

Northumberland Development Project (Tottenham Hotspur Stadium)

in the London Borough of Haringey

planning application no. HGY/2015/3000

Strategic planning application stage II referral

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

The proposal

A hybrid application comprising demolition and comprehensive phased redevelopment:

Full planning permission is sought for the new Stadium (Class D2), (59 metres AOD); a hotel (Class C1) of 22 storeys (100 metres AOD); Tottenham Experience building (sui generis) of 3 storeys; and surrounding public realm, including a podium square to the south of the Stadium and a new Plaza at the south-west corner of the site.

Outline planning permission is sought for an Extreme Sports centre (Class D2) (62 metres AOD); community space (Class D1) and/or offices (Class B1); housing (Class C3); and 3 storey health centre (Class D1). The residential buildings include two 19 storey buildings (69 metres AOD), a 27 storey building (105 metres AOD) and a 35 storey building (131 metres AOD). Details of "appearance" and "landscape" are reserved in relation to the residential buildings and associated community and/or office building. Details of "appearance" and "scale" are reserved in relation to the Extreme Sports centre building. Details of "appearance" are reserved in relation to the health centre building.

The proposal includes the demolition of three locally listed buildings and includes works to a Grade II listed building for which a separate Listed Building application has been submitted (Ref: HGY/2015/3001).

The applicant

The applicant is **Tottenham Hotspur Property Company Ltd**; the architects are **Populous, Allies and Morrison**, and **Donald Insall and Associates**; and the agent is **DP9**.

Strategic issues

Issues with respect to **affordable housing, housing, historic environment, urban design and tall buildings, inclusive design, transport, climate change and air quality** have been satisfactorily addressed since Stage One. The proposed development is strongly supported in strategic planning terms.

The Council's decision

In this instance, Haringey Council has resolved to grant permission, subject to conditions and completion of a Section 106 agreement. Should the Section 106 agreement not be completed by 18 March 2016, the Council resolved that the application was to be taken back to Committee for re-consideration.

Recommendation

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

Context

1 On 21 September 2015, the Mayor of London received documents from Haringey Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. This was referred to the Mayor under Category 1A, 1B(c) and 1C of the Schedule to the Order 2008:

- 1A *"Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats."*
- 1B *"Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings - (c) outside Central London and with a total floorspace of more than 15,000 square metres."*
- 1C *"Development which comprises or includes the erection of a building of (c) more than 30 metres high and is outside the City of London."*

2 On 27 October 2015, the Mayor considered planning report D&P/2292g/01, and subsequently advised Haringey Council that the application did not yet comply with the London Plan, for the reasons set out in paragraph 199 of the above-mentioned report; however the possible remedies that could address these deficiencies were set out in that paragraph. The covering letter to the report stated that:

- *"Notwithstanding paragraphs 79 to 105 of the report, the Mayor expressed the view that the loss of non-designated heritage assets, including the former 'Dispensary' (746 High Road), the 'Red House' (748 High Road) and the former 'White Hart Public House' (750 High Road) is not justified, and furthermore, that these buildings should be retained in the scheme. Consequently, the applicant should review the proposals in order to incorporate these buildings into the scheme."*

3 A copy of the above-mentioned report is attached. The essentials of the case with regard to the proposal, the site, case history, strategic planning issues and relevant policies and guidance are as set out therein, unless otherwise stated in this report. Since then, further information has been provided in response to the Mayor's concerns (see below). On 16 December 2015, Haringey Council decided that it was minded to grant planning permission, subject to conditions and completion of a Section 106 agreement. Should the Section 106 agreement not be completed by 18 March 2016, the Council resolved that the application was to be taken back to Committee for re-consideration. On 16 February 2016, the Council advised the Mayor of this decision. Under the provisions of Article 5 of the Town & Country Planning (Mayor of London) Order 2008, the Mayor may allow the draft decision to proceed unchanged,

direct Council under Article 6 to refuse the application or issue a direction to Council under Article 7 that he is to act as the Local Planning Authority for the purposes of determining the application and any connected application. The Mayor has until 29 February 2016 to notify the Council of his decision and to issue any direction.

4 The environmental information for the purposes of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 has been taken into account in the consideration of this case.

