

## REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

### 1. APPLICATION DETAILS

**Reference No:** HGY/2022/2731

**Ward:** Highgate

**Address:** 44-46 Hampstead Lane N6 4LL

**Proposal:** Demolition of existing dwellings and redevelopment to provide a 66-bed care home (Use Class C2); associated basement; side / front lightwells with associated balustrades; subterranean and forecourt car parking; treatment room; detached substation; side access from Courtenay Avenue; removal 4 no. trees in rear; amended boundary treatment; and associated works

**Applicant:** SM Planning

**Ownership:** Private

**Case Officer Contact:** Samuel Uff

**Date received:** 31/10/2022

1.1 This application has been referred to the Planning Sub-Committee for a decision as it is a major application that is also subject to a Section 106 agreement.

### 1.3 SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The scheme optimises the development potential of the site for a new modern care home specialising in dementia care;
- The care home facility would provide 66 en-suite bedrooms of high quality dementia care, with specialist care nurses and associated treatment room;
- Clear justification has been presented to confirm substantial need for high quality dementia care homes in this area, functional requirements and public benefit that justifies the loss of two dwellings;
- The proposed development would be a high quality design of an appropriate scale to its context and would respect the visual amenity of the streetscape and locality generally;
- The proposed development will lead to a very low, less than substantial harm to the significance of the Conservation area balanced against significant public benefit of the end use;

- The proposed redevelopment will preserve the relationship with the setting of the listed buildings at Kenwood House and would not constitute harm to these designated heritage assets;
- The impact of the development on residential amenity would not be material and is acceptable;
- There would not be any significant adverse impacts on the surrounding highway network or on car parking conditions in the area;
- The proposed scheme will be more sustainable and energy efficient than the existing buildings currently on the site;
- The proposed development would result in the loss of 4 significant trees at the rear of the site and a small group of 4 trees at the front of the site. These would be replaced with ten multi-stemmed trees and fifteen proposed new trees within the scheme and landscaping proposals with improved SuDS;
- The scheme would provide a number benefits secured through section 106 obligations

## **2. RECOMMENDATION**

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management is authorised to issue the planning permission and impose conditions and informatives subject to the signing of a section 106 Legal Agreement providing for the obligation set out in the Heads of Terms below.
- 2.2 That delegated authority be granted to the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions as set out in this report and to further delegate this power provided this authority shall be exercised in consultation with the Chair (or in their absence the Vice-Chair) of the Sub-Committee.
- 2.3 That the section 106 legal agreement referred to in resolution (2.1) above is to be completed no later than 24/05/23 or within such extended time as the Head of Development Management or the Assistant Director Planning, Building Standards & Sustainability shall in her/his sole discretion allow; and
- 2.4 That, following completion of the agreement(s) referred to in resolution (2.1) within the time period provided for in resolution (2.3) above, planning permission be granted in accordance with the Planning Application subject to the attachment of the conditions.

## **Summary Lists of Conