

Reference No: HGY/2022/4415	Ward: Highgate
Address: 103-107 North Hill N6 4DP	
Proposal: Demolition of existing buildings and redevelopment to provide a new care home (Class C2 - Residential Institution), together with a well-being and physiotherapy centre. The proposed care home includes up to 70 bedrooms, hydrotherapy pool, steam room, sauna, gym, treatment/medical rooms, hairdressing and beauty salon, restaurant, café, lounge, bar, well-being shop general shop, car and cycle parking, refuse/recycling storage, mechanical and electrical plant, landscaping and associated works	

[To note: the numbering as set out in this addendum corresponds with the numbering of each section within the Officers committee report]

4. CONSULTATION RESPONSE

Further comments from the Metropolitan Police's Designing Out Crime officer and The Council's Pollution Lead Officer raising no objection subject to conditions. The conditions are set out below.

5. LOCAL REPRESENTATIONS

5 further objection has been received from The Highgate CAAC, The Highgate Society and 1A View Road which have raised a number of points. Many of these points have already been considered in the officers report. The additional points raised are listed below, as follows:

- The design of the North Hill building should be further considered in terms of its context in relation to the heritage assets;
- The plant and renewable equipment should be shown on the drawings;
- Condition 3 should be reworded;
- No viability report submitted with the application
- The impact of this development on the setting of the neighbouring Grade II listed house
- Overshadowing of the rear garden and overlooking
- The proposal does not comply with the NPPF
- Optimum viable use of the site has not been considered
- The appeal decision for 48 Yeatman Road in regards to daylight, sunlight overlooking and overbearing bulk is significant for this proposal
- The plans and set back distances are incorrect
- If permission were to be granted consideration should be given to obscure glazed windows up to head height and planting of trees at a sufficient height to mitigate overlooking
- Concerns with the term 'urban' in assessing daylight and sunlight
- The transport statement is flawed
- The sum of £20,000 is not sufficiently justified

These points are addressed in Appendix 1 below

The Chair Highgate Society Planning Group has requested that their previous verbal comments are read to the Committee for this application. As this request was made after the deadline for registering to speak under the Council's Planning Protocol, the comments are presented to the Committee in written form and are set out in Appendix 2.

6. MATERIAL PLANNING CONSIDERATIONS

Clarification Points

'Parking and Highways'

New paragraph included after para 6.7.30 to provide further clarity on the transport mitigation measures below:

For the avoidance of doubt the list of transport mitigation measures are proposed options, and that Council's transport team will be required to undertake further analysis to finalise an appropriate scheme. Therefore, it is considered that the contribution sought (and all s.106 obligations) are a fair and reasonable estimate of the likely costs involved and are necessary to make the proposal acceptable.

Paragraph 3.2.5 is amended (in bold) to correct the appendix number] as follows:

The previous Planning Sub-Committee report including all previous representations is attached at **Appendix 2** for completeness.

Paragraph 6.7.25 is amended (in bold) to correct the beginning of the sentence as follows:

As such, Officers raise no objections to the proposals on transport grounds subject to the relevant condition being imposed in respect of proposed cycle parking arrangements.

Paragraph 5.5 is amended (in bold) to include Officers Comments to the issue raised regarding the consultation period] as follows:

The consultation period was not long enough (Officer Comments: **The consultation has remained open beyond the consultation period end date and did provide additional time to take account of the holiday period]**

Paragraph 6.10.10 Biodiversity

Since the previous permission the Phase 1 Ecological Walkover Survey has been updated within the Ecological Impact Assessment Report and nothing of interest or significance was found.

No further comments have been provided by The Nature Conservation Officer but officers are satisfied that there is no material change in terms or ecology. Further details will be reviewed by The Nature Conservation Officer prior to the commencement of works. This is secured by the imposition of condition 17.

Amendments to Conditions

The wording of Conditions 8 and 9 is amended in bold to reflect the comments of the Met Police's Designing Out Crime officer

- 8 Prior to the commencement of above ground works **of** each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve 'Secured by Design' Accreditation. **Accreditation must be achievable according to current and relevant Secured by Design guide lines at the time of above grade works of each building or phase of said development.**

The development shall only be carried out in accordance with the approved details.

Reason: To ensure a safe and secure development and reduce crime in accordance with Policies D4 and D11 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies 2017 and Policies DM1 and DM2 of the Development Management Development Plan Document 2017.

9. Prior to the first occupation of each building or part of a building or its use, 'Secured by Design' certification shall be obtained for such building or part of such building or its use **and thereafter all features are to be retained.**

Reason: To ensure a safe and secure development and reduce crime in accordance with Policies D4 and D11 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies 2017 and Policies DM1 and DM2 of the Development Management Development Plan Document 2017.

Condition 41 is altered to correct a minor typological error in point (b) for the condition should read follows:

41. No development shall take place until a detailed Surface Water Drainage scheme for site has been submitted and approved in writing by the Local Planning Authority. The detailed drainage scheme shall demonstrate:
- a) A full range of rainfall data for each return period provided by Micro drainage modelling or similar simulating storms through the drainage system, with results of critical storms, demonstrating that there is no surcharging of the system for the 1 in 1 year storm, no flooding of the site for 1 in 30 year storm and that any above ground flooding for 1 in 100 year storm is limited to areas designated and safe to flood, away from sensitive infrastructure or buildings. These storms should also include an allowance for climate change.
 - b) The development shall not be occupied until the Sustainable Drainage Scheme for the site has been completed in accordance with the approved details and thereafter retained

Reason: To endure that the principles of Sustainable Drainage are incorporated into this proposal and maintained thereafter.

ADDITIONAL CONDITION INCLUDED

Condition 42 is included to reflect the additional comments received of the Met Police's Designing Out Crime officer as below:

Addendum Report

- 42 Commercial aspects of the development must achieve the relevant Secured by Design Accreditation at the final fitting stage, prior to residential occupation of such building in accordance with condition B (Secured by Design) and commencement of business. Details shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: To ensure a safe and secure development and reduce crime in accordance with Policies D4 and D11 of the London Plan 2021, Policy SP11 of Haringey's Local Plan Strategic Policies 2017 and Policies DM1 and DM2 of the Development Management Development Plan Document 2017.

Appendix 1 Consultation Responses received from internal and external agencies (received since the publication of the officers main report)

Stakeholder	Question/Comment	Response
INTERNAL		
Lead Pollution	<p>Having considered all the relevant supportive information on pollution especially the Air Quality Assessment Report with reference J10/13064/10/1/F1 prepared by Air Quality Consultants Ltd dated December 2022 taken note of sections 4 (Assessment Approach), 5 (Baseline Conditions), 6 (Construction Phase Impact Assessment), 7 (Operational Phase Impact Assessment), 8 (Air Quality Neutral), 9 (Mitigation) and 10 (Conclusions), Basement Impact Assessment with reference 19732/BIA - R38/Rev1.01 prepared by Soils Ltd dated January 2022 and Energy Statement Report prepared by Hodkinson Consultancy Ltd dated December 2022 with the proposed use of Air Source Heat Pumps and Photovoltaics (PV) panels as the main source of energy as well as considering the nature of the proposed development end use, landscapes and other associated works, please be advise that we have no objection to the proposed development in respect to air quality and land contamination but the following planning conditions and informative are recommend should planning permission be granted.</p> <p>1. <u>Land Contamination</u></p> <p>Before development commences other than for investigative work:</p> <p>a. A desktop study shall be carried out which shall include the identification of previous uses, potential contaminants that might be expected,</p>	<p>Comments noted.</p> <p>Conditions 10-15 already address these comments and an informative regarding asbestos has been included</p>