5 The decision on this case, and the reasons will be made available on the GLA's website www.london.gov.uk.

Update

6 At the consultation stage, Haringey Council was advised that the application did not yet comply with the London Plan, for the reasons set out in paragraph 199 of the above-mentioned report; however the possible remedies that could address these deficiencies were set out in that paragraph:

- **Affordable housing:** No information has been provided on the affordable housing offer at this stage and the applicant is required to demonstrate that the application delivers the maximum reasonable amount of affordable housing. A viability report is expected to be independently assessed on behalf of the Council, with the results to be shared in full with GLA officers.
- **Housing:** Housing provision on this site is supported in principle; however the Council should confirm that this would meet local housing needs. The residential density of the proposals may be acceptable, subject to the resolution of other issues raised in this report.
- **Historic environment:** Taking account of the scale of the demolition and the significance of the heritage assets, GLA officers therefore conclude that the proposals will cause 'substantial harm' to the significance of the Conservation Area and total loss of locally listed buildings. The substantial public benefits arising from the proposal could outweigh the loss of these buildings; however, taking account of the significance of these buildings, the applicant should consider the relocation of the entire frontage of the 'Dispensary' within the new Tottenham Experience terrace, and the relocation of Bill Nicholson's former panelled office from the 'Red House' within the Museum. Harm to some other heritage assets is considered to be 'less than substantial' and outweighed by the considerable public benefits.
- **Urban design and tall buildings:** The proposals are considered to be of a high design quality and potentially iconic; however the applicant should provide further information on how the podium level public spaces will be managed in order to counter concerns about levels of activity and overlooking. Further consideration should be given to the ground floor layout and design of the Tottenham Experience building and the hotel. The applicant should clarify the landscape design/uses at the south end of Worcester Avenue.
- **Inclusive design:** The approach to inclusive access is generally acceptable; however an additional general access lift should be included from the Plaza to the first floor podium level.

- **Transport:** The applicant will need to work closely with TfL to ensure that the impact assessment is sufficiently robust, as there are concerns that the peak period for trips has potentially been underestimated. More discussion would then follow to identify appropriate mitigation and ensure that the scheme is designed appropriately to cater for the expected uplift in trips. In addition, justification for the quantum of proposed cycle parking, car parking and scheme layout are required.
- **Climate change:** The applicant should provide evidence to demonstrate that the cooling demand has been reduced; sample SAP calculation worksheets; further details on the site wide network and energy centre; further details on the CHP unit; further information on photovoltaic options; and further information on the diesel generators. The applicant is strongly encouraged to continue to investigate the feasibility of including additional space within the energy centre, to help facilitate the development of the Haringey heat network. The Flood Risk Assessment and Water Strategy are contradictory and should be clarified. A fresh approach to the drainage regime is required for the application to be considered compliant with London Plan Policy 5:13.
- **Air quality:** The short term impacts on NO₂ and PM₁₀ concentrations should be re-modelled based on around 30 matches per year during the football season, plus 16 events during the summer months. The applicant should confirm that the cleanest possible diesel-fired generators will be used.

7 As discussed above, the covering letter to the report also identified that the Mayor expressed the view that the loss of non-designated heritage assets was not justified and should be retained in the scheme.

8 Since then, the applicant has also responded to the matters raised in the Stage One report as set out below.

Affordable housing

9 At Stage One, no detail was provided on the affordable housing offer, although it was noted that in accordance with London Plan Policy 3.12 'Negotiating Affordable Housing', the applicant would be required to demonstrate that the application delivers the maximum reasonable amount of affordable housing and as part of this, the applicant's viability report would need to be independently assessed on behalf of the Council and the GLA.

10 This independent assessment has been conducted by KPMG, which confirms that the proposed development does not provide a level of commercial return on investment that would enable the development to be wholly funded by mainstream lenders and banks, or be justified by the turnover of the existing football club alone. KPMG identified a significant funding challenge associated with the Stadium that will require other elements of the development, or other funding sources, to contribute towards improving the viability of the Stadium proposal.

11 At the present time, based upon the assessment of development costs (which have increased), and residential sales values in the area, the residential development is not able to make a contribution to the delivery of the Stadium. This was not the case with the earlier planning permission, where viability at that time meant that a residential cross-subsidy was made possible. The principle of cross-subsidy from the residential development contributing towards the delivery of the Stadium has therefore been accepted as part of the earlier planning permission and continues to be acceptable for the current application, given the significant policy support for delivery of a new Stadium on the site.

12 In these circumstances, Policy 3.12 recognises that the use of contingent obligations may be appropriate, based upon a review of viability at a later date, and the draft interim Housing SPG provides further guidance on such review mechanisms. Considerable dialogue has taken place between the applicant, the Council, and the GLA, on the details of this review process. In consultation with GLA officers, the Council and the applicant have agreed that the cross-funding amount will be £48.4M at today's prices, index linked from December 2015, which is secured in the draft Section 106 agreement. This sum was calculated based on the residual land value being 20% of the residential gross development value. GLA officers consider this to be reasonable and justifiable.

