to

require all residential buildings over 18m or seven storeys in height to be provided with multiple staircases;

2. **Evacuation lifts** - Following on from the point above, the LFB recommend that at least one evacuation lift is made available for use from all areas of the building;
3. **Ground floor layout** - The LFB have commented that it appears to them that occupants escaping from the upper floors are required to travel through the lift lobby to reach a final exit, which they state would not be in accordance with guidance on the route to the firefighting stair at ground floor;
4. **Cooking Hob Locations in studios** - The submitted plans includes cooking appliances positioned close to the internal escape route and the flat entrance door. The LFB highlight that these facilities should be sited away from the entrance so as not to prevent escape or analysis is carried out to demonstrate suitability;
5. **Roof Terraces** - The LFB state that they consider the link between the communal terraces and the common corridors serving flats to be insufficient for evacuation on smoke detection and expect this to be further justified at the Building Regulations stage;
6. **Cycle storage** - The LFB comment that ventilation should be considered in cycle storage areas where there would be the storage (and potential charging) of electric bikes and electric scooters given the potential fire risk this poses.
7. **Photovoltaic Cells (PVs)** - The LFB state that care should be taken to ensure that PVs are installed correctly to the manufacturer's recommendations due to the fire hazards associated with poorly fitted installations. Isolation controls should also be provided for use by firefighters.

3.2. **Officer note:** *The applicant has responded to the above points and states the following:*

1. **Second Stair**

- a. Whilst DLUHC announced an intention in July 2023 to require second staircases in buildings above 18m, this will need to be confirmed through further guidance and an updated Approved Document B. Neither have been produced to date and there is no mandatory requirement for the Printworks scheme to provide a second stair.
- b. Similarly, the NFCC position referenced is a statement only and does not comprise mandatory requirements.
- c. Notwithstanding the above, the DLUHC updates will also include transitional arrangements which the Printworks scheme would fall within, further supporting the current approach.
- d. The HSE are supportive of the scheme with it being subject to the Gateway 1 review. As you know, we are not intending to trigger Gateway 2/3 reviews under the Building Safety Act given our accelerated delivery programme.
- e. The position also replicates that approved by both Haringey Council and the HSE in the extant consent for Printworks.

2. **Evacuation Lift**

- a. Lifts in each core provide evacuation lifts. In Core B the firefighting lift can be used as a second evacuation lift in the event that the first evacuation lift is out of order.
- b. The scheme would also be managed and maintained on a 24/7 basis, allowing any lift issues to be resolved quickly and ensuring that this would be a temporary operation only. Furthermore, there is adequate space for waiting within the scheme.
- c. Further discussions will take place during the Building Regulation process.

3. **GF Layout / Exit Routes**

- a. The exit routes are appropriately mitigated by ensuring that there are no direct access to ancillary accommodation from the final entrance lobby.
- b. The HSE have confirmed their acceptance of the scheme layout and exit routes.

4. **Internal Layouts**

- a. These are indicative only and are (and will continue to be) worked through ongoing design development.

- b. Matters of internal layouts will be resolved and agreed through future Building Regulation approvals.

5. Roof Terraces

- a. There appears to be some misunderstanding here, as there is only 1 accessible roof terrace and the remainder are restricted to maintenance access only.
- b. As above, this will also be agreed through future Building Regulation approvals, which is recognised in the LFB response.

6. Electric Bikes

- a. None are proposed; however, any required mitigation will be agreed through future Building Regulation approvals.

7. PV

- a. Comments are noted and no further response is required.

3.3. Officer note: Haringey's Principal Building Surveyor was consulted on the LFB comments and agrees with the points raised numbered 3, 4 & 5. However, the other points highlighted by the LFB are beyond the scope of BC.

3.4. Officers agree with the applicant that there is no current requirement for an additional stair in this scheme and, in the event that this changed, the proposal would be under transitional arrangements that would support the proposed stair numbers.

3.5. The other matters raised can be resolved as part of the Building Regulations process and therefore a sufficient level of detail and information has been provided at this stage.

3.6. Building Control and the HSE (the statutory consultee for relevant planning applications) continue to find the scheme acceptable. Given the content of the late response from the LFB, it is considered that their comments do not introduce any new information that would justify further consideration by the PSC.

3.7. The issues raised in terms of a need for an additional stair and lift are not required by legislation or policy and the other matters are not relevant to a planning decision given that the appropriate way for them to be resolved is through a building regulations approval.

4. **CONDITION AND S106 CHANGES**

4.1. Several changes have been made to the conditions that formed part of the resolution to grant by the PSC. These have been agreed in consultation with the Chair of the PSC. These are as follows:

4.2. **Condition 8 (BREEAM Certificate)**: Amendments are proposed to account for current delays in issuing BREEAM Certificates by the Building Research Establishment (BRE). The revisions ensure that delivery will not be upheld unnecessarily, whilst ensuring that the Local Planning Authority remain satisfied on the BREEAM performance of the scheme. The changes to the condition are shown below (deletions struck out and additions in bold):

8. BREEAM Certificate

(a) Prior to commencement of any above ground works (excluding demolition),

- (i) an application for a design stage BREEAM accreditation certificate confirming that the development will achieve BREEAM "Very Good" outcome (or equivalent), aiming for "Excellent", shall be made to the Building Research Establishment (BRE); and
- (ii) evidence of such an application being made shall be submitted to the local planning authority. The certificate shall thereafter be provided to the local planning authority within 1 month of its issue by the BRE and shall achieve the agreed rating and shall be

~~maintained as such thereafter for the lifetime of the development a design-stage accreditation certificate for every type of non-residential category must be submitted to the Local Planning Authority confirming that the development will achieve a BREEAM “Very Good” outcome (or equivalent), aiming for “Excellent”. This should be accompanied by a tracker demonstrating which credits are being targeted, and why other credits cannot be met on-site. The development shall then be constructed in strict accordance with the details so approved, and shall achieve the agreed rating and shall be maintained as such thereafter for the lifetime of the development.~~

(b) Within 6 months of first occupation,

- (i) an application for a post-construction BREEAM accreditation certificate shall be made to the BRE confirming this standard has been achieved; and
- (ii) evidence of such an application being made shall be submitted to the local planning authority. The certificate shall thereafter be provided to the local planning authority within 1 month of its issue by the BRE. ~~a post-construction certificate issued by the Building Research Establishment must be submitted to the local planning authority for approval, confirming this standard has been achieved.~~

In the event that the development fails to achieve the agreed rating for the development, a full schedule and costings of remedial works required to achieve this rating shall be submitted for the Local Planning Authority’s written approval within 2 months of the submission of the post construction certificate. Thereafter the schedule of remedial works must be implemented on site within 3 months of the Local Planning Authority’s approval of the schedule, or the full costs and management fees given to the Council for offsite remedial actions.

REASON: In the interest of addressing climate change and securing sustainable development in accordance with London Plan (2021) Policies SI2, SI3 and SI4, and Local Plan Policy SP4 and DM21.

- 4.3. **Condition 10 (Noise Attenuation – Student Accommodation):** Amendments are proposed to ensure that the condition satisfies the “precise” test. Instead of a bracket for exceedances (10-15) a single number equivalent to the maximum (15) is used. The changes to the condition are shown below (deletions struck out and additions in bold):

10. Noise Attenuation – Student Accommodation

(a) The student accommodation hereby approved shall not be occupied until such times as full details of the glazing specification and mechanical ventilation for habitable rooms in all façades of the accommodation to which they relate have been submitted to and approved in writing by the Local Planning Authority.

(b) The above details shall be designed in accordance with BS8233:2014 ‘Guidance on sound insulation and noise reduction for buildings’ and meet the following noise levels;

Time	Area	Average Noise level
Daytime Noise 7am – 11pm	Student rooms	35dB(A) ($L_{Aeq,16hour}$)
	living/kitchen/dining areas (LKD)	40dB(A) ($L_{Aeq,16hour}$)
Night Time Noise 11pm - 7am	Student rooms	30dB(A) ($L_{Aeq,8hour}$)

With individual noise events not to exceed 45 dB LAmax (measured with F time weighting) more than ~~10~~-15 times in student rooms between 23:00hrs – 07:00hrs.

(c) The approved glazing specification and mechanical ventilation measures for the habitable rooms in all facades of the accommodation shall be installed and made operational prior to the

occupation of any of the accommodation as specified in part (a) of this condition and shall be maintained thereafter.

REASON: In order to ensure a satisfactory internal noise environment for occupiers of the accommodation.

- 4.4. **Condition 12 (Landscape Details):** Amendments are proposed to align the provision of the required information with the delivery programme, whilst still ensuring that the Local Planning Authority have sufficient time to approve these details prior to their delivery. Some of the details required would not be ready before the development commences above ground floor slab level. The revised wording enables the developer to deliver the scheme and still allows sufficient time to review the information.

