

Our Ref: JF/JD/20774
Your Ref:

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Date: 4th March 2016

FAO Planning Policy
London Borough of Haringey
Level 6
River Park House
225 High Road
Wood Green
N22 8HQ

Dear Sirs,

**MONO HOUSE, 50-56 LAWRENCE ROAD, LONDON N15 4EG
REPRESENTATIONS TO HARINGEY DEVELOPMENT MANAGEMENT DPD AND
TOTTENHAM AREA ACTION PLAN (AAP), REGULATION 19 PUBLICATION VERSIONS**

I write on behalf of my client, Highgate Capital LLP, to submit representations to both the Haringey Development Management DPD and the Tottenham AAP in relation to their interest in the land at Mono House, 50-56 Lawrence Road, N15 4EG. Highgate Capital LLP are currently seeking to redevelop the site to provide a high quality residential led mixed use scheme and would seek relaxation towards policy requirement addressing the re-provision of employment floorspace so as to optimise the development potential of the site and subsequently sustain the viability of the scheme.

Site Context

The site currently comprises existing commercial buildings equivalent to 3 storeys in height. The principal building is set back from Lawrence Road and extends to the rear boundary of the site, with an additional two storey building with gated entrance to the front of the site.

Surrounding the site features a mix of uses including light industry and commercial to the north and west aligning Lawrence Road and residential to the north and south as part of the Lawrence Square masterplan and east along Collingham Road.

The site is not locally listed, nor is it within a Conservation Area. The Clyde Circus Conservation Area does however surround Lawrence Road on all sides.

The site benefits from a ‘Good’ PTAL rating of 3 at part of the site to the north and east and PTAL rating 4 at part to the south and west of the site. The site is in walking distance from Seven Sisters London Underground and Overground Station being located only 900m to the south.

Background

The Tottenham AAP (Regulation 19 Publication)

The design and land use principles for the Seven Sisters and West Green Road neighbourhood sub-area are set out in the masterplan approach of the emerging Tottenham Area Action Plan (AAP) document. This includes for the site allocation (SS2) at Lawrence Road; which covers a 3.7Ha site comprising Zenith House, 69 Lawrence Road; Sterling House 67 Lawrence Road; *Mono House, 50- 56 Lawrence Road* and 45-49 Lawrence Road.

In addition to this, the site boundary includes for the extant permission and recent development at the southern end of Lawrence Road, LPA Ref. HGY/2012/1983, which provided for:

“Demolition of existing buildings and erection of seven buildings extending up to seven storeys to provide 264 new residential dwellings, 500 sqm of flexible commercial/retail floorspace (A1/A2/A3/D2 uses) with associated car parking, landscaping and infrastructure works”.

Preferred allocation of uses include for *mixed use development with commercial uses at ground floor and residential above.*

Indicative Development Capacity

This is addressed in two phases and is set out in the table below:

Indicative Development Capacity	Net Residential	Commercial (sqm)
HGY/2012/1983	264 units	500
Site Allocation (Phase 2 remainder of site)	178 units	1,390

As is demonstrated in the indicative development capacity for the site and in terms of quantum of net residential, the Council deem there to be the opportunity for a positive output in housing delivery specifically at the site and more widely within the Seven Sisters and West Green Road neighbourhood sub-area.

When considered against the initial site requirements and development guidelines set out within the Tottenham AAP at “Preferred Options” stage there is not significant deviation at the pre-submission stage. Proposed site requirements and development guidelines are addressed in the following sections.

Further commentary states at paragraph 5.28 of the document that:

“Following on from the recent development at the southern end of Lawrence Road, development to create a consistent medium density, mixed use precinct will be encouraged. There are a number of existing buildings that should be retained, notably 28 Lawrence Road”.

Representations to Tottenham Area Action Plan (AAP) (Regulation 19 Publication)

The site at Lawrence Road is not currently allocated as designated employment land within Haringey’s existing adopted Local Plan, including the Haringey UDP and Proposals Map 2006 and Core Strategy (2011). Indeed the site was designated as a Site Specific Proposal or rather identified as a large site in the borough where it was considered that there was potential for development to occur within the plan period. This sought for mixed residential and employment use with a commitment to prepare a planning brief as was applied with the Lawrence Road SPD (2007).

The site therefore does not fall within the provisions of Strategic Policy SP8 which defines Local Employment Areas as “local employment generating sites in the borough that need protection”.

Notwithstanding, further commentary stipulates at paragraph 5.1.20 of the Pre-Submission version of the alterations to Strategic Policies (2011-2026) that;

“A review of the Borough’s existing employment land and buildings was undertaken in 2009. The Employment Study 2009 provided an assessment of the employment land and demand in the borough. The study recommended that all existing employment sites (designated or otherwise) be retained. Therefore, in the first instance, support will be given for all designated sites and smaller sites to remain in employment use. However, flexibility will be shown for alternative uses that complement the employment uses, contribute to social infrastructure or provide training”.

Though there is a degree of flexibility shown, this is not fully consistent with policy commentary outlined in the National Planning Policy Framework (“The Framework”) which states at paragraph 22 that, “*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose*”. Evidently there is a strategic drive to enable the release of land last in use for employment purposes wherein there is no reasonable prospect of such use being sustained in the long term.

This position has been reinforced through proposed amendments to incumbent policy in the Framework which was recently published for public consultation. One such aspect examined the rigidity of paragraph 22 and whether greater flexibility could be elicited through proposed alterations to the Framework. As quoted;

“We propose to amend paragraph 22 of the Framework to make clear that unviable or underused employment land should be released unless there is significant and compelling evidence to justify why such land should be retained for employment use. At a minimum, this would include an up-to-date needs assessment and significant additional evidence of market demand. As set out in Planning Practice Guidance, appropriate consideration should also be given to trends in land values for commercial and employment uses, against land values for other uses including residential”.

Thus in cases where the Council cannot robustly determine the long term protection of sites, this should be released for alternative uses such as residential. Though it's accepted that Haringey enlist a hierarchical approach to the release of surplus employment land, this is unduly caveated through the site allocation process and similarly in policy primarily in relation to non-designated employment land.

When considered in light of the proposed site allocation at Lawrence Road (SS2) in the Tottenham AAP, where the land is evidently has been vacant for some time and indeed underutilised, greater flexibility should be given to alternative uses in that it should be clear that the principal use should be for residential, to be complemented by a portion of commercial. As per the site allocation requirements, this could seek an affordable, high quality commercial element, and therefore sufficient re-provision rather than more holistic commercial retention being applied which is clearly unviable on this site and in this current climate. We explore the provisions of the pre-submission version of the Development Management DPD further in our dedicated representations below, however it is clear that where there is no compelling or significant evidence of market interest then indicative targets seeking re-provision of commercial floorspace should be relaxed.

More practically the site allocation must also comply with and address matters of viability which are established at paragraph 173 of the Framework which reads:

“Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure

contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.”

Ensuring the Site Allocation is viable is therefore fundamental to ensuring the delivery of a deliverable scheme on this site. The client would therefore ask the Council to reconsider and reduce the proposed indicative capacity of the site in terms of employment floorspace such that it is more favourable to optimising housing delivery on site. This would satisfy overall strategic drive in tackling acute housing need in such areas.

In addition to this, Highgate Capital LLP would seek greater flexibility in respect to prescribed design parameters including heights, scale and density of any future development within the site allocation. This would not prejudice the overall masterplan approach but would serve to enhance the vitality and viability of the site and thus sustain its deliverability over the plan period. Evidently the site is suitable for intensive and compact residential-led mixed use development as has been defined by ongoing policy coverage of the site as per the extant UDP and the Lawrence Road SPD (2007).

Thus Highgate Capital LLP supports the overall masterplan approach including the necessity to be influenced and receptive to the Lawrence Square scheme. However the client would seek greater promotion of a flexible variation in building heights to enhance the streetscene and that reinforces the vibrancy of the area. The promotion of heights fronting on to Lawrence Road is therefore supported as is the capacity to make better use of the land such that it is developed more densely and within the parameters of emerging policy DM6.

Representations to Haringey Development Management DPD (Regulation 19 Publication)

Highgate Capital LLP seek further to make representations to the wording outlined within emerging policy DM40 which seeks to regulate the loss of non-designated employment land and floorspace to a non-employment use.

Supporting text at paragraph 6.26 of the pre-submission document states that;

“Where a loss of non-designated employment land or floorspace is proposed the Council will require that applicants submit a statement and evidence demonstrating that the site is no longer suitable or viable for the existing or an alternative employment use. Considerations may include access, compatibility of adjoining uses, site size and orientation and other potential development constraints”.

Where land has been vacant and underutilised for a sustained period of time this should suffice in reasonably justifying a change of use of the site to enable its immediate regeneration.

Highgate Capital however consider the requirement to provide 3 years marketing evidence overly restrictive, particularly in cases where the use of the land has been vacant for a sustained period of time. In itself, this should mark compelling evidence as to the marketability of the site and further market demand for re-providing such uses on site.

Policy should be more flexible to ensure that employment land continues to meet the demand of the industry, and should market demand change over a period less than 3 years, then policy should be more responsive to this need. The Government favour a flexible response to reallocating redundant employment land, as evidenced by paragraph 22 of the NPPF, and the proposed alterations to the NPPF, which states in paragraph 35 that:

“a balance needs to be struck between making land available to meet commercial and economic needs, and not reserving land which has little likelihood of being taken up for these uses”.

In addition to this, it is further held within the proposed alterations that timeframes to provide evidence of market interest should be revisited to enable greater avenue towards the release of unused non-designated and indeed designated employment land.

A 3 year marketing campaign is therefore too onerous where there is no reasonable prospect of the employment floorspace being used for employment uses, and will restrict the bringing forward of other viable uses for these sites, leading to vacant buildings that make a negative contribution to Haringey and the wider area. Therefore the policy needs to ensure it is not overly restrictive by imposing a 3 year rule. It must take a more holistic approach considering the surrounding area, the condition of the site and its ability to meet the needs of modern industry. A reduced period of 1-2 years should suffice in such instances.

I trust the above representations will be taken into consideration when assessing the content of the pre-submission versions of the Tottenham AAP and the Development Management DPD. If, in the interim, you have any queries please do not hesitate to contact either James Dempster or myself at this office. I look forward to your formal acknowledgement of our representations and any information moving forward in respect to the Examination in Public (EiP).

Yours faithfully



JOHN FERGUSON
Senior Associate Director