13 In consultation with GLA officers, the Council and the applicant have also agreed that any excess amount above this sum will be split equally between the applicant and the Council, so that 50% of the value remains with the applicant and 50% is payable to the Council, up to a value equivalent to 50% affordable housing (the Council's policy compliant level of affordable housing). The financial payment to the Council will contribute to the delivery of affordable housing at a location to be identified nearby. These measures are secured in the draft Section 106 agreement. Policy 3.12 of the London Plan states that affordable housing should normally be provided on-site, off-site only in exceptional circumstances, and a cash-in-lieu contribution should only be accepted where this would have demonstrable benefits in furthering affordable housing and other London Plan policies. GLA officers consider that an off-site contribution is appropriate in this instance given the likely form of the proposed on-site residential units; the level of social housing already existing in the locality; and the fact that a larger number of affordable units could be provided elsewhere, considering the high construction costs of the residential development proposed.

14 Concerning the trigger point for the review of viability, given the complexity of the buildings proposed and the scale of development, it is not expected that any of the residential units would be occupied until 2020 at the earliest. Consequently the Council has proposed that the appropriate trigger point for the review is at Stadium completion. This ensures that in the event of significant improvements in values in the period prior to the review, the policy expectations in respect of affordable housing arising from the new residential development can be met. These measures are secured in the draft Section 106 agreement. GLA officers consider this to be reasonable and justifiable.

15 In summary, GLA officers consider these provisions within the draft Section 106 agreement meet the requirements of Policy 3.12.

Housing

16 London Plan Policy 3.8 'Housing Choice' encourages a choice of housing based on local needs. At Stage One, a concern was raised about the indicative mix of units, which provides a significant proportion of one (46%) and two bed units (46%). In recognition that the final mix will be decided at reserved matters stage, the Council has included conditions to secure that no more than 5% of the units will be studios, no less than 5% will be three-bed, and no more than 50% will be one-bed. This will provide an acceptable mix of units, considering the high-rise nature of the residential blocks and the accessible location.

17 London Plan Policy 3.4 'Optimising Housing Potential' and Table 3.2 sets a guideline of or 45 to 260 units per hectare on a site such as this, although the London Plan notes that these ranges should not be applied mechanistically. The proposed density of the entire site is approximately 128 units per hectare; however, taking the residential site in isolation, the density of approximately 1,170 units per hectare. Given the high quality of the living environment secured by the applicant's Design Code (as recognised at Stage One), including acceptable amenity and play space, appropriate affordable housing provisions, an acceptable mix of unit

sizes, a high quality design and appropriate transport and climate change responses, the density of the scheme is acceptable in this growth area and Opportunity Area.

18 As requested at Stage One, the application is conditioned such that 90% of the new housing will meet Building Regulations requirement M4 (2) 'accessible and adaptable dwellings' and that 10% of the new housing meets Building Regulation requirement M4(3) 'wheelchair user dwellings', in line with the draft Minor Alterations to the London Plan.

Historic Environment

19 As discussed in the Stage One report, the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "*have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*" and in relation to conservation areas, special attention must be paid to "*the desirability of preserving or enhancing the character or appearance of that area*". The NPPF states that when considering the impact of a proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and the more important the asset, the greater the weight should be. London Plan Policy 7.8 'Heritage Assets and Archaeology' states that development should identify, value, conserve, restore, re-use and incorporate heritage assets where appropriate.

20 At Stage One, GLA officers considered the impact of the proposals on a number of designated and non-designated heritage assets, including the Grade II Listed Warmington House (744 High Road); North Tottenham and other nearby Conservation Areas; and locally listed 746 High Road, the 'Dispensary', 748 High Road, the 'Red House', and 750 High Road 'White Hart Public House'. As discussed in the Stage One report, these three locally listed buildings are proposed to be demolished, which the applicant justifies on grounds of crowd safety, caused by the narrowing of the footway in front of these buildings to 2.2 metres. On match/event days, this pinch point forces pedestrians to walk into the adjoining southbound bus lane during the pre-match period, which is expected to be significantly exacerbated by the increase in the Stadium's capacity from 36,000 to 61,000. The previously consented scheme sought to address this by the creation of a new pedestrian walkway (known as the 'canyon') that would funnel pedestrians from the High Road to the rear of the retained buildings. This solution allowed the retention of the three locally listed buildings (along with the Grade II listed Warmington House); however, subsequent advice from the applicants' pedestrian movement experts concluded that most pedestrians on match/event days would not follow the proposed new pedestrian route/'canyon' and would instead use the quickest and most direct route in front of the retained buildings along the High Road pavement, with spectators regularly moving into the adjacent carriageway bus lane. The applicant explored solutions that would allow the buildings to be retained, including increasing stewarding and policing, and the installation of barriers, to more radical solutions such as temporary and permanent closures of the highway, and the creation of underpasses and flyovers, as set out in the applicants' Crowd Safety Options Appraisal Report. The Council's independent expert advice confirmed the findings of this Report, and at Stage One, GLA officers accepted that this demonstrates that the only alternative options for retaining the locally listed buildings are unacceptable in traffic and highways terms, incapable of being delivered, and would call into question the ability to secure viable commercial uses for the retained buildings. Consequently, the current application proposes to demolish the three locally listed buildings to create a wider footway of 9.5 metres.

