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# Report to Haringey Council

by Christine Thorby MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 28 April 2017

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Planning and Compulsory Purchase Act 2004

(as amended)

Section 20

**Report on the Examination of the  
Alterations to Strategic Policies**

**2011 – 2026,**

**Site Allocations Development Plan Document,  
Tottenham Area Action Plan Development Plan Document, and  
Development Management Development Plan Document.**

The Plans were submitted for examination on 24 May 2016

The examination hearings were held between 23 August 2016 and 8 September 2016

File Refs: PINS/Y5420/429/9, PINS/Y5420/429/10, PINS/Y5420/429/11,  
PINS/Y5420/429/12

## Abbreviations used in this report

ASP	Alterations to Strategic Policies 2011 - 2016
DMDPD	Development Management Development Plan Document
DMM	Development Management Development Plan Document Main Modification
DtC	Duty to Co-operate
HRA	Habitats Regulations Assessment
LEARA	Local Employment Area – Regeneration Area
LDS	Local Development Scheme
LSIS	Locally Significant Industrial Sites
LP	Local Plan
MM	Main Modification
PPG	Planning Practice Guidance
SA	Sustainability Appraisal
SADPD	Site Allocations Development Plan Document
SAMM	Site allocation Development Plan Document Main Modification
SCI	Statement of Community Involvement
SHLAA	Strategic Housing Land Availability Assessment
SP	Haringey's Local Plan Strategic Policies 2011 – 2016
TAAP	Tottenham Area Action Plan Development Plan Document
TAMM	Tottenham Area Action Plan Main Modifications
WMS	Written Ministerial Statement

## Non-Technical Summary

This report concludes that the Alterations to Strategic Policies (ASP), Site Allocations Development Plan Document (SADPD), Tottenham Area Action Plan Development Plan Document (TAAP) and the Development Management Development Plan Document (DMDPD) provide an appropriate basis for the planning of Haringey, provided that a number of main modifications are made to them. Haringey Council has specifically requested me to recommend any MMs necessary to enable the Plans to be adopted.

All the modifications were proposed by the Council, and were subject to public consultation over a six-week period. In some cases I have amended their detailed wording and/or added consequential modifications where necessary. I have recommended their inclusion in the Plans after considering all the representations made in response to consultation on them.

The Main Modifications can be summarised as follows:

For all plans:

- Identify all targets as minimum,
- Clarify the approach to social housing estates,
- Clarify the approach to employment,
- Make changes to comply with the Framework or the London Plan,
- Remove onerous or restrictive criteria,
- Make changes to comply with Written Ministerial Statements,
- Add monitoring criteria and any necessary action to be taken to achieve plan objectives.

ASP

- Add information about the 5 year housing land supply.

SADPD and TAAP

- Identify the role of the plan in meeting strategic objectives,
- Clarify the approach to design and heritage,
- Ensure comprehensive development is achieved where appropriate.

DMDPD

- Add or change wording to ensure that the policies are positively prepared and flexible,
- Remove elements of policies that are unjustified.

## Introduction

1. This report contains my assessment in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended) of the following plans:
  - Alterations to Strategic Policies Local Plan (ASP)
  - Site Allocations Development Plan Document (SADPD)
  - Tottenham Area Action Plan Development Plan Document (TAAP)
  - Development Management Development Plan Document (DMDPD)
2. It considers first whether the Plans' preparation has complied with the duty to co-operate. It then considers whether the Plans are sound and whether they are compliant with the legal requirements. The National Planning Policy Framework (the Framework) (paragraph 182) makes it clear that in order to be sound, a Local Plan should be positively prepared, justified, effective and consistent with national policy.
3. The starting point for the examination of each plan is the assumption that the local planning authority has submitted what it considers to be a sound plan. The four plans all submitted in May 2016 are the basis for my examination. These are the same documents as were published for consultation in January 2016.

### Main Modifications

4. In accordance with section 20(7C) of the 2004 Act the Council requested that I should recommend any main modifications (MM) necessary to rectify matters that make the Plans unsound and thus incapable of being adopted. My report explains why the recommended MMs, all of which relate to matters that were discussed at the examination hearings, are necessary. The MMs are referenced in bold in the report in the form **MMs 1, 2, 3** etc, with a prefix **SA**, eg **SAMM1**, for the SADPD, **TA**, eg **TAMM1**, for the TAAP and **D**, eg **DMM1**, for the DMDPD and are set out in full in the Appendix.
5. Following the examination hearings, the Council prepared a schedule of proposed MMs for each plan. The MM schedules were subject to public consultation for six weeks. A Sustainability Appraisal and Habitats Regulation Assessment were also carried out. I have taken account of the consultation responses in coming to my conclusions in this report and in this light I have made some amendments to the detailed wording of the main modifications and added consequential modifications where these are necessary for consistency or clarity. None of the amendments significantly alters the content of the modifications as published for consultation or undermines the participatory processes and sustainability appraisal that have been undertaken. Where necessary I have highlighted these amendments in the report.

## **Policies Map**

6. The Council must maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the submitted local plan. In this case, the submission policies map is identified as Haringey's Local Plan, Strategic Policies Map 2016 – 2026.
7. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published MMs to the Plans policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes to the policies map are needed to ensure that the relevant policies are effective.
8. These further changes to the policies map were published for consultation alongside the MMs to the ASP and on the other DPDs.
9. When the Plans are adopted, in order to comply with the legislation and give effect to the Plans policies, the Council will need to update the adopted policies map to include all the changes proposed in the plans and the further changes published alongside the modifications incorporating any necessary amendments identified in this report.

## **Assessment of Duty to Co-operate**

10. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on it by section 33A in respect of the Plan's preparation.
11. The Council has provided comprehensive details about the way in which it has engaged with the bodies prescribed in Regulation 4 of the Town and Country Planning (Local Plans) (England) Regulations 2012. Separate details are given for each of the four plans. The evidence demonstrates constructive working with the Greater London Authority (GLA) and neighbouring Boroughs on London specific and cross boundary policies. On all strategic matters the Council has engaged constructively, actively and on an on-going basis in the preparation of the plans and I am satisfied that the legal duty to co-operate has been complied with.

## **Assessment of Soundness**

### **Background**

12. The ASP, SADPD, TAAP and the DMDPD were submitted together for examination and were examined contemporaneously. It is the Council's intention to adopt the four plans at the same time. As the strategic alterations have a significant influence on the non-strategic plans, for ease of reference this report covers all four plans. For clarity, the report is divided into three sections:

- Section 1 – Alterations to Strategic Policies 2011 – 2026
- Section 2 – Site Allocations Development Plan Document and the Tottenham Area Action Plan Development Plan Document
- Section 3 – Development Management Development Plan Document

## **Section 1**

### **Alterations to Strategic Policies 2011 - 2026**

#### **Background**

13. The ASP is a partial review of the Haringey Strategic Policies Local Plan 2011 - 2026 (SP) (adopted 2013). The SP sets out the Council's spatial strategy for development and growth in Haringey to 2026. The ASP take account of new growth requirements for the borough identified in the London Plan (Spatial Development Strategy for London Consolidated with Alterations since 2011) hereafter referred to as the London Plan, as well as the findings of updated studies relating to employment and housing.
14. The examination was restricted in scope to the proposed alterations in the ASP and not to any other part of the original adopted SP, the policies of which remain unchanged. The evolution of the Plan is set out in various background papers. The process was clearly informed by the SP, the Sustainability Assessment (SA) and public and private stakeholder consultation and input.

#### **Main Issues**

15. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified three main issues upon which the soundness of the ASP depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

#### **Issue 1 – Is the approach to housing justified and effective? Is it in general conformity with the London Plan and consistent with national policy?**

16. There is a pressing need for more homes in London and the London Plan sets out average annual minimum housing supply targets for each borough until 2025 to help boost the supply of housing. The approach takes into account locally distinctive circumstances of housing need and land availability. The London Plan advises that boroughs should seek to achieve and exceed the relevant minimum target. It is against this background that Haringey's housing targets are altered in the ASP.
17. ASP updated policy SP1 sets an overall requirement of 19,802 homes for the Plan period. This is comprised of:
  - a new housing target for Haringey for the period 2015 – 2025 from the London Plan of 15,019 homes (1,502 dwellings per annum)