Addendum Report

Stakeholder	Question/Comment	Response
	<p>given those uses, and other relevant information.</p> <p>b. Using this information, a diagrammatical representation (Conceptual Model) for the site of all potential contaminant sources, pathways and receptors shall be produced. The desktop study and Conceptual Model shall be submitted to the Local Planning Authority. If the desktop study and Conceptual Model indicate no risk of harm, development shall not commence until approved in writing by the Local Planning Authority.</p> <p>c. If the desktop study and Conceptual Model indicate any risk of harm, a site investigation shall be designed for the site using information obtained from the desktop study and Conceptual Model. The site investigation must be comprehensive enough to enable; a risk assessment to be undertaken, refinement of the Conceptual Model, and the development of a Method Statement detailing the remediation requirements.</p> <p>d. The risk assessment and refined Conceptual Model shall be submitted, along with the site investigation report, to the Local Planning Authority which shall be submitted to, and approved in writing by, the Local Planning Authority prior to that remediation being carried out on site.</p>	

Stakeholder	Question/Comment	Response
	<p>e. Where remediation of contamination on the site is required, completion of the remediation detailed in the method statement shall be carried out and a report that provides verification that the required works have been carried out, shall be submitted to, and approved in writing by the Local Planning Authority before the development is occupied.</p> <p>Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety.</p> <p>2. <u>Unexpected Contamination</u></p> <p>If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.</p> <p>Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site in line with paragraph 109 of the National Planning Policy Framework.</p> <p>3. <u>NRMM</u></p>	

Stakeholder	Question/Comment	Response
	<p>a. No works shall commence on the site until all plant and machinery to be used at the demolition and construction phases have been submitted to, and approved in writing by, the Local Planning Authority. Evidence is required to meet Stage IIIB of EU Directive 97/68/ EC for both NOx and PM. No works shall be carried out on site until all Non-Road Mobile Machinery (NRMM) and plant to be used on the site of net power between 37kW and 560 kW has been registered at http://nrmm.london/. Proof of registration must be submitted to the Local Planning Authority prior to the commencement of any works on site.</p> <p>b. An inventory of all NRMM must be kept on site during the course of the demolitions, site preparation and construction phases. All machinery should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment. This documentation should be made available to local authority officers as required until development completion.</p> <p>Reason: To protect local air quality and comply with Policy 7.14 of the London Plan and the GLA NRMM LEZ</p> <p>4. <u>Demolition/Construction Environmental Management Plans</u></p> <p>a. Demolition works shall not commence within the development until a Demolition Environmental</p>	

Stakeholder	Question/Comment	Response
	<p>Management Plan (DEMP) has been submitted to and approved in writing by the local planning authority whilst</p> <p>b. Development shall not commence (other than demolition) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority.</p> <p>The following applies to both Parts a and b above:</p> <p>a) The DEMP/CEMP shall include a Construction Logistics Plan (CLP) and Air Quality and Dust Management Plan (AQDMP).</p> <p>b) The DEMP/CEMP shall provide details of how demolition/construction works are to be undertaken respectively and shall include:</p> <p>i. A construction method statement which identifies the stages and details how works will be undertaken;</p> <p>ii. Details of working hours, which unless otherwise agreed with the Local Planning Authority shall be limited to 08.00 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays;</p> <p>iii. Details of plant and machinery to be used during demolition/construction works;</p> <p>iv. Details of an Unexploded Ordnance Survey;</p> <p>v. Details of the waste management strategy;</p> <p>vi. Details of community engagement arrangements;</p> <p>vii. Details of any acoustic hoarding;</p> <p>viii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency guidance);</p> <p>ix. Details of external lighting; and,</p>	