21 At Stage One, taking account of the scale of the loss and the significance of the heritage assets, GLA officers concluded that the proposals will cause 'substantial harm' to the significance of the North Tottenham Conservation Area. According to the NPPF, in these cases, local planning

authorities should refuse consent unless it can be demonstrated that this is necessary to achieve substantial public benefits that outweigh the harm. As discussed in the Stage One report, GLA officers considered that the increased width of the footway could in itself be considered a substantial public benefit, which could outweigh the loss of these buildings (as required by the NPPF), since it resolves serious public safety concerns. Other substantial public benefits were also recognised at Stage One, including new sporting and recreational facilities for public use, a community health centre, the restoration and re-use of the Grade II listed Warmington House, a new museum, 585 new high-quality homes, a new world class Stadium, and the extensive economic and regenerative benefits to the area. In coming to this decision, GLA officers noted the Barnwell Manor and Forge Field judgements, which made clear the strong presumption against granting permission that would cause harm to a Conservation Area, and that a planning authority can only strike the balance between harm and planning benefits if it demonstrably applies that presumption.

22 The covering letter to the Stage One report stated the Mayor's view that the loss of the former 'Dispensary' (746 High Road), the 'Red House' (748 High Road) and the former 'White Hart Public House' (750 High Road) was not justified, and that the applicant should review the proposals in order to incorporate these buildings into the scheme.

23 As discussed in the Council's Planning Sub Committee Report of 16 December 2015, the Council's Conservation Officer is also of the view that the loss of these three buildings would cause substantial harm to the North Tottenham Conservation Area and to the Grade II listed Warmington House. Furthermore, the Conservation Officer is of the view that other aspects of the proposals will cause substantial harm to the North Tottenham Conservation Area, Warmington House, and the setting of four other Conservation Areas. However Council Planning Officers considered that this substantial harm would be outweighed by the substantial public benefits arising from the scheme.

24 Historic England raised strong objection to the proposals, which it stated *"would not deliver additional public benefits over and above those which the consented scheme would deliver"* and *"fail to preserve the setting of a listed building, and neither preserve nor enhance the character or appearance of the conservation area"*. More specifically, Historic England objected due to:

- Substantial harm to the Grade II listed Warmington House by radically altering its setting, due to *"the new development on either side will result in the listed building enveloped within a much larger modern development, and appearing as an illegible remnant of the historic High Road development"*.
- Serious harm to the North Tottenham Conservation Area due to the demolition of the three locally listed buildings and the height of the proposed hotel and residential buildings.
- Serious harm to nearby listed buildings due to the height of the proposed hotel building.
- Serious harm to the settings of the North Tottenham Conservation Area and the Bruce Castle Conservation Area, where the height of the proposed hotel and residential buildings would *"dominate a skyline currently characterised by a traditional building scale and cause serious visual harm in a number of views from within the conservation areas"*.

25 It is noted that on 21 December 2015, Historic England requested that the Secretary of State call in the planning application and the listed building application for his determination.

26 Concerning Historic England's objections, as detailed in the Stage One report, GLA officers consider that the Tottenham Experience terrace, whilst differing from the original setting of Warmington House, responds appropriately in terms of scale and massing, preserving and enhancing the listed building and its setting. Whilst it was originally built as a detached house, the building formed part of a terrace of later buildings until recent demolitions. The Stage One report

also recognised that the introduction of built form in areas where none currently exists would have some benefits to the Conservation Area and nearby listed buildings, for example to the north-west of the site. The Stage One report also recognised that some harm will be caused to nearby conservation areas, including North Tottenham and Bruce Castle; however GLA officers consider that the harm is 'less than substantial' and outweighed by the very significant public benefits.

27 In response to concerns about the loss of the locally listed buildings, as raised in the Stage One report, the Mayor's Stage One report covering letter, by Historic England, and the Council's Conservation Officer, the justification for their demolition has been re-examined by GLA officers, who conclude that there is no sensible, practical and effective way of ensuring crowd safety other than by their demolition. Paragraph 133 of the NPPF states that where there is substantial harm to a designated asset this should only be allowed where it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Council planning officers and GLA officers consider that this test has been met.

28 At Stage One, GLA officers also requested further information on the possibility of the relocation of the entire facade of the 'Dispensary' within the new Tottenham Experience terrace adjacent to the retained Warmington House, and the panelled office from the interior of the 'Red House' within the new Museum. In response, the applicant undertook further feasibility work into the relocation of the entire facade of the 'Dispensary'; however this was felt to have a negative impact on the wider composition of the Tottenham Experience and make it harder to create a new setting for Warmington House. Although it is regrettable that the entire facade has not been retained, the applicant has confirmed that the ground floor shopfront of the Dispensary, the panelled office from the Red House, and possibly further elements of the demolished buildings will be retained within the proposed Museum, which is welcomed. The applicant has also provided further visualisations to illustrate how these elements will be retained. The Council has secured these retentions through appropriate conditions.

29 In summary, although the loss of the three locally listed buildings is highly regrettable, GLA officers consider that this has now been fully justified by the applicant and that the proposals meet the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990, the NPPF, and the London Plan.

Urban Design and tall buildings

30 At Stage One, the intention to introduce new public routes across the large and currently impermeable site was strongly supported. This will be implemented through the podium level routes passing from the High Road to Worcester Avenue and Park Lane, both to the north and south of the proposed Stadium. These routes are lined almost exclusively with uses associated with the Stadium, although there is some cafe and restaurant space located in the proposed hotel and Extreme Sports building, and flexible uses with the overlooking residential towers above, although this element is part of the outline application and expected to be constructed later. The relatively limited surrounding and overlooking uses, together with access to these routes via stairs/lifts raised some concerns at Stage One about the level of active use and overlooking of these routes and spaces outside of match and event times, particularly at night.

31 The applicant has stated its intention for the southern podium to be used by the Tottenham Foundation, community organisations and the Council for a variety of events. The way this area is utilised and managed will be essential to its effectiveness as a public open space and a management strategy has been secured in the draft Section 106 agreement. A condition also secures the implementation of a CCTV strategy and a lighting strategy, to be agreed with the Council. GLA officers consider that these measures will provide an acceptable degree of activity and security to these public spaces.

32 At Stage One, some concerns were raised about the proposed use of a large expanse of glass cladding on the south-facing 'prow' of the Tottenham Experience building; however the applicant maintains that this is a key element in creating a distinctive entrance for spectators arriving from the south. Concerns were also raised about the ground floor of the neighbouring proposed hotel, which also extends in a glazed V-shaped projection into the proposed Plaza public space; however it is accepted that this will help to guide crowds to the entrance to the Stadium, while shielding the entrance to the hotel.

33 In response to queries raised at Stage One, the applicant has identified that the south end of Worcester Avenue is composed of square areas of resin bound paving; however detailed design should clarify the function of this area, which has been secured by appropriate condition.

34 As requested at Stage One, the retention of the residential scheme architect or a suitable alternative to be agreed with the Council is secured by condition.

Inclusive design

35 The design of the landscaping and the public realm is crucial to how inclusive the development is for many people. The Stage One report noted that podium level public spaces are accessed by stairways and are generally accompanied by lift access; however it also noted that no lifts are included within the south-west corner of the site, adjacent to the Tottenham Experience and ticketing facilities. The applicant has responded that lift access is excluded in order to maximise stairway width at this point, which will experience the largest flow of spectators. The nearest lift is located less than 10 metres to the east of the hotel, and three other lifts provide access to the southern podium, as well as lifts within the Tottenham Experience, the Hotel and the Extreme Sports Building. In acknowledgement of the requirements of crowd management and the provision of lifts in near proximity, on balance this arrangement is considered acceptable.

Transport

36 Since Stage One, TfL has worked with the applicant to understand the impact of the various elements of the proposed development on the transport network, in order to determine the necessary package of mitigation. The applicant has provided a robust assessment for the majority of the proposed land uses for the various transport modes, in order to enable a reasonable understanding of transport impacts. The applicant promotes a stadium mode split target in line with the 2010 permission of 77% non-car use for match days, 85% for NFL games, and 90% for concerts. These will be challenging targets that the applicant expects can be achieved through a package of measures and controls secured through the Section 106 agreement, including but not limited to;

- Extended Event Day Controlled Parking Zone (increase from 221 to 716 hectare area, phase 1 of this increase already implemented since the 2010 permission).
- Event day travel plans (TPs) for all scenarios; major and minor, with various monitoring strategies set out below.
- Local Area Management Plan (LAMP), including policing and stewarding arrangements for the local area.
- Major Event day monitoring programme – monitors compliance with all strategies, including LAMP and TPs.
- Shuttle bus – services between the Stadium, Wood Green and Alexandra Park on event days; details including pricing to be agreed in consultation with TfL.