- the previously adopted housing requirement figure for the pre-2015 part of the Plan
  - the rolling forward of 1,502 (dpa) for the year 2025 – 2026
18. The annual requirement for delivery is 1,502 (dpa) from 2015 onwards. The ASP housing requirement is more than double the previously adopted SP figure; however, the substantial increase is in general conformity with the London Plan target for Haringey which takes into account the high level of need for all types of housing in the borough. The ASP targets are not expressed as a minimum and could read as a cap on numbers, failing to be positively prepared. Therefore, the word minimum is added to all related targets in the policy and explanatory text by modifications **MM2**, **MM4**, **MM8** and **MM11**.
19. The ASP identifies 3 growth areas (Wood Green, Tottenham Hale and North Tottenham) expected to deliver around 15,000 new homes. Two areas of change (Seven Sisters and Tottenham High Road corridors) are expected to deliver a further 3,000 homes and the remainder of the borough is expected to deliver around 6,000 homes over the plan period. This follows the London Plan and SP aims to focus growth where there is capacity, development potential and good levels of public transport accessibility.
20. The SADPD and the TAAP bring forward housing in the growth areas and areas of change and together with other small sites throughout the borough, there is capacity for over 24,000 new homes which could be delivered over the plan period. Of this number, over 19,000 homes are identified to come forward in 2016 – 2026. This would exceed the London Plan minimum target for Haringey and enable additional capacity to be brought forward to supplement the identified minimum target. The additional capacity would also boost the supply of housing, including the provision of affordable housing, consistent with the aims of Paragraph 47 of the National Planning Policy Framework (the Framework).
21. The Council's emerging SADPD and TAAP, and planning permissions granted in the strategic areas, show that good progress has been made bringing forward development. However, the additional capacity allows for some flexibility, recognising that delivery may be slower than predicted on some sites and ensuring to a greater degree that Haringey can realistically meet or exceed its target. The ASP makes only limited provision for monitoring and action to be taken if delivery is not going as fast as expected and this reduces the effectiveness of the plan over the plan period. Modifications **MM14**, **MM25**, **MM26**, **MM27** and **MM28** introduce a detailed trajectory of development in the strategic areas with capacities and timescales, and complementary text setting out actions and measures to be taken if development is behind expectations.
22. Although ASP table 3.1 shows housing developments expected to come forward within a five year period, it does not say whether the Council could demonstrate a 5 year housing land supply on adoption as sought the Framework. The Council can demonstrate a 5.3 year supply, submitting a robust analysis during the examination. I have introduced modification **MM31** setting out brief details based on the Council's position at the time of

examination. The figures take into account a shortfall of around 200 homes over the first four years of the plan and a 5% buffer (there is no evidence of persistent under delivery in the borough).

23. The numbers of new dwellings and their distribution are set out in ASP table 3.1. However, the table does not correlate to the defined growth areas and areas of change, nor does it contain the most recent land supply numbers from updated background evidence and the emerging non-strategic plans. This would make policy SP1 difficult to implement, monitor and follow through to the SADPD and TAAP. To remedy this and make the policy effective, modifications **MM3**, **MM6**, **MM7** and **MM8** reconfigure the table and correct the text (where relevant) clarifying the numbers of new homes expected from these areas and setting out the role the non-strategic plans will play in their delivery. The boundary of the Seven Sisters Area of Change in figure 3.1 is also modified (**MM7**), necessary to correctly encompass the planned development in the area. A consequent change is to be made to the policies map without which the policy would not be sound.
24. ASP Policy SP2 sets a new target of 40% or the maximum possible amount of affordable housing to be applied to new residential development. The alteration is justified by the Council's viability study which is clear that a higher target figure cannot be realistically achieved. The 60% affordable rent and 40% intermediate housing split relates well to type of tenure needed in most of the borough. The TAAP seeks a different tenure mix for Tottenham to reflect local circumstances which I address later in this report. The ASP tenure split and the percentage target reflect London Plan policy 3.11 and are reasonable and realistic. Criterion 6 of policy SP2 requiring affordable housing for schemes of 10 units and below would not comply with the Written Ministerial Statement (WMS) of 28 November 2014 which seeks to reduce the burden on small scale development. To comply with the WMS the Council suggest deletion of this criterion from the policy (Modification **MM13**) which I recommend to ensure consistency with national policy.
25. The adopted SP policy SP2 brings forward a programme to regenerate Haringey's social housing estates. The ASP makes clear that this includes renewal or improvement. However, the wording in the ASP explanatory text is not consistent, leading to confusion about whether renewal would be an option. Modifications **MM16** and **MM18** make the policy approach effective by ensuring that the same terms are used throughout the document.
26. The ASP sets out strategic guidelines for any development coming forward within the estates for renewal or regeneration. As the estates contain much of Haringey's social housing the overriding aim is to ensure that social housing stocks are not depleted. Adopted policy SP2 (8) would ensure that there would be no net loss of affordable housing floor space in any new development; however, many of the estates contain a high proportion of social rented housing and without its replacement, housing needs in the borough may not be met. The ASP is not clear on this point or the circumstances in which the policy would apply, which make it difficult to implement. This is rectified by modification **MM18** making clear that social rented floor space will be re-provided and where there is an uplift in overall housing numbers the percentage and tenure split set out in ASP SP2 (or the TAAP) will apply. Modification **MM30** defines social rented housing in the

glossary of the plan to provide clarity for implementation. The ASP approach would maximise land available for housing and improve the residential environment, creating a better mix of social and market housing, consistent with the Framework.

27. The housing estates may be of historic interest as examples of a particular style of architecture representing social or architectural movements of the time. This is not recognised in the ASP. The Framework sets out that sustainable development includes protection of the historic environment. Therefore modification **MM17** adds that this should be specifically considered as part of the site assessment and development process. I have deleted the reference to Historic England in the modification as this is not necessary for soundness. The ASP made no reference to guarding against the unnecessary loss of existing social and community facilities serving the estates which provide valued facilities, advised by paragraph 70 of the Framework. Modification **MM17** addresses this by clarifying that they will be considered within any development options.
28. The increase in numbers of homes throughout the Borough will have an impact on services and infrastructure. The ASP makes no clear reference to how these will be delivered raising doubt about its positive preparation. Modification **MM5** adds a paragraph linking growth to the Infrastructure Delivery Plan (IDP) which identifies necessary social and physical infrastructure for the next 5 years. The IDP includes details of how this will be funded and be taken forward over the plan period. The IDP is a live document and will be updated throughout the plan period ensuring that there will be adequate infrastructure provision.
29. The Government's Written Ministerial Statement dated 25 March 2015 introduced a new system of housing standards. Modifications **MM12** and **MM15** update ASP policy SP2 (4) and explanatory text, deleting reference to Lifetime Home Standards and introducing reference to the achievement of relevant building regulations. The modification would ensure that the plan makes provision for a mix of housing to meet the needs of different groups in the community as sought by paragraph 50 of the Framework.
30. Subject to the main modifications I recommend, the ASP sets out a clear strategy for the area which positively and proactively promotes housing to meet the needs of the borough in general conformity with the London Plan and consistent with the Framework.

**Issue 2 - Is the approach to employment justified and effective? Is it in general conformity with the London Plan and consistent with national policy?**

31. ASP updated policy SP8 sets a new target for additional employment floor space of 23,000 square metres (sqm) for the plan period, to come forward in designated employment areas. This takes into account expected increases in jobs in Haringey set out in the London Plan and is justified by up to date employment studies. However, the lack of detail and clarity of approach to how the target floor space is to be achieved makes the policy difficult to implement. Modification **MM19** introduces new wording and rewrites part of the policy to clearly identify the target amount of employment floor space

and set out the method by which it would be met. This includes reconfiguration and re-use of surplus land (due to decreasing demand for industrial and warehousing land), intensification of existing employment sites (which are outdated and underused), increased provision of Class B1 floor space and the protection of viable uses.

32. In line with the London Plan, the policy sets out the hierarchy of uses, protection of key areas and support for mixed uses on a range of Local Employment Area: Regeneration Areas (LEARA) to enable a net increase, upgrading and improvement of employment land. The employment designations need updating to reflect the latest London Plan and employment land survey position and accordingly modification **MM20** adds two Locally Significant Industrial Sites (LSIS). Modification **MM23** correctly identifies the names of two Local Employment Areas. Modifications **MM21** and **MM22** ensure that the revised wording relating to all of the above mentioned modifications is made to the explanatory text and is necessary for consistency. The relevant changes need to be made to the policies map without which the policy would not be sound.
33. The ASP policy approach is justified by several employment studies looking at growth, viability and land availability. However, uncertainties for the plan period include a) changes in employment type, including technology and working from home, b) whether the trend for B1 to move out of Central London caused by changes to permitted development rights will continue, and, c) whether the mixed use sites on LEARAs will bring forward the expected level of employment floor space.
34. For the policy to be effective modifications **MM22**, **MM24**, **MM25**, **MM26** and **MM29** introduce specific measures to monitor employment types and trends, and net increases in floor space. New wording and trajectories are inserted setting out when and how action will be taken to make sure the policy aims are being met. An Employment Land Study update is recommended in 5 years' time to reassess the overall target for employment floor space against the net increase achieved during the period. The modifications will ensure that the quantitative and qualitative needs for all foreseeable types of employment activity are met over the plan period as sought by the Framework.
35. The former Friern Barnet Sewage works (renamed Pinkham Way in the ASP) is removed as an allocation in the SADPD because development is not identified to occur during the plan period. The site is a designated Local Employment Area: Employment Land and is part of the Council's stock of employment land. However, it is not a site identified as necessary to bring forward a net increase in employment floor space. The site is now of nature conservation importance and the subject of a long campaign by local residents to remove the employment designation. The Framework, at paragraph 22, advises that Councils should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of employment. Notwithstanding this, the alteration before me merely changes the name and not the designation of the land which is unaltered. Therefore, the soundness of the ASP is not affected by its designation. In any event, if a planning application were to be submitted it would be considered against the full range of national and Local Plan (LP) policies.

36. With regard to leisure and retail, the ASP omitted to recognise the importance of Tottenham Hotspur's stadium as a key leisure destination in London. To plan positively for leisure facilities in London and the borough modification **MM9** inserts these words to the explanatory text as part of the SP and London Plan aspirations for the site.
37. Subject to the Main Modifications I recommend, the ASP would set out a clear strategy for the area which positively and proactively encourages sustainable economic growth in general conformity with the London Plan. It is consistent with the Framework and is sound.

### **Issue 3 – Are other alterations in general conformity with the London Plan and consistent with national policy?**

38. The remaining alterations update waste targets in accordance with the London Plan figures. They reword the advice on Planning Obligations to comply with the Framework. Updates are made to other policies in response to changes in legal requirements, London Plan policy or the Framework. These alterations will assist in the delivery of sustainable development and are sound.

## **Section 2**

### **Site Allocations Development Plan Document and Tottenham Area Action Plan**

#### **Main Issues**

39. This section covers the SADPD and the TAAP. Each plan is addressed separately having regard to its role in meeting strategic policies, but there are common areas such as monitoring, delivery and viability which are addressed together. The main issues for the SADPD are assessed on a topic basis rather than by area, as the sites are widely spread throughout the borough. The main issues for the TAAP are better assessed on an area basis as these are more compact and share common characteristics. The report is structured to reflect this.
40. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified eight main issues upon which the soundness of the Plans depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

### **Site Allocations Development Management Document**

#### **Issue 1 – Has the Plan been positively prepared? Is it in general conformity with the London Plan and consistent with the Framework?**

41. The SADPD allocates 65 sites to come forward during the plan period setting out a range of uses, indicative capacities and timescales, and a range of site requirements and development guidelines. The evolution of the Plan is clearly based on the SHLAA and the testing of feasible and reasonable options

to find the most appropriate solutions for the allocation of sites through the SA. With the exception of one site (SA52 – Pinkham Way) which is to be removed for specific reasons which are addressed later in this report, the SADPD identifies sites that are considered to be available, realistic and with a reasonable prospect of success. The plan has been positively prepared.

42. In line with the aims of the strategic policies, the SADPD covers the Wood Green growth area and a small part of the Seven Sisters Corridor area of change (the remaining growth areas and areas of change are within the remit of the TAAP). However, the Plan fails to make clear the role of the SADPD in delivering the strategic policies and it is difficult to determine whether the allocations would bring forward the right amount of development in the right place. To ensure consistency with the ASP, modifications **SAMM6** and **SAMM7** recommend new text to identify its role in meeting strategic requirements. The modifications, together with the lists of sites and mixes of uses for each site (set out in SADPD Appendix 4), link the allocations and their distribution to the expected housing and employment, retail and other uses identified in the strategic policies.
43. Policies SA1 (indicative Crossrail areas), SA2 (employment designations), SA3 (town centre boundaries), and SA4 safeguarded waste sites cover the whole borough (including Tottenham). For policies SA2 and SA3 there is a lack of correlation between the SADPD and the TAAP of boundaries and designations which would affect implementation. Modifications **SAMM9 - SAMM18** (inclusive) and **SAMM20** update the designations and boundaries to ensure they are accurate and the policies can be implemented effectively.
44. The remaining document covers most of the borough except the eastern part where allocations are identified in the Tottenham Area Action Plan (TAAP). The allocated sites are grouped into local areas comprising Wood Green metropolitan area (encompassing the growth area), sites in the south of the borough, sites in Highgate, sites in the west of the borough and sites in the east of the borough. A coordinated approach to development is sought on many sites and throughout the areas to ensure that there are good connections between sites and their surroundings. The overarching goal is to promote sustainable communities.
45. The SADPD has been positively prepared. Its aim is to deliver sustainable development. The way in which this would be achieved is clearly justified and the Plan is in general conformity with the London Plan and consistent with the Framework.

**Issue 2 – Are the allocations consistent with the Strategic Policies?  
Will they meet its strategy for sustainable growth?**

46. *Residential.* The SADPD identifies some 58 sites where residential development is sought or supported. These sites are estimated to deliver over 7,500 new homes, contributing significantly towards the ASP housing target. A significant proportion of the housing comprised of 20 allocations (SA5 – SA25 inclusive), which have the potential to bring forward over 4,000 new homes, is in the Wood Green growth area.

47. The SADPD indicates that an area action plan (AAP) for Wood Green is in preparation; however, the Wood Green sites are already included in the SADPD and there is no guidance given about how the plans would relate to each other. This would make them difficult to implement and be effective. Modification **SAMM22** adds explanatory text to set out the role of each plan indicating that the SADPD Wood Green allocations would be superseded by the Wood Green AAP (once examined and adopted).
48. Although, in some cases, a steer is given on the types of housing, for most sites the range and mix (including affordable housing) will be guided by the ASP, DMDPD and London Plan policies. The capacities follow density guidance in the London Plan, but they are indicative only offering a flexible approach to the sites. Progress has already been made on some of the allocated sites where planning permission has been granted (these are still included where the development is not completed). For example site SA22 (a LEARA) has outline planning permission for some 950 – 1,080 dwellings and the former St Ann's hospital site (SA28) has planning permissions for some 450 dwellings. On the whole development has come forward with a greater quantity of housing than expected and the progress in bringing forward these sites is encouraging.
49. Haringey's social housing estates are included in the SADPD as allocations SA44, SA54, SA56, SA62 and SA65. The principle of their renewal and/or regeneration is established in ASP policy SP2. Not all allocations indicate an increased capacity for new houses and the main purpose of their inclusion in the SADPD is to set specific criteria to guide development which is likely to occur during the plan period. Any new development would be subject to the full range of strategic policies relating to social housing and housing mix and they are not repeated in the SADPD.
50. However, the allocation for Broadwater Farm (SA62), a significant housing estate within Haringey, fails to give any detailed guidance on what is expected leaving this to a future supplementary planning document (SPD). This creates uncertainty and lacks a positive policy approach for the SPD to follow. To remedy this modification **SAMM108** adds criteria which will form the basis of the SPD. This includes analysis of the form, function and quality of the existing buildings, potential for refurbishment, and recognition of the character of the surrounding area. The modification adds that the focus would be on improvements to the residential environment including the public realm, and improved access and integration into the surrounding area. The increased level of detail adds clarity and makes the policy effective. Modification **SAMM106** amends the boundary of the allocation to remove properties between Lordship Recreation Ground and Lordship Road, where there is no justification for their inclusion.
51. The residential capacities for mixed use LEARA are justified by the background studies based on reasonable assumptions about the mix of uses necessary to ensure a viable development. However, for the Harringay Warehouse District sites SA30 – SA34 (inclusive) the existing range of uses is so complex, containing communal employment and residential uses (mostly established through lawful use certificates), that the indicative capacities may be too restrictive for each site. Modifications **SAMM58**, **SAMM59**, **SAMM61** and **SAMM125** therefore provide a more open framework around the way in

which the sites are monitored, removing individual site capacities but still seeking to achieve an overall capacity of some 380 dwellings.

52. SP policy SP3 covers the provision of Gypsy and Traveller sites. These are well provided and protected in the borough. The expected need from 2017 onwards is not set out in the ASP and was identified to come forward in the SADPD. However, the assessment of further need was not completed in time to form part of the SADPD. The assessment is currently nearing completion in consultation with neighbouring boroughs. Early information indicates that projected need will be small for Haringey. It will be incumbent on the Council to make further alterations to the SP to meet the identified Gypsy and Traveller needs to ensure that the policy is up to date.
53. Overall, there is a wide range of suitable sites across the borough differing in scale and type which would facilitate achievement of Haringey's housing targets and the approach to housing is sound.
54. *Employment.* The SADPD includes scope for the delivery of some 74,000 sqm of new employment floor space, some 47,000 sqm within the Wood Green growth area. Although these figures are considerably in excess of the ASP target of 23,000 sqm they are gross figures and include existing employment assets that are approaching the end of their functional lifespan which are to be replaced.
55. The indicative quantity of floor space is supported by the Employment Viability Assessment, but the actual quantum may differ depending on site circumstances and the mix of development required to support a viable scheme. The SADPD lacks clarity and consistency on this point, particularly for LEARA sites where renewing and increasing employment floor space is a key ASP priority. Therefore modifications **SAMM1** and **SAMM37** add that in LEARAs (sites SA18, SA19, SA20, SA21, SA24, SA, SA30, SA31, SA32, SA33, SA34 and SA47) development will be employment led.
56. In addition, modifications **SAMM36, SAMM41, SAMM44, SAMM46, SAMM48, SAMM51, SAMM62, SAMM64, SAMM65, SAMM67** and **SAMM89** reword site requirements to these allocations indicating that development should achieve the maximum amount of employment floor space. The words 'subsidise/cross subsidise' are used in the allocations which is misleading and fail to explain the criteria against they would be assessed. Modification **SAMM5** replaces these words with a reference to an assessment of viability for the scheme as a whole. This would make the implementation of the allocations effective. Modification **SAMM23** includes 'mixed use' for site SA5, increasing its flexibility. Modification **SAMM27** introduces a requirement for replacement employment floor space to SA8 in line with the background evidence. The modifications would make the policies effective.
57. There are a wide range of site allocations in addition to the LEARA where there is capacity shown for new employment floor space in appropriate locations and the approach to employment is sound.
58. *Retail:* The SP policy SP10 sets a target of an additional 24,000 sqm (net) of retail floor space during the plan period. The SADPD includes scope for the delivery of some 25,000 sqm (gross) focussed around the existing town

centres, including 17,000 sqm in Wood Green town centre within the growth area. The SADPD figure is based on redevelopment of a range of sites coming forward from 27 of the allocations. The background retail and town centre studies demonstrate that the SADPD in combination with the TAAP would make a significant contribution to the achievement of the net strategic plan target.

59. The allocations would promote competitive town centres that provide customer choice and the policies would contribute towards strategic policy retail objective to ensure the vitality of the town centres.
60. *Social and physical infrastructure.* The ASP takes into account the necessary infrastructure to meet expected growth and promote health and sustainable communities. This includes delivery and viability. The SADPD identifies expected uses and site requirements for each allocation to accommodate the needs of the borough. Sites include community, leisure and education facilities, and protection/provision of open space where appropriate aimed at providing opportunities for social interaction and strong, healthy neighbourhoods. To ensure existing and potential uses are correctly allocated and positively prepared modification **SAMM101** adds education to the potential uses for SA59, modifications **SAMM102** and **SAMM104** add community use to SA60, and modifications **SAMM110**, **SAMM111**, **SAMM112**, **SAMM113**, **SAMM114** and **SAMM104** aim to protect community use for SA63 indicating that any redevelopment should be community-led.
61. Transport infrastructure is focussed on seeking safe cycle and pedestrian connectivity, and integration with surroundings, as an intrinsic part of the design. This would meet the aims of the Framework to promote sustainable means of transport. However, some of the criteria are unjustified or inconsistent in this respect. Modification **SAMM35** and **SAMM53** remove unjustified requirements to build/fund a bridge over the Hornsey and Harringay stations (sites SA17 and SA27) seeking encouragement to do this instead. Modifications **SAMM38**, **SAMM39** and **SAMM43** ensure that new cycle links are explored and form part of a masterplan to improve connectivity for site SA18. Modification **SAMM87** adds a site requirement setting out vehicular and servicing access arrangements for SA43 to improve access. The modifications are supported by the background documents and are necessary to make the policies effective.
62. The SADPD identifies sites that match the strategic policies' aim to achieve sustainable growth and, subject to the Main Modifications I recommend, they would help to meet anticipated need over the plan period.

### **Issue 3 - Are the detailed requirements for each of the development sites clear and justified?**

63. As stated the information for each development site is comprehensive. There are a number of common issues raised in many of the site allocations where requirements are not justified or need to be reworded to either be effective or comply with SP, ASP, London Plan and national policy. These are:
64. *Design.* In a dense, urban borough, good design is the key to ensuring the

scale of the development sought by the SADPD can be absorbed into the existing urban fabric without harm. Site requirements and design guidelines set site specific criteria to create attractive environments, but some allocations fail to make these clear or are too restrictive on aspects of design and they are not positively prepared. The height of buildings is particularly sensitive in some areas (identified in the Council's Potential Tall Buildings Validation Study) and for sites SA11 and SA36 around Wood Green Library and Finsbury Park, criteria are vague or too restrictive. Modifications **SAMM29, SAMM30, SAMM68** and **SAMM73** remedy this ensuring height of a new building is a consideration, and should respect local circumstances and residential amenity. The protection of views to and from Alexandra Palace and Downhills Park Road (SA22 and SA25) is not adequately recognised. Modifications **SAMM49** and **SAMM52** correct this making the policy effective.

65. The accessibility, provision and protection of open space are essential to provide an attractive and healthy borough. Where the policies fail to recognise this, they have not been positively prepared. Modifications **SAMM76** and **SAMM77** therefore ensure that open space provision links to the surrounding open space on site SA39 to ensure a coordinated approach and improved access. The green space at site SA49 and Metropolitan Open Land at site SA60 are protected by modifications **SAMM93** and **SAMM105** adding consideration of these to the site requirements. Improved access to the River Lea for SA65 is recommended by modification **SAMM117**. Modification **SAMM91** seeks retention of the public square and associated trees to reflect the current position for SA48 where the Hornsey Town Hall and square are designated as an asset of community value. Without the modifications these policies would not be effective.
66. *Natural Environment.* Eight sites are covered by the Thames River Basin Plan (regulated by the Environment Agency) which sets out the pressures facing the water environment in the river basin district and the actions that will address them. The SADPD does not make adequate reference to this in the allocations. Modification **SAMM119** adds text to make sure that sites have regard to the objectives of the river basin plan making the policies effective. Modification **SAMM50** ensures that consideration of the north-south river corridor for site SA23, which is of ecological value, forms one of the site requirements which will make the policy effective.
67. *Heritage assets.* The SADPD is clear that sustainable development includes protection of the historic environment and notes that many sites are within or adjacent to heritage assets. However, several sites adjacent to conservation areas or within the setting of a listed building are not adequately recognised in the criteria and the policy is not positively prepared. To rectify this, modifications **SAMM28, SAMM45, SAMM72, SAMM74, SAMM79, SAMM88, SAMM98** add that development 'should preserve the setting of' the heritage asset for sites SA9, SA19, SA37, SA38, SA41, SA46 and SA50. The Council's suggested modification 'needs to make a positive contribution to' is more onerous than national policy or section 66 of the Planning (Listed Buildings and Conservation) Act 1990 (for listed buildings) which seeks to preserve setting. I have changed the wording to 'should preserve the setting of' to comply.
68. The criteria for other sites within conservation areas or for listed buildings

require additional wording or rewording to ensure they would be effective. Modifications **SAMM54**, **SAMM75** and **SAMM90** make the relevant additions or amend wording to preserve or enhance, and to recognise significance of heritage assets for sites SA28, SA39, and SA48 accordingly. The old Piano Factory building on site SA49 may be of heritage interest and modification **SAMM92** adds a sentence for this to be considered in any development proposal. There is also a lack of protection for sites where there could be significant archaeological interest. Modifications **SAMM79** and **SAMM115** therefore add that on sites SA41 and SA64 the archaeological potential (both are close to a medieval asset) should be assessed, making the policies effective.

69. *Groundwater source protection zone.* Eighteen sites are within a groundwater source protection zone as defined by the Environment Agency, where there is a risk of contamination from pollution. The SADPD lacks site specific criteria on how development should address this to ensure that water supplies are protected. To effectively protect the environment modification **SAMM26** introduces a paragraph to each allocation to ensure that potential contamination is understood and that risk management and remediation is carried out. The Environment Agency is satisfied with this approach.
70. *Decentralised energy.* As submitted the SADPD sets onerous development guidelines on a significant number of allocations to connect to decentralised energy sources which are not justified and not positively prepared. Modification **SAMM4** rewords the guidelines to encourage connection, but having regard to feasibility and viability. This would comply with the London Plan policy 5.5 and be effective.
71. *Planning obligations.* In line with paragraph 204 of the Framework planning obligations should only be sought where 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. Criteria in a large proportion of the allocations conflict with the Framework in this regard. Many allocations unjustifiably require some or all of the following: financial contributions, compensation, cross subsidies and capped rents. The criteria are also unclear about what is being sought and why. Throughout the plans, where these occur, modifications **SAMM2**, **SAMM3** and **SAMM24**, are made rewording the policies to delete 'compensation', 'cross subsidy', 'capped rents' and 'will make a contribution'. They are replaced by wording to make it clear that? 'contributions' and 'affordable rents' may be necessary only where they comply with the Framework. On the same theme, modification **SAMM25** removes the words 'planning obligations will be sought' replacing with 'opportunities to improve' will be sought relating to public space, from SA6.
72. *Master planning.* On larger and adjoining sites development is expected to come forward through a masterplan. SA18, SA19 and SA20 are neighbouring sites where a coordinated approach is required for the policies to be effective and this is missing. Therefore, modifications **SAMM40**, **SAMM42**, **SAMM45**, **SAMM47**, **SAMM121** and **SAMM122** introduce a coordinated approach, (including the provision of open space and public realm and its purpose as a focal point for the cultural quarter of Wood Green). Sites SA30, SA32 and SA34, similarly require a coordinated approach to be effective, which is

missing from the text. Modification **SAMM60** therefore seeks a masterplan as a site requirement making the policies effective.

73. The detailed policies are clear, reasonable and justified. They would guide development, whilst protecting the environment. They meet Haringey's overarching aim to deliver sustainable development and subject to the Main Modifications, are sound.

#### **Issue 4 – Are there any local or site specific circumstances that would affect the implementation of the site allocations?**

74. Site SA42, Highgate Bowl, requires public access to private open space. Whilst the bowl is open space of historic interest this requirement could prevent sustainable development coming forward. The wording is changed by **SAMM82** and **SAMM83** to give support to public access having regard to existing owners, occupiers and uses. I have made a further amendment to SAMM82, deleting the word 'enhanced' and replacing with 'public' to make the policy effective. Modification **SAMM85** makes clear why development should reflect the existing mews type of development to make the policy effective. This would not restrict sensitively designed development coming forward in an alternative form. Although not a matter for soundness, the designation for Significant Local Open Land does not appear in the related DMDPD policy DM20. However, the DMDPD policy protects all open space regardless of local designations and this makes no difference to the soundness of the allocation. Moreover, the indicated designation of open space on the allocation plan makes no difference to the capacity and type of development allocated for the site or its effectiveness. With the modifications proposed to the policy DM20, this would not restrict sustainable development coming forward on any part of the allocated site, particularly where it is brownfield land.
75. Site SA52 Pinkham Way is designated as a Local Employment Area: Employment Land in the SP. Although the site was a former sewage works, it has been vacant for many years. There is no purpose to its inclusion in the SADPD as development is not identified to come forward within the plan period and it has no role within the SADPD to meet ASP objectives. The allocation is therefore unnecessary and **SAMM99** removes the designation from the SADPD.
76. Changes to LSIS and Local Employment Area: Employment Land identified in the ASP carry through to the SADPD. The consequent changes are made to the policies map without which SA31, SA33 and SA34 would not be sound.
77. All other policies which are not subject to modification are reasonable and justified, and would help to meet the strategic aims of the SP and ASP. The plan is sound.

## **Tottenham Area Action Plan**

### **Issue 5 - Has the Plan been positively prepared? Is it in general conformity with the London Plan and consistent with the Framework?**

78. The TAAP establishes a spatial planning framework for Tottenham. It has a vision and strategic objectives informed by and consistent with the SP and the London Plan. These seek to regenerate and transform Tottenham, and unlock its potential as an increasingly attractive place to work and live. The plan is supported by a wide range of substantial background studies specific to Tottenham including regeneration and physical development frameworks, a district centre framework (for Tottenham Hale), masterplans and transport modelling. The area also falls within the GLA Upper Lea Valley Opportunity Area and the TAAP is consistent with the overarching framework for regeneration of the area set out in the Upper Lea Valley Opportunity Area Planning Framework (adopted 2013) (produced by the GLA with Transport for London, and the London Boroughs of Enfield, Haringey, Waltham Forest and Hackney).
79. Consistent with strategic policies, the TAAP seeks to accommodate a large amount of new homes, jobs and a new district shopping centre in the substantial North Tottenham and Tottenham Hale growth areas, and Tottenham High Road and the Seven Sisters Corridor areas of change. The Plan demonstrates through the allocations that it has the capacity to accommodate over 13,400 new dwellings, (of which some 3,000 have planning permission) well over the ASP strategic requirement of 10,000. The Plan would also make provision for some 69,000 sqm of employment floor space and 85,000 sqm of retail floor space (both gross figures) focussed within the strategic areas.
80. There are 11 area wide policies (AAP) which, in addition to other local plan documents, aim to guide and manage new development in the area. Policies AAP1 and AAP2 promote a co-ordinated approach to regeneration throughout Tottenham. This is essential to achieve high quality and inclusive environments. To ensure implementation of development is flexible, modification **AAPMM10** adds that the aspirations for comprehensive development should enable the component parts to be developed separately as long as they do not compromise aims for the wider area. Without this policy AAP1 would not be positively prepared.
81. *AA3 - Housing.* TAAP policy AAP3 introduces a new tenure mix for affordable housing of 60% intermediate accommodation and 40% affordable rented accommodation for all new housing in Tottenham. While this would be a different approach to tenure split from the ASP policy SP2 and the London Plan policy 3.11, the approach is justified by the evidence base which shows that circumstances in Tottenham are significantly different to elsewhere in the borough and much of London. Tottenham has a large amount of the borough's social housing (60%) and of that around 60% of homes are socially rented. In addition there is an over concentration of small homes, and many residential areas suffer from poor layouts and poor quality housing. There is a lack of flexibility and choice in Tottenham which needs to be addressed to achieve high quality and inclusive environments.
82. The re-provision of socially rented housing in the renewal or regeneration of social housing estates would still be protected by SP policy SP2 and this would ensure that there would not be a significant loss of socially rented floor space where it is most needed in the borough. However, the tenure split is

part of a range of measures sought by AAP3 and other policies, as well as site requirements and development guidelines, to provide a better mix of housing (type, size and tenure), renew and regenerate housing estates and improve the quality of the environment. The GLA supports the approach. However, in both policy AAP3 and explanatory text, the TAAP fails to make the aim of the policy completely clear and set out how this will be achieved. To remedy this, modifications **TAMM9**, **TAMM12**, **TAMM13** and **TAMM14** either reword or add additional text to explain that the tenure and use of land in development proposals will be designed to achieve, among other things, inclusive and mixed sustainable communities.

83. Where allocations seek estate renewal and regeneration (SS3, TG3, NT3, NT4 and NT5) the TAAP is not clear about how this will take place or what the expectations of the plan are and this creates uncertainty. Modification **TAMM41** recommends a new paragraph setting out the process, some additional design criteria and the next steps for residents and developers. Without this information the TAAP would not be positively prepared.
84. *AAP5 - Heritage.* The historic fabric of Tottenham is recognised as a significant asset in the TAAP. This is particularly important as the scale of development proposed in some of the most sensitive historic locations will pose a challenge to developers to ensure that the historic environment is protected. Although the site allocations and their indicative capacities take into account the heritage assets, the wording of policy AAP5 (conservation and heritage) and explanatory text is not adequate or reinterprets the policies relating to heritage in the Framework. Therefore a number of modifications are recommended. Modifications **TAMM20 - TAMM25** (inclusive) delete sections of the policy where wording is either inconsistent with or reinterprets the Framework. Modification **TAMM7** adds to the explanatory text that many heritage assets are in poor condition. This is necessary as it influences the site requirements for some allocations. The modifications recognise that growth needs to be well managed to ensure protection of heritage assets.
85. *AAP8 - Tottenham High Road.* Tottenham High Road is an example of an area of very high heritage value where there are allocations for a significant amount of development to enable regeneration of the area. To ensure that the heritage of Tottenham High Road as a whole is protected modification **TAMM30** to policy AAP8 makes clear that regeneration of the high road should be heritage-led. Without this modification the policy would not be consistent with the Framework which seeks conservation and protection of the historic environment.
86. *AAP6 - Design.* Policy AAP6 (urban design and character including tall buildings) requires compliance with Council documents which have not been examined, such as the Tall Buildings Supplementary Planning Document and the Borough Characterisation Study. This would be unreasonable and not positively prepared. Modifications **TAMM26** and **TAMM27** replace the words 'comply with' to 'have regard to' to supplementary planning and other design documents to make the policy effective.
87. The remaining AAP policies, AAP4 (employment), AAP7 (transport), AAP9 (green grid) and AAP11 (infrastructure) are consistent with strategic policies, the London Plan and the Framework and together the policies aim to secure

well designed, integrated development that meets the needs of the borough. However, for policy AAP4, modifications **TAMM5**, **TAMM14** and **TAMM19** correct figures 2.4 and 4.1 to accurately reflect defined employment areas. This is necessary for clarity and to be effective. Changes to LSIS and Local Employment Area, Employment Land identified in the ASP carry through to the TAAP. The consequent changes need to be made to the policies map without which policies TH11, TH12 and TH13 would not be sound.

88. The vision, objectives and area wide policies have been positively prepared taking a comprehensive approach in order to deliver significant regeneration and the creation of new sustainable communities. Subject to the Main Modifications I recommend, they are in general conformity with the London Plan and consistent with the Framework.