12. Landscape Details

(a) The following external landscaping details of external areas and amenity areas shall be submitted to and approved in writing by the Local Planning Authority before the **relevant works listed below commence** ~~development commences above ground floor slab level:~~

- i) Hard surfacing materials;
- ii) Boundary treatments;
- iii) Any relevant SuDs features (as identified in the Drainage Strategy (HRW-BHE-PW-XX-RP-C1-0300, Revision P03), dated 16 August 2023);
- iv) A SuDS management and maintenance plan for the proposed SuDS features, detailing future management and maintenance responsibilities for the lifetime of the development;
- v) Minor artefacts/structures (e.g. furniture, refuse or other storage units, signs etc.);
- vi) Proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports etc.);
- vii) Planting plans and a full schedule of species of new trees and shrubs proposed to be planted noting species, plant sizes and proposed numbers/densities where appropriate;
- viii) A planting management and maintenance / aftercare plan for the proposed planting, detailing future management and maintenance responsibilities for the lifetime of the development;
- ix) Any food growing areas and soil specification;
- x) Written specifications (including cultivation and other operations) associated with plant and grass establishment; and
- xi) Implementation programme.

(b) The external landscaping and SUDS features shall be delivered in accordance with the approved details, management and maintenance plan and implementation programme and maintained as such thereafter.

(c) Any trees or shrubs which die, are removed or become seriously damaged or diseased within five years from the completion of the landscaping works shall be replaced in the next planting season with the same species or an approved alternative as agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory level of amenity, food growing opportunities, biodiversity enhancement and boundary treatments.

- 4.5. **Condition 15 (External Materials and Details):** Amendments proposed to align the provision of this information with the delivery programme, whilst still ensuring that the Local Planning Authority have sufficient time to approve these details prior to their delivery. The materials would still need to be provided prior to any works that could affect them, whilst still allowing works to commence and progress.

15. External Materials and Details

(a) No development of **any externally facing façade** shall commence ~~above ground floor slab level~~ (excluding demolition) until all proposed external materials and elevational details have been

submitted to and approved by the Local Planning Authority. These external materials and details shall include:

- i). External facing materials and glazing, including sample boards of all cladding materials and finishes;
- ii) Sectional drawings at 1:20 through all typical external elements/facades, including all openings in external walls including doors and window-type reveals, window heads and window cills;
- iii) Sectional and elevational drawings at 1:20 of junctions between different external materials, balconies, parapets to roofs, roof terraces and roofs of cores;
- iv) Plans of ground floor entrance cores and entrance-door thresholds at 1:20 and elevations of entrance doors at 1:20;

(b) Thereafter the development shall be carried out in accordance with the approved details and materials, and they shall be maintained thereafter.

REASON: To ensure that the development hereby approved is satisfactory.

- 4.6. **Condition 22 (Overheating Report):** Amendments are necessary to align the condition with the outcomes of a future updated Overheating Report still to be prepared. The additional text allows for potential improvements and changes should they be agreed once the revised overheating report has been submitted.

22. Overheating (Student Accommodation)

- (a) Prior to the above ground commencement of the development, an updated Overheating Report shall be submitted to and approved by the Local Planning Authority. The submission shall assess the overheating risk and propose a retrofit plan. This assessment shall be based on the Design Note – Overheating Assessment prepared by Buro Happold (dated 07 Dec 2023)

This report shall include:

- Revised modelling of units, communal areas, and corridors based on CIBSE TM59, using the CIBSE TM49 London Weather Centre files for the DSY1-3 (2020s) and DSY1 2050s and 2080s, high emissions, 50% percentile;
 - Demonstrating the mandatory pass for DSY1 2020s can be achieved following the Cooling Hierarchy and in compliance with Building Regulations Part O, demonstrating that any risk of crime, noise and air quality issues are mitigated appropriately evidenced by the proposed location and specification of measures;
 - If the revised report shows shading is required, to specify the strategy, including technical specification and images of the proposed shading feature (e.g. overhangs, Brise Soleil, or external shutters); Provide the elevations and sections plans to show where these measures are proposed.
 - If required details of the active cooling strategy: What is the temperature set points, detail specification of the interrupter controls and who will have the access to the central control?
 - Include images indicating which sample units were modelled and floorplans showing the modelled internal layout of dwellings.
 - A Retrofit Plan; Modelling of mitigation measures required to pass future weather files, clearly setting out which measures will be delivered before occupation and which measures will form part of the retrofit plan; and Confirmation that the retrofit measures can be integrated within the design (e.g., if there is space for pipework to allow the retrofitting of cooling and ventilation equipment), setting out mitigation measures in line with the Cooling Hierarchy;
 - Confirmation who will be responsible to mitigate the overheating risk once the development is occupied.
- (b) Prior to occupation of the development, details of internal blinds to all habitable rooms must be submitted for approval by the local planning authority. This should include the fixing mechanism, specification of the blinds, shading coefficient, etc. Occupiers must retain

internal blinds for the lifetime of the development, or replace the blinds with equivalent or better shading coefficient specifications.