- Cycle Strategy – to promote cycling to the Stadium by visitors and staff, monitored through the major event day monitoring programme, promotes 1% cycle mode share, determines local cycle infrastructure and cycle parking.
- Coach Strategy – to promote and regulate coach use for all major and minor events. Both coach and shuttles are expected to accommodate 2,000 to 3,300 spectators on major event days.
- Major Event Day bus diversion strategy – an obligation to work with bus operators, TfL and Haringey Council to reduce the impact of post-event bus diversions to a duration of around 40 minutes (currently around an hour).
- Bus priority and diversion measures – a scheme to facilitate improved bus operations in the vicinity of the site and terminus of route W3 at Northumberland Park.
- Signage strategy – to improve wayfinding within the local area and disperse spectators to various transport nodes
- Transport and communications strategy - includes travel details, publicity and advice to influence travel behaviour.
- Retention of visitor measures – post event, an agreed programme of events with the aim of retaining around 15,000 spectators for 45 minutes to assist with a smoother departure profile from the Stadium, includes monitoring through the travel plan.
- Priority local ticketing – an obligation to make 5,000 season and 5,000 match day tickets available to local residents for 48 hours before general release. This may assist with promoting walking and cycling to the Stadium.
- White Hart Lane Access Improvements – temporary work to improve the walking routes between the Stadium and the station.

37 The above package of section 106 measures are welcomed, which will be complemented by other match day controls secured by condition, such as car park management, swept paths, service and delivery plans.

38 At Stage One, TfL also recognised that the proposed development would benefit from recent planned and committed investment into the public transport network in the Tottenham area. These include the upgrade of the Victoria line with 36 trains per hour, the transfer of Greater Anglia services through Seven Sisters and White Hart Lane to London Overground, which will include new rolling stock from 2018. The upgrade of Tottenham Hale interchange is already underway with the removal of the gyratory, new bus station and plans advanced for a new higher capacity station here (completion 2017) and at White Hart Lane (completion 2018). Cycle Superhighway route 1 (CS1) is currently being implemented for completion later this year.

39 That said, major events at the proposed Stadium are still predicted to have a considerable impact on interchanges such as Seven Sisters and Tottenham Hale. The demand forecasts for both stations indicate a lack of capacity pre- and post-match and TfL's own analysis shows that this could lead to queuing and crowding within stations. At Stage One, TfL advised that the an additional escalator at either Seven Sisters or Tottenham Hale (circa £3.5 million each) would help to mitigate match day crowding. Tottenham Hale station upgrades focus on additional at-grade capacity as the need for additional vertical capacity was not expected until the late 2020s. Should an additional escalator be required in the early 2020s, TfL is willing work with Haringey Council to identify funding sources to deliver this infrastructure. In the meantime, station management measures can alleviate crowding to some extent, though this could lead to station closures, as can already be seen with other major stadia in London, such as the Emirates Stadium.

40 For the non-stadium element of the development, TfL has reviewed additional trip generation material and is satisfied that it is sufficiently robust. Residential car parking remains

at 0.47 spaces per dwelling, which is considered reasonable given the good PTAL of the site. The proposed hotel retains 76 spaces, which is high for this location, although they will be subject to a parking management plan that will limit their use to operational needs. Indicative cycle parking for all uses is broadly in line with London Plan standards, though the actual quantum and location will be determined at the reserved matters stage and managed through the travel plan.

41 At Stage One, TfL was satisfied that the proposed residential, sport and hotel uses could be accommodated on the public transport network so no specific mitigation was sought in that regard. TfL nevertheless welcomes that planning conditions and Section 106 obligations will be used to secure permit free agreement, electric vehicle charging points (EVCPs), car clubs, service and delivery plans, car park management and construction logistics plans.

42 On that basis, the development is considered to have an acceptable impact on the strategic transport network.

Climate Change

Energy

43 As requested at Stage One, the applicant has provided further detail on the measures adopted in order to reduce the cooling demand including, energy efficient fittings, solar control glazing (g-value of between 0.2 & 0.3) and the inclusion of thermal mass. A cooling load analysis has been provided, which demonstrates that the cooling demand has been reduced. The applicant has also taken some sample SAP modelling on an indicative apartment as requested, and the risk under the Part L assessment is predicted to be 'slight'. Sample SAP calculation worksheets (both DER and TER sheets), including efficiency measures alone have been provided to support the savings claimed. The applicant acknowledges that this is not a detailed assessment and has confirmed that dynamic overheating modelling in line with CIBSE Guidance TM52 and TM49 will be undertaken at the reserved matters stage. This requirement has been secured through condition.