**Issue 6 - Are the allocations consistent with the Strategic Policies? Will they meet its strategy for sustainable growth?**

89. The site allocations are based on SHLAA and other extensive background studies for Tottenham and the testing of feasible and reasonable options to find the most appropriate solutions for the allocation of sites through the SA. The site allocations are considered to be available, realistic and with a reasonable prospect of success. As with the SADPD, each site allocation sets out a range of uses, indicative capacities and timescales, and a range of site requirements and development guidelines. To ensure that capacities are not read as a cap and are indicative only modification **TAMM35** is necessary. This sets the capacity as a minimum with a rigorous design led approach establishing the final numbers. With the modification the policy would be positively prepared.

**Tottenham Hale Neighbourhood Area**

90. This encompasses the Tottenham Hale growth area. The TAAP identifies 12 sites within Tottenham Hale with a capacity for over 5,500 new homes, 43,000 sqm of employment floor space, 35,000 sqm of retail floor space (of which some 27,000 sqm will be in the new Tottenham Hale District Centre) and a new school. The sites are distributed to make the most of its location next to the Lea Valley Park, where there will be a new transport hub, a new station and Crossrail 2. A new road layout and significant public realm improvements will come forward either through the allocations or through other means. The infrastructure is identified, funded and deliverable as set out in the IDP.
91. The allocations TH2, TH3, TH4 and TH5 form the new Tottenham Hale District Shopping Centre with a range of town centre uses identified. Allocation TH2 fails to make clear that development should take account of the principles set out in the masterplan (the Council's district centre framework) to show how the development would complement other sites and policies. Without the modification (**TAMM73**) adding this as a site requirement, policy TH2 would not be effective.
92. Hale Wharf (TH9) is located next to the Green Belt and the Lea Valley Regional Park, which has significant nature conservation interest, containing a Site of Special Scientific Interest, a Ramsar Site and a Special Protection

Area (SPA) (designated because of migratory non-breeding birds). The Council's Habitat Regulation Assessment for the Plan indicates that there is not likely to be a significant adverse impact on the protected SPA and Ramsar site from the TAAP either on its own or in combination with other development. The allocations identify the nature conservation designations; however, to be effective **TAMM28** and **TAMM85** add further detailed advice about tall buildings, advising in the design guidelines that development should conserve and enhance the nature conservation value of these sites. Natural England (NE) raises no objection and endorses the policy approach.

### **North Tottenham Neighbourhood Area**

93. This encompasses the North Tottenham growth area. The TAAP identifies 5 allocations within North Tottenham with the capacity for some 4,500 new homes, 7,000 sqm of employment floor space and 51,000 sqm of retail floor space. These include 3 major regeneration and development schemes - High Road West (NT5) and Northumberland Park (NT3 and NT4) which are focussed on delivering housing estate renewal and regeneration, and Tottenham Hotspur Football Club (THFC) stadium development (NT6 and NT7), a mixed use development with a focus on leisure. NT7 benefits from planning permissions for a comprehensive redevelopment scheme of a stadium, hotel, retail floor space, museum and housing, together with associated infrastructure and is underway. The TAAP is lacking in detail about the THFC development site and **TAMM6** and **TAMM66** add a paragraph to the explanatory text setting out the aims for the site and a list of the relevant planning permissions to make it effective.
94. The High Road West town centre is likely to be expanded, but because this depends on significant development coming forward on sites NT3, NT5 and NT7 the precise boundary is not yet known. The TAAP failed to make this clear and the town centre designation was too restrictive. To remedy this and make the policies more flexible modifications **TAMM51**, **TAMM52**, **TAMM53** and **TAMM61** add further information explaining that the quantum of retail floor space (50,000sqm) should be delivered between the 3 sites to provide a better and more functional townscape and town centre. Modifications **TAMM56**, **TAMM68** and **TAMM69** add the words 'leisure' and 'retail' as allocated uses to reflect integration with NT7 and make the policy effective. Modification **TAMM62** rewords the site requirements for NT5 to ensure that viable uses are sought for heritage assets, some of which are deteriorating and on the 'at risk' register. This would be consistent with protection of the historic environment sought by the Framework.
95. Site NT5 requires a waste facility at the site to be re-provided, but during the examination it came to light that this facility had been provided elsewhere and **TAMM50** and **TAMM63** remove these words to make the policy effective. There are 2 consequential modifications to tables and figures in the TAAP which are necessary to ensure they are consistent with the text. These are modifications **TAMM3** and **TAMM4**. A consequential change will be necessary to the policies map without which the policy would not be effective.

### **Tottenham High Road Neighbourhood Area**

96. This area encompasses the Seven Sisters and Tottenham High Road areas of change. The TAAP identifies 10 allocations within this area divided into 3 specific places, Seven Sisters, Tottenham Green and Bruce Grove. The allocations identify capacity for over 1,000 new homes, 10,000 sqm of employment floor space and 6,800 sqm of retail floor space. Site TG2 is allocated for a substantial community use. The allocations will strengthen the role of Bruce Grove as a shopping centre, enhance Tottenham Green as a focal point for cultural and civic activity and reinforce Seven Sisters and West Green Road's significance as a district shopping centre.
97. Policy SS1 indicates that amalgamation of small shop units will be resisted to preserve the small individual shops that characterise the Seven Sisters and West Green Road district centre. However, this is not a matter that can be controlled by planning and modification **TAMM36** removes the word 'unit' and replaces with 'shop fronts' which can be controlled and would be effective in helping to protect the character of the area. Modification **TAMM37** adds to site SS1 recognition and protection of heritage assets and their settings, so that the policy is consistent with advice in the Framework. Modification **TAMM45** adds a design guideline to site TG2 to ensure that the nature, form and function of the existing community uses and the site users are considered. This would recognise the value of the existing site to the community and make the policy effective.
98. Site TG3 is allocated as mixed use. However, in order for comprehensive development to take place modifications **TAMM46** and **TAMM47** seek a masterplan which addresses the opportunities of the whole site. Without this the policy would not provide a comprehensive approach as sought by AAP1 and AAP2. Similar to site NT5 in North Tottenham, there are listed buildings along Bruce Grove which are deteriorating. Modification **TAMM49** makes clear that repair and viable re-use should be part of development considerations for sites BG1 – BG4 (inclusive) to ensure that the policies are positively prepared and reflect national guidance on the protection of the historic environment.
99. Subject to the Main Modifications, the allocations will bring forward large scale regeneration of the area in key locations for growth in line with the aim of strategic policies to transform Tottenham and achieve sustainable growth.

#### **Issue 7 - Are the detailed requirements for each of the development sites clear and justified?**

100. *Groundwater source protection zone.* Seven sites are within a groundwater source protection zone as defined by the Environment Agency. Similar to the SADPD, the TAAP lacks site specific criteria on how development should address this. For the same reasons as the SADPD modifications **TAMM38**, **TAMM42**, **TAMM44**, **TAMM54**, **TAMM58**, **TAMM65** and **TAMM71** add a paragraph to the relevant TAAP sites to ensure that potential contamination is understood and that risk management/remediation is carried out.
101. *Decentralised energy.* Similar to the SADPD, the TAAP sets onerous development guidelines on a significant number of allocations. Modification **TAMM2** rewords the guidelines to encourage connection, but having regard to feasibility and viability for the same reasons as the SADPD modifications.

102. *Planning obligations.* Similar to the SADPD, criteria in a large proportion of the TAAP allocations unjustifiably require some or all of the following: financial contributions, compensation, cross subsidies and capped rents. Throughout the plans, modifications **TAMM1, TAMM17, TAMM34, TAMM43, TAMM77, TAMM96** and **TAMM99** reword the policies to ensure they comply with paragraph 204 of the Framework. For **TAMM34**, I have deleted the last line referring to employment training and related initiatives to make the policy more flexible.
103. *Flooding.* A flood risk assessment for the TAAP indicated that there would be no risk from the scale of development and its distribution. However, the detailed policies fail to identify sites where flooding needs to be considered as a site requirement or design guideline. Modifications to sites NT4, NT5, NT7, TH2, TH3, TH6, TH7, TH8, TH10 and TH13 (**TAMM55, TAMM57, TAMM60, TAMM64, TAMM67, TAMM70, TAMM74, TAMM75, TAMM79, TAMM81, TAMM82, TAMM87** and **TAMM100**) add this information, necessary to protect the environment and make the policies effective.
104. *LEARA.* The lack of clarity seen in the SADPD in the approach to LEARAs (addressed earlier in this report) is carried through in site criteria for TH6, TH9, TH11, TH12 and TH13 in the TAAP. The same modifications are made to ensure that the employment criteria are effective and that the plan is positively prepared. The relevant TAAP modifications **TAMM18, TAMM76, TAMM84, TAMM90, TAMM92, TAMM94, TAMM95, TAMM97**, and **TAMM98** are made for the same reasons as set out in SADPD section of this report and are not repeated here. Modification **TAMM91** adds to site TH11 that warehouse living takes place at the site and that mixed use development is expected, to ensure that the policy is effective.
105. The detailed policies are clear and reasonable. They would guide development, enabling the type and range sought by strategic policies whilst protecting the environment. Subject to the Main Modifications they meet the Council's overarching aim to deliver sustainable development.