Addendum Report

Stakeholder	Question/Comment	Response
	<p>x. Details of any other standard environmental management and control measures to be implemented.</p> <p>c) The CLP will be in accordance with Transport for London’s Construction Logistics Plan Guidance (July 2017) and shall provide details on:</p> <ul style="list-style-type: none"> i. Monitoring and joint working arrangements, where appropriate; ii. Site access and car parking arrangements; iii. Delivery booking systems; iv. Agreed routes to/from the Plot; v. Timing of deliveries to and removals from the Plot (to avoid peak times, as agreed with Highways Authority, 07.00 to 9.00 and 16.00 to 18.00, where possible); and vi. Travel plans for staff/personnel involved in demolition/construction works to detail the measures to encourage sustainable travel to the Plot during the demolition/construction phase; and vii. Joint arrangements with neighbouring developers for staff parking, Lorry Parking and consolidation of facilities such as concrete batching. <p>d) The AQDMP will be in accordance with the Greater London Authority SPG Dust and Emissions Control (2014) and shall include:</p> <ul style="list-style-type: none"> i. Mitigation measures to manage and minimise demolition/construction dust emissions during works; ii. Details confirming the Plot has been registered at http://nrmm.london; iii. Evidence of Non-Road Mobile Machinery (NRMM) and plant registration shall be available on site in the event of Local Authority Inspection; iv. An inventory of NRMM currently on site (machinery should be regularly serviced, and service logs kept on site, which includes proof of emission limits for equipment for inspection); v. A Dust Risk Assessment for the works; and 	

Stakeholder	Question/Comment	Response
	<p>vi. Lorry Parking, in joint arrangement where appropriate.</p> <p>The development shall be carried out in accordance with the approved details. Additionally, the site or Contractor Company must be registered with the Considerate Constructors Scheme. Proof of registration must be sent to the Local Planning Authority prior to any works being carried out.</p> <p>Reason: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality.”</p> <p>5. <u>Combustion and Energy Plant</u></p> <p>Prior to installation, details of the gas boilers to be provided for space heating and domestic hot water should be forwarded to the Local Planning Authority. The boilers to be provided for space heating and domestic hot water shall have dry NOx emissions not exceeding 40 mg/kWh (0%).</p> <p>Reason: As required by The London Plan Policy 7.14.</p> <p>6. <u>Combined Heat and Power (CHP) Facility</u></p> <p>Prior to the commencement of the development, details of the Combined Heat and Power (CHP) facility of the energy centre or centralised energy facility or other centralised combustion process and associated infrastructure shall be submitted in writing to and for approval by the Local Planning Authority. The details shall include:</p>	

Stakeholder	Question/Comment	Response
	<p>a) location of the energy centre;</p> <p>b) specification of equipment;</p> <p>c) flue arrangement;</p> <p>d) operation/management strategy; and</p> <p>e) the method of how the facility and infrastructure shall be designed to allow for the future connection to any neighbouring heating network (including the proposed connectivity location, punch points through structure and route of the link)</p> <p>f) details of CHP engine efficiency</p> <p>The Combined Heat and Power facility and infrastructure shall be constructed in accordance with the details approved, installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>Reason: To ensure the facility and associated infrastructure are provided and so that it is designed in a manner which allows for the future connection to a district system.</p> <p>Informative:</p> <ol style="list-style-type: none"> 1. Prior to demolition or any construction work of the existing buildings, an asbestos survey should be carried out to identify the location and type of asbestos containing materials. Any asbestos containing materials must be removed and disposed of in accordance with 	