44 Energy provision for the development proposes a scenario based approach, based upon the progress of the development of the North Tottenham District Energy Network (DEN), or should this be confirmed as abandoned by Council, the provision of a single site-wide energy centre located in the residential plot (the NDP energy centre). The principle of this approach is broadly accepted and the conditions and draft Section 106 agreement clauses provide acceptable certainty around the provision. The draft Section 106 ensures that each phase will connect into the DEN, or the NDP energy centre if the DEN is confirmed by the Council as not progressing. The Stadium and Tottenham Experience will be connected to the Stadium energy centre, which can connect to the DEN, or the NDP energy centre if the DEN does not happen. The Hotel and the Extreme Sports Centre are secured to be capable of connecting to the DEN or NDP. The Health Centre is secured to be capable of connecting to the Stadium energy centre and then to the DEN, or NDP centre.

45 Should connection to the North Tottenham DEN not be possible, then the applicant is proposing to install a 770 kWe /872 kWth gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating (62% of the total heat load). If CHP is required, the applicant has stated that the sizing of the CHP units will be reviewed at reserved matters stage, which is acceptable.

46 As requested at Stage One, the applicant has marked the location of the proposed PV array on the roof drawings for the residential buildings. At reserved matters stage the applicant

should undertake a full PV analysis to ensure that the roof is fully utilised and the on-site carbon emission savings are maximised. As requested at Stage One, the applicant has investigated the potential for thin film PV panels on the Stadium roof and provided a cost analysis, including improving the structure to support the extra loading of the panels, as well as the cost of the panels. Due to the costs involved, it is accepted that the installation of PV panels on the Stadium roof is not viable.

47 As requested at Stage One, the applicant has confirmed that diesel generators have been specified for emergency back up only, and that all power will be taken from the UK Power Network grid connection, which is an acceptable arrangement.

48 Overall, taking account of the submitted energy strategy, a 22.5% reduction in carbon emissions is predicted, which falls short of the 35% London Plan target. London Plan policy sets provision for the payment of a carbon-offsetting tariff should the 35% target not be reached. Given that later phases of the scheme are in outline, and that there is uncertainty with regard to the delivery of the North Tottenham DEN, the submission of a further energy strategy has been secured by condition. The level of carbon offsetting tariff due will need to be calculated at this time and will be payable prior to the occupation of each element of the proposal, subject to viability.

Climate change adaptation

49 At Stage One, some inconsistencies were identified between the applicant's Flood Risk Assessment (FRA) and Water Strategy.

50 The FRA has now been revised and proposes to contain rainwater on site for up to the 1 in 100 year plus climate change storm. This will be achieved through the use of rainwater storage at basement level, in crated storage and within the podium. A plan has been submitted showing the location of these various elements of storage. Furthermore, the drainage system has been designed such that exceedance will be directed into the basement level parking area.

51 Given the scale and importance of the development, it is regrettable that more sustainable drainage measures are not proposed and the applicant is encouraged to consider any such options as detailed design of the scheme progresses. However, the FRA states that the proposals represent an 89% reduction in surface water discharge, which is welcomed in relation to London Plan Policy 5:13 'Sustainable Drainage'. The details of the proposed drainage system have been secured by condition.

Air quality

52 The site lies within an Air Quality Management Area (AQMA) and an Air Quality Assessment has been undertaken in line with London Plan Policy 7.14 'Improving Air Quality'. At Stage One, it was agreed that the development will be air quality neutral for transport and buildings; however further modelling was requested. This has now been provided and confirms that match day traffic impacts were accounted for by including the match day traffic within the AADT traffic flows on local roads. This also confirms that exceedances of the NO₂ hourly concentration of 200 ug/m³ are not common at a roadside monitoring site in the area, so exceedances of the hourly Air Quality Objective are unlikely. The applicant has confirmed that the cleanest possible diesel-fired generators will be used.

53 With these clarifications, GLA officers are satisfied that the impacts of the development have been correctly determined.

Response to consultation

Public consultation

54 Haringey Council publicised the applications by way of 20 site notices, newspaper and website notices, and 2,024 letters.

55 Following the submission of further information in support of the application, the Council re-consulted all previous consultees in accordance with Regulation 22 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (as amended) on 13 November 2015, including new site notices and a press notice.

56 The Council received 121 responses from individuals, groups and organisations, with 45 objections and 100 responses in support, and 32 others.

57 The grounds for objection included:

- Loss of locally listed buildings.
- Does not preserve or enhance the character of the area and is a vanity project.
- Harmful to the listed building (Warmington House) and its setting.
- Will lead to the demolition of neighbouring social housing and the ‘social cleansing’ of the area.
- Loss of local businesses.
- Most local businesses will not benefit from the development and may be squeezed out.
- Buildings are too tall and will dominate the skyline.
- Buildings are overbearing and will overshadow neighbours, reducing their daylight and sunlight.
- Lack of consultation with the local community.
- Disruption and nuisance from the construction of the development.
- Insufficient affordable housing.
- Football stadium blights the area through congestion and the behaviour of football supporters.
- Impact on public transport in the area.
- Impact on parking and loading in the area.
- Proposal’s energy strategy does not provide enough renewable energy or enough carbon savings.