- (c) Prior to occupation, the development must be built in accordance with the approved overheating measures **noted below (as updated by the approved Overheating Strategy)** and retained thereafter for the lifetime of the development:
- Openable windows, maximum opening angle of 45 degrees (top hung)
 - Recessed windows with min. reveal width of 200mm, increasing to 300mm at the lintel.
 - Glazing g-value of 0.3 and visible light transmittance (VLT) of 0.6
 - Internal blinds
 - MVHR with ventilation rate of 15l/s for bedrooms, 12l/s for KLD and amenity space and 1 Air change per hour for internal corridors.
 - Active cooling – only bedrooms (centrally controlled with high temperature set points to limit use and interrupter controls to prevent the system from activation when windows are open)
 - Hot water pipes insulated to high standards.
 - Any further mitigation measures as approved by or superseded by the latest approved Overheating Strategy.

If the design of Blocks is amended, or the heat network pipes will result in higher heat losses and will impact on the overheating risk of any units, a revised Overheating Strategy must be submitted as part of the amendment application.

REASON: In the interest of reducing the impacts of climate change, to enable the Local Planning Authority to assess overheating risk and to ensure that any necessary mitigation measures are implemented prior to construction, and maintained, in accordance with London Plan (2021) Policy SI4 and Local Plan (2017) Policies SP4 and DM21.

- 4.7. **Condition 26 (DEN Connection):** This condition has been removed to avoid duplication with the s106 agreement which includes all of the District Energy Network (DEN) details requested in the condition.

26. DEN Connection

~~Prior to the above ground commencement of construction work, details relating to the future connection to the DEN must be submitted to and approved by the local planning authority. This shall include:~~

- ~~• Further detail of how the developer will ensure the performance of the DEN system will be safeguarded through later stages of design (e.g. value engineering proposals by installers), construction and commissioning including provision of key information on system performance required by CoP1 (e.g. joint weld and HIU commissioning certificates, CoP1 checklists, etc.);~~
- ~~• Peak heat load calculations in accordance with CIBSE CP1 Heat Networks: Code of Practice for the UK (2020) taking account of diversification.~~
- ~~• Detail of the pipe design, pipe sizes and lengths (taking account of flow and return temperatures and diversification), insulation and calculated heat loss from the pipes in Watts, demonstrating heat losses have been minimised together with analysis of stress/expansion;~~
- ~~• A before and after floor plan showing how the plant room can accommodate a heat substation for future DEN connection. The heat substation shall be sized to meet the peak heat load of the site. The drawings should cover details of the phasing including any plant that needs to be removed or relocated and access routes for installation of the heat substation;~~
- ~~• Details of the route for the primary pipework from the energy centre to a point of connection at the site boundary including evidence that the point of connection is accessible by the area wide DEN, detailed proposals for installation for the route that shall be coordinated with existing and services, and plans and sections showing the route for three 100mm diameter communications ducts;~~

- Details of the location for building entry including dimensions, isolation points, coordination with existing services and detail of flushing/seals;
- Details of the location for the set down of a temporary plant to provide heat to the development in case of an interruption to the DEN supply including confirmation that the structural load bearing of the temporary boiler location is adequate for the temporary plant and identify the area/route available for a flue;
- Details of a future pipework route from the temporary boiler location to the plant room.

REASON: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2 and SI3, and Local Plan (2017) Policies SP4 and DM22.

5. S106 CHANGES & NOTES

- 5.1. In order for work on the development to commence within current Building Regulations ahead of the implementation of the Building Safety Act a schedule of excluded works have been agreed in the definition of commencement. These works have been included within this s106 as works not constituting commencement in this instance given the need for the scheme to achieve certain deadlines in order for it to be delivered by summer 2028. Were these works not excluded in this way the scheme could not be delivered by summer 2028.
- 5.2. As identified in paragraph 4.7, Condition 26 is to be removed as the details have been incorporated into the s106. These details have been added to the definition of the DEN Heating Plan which is a detailed plan showing how the Development shall connect to the DEN.

6. RECOMMENDATION

- 6.1. The Head of Development Management and Planning Enforcement (Head of DM) authorises to issue the grant of planning permission and listed building consent with conditions and informatives imposed following the signing of a Section 106 Legal Agreement (s106) providing for the agreed obligations shown 'Appendix 2 - Heads of Terms, & Planning Conditions and Informatives'.