Stakeholder	Question/Comment	Response
	<p>the correct procedure prior to any demolition or construction works carried out.</p>	
EXTERNAL		
<p>Designing Out Crime Officer</p>	<p>It is in our professional opinion that crime prevention and community safety are material considerations because of the mixed use, complex design, layout and the sensitive location of the development. To ensure the delivery of a safer development in line with L.B. Haringey DMM4 and DMM5 (See Appendix), we have highlighted some of the main comments we have in relation to Crime Prevention (Appendices 1).</p> <p>We have not met with the project Architects to discuss Crime Prevention and Secured by Design (SBD) for the overall site.</p> <p>Whilst in principle we have no objections to the site, we have concerns with areas of the proposed design and recommend the attaching of suitably worded conditions and an informative. The comments made can be easily mitigated early if the Architects and or Developers maintain an ongoing dialogue to discuss this project prior to completion, throughout its build and by following the advice given. This can be achieved by the below Secured by Design conditions being applied (Section 2). If the Conditions are applied, we request the completion of the relevant SBD application forms at the earliest opportunity.</p> <p>The project has the potential to achieve a Secured by Design Accreditation if advice given is adhered to.</p> <p>Section 2 - Secured by Design Conditions and Informative:</p> <p>In light of the information provided, we request the following Conditions and Informative:</p> <p>Conditions:</p>	<p>Comments noted Condition 8 and 9 updated New condition 43 added</p>

Stakeholder	Question/Comment	Response
	<p>A. Prior to the commencement of above ground works of each building or part of a building, details shall be submitted to and approved, in writing, by the Local Planning Authority to demonstrate that such building or such part of a building can achieve 'Secured by Design' Accreditation. Accreditation must be achievable according to current and relevant Secured by Design guide lines at the time of above grade works of each building or phase of said development.</p> <p>The development shall only be carried out in accordance with the approved details.</p> <p>B. Prior to the first occupation of each building or part of a building or its use, 'Secured by Design' certification shall be obtained for such building or part of such building or its use and thereafter all features are to be retained.</p> <p>C. Commercial aspects of the development must achieve the relevant Secured by Design Accreditation at the final fitting stage, prior to residential occupation of such building in accordance with condition B (Secured by Design) and commencement of business. Details shall be submitted to and approved, in writing, by the Local Planning Authority</p> <p>Informative: The applicant must seek the continual advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk.</p> <p>Section 3 - Conclusion: We would ask that our department's interest in this planning application is noted and that we are advised of the final</p>	

Stakeholder	Question/Comment	Response
	<p>Decision Notice, with attention drawn to any changes within the development and subsequent Condition that has been implemented with crime prevention, security and community safety in mind.</p> <p>Should the Planning Authority require clarification of any of the recommendations/comments given in the appendices please do not hesitate to contact us at the above officer.</p>	
<p>NEIGHBOURING PROPERTIES</p>		
<p>1 further letter received from Highgate CAAC</p>	<ul style="list-style-type: none"> - The design of the North Hill building should be further considered in terms of its context in relation to the heritage assets - Condition 3 (design details) should be reworded - No viability report submitted with the application - The plant and renewable equipment should be shown on the drawings - impact of this development on the setting of the neighbouring grade II listed house 	<p>No new material issues are raised therefore and the impact of the proposed development on the character and appearance of the Conservation Area is considered acceptable</p> <p>Officers are satisfied with the wording of condition 3</p> <p>A viability report is not required as part of the assessment</p> <p>Further details of the plant and renewable equipment will be secured by way of condition 15 prior to the commencement of the development .</p> <p>Officers consider the height and massing of the propose care home building fronting North Hill would fully respect the setting of the listed terrace in its urban context</p>