58 Responses in support included:

- Benefit to the local economy.
- Improve and regenerate a rundown area.
- Providing the most advanced sports venue in the world.
- Benefits of the new buildings outweigh the loss of the locally listed buildings.
- Providing a year round 7-day a week visitor attraction.
- NFL and extreme sports will attract more visitors.
- Providing additional housing.
- Providing a new community health centre.
- The narrow pavement in front of the locally listed building cannot accommodate crowds of 30,000 so won’t be able to accommodate 61,000.
- Providing more opportunities for community programmes.

Statutory consultation

59 Historic England raised an objection to the proposal, stating:

“Historic England remains unconvinced that the substantial harm to the historic environment caused by the proposals has been clearly justified as required in the NPPF. In our view, the proposed scheme would not deliver additional public benefits over and above those which the consented scheme would deliver. The proposals fail to preserve the setting of a listed building, and neither preserve nor enhance the character or appearance of the conservation area. They are therefore contrary to the 1990 Act as well as the NPPF and local planning policies. Historic England accordingly raises strong objections to the proposals, and urges your council to refuse them. Should your council or the Mayor of London be minded to approve the applications, we will give careful consideration to whether the Secretary of State should be advised to call in the proposals for his own determination given the severity of the impact and the lack of policy support for the harm done.”

60 The Victorian Society objected to the loss of the locally listed buildings, which make an important contribution to the streetscape, the history of the area, and the history of the football club. The new Stadium is out of keeping with the scale and character of the area. Retaining and refurbishing the locally listed buildings would represent an enhancement of the Conservation Area, which is a requisite of the NPPF, and would go some way in mitigating the dramatic impact the new Stadium will have on many other heritage assets.

61 Thames Water made no objection but recommended standard conditions and informatives relating to surface water drainage, ground water discharge, sewage connections, effluent discharge, water supply and measures to protect local water and sewage infrastructure during construction.

62 Natural England made no objection, and provided standing advice on protected species and suggestions for biodiversity and landscape enhancements.

63 The Environment Agency made no objection.

64 Issues raised by objectors have been considered in this report, the Mayor’s Stage One report, and the Council’s Sub Committee Report and Addendum Report of 16 December 2015.

Representations to the Mayor of London

65 In addition to those representations received by the local authority, one objection was made to the Mayor from the Tottenham Conservation Area Advisory Committee. The ground for objection was the proposed demolition of the three locally listed buildings. One representation has also been received in support.

66 This issue has been satisfactorily addressed in this report, the Mayor’s Stage One report, and the Council’s Sub Committee Report and Addendum Report of 16 December 2015.

Draft section 106 agreement

67 The draft section 106 agreement includes the following financial contributions:

- Deferred affordable housing contributions as discussed above.
- Funding of £1,860,000 previously allocated by the Council towards the delivery of the Highways Works.

- £30,000 per year for five years from the commencement of the Stadium development for monitoring the travel plans and major event day local area management plan.
- Cost of membership of the car club for two years and a £50 driving credit for all first residential occupiers living who elect to join the Car Club.

Article 7: Direction that the Mayor is to be the local planning authority

68 Under Article 7 of the Order, the Mayor could take over this application provided the policy tests set out in that Article are met. In this instance, the Council has resolved to grant permission with conditions and a planning obligation, which satisfactorily addresses the matters raised at Stage One, therefore there is no sound planning reason for the Mayor to take over this application.

Legal considerations

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

Financial considerations

70 Should the Mayor direct refusal, he would be the principal party at any subsequent appeal hearing or public inquiry. Government Planning Practice Guidance emphasises that parties usually pay their own expenses arising from an appeal.

71 Following an inquiry caused by a direction to refuse, costs may be awarded against the Mayor if he has either directed refusal unreasonably; handled a referral from a planning authority unreasonably; or behaved unreasonably during the appeal. A major factor in deciding whether the Mayor has acted unreasonably will be the extent to which he has taken account of established planning policy.

72 Should the Mayor take over the application he would be responsible for holding a representation hearing and negotiating any planning obligation. He would also be responsible for determining any reserved matters applications (unless he directs the Council to do so) and determining any approval of details (unless the Council agrees to do so).

Conclusion

73 The matters raised at consultation stage, namely those relating to affordable housing, housing, historic environment, urban design and tall buildings, inclusive design, transport, climate change and air quality have been satisfactorily addressed. The proposed development is strongly supported in strategic planning terms.

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