**Issue 8 - Is there a reasonable prospect that the allocations will be delivered during the SADPD and TAAP timeframe? Are the plans flexible enough to cope with changes in circumstances that may arise?**

106. This issue covers both the SADPD and the TAAP.
107. *Delivery.* The plan process for both the SADPD and TAAP included an assessment against paragraph 47 of the Framework of whether sites put forward were deliverable and developable during the short, medium and long term. The allocated sites range in scale and it is possible that delivery may take place during and beyond the plan period. However, to assist with deliverability, mixed land use designations are proposed for many sites and this would enable as much flexibility as possible and encourage a range of desired development to come forward.
108. The IDP provides information on infrastructure needs within the borough having regard to the SP and ASP targets for the growth and this is set out in more detail in the ASP (modification MM5). Statutory undertakers have been

consulted and no objections have been received. As a result, the allocations are based on a robust assessment of infrastructure requirements and their deliverability.

109. *Viability*. The viability studies for the plans indicate that the sites are viable having regard to the allocated uses, site requirements, development guidelines, and SP, ASP and DMDPD policies. Nevertheless, the flexible nature of many of the sites will give a number of options and they will come forward based on market needs with viability as a core consideration for proposed uses. This is to be considered in detail at the planning application stage and the GLA raise no concern with the approach. Based on the evidence, including the levels of recent development and progress in bringing forward planning permissions for some of the sites, delivery of the allocated sites over the plan period is likely to be achieved.
110. *Monitoring*. The ASP sets out how monitoring will take place linked to the sites allocated in the SADPD and the TAAP. Modifications are recommended to the ASP to ensure that action will be taken if sites are not coming forward as sought by the plans. In addition, the SADPD contains trajectories and a list of all sites with indicative targets and **TAMM101** and **TAMM102** add similar details to the TAAP to ensure that the monitoring is effective. The Council produces an Annual Monitoring Report which sets out key indicators for the assessment of the principal components of the SP and ASP.
111. There is a reasonable prospect of the development identified by the plans being delivered within the plan period. Actions are identified to review the plan approach should there be a delay in development coming forward and, subject to Main Modifications, the plan is sound in this respect.

## Section 3

### Development Management Development Plan Document

112. Taking account of all the representations, the written evidence and the discussions that took place at the examination hearings I have identified two main issues upon which the soundness of the Plan depends. Under these headings my report deals with the main matters of soundness rather than responding to every point raised by representors.

#### **Issue 1 - Are the policies aimed at positively promoting the strategic vision? Are they in general conformity with the London Plan and consistent with the Framework?**

113. The development management policies are set out in a topic based chapters covering design and character, housing, environmental sustainability, transport and parking, employment and town centres, and community infrastructure, implementation and monitoring. The plan defines new policies to meet the SP vision (which conforms to the London Plan) and the range of policies will positively promote these aims. Consistent with the Framework the overarching aim of the policies is to deliver sustainable development.

## **Issue 2 - Are the policies clear, justified and positively prepared? Will they be effective?**

114. *Design and character.* This chapter contains 9 policies covering a range of elements of design and character, including quality, building heights, locally significant views and the historic environment. The policies are set in the context of delivering the scale and type of development sought by the SP and ASP. The policies inform and support the site requirements and design guidelines set out in the SADPD and TAAP. The purpose of all of these policies is to continue to protect and enhance the built and historic environment, as sought by the Framework.
115. The detailed wording of policies DM3 (public realm) seeking maintenance in perpetuity, and DM6 (building heights) requiring community benefit is too restrictive and the criteria would be difficult to meet. In a similar way to the design policies in the TAAP, policies DM2 (accessible environments), DM5 (locally significant views/vistas) and DM6 (building heights) require compliance with Council documents which have not been examined, such as Secured by Design, the Tall Buildings Supplementary Planning Document and the Borough Characterisation Study. This would be unreasonable and not positively prepared. Modifications **DMM4 - DMM13** (inclusive) remove onerous or restrictive criteria, replacing them with more positively worded text. 'Comply with' has been replaced with 'have regard to' supplementary planning and other design documents. The modifications would ensure that the policies are more flexible and positively framed.
116. Policy DM9 (management of the historic environment) is not consistent with paragraphs 133, 134 and 135 of the Framework on the balance that must be undertaken when harm arises, and uses other words such as 'sustains' rather than 'conserves' as set out in the Framework. Modifications **DMM15** and **DMM16** delete the inconsistent wording and replace with the correct terms to make the policy effective.
117. *Housing.* The DMDPD contains 9 policies which in accordance with the Framework, seek to manage housing supply, mix and type, design and quality and affordable housing. The aim of the policies is to deliver sustainable, inclusive and mixed communities. The policies are generally positively worded supporting proposals for new housing on appropriate sites.
118. Policy DM11 (housing mix), promotes a mix of housing to suit specific area needs. However, it contains a criterion for institutional investment which is not related to planning. Modification **DMM20** removes the text to make the policy effective. Modification **DMM23** recommends 'having regard to' supplementary documents rather than 'compliance' and is necessary to make the policy effective.
119. Policy DM13 (affordable housing) complies with the wording and aims of ASP policy SP2; however, its application to schemes that are artificially subdivided or additional units created through planning amendments is confusing, unclear on where it might apply and lacks any criteria to explain how it would be implemented. Modifications **DMM25, DMM26, DMM27** and **DMM32** delete part of the policy and recommend a new section setting out development criteria and how development will be assessed to make the

policy effective. To comply with the previously mentioned WMS on affordable housing thresholds, **DMM30** deletes the requirement for affordable housing for small sites (less than 10 units). Modification **DMM31** removes a reference to contributions which would not comply with paragraph 204 of the Framework relating to planning obligations.

120. Policy DM15 (specialist housing) is also in conflict with paragraph 204 of the Framework requiring affordable student accommodation. Modifications **DMM35** and **DMM37** remedy this by amending wording and adding viability as a consideration. Policy DM16 (residential conversion) contains restrictive criteria on housing mix contrary to policy DM11 which modifications **DMM39** and **DMM40** remove for consistency and effectiveness. Modification **DMM40** explains what is meant by 'family housing' in policy DM16 to ensure it is effective. Policy DM17 (houses in multiple occupation) does not explain what is meant by 'standards' and how they would be assessed. Modifications **DMM41**, **DMM42** and **DMM44** add the information to the policy and explanatory text to assist with implementation.
121. *Environmental Sustainability*. This chapter has 12 policies covering protection of the natural environment, open space, renewable energy and waste. Consistent with the Framework the policies aim to plan positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure.
122. SP policy SP13 protects open space from development. However, policy DM20 (open space and green grid) is worded in a restrictive way, could prevent sustainable development coming forward and it is not positively prepared. Therefore, modification **DMM45** deletes the restrictive text and replaces it with words supporting proposals that protect and enhance open space. Modification **DMM46** explains how areas deficient in open space will be assessed ensuring that the policy can be implemented effectively. Modifications **DMM47** and **DMM48** make the consequent changes to the explanatory text; however, I have removed the final clause from modification **DMM48** about brownfield land offering the potential to secure open space as this would not comply with the Framework which encourages reuse of brownfield land. If a brownfield site is of high environmental value the modified policy would not prevent this from being a material consideration.
123. Policy DM22 (decentralised energy) is drafted in a prescriptive and onerous way. To align with the London Plan policy 5.5 on decentralised energy and make the policy more flexible, modifications **DMM49**, **DMM50** and **DMM51** clarify that the expectations are subject to technical feasibility and financial viability. Without the modification the policy would not be positively prepared. Policy DM23 (environmental protection) and DM27 (protecting and improving groundwater quality and quantity) are worded negatively to refuse planning permission in certain circumstances relating to air quality, noise and water protection. Modifications **DMM52**, **DMM53**, **DMM54**, **DMM56** and **DMM57** change the wording to explain what measures should be complied with to ensure there is no harm. This would clarify what is expected from a planning proposal and make the policy effective.
124. *Transport and parking*. This chapter contains 6 policies which cover sustainable transport and detail guidance for parking. All are positively

prepared and, consistent with the Framework, aim to promote sustainable means of travel, safe and suitable site access and protection of local character.

125. *Employment and Town Centres*. The chapter has 11 policies of which 4 relate to employment seeking to maximise the use of employment land, encourage regeneration and protect existing uses where appropriate. The remaining 7 policies relate to town centres covering town centre development, maximising the use of town centre land and controlling particular types of uses. The overall aims of the policies to secure sustainable economic growth and ensure the vitality of town centres are consistent with the Framework. However, significant modifications (which I describe in the next two sub-sections) need to be made to some of the policies to enable development to come forward in line with strategic objectives.
126. *Employment*. The employment policies are restructured under the recommended modifications so that policies follow a logical sequence: policy DM37 addresses LSIS and Local Employment Areas, Employment Land (where land is protect for these uses); Policy DM38 covers LEARA where employment led, mixed use schemes are appropriate, and, policy DM40 covers non-designated employment land.
127. Policy DM37 is too restrictive for LSIS making no allowance for consideration of uses other than Class B1, B2 and B8 on these sites. **DMM60** adds a new section setting out reasonable criteria to assess where this may be acceptable, ensuring that the policy is positively prepared whilst ensuring that industrial sites are protected where appropriate.
128. Following on from modifications to ASP SP8 and policies in the SADPD and TAAP relating to LEARA, consequential modifications are necessary to policy DM38 (employment- led regeneration). Similar to those covered elsewhere in the report, modifications seek employment led development which will maximise the amount of employment floor space. Viability is to be assessed looking at the scheme as a whole. Other modifications take away onerous requirements such as the necessity to consider gypsy and traveller accommodation which could prevent sustainable development coming forward. Requirements that fail to comply with paragraph 204 of the Framework relating to planning obligations are removed or reworded. Other modifications replace 'cross subsidise' with a consideration about viability. The modifications make policy DM38 clearer and more flexible and ensure that the aims and objectives of the strategic employment policies (of which the approach to LEARA is a key part) are met through its implementation (modifications **DMM61 – DMM75** inclusive). Without these modifications policy DM39 would not be sound.
129. The modifications recommended for Policy DM41 include changing the policy title and aims of the policy to specifically address non-designated employment land and floor space. The modifications recommend complete remodelling of the policy to set out criteria against which development will be assessed. The policy supports mixed use schemes in accessible locations. Elsewhere it seeks to protect suitable and viable non-designated employment land which the Council's evidence base shows are important for the local economy. The circumstances where loss of non-designated employment land

are clarified and made less restrictive in the way they are framed, explaining how they will be assessed and the matters that developers need to consider. The necessity for contributions has been reworded to be more flexible to comply with paragraph 204 of the Framework (Modifications **DMM85 - DMM91** inclusive). Without these modifications policy DM40 would not be sound.

130. Policy DM39 (warehouse living) relates to a specific type of mixed use development seen in Haringey and the adjoining borough of Hackney. The policy has no clear explanation of the type and extent of development it would control. Modifications **DMM76, DMM77, DMM79, DMM80** and **DMM112** make the policy effective by defining it as a communal live-work arrangement that supports a range of creative industries and small and medium size enterprises. It has developed incrementally in specific areas of the borough (and in adjoining Hackney) over a period of time. It has a sui-generis use class and the policy is restricted in application to the areas identified in the SADPD and the TAAP which are already occupied in this way. However, the policy lacks detail in how it will be implemented. The SADPD and TAAP expect masterplans to cover the relevant site allocations and this is repeated in policy DM39 but modification **DMM78** adds a reference to specific site circumstances to make it more flexible. This would allow the complex circumstance of the existing sites to be taken into account. Modifications **DMM81, DMM82, DMM83** and **DMM111** add additional information in the explanatory text to make it consistent with the modified policy and the SADPD and TAAP allocations. Modification **DMM113** sets out criteria for the assessment of extensions to existing warehouse buildings. Without the modifications the policies would not be effective.
131. *Town Centres*. Policy DM41 (new town centre development) is not clear that the policy also applies to local centres and these words are added by modification **DMM92** to make the policy effective. Policy DM46 (betting shops) imposes a restriction (5%) on the total number of betting shops in a shopping centre; however, there is no satisfactory evidence to support the percentage sought which is a notional figure. Modifications **DMM94, DMM95, DMM97** and **DMM98** remove this requirement and make similar changes to the explanatory text. However, modification **DMM96** adds a new section to the policy to comply with the London Plan policy 4.8 (town Centres) which makes clear that the number of existing betting shops in a centre and their concentration are to be taken into account as they can have an effect on character and viability. Modification **DMM99** adds further explanation to the explanatory text on what the impacts are of overconcentration. The modifications would ensure that the policy is flexible and effective.
132. Policy DM47 is restrictive of hot food takeaways within 400m of boundaries of all primary and secondary schools. However, the background evidence shows that there is already significant hot food take-away provision in place in the borough and any reduction in children using a takeaway because of the restriction would be, at best, marginal. In addition figure 6.1 of the plan shows that most of the borough would be covered by the restriction preventing any new hot food takeaways, even in areas where there is no issue with obesity. I acknowledge that there is considerable support for this

policy (as well as objections); however, it would be significantly restrictive, contrary to the Framework's aim for town centres to provide choice and promote competitive town centre environments. Modification **DMM101** deletes the restriction to make the policy positively prepared.

133. Policy DM47 also seeks to restrict hot food takeaways as a percentage (5%) of the overall number of units. As with betting shops there is no satisfactory justification for the percentage and it is unjustified. Modification **DMM102** removes this criterion from the policy. In recognition of the effects hot food takeaways can have on town centres and in line with the London Plan text is added to the policy that overconcentration and clustering is taken into account. Modifications **DMM103 – DMM106** (inclusive) make consequential changes to the explanatory text. Without the modifications the policy would not be sound.

134. *Community Infrastructure, Implementation and Monitoring.* There are 9 policies in this chapter covering planning obligations, community infrastructure, public houses, burial space, hotels, telecommunications and masterplanning. All are generally positively prepared and would promote social interaction and enhance the quality of life, consistent with the aims of the Framework. Policy DM48 (use of planning obligations) is not worded in a way that would be consistent with paragraph 204 of the Framework. Modification **DMM107** rewords the policy to comply with the Framework. Although part B is added to put forward a list of where obligations might be sought, broadly complying with criteria in other policies in the DMDPD (eg affordable housing) this modification is not necessary for soundness and I have removed it from the schedule.

135. Policy DM50 (public houses) lacks an explanation of how marketing will be assessed to establish long term vacancy. Modification **DMM108** adds this information to make the policy effective. Policy DM55 (regeneration /masterplanning) sets out advice for sites where comprehensive development is sought particularly those sites in the SADPD and the TAAP where a masterplan is a site requirement. In order not to be too restrictive modification **DMM110** sets out how an application would be considered in circumstances where it comes forward before a masterplan is prepared.

136. Subject to the MMs I recommend, the policies are clear, justified and positively prepared. They are effective and enable development to come forward that will meet the aim of the Framework to achieve sustainable development.

## Other Matters

137. The following modifications, which were included in the Council's Schedules of Modifications for each plan, are not included in the appendices of recommended MMs which accompany this report: MM1, SAMMs 19, 21, 31, 32, 33, 34, 55, 56, 57, 63, 66, 69, 70, 71, 86, 94, 95, 96, 97, 100, 103, 107, 109, 116, 118, 120, 123, 124, 126, 127, 128. TAMMs 8, 11, 16, 29, 31, 32, 33, 39, 40, 48, 59, 72, 78, 80, 83, 86, 88 and 93. DMMs 1, 2, 3, 17, 18, 19, 21, 22, 24, 29, 33, 34, 36, 38, 42, 43, 55, 58, 59, 84, 93, 107, and 109. This is because they do not materially affect the plans' policies or, in some

cases, they repeat other MMs. It is for the Council to decide whether to take them forward as additional modifications to the plans.

## Assessment of Legal Compliance

138. My examination of the compliance of the Plans with the legal requirements is summarised in the table below. I conclude that the Plans meet them all.

LEGAL REQUIREMENTS	
Local Development Scheme (LDS)	The ASP, SADPD, TAAP and the DMDPD have been prepared in accordance with the Council's LDS April 2016.
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in February 2011. Consultation on the four plans and their MMs has complied with its requirements.
Sustainability Appraisal (SA)	SA has been carried out for each plan and its modifications and is adequate.
Habitats Regulations Assessment (HRA)	The Habitats Regulations Appropriate Assessment Screening Report November 2015 (repeated for the modifications in December 2016) sets out why Appropriate Assessments are not necessary for the Plans. Natural England supports this.
National Policy	The ASP, SADPD, TAAP, and DMDPD comply with national policy except where indicated and MMs are recommended.
2004 Act (as amended) and 2012 Regulations.	The ASP, SADPD, TAAP and DMDPD comply with the Act and the Regulations.

## Overall Conclusion and Recommendation

139. The Plans have a number of deficiencies in respect of soundness for the reasons set out above, which mean that I recommend non-adoption of them as submitted, in accordance with Section 20(7A) of the 2004 Act. These deficiencies have been explored in the main issues set out above.

140. The Council has requested that I recommend MMs to make the Plans sound and capable of adoption. I conclude that with the recommended main modifications set out in the Appendices the ASP, SADPD, TAAP and DMDPD satisfy the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.

*Christine Thorby* Inspector

This report is accompanied by four Appendices containing the Main Modifications.