Stakeholder	Question/Comment	Response
	<ul style="list-style-type: none"> <li data-bbox="757 268 1404 331">- overshadowing of the rear garden and overlooking <li data-bbox="757 810 1404 906">- Proposal does not comply with the NPPF in terms assessing the optimum viable use of the site <li data-bbox="757 1018 1404 1114">- The appeal decision for 48 Yeatman Road in regards to daylight, sunlight overlooking and overbearing bulk is significant for this proposal 	<p data-bbox="1422 236 2042 331">Nearby residential properties would not be significantly materially affected by the proposal in terms of loss of privacy/overlooking</p> <p data-bbox="1422 371 2042 707">There are no daylight/sunlight and overshadowing concerns to neighbouring properties. The neighbouring gardens that are affected i.e. the rear gardens of Yeatman Road are already overshadowed by an existing tree along the rear boundary. The neighbouring property at 109 North Hill which is in closest proximity to the site is already overshadowed due to its close proximity to the existing care facility building and trees in the garden.</p> <p data-bbox="1422 778 2042 874">Given there is no retained heritage asset it is not appropriate to assess the optimum viable use in this case</p> <p data-bbox="1422 978 2042 1074">Each application is judged on its own merits and this proposal has a distinctly different impact on the neighbouring properties on North Hill.</p> <p data-bbox="1422 1114 2042 1378">In the appeal decision cited there is a 90cm gap between the proposed new house and rear gardens of 117-119 North. The inspector held that the proposal would have an overbearing impact on these gardens, however this was introducing a new building on the boundary of these gardens whereas with this proposal a building already exists on the boundary and does</p>

Stakeholder	Question/Comment	Response
	<ul style="list-style-type: none"> - The plans and set back distances are incorrect - If permission were to be granted consideration should be given to obscure glazed windows up to head height and planting of trees at a sufficient height within the applicants boundary to mitigate overlooking - Concerns with the term 'urban' - The transport statement is flawed - The sum of £20,000 is not sufficiently justified 	<p>note directly face the rear of the neighbouring property.</p> <p>The applicants have provided detailed plans showing accurate distances.</p> <p>The overlooking impacts have been found to be acceptable when compared against the existing situation.</p> <p>Haringey is a London Borough and an urban environment</p> <p>The Transport Assessment has been reviewed by a Transportation officer and they are satisfied that it is comprehensive in its scope and the conclusions are reasonable.</p> <p>This figure is based on The Transportation Officer's assessment of the necessary measures as set out in the previous application.</p>

Appendix 2- Chair Highgate Society Planning Group's representation-

Good evening, Chair,

My name is David Richmond, a multi award winning architect with over 40 years experience and I am speaking in opposition to this proposal on behalf of the Highgate Society.

You have just heard from the immediate neighbours describing the appalling impact of this proposal on their home and on their lives. To help illustrate this point I have taken a photograph in their rear garden and accurately superimposed the applicant's own drawing and you can see the effect.

I do not know how many of the committee members have back gardens but can they please ask themselves under what circumstances their own neighbours might get permission for a four storey high rear extension and a two storey extension the full length of the garden? It should be unthinkable in any circumstances, let alone in a conservation area where the affected property is grade 2 listed and it's setting supposedly protected by the local authority.

It is not just the effect on the listed terrace but also the effect on the council built and owned housing estate immediately down the hill from this proposal. Here is a section through the site which shows the Yeatman Road council houses at the right and towering above them the new proposal which is a full storey higher than the existing buildings and closer to the boundary where the courtyard used to be. Ignore that red line, it is a deception, but please ask me why.

Is it right that a private commercial development with little discernible public benefit should impact so badly on both a listed terrace and on one of your own council owned estates? That is for you to decide.

We are not opposed to the redevelopment of this site, but this proposal is nearly 3x the size of the existing scheme. We believe that if only a small percentage of this vast increase were to be removed then a far more acceptable scheme could be achieved.

- Why does the North Hill block need to be made so much deeper that it overshadows the listed houses next door, seriously harming their setting?
- Why does the link block to the North Hill building need to have a second floor added when the existing ground floor link would be perfectly adequate?
- Why does the basement need to extend under the North Hill block at all, putting the listed houses at serious risk of harm or collapse?
- Why does the North Hill Block need to have a top floor when, as you can see from these images, it could look so much better, even making a positive contribution to the Conservation Area?

These limited changes would still leave the scheme well over twice as big as the existing. Is that not enough?

We respectfully suggest that these changes must be introduced before it can be approved. If that means a refusal rather than a deferment now, then so be it. Thank you and if you have any questions I will be happy to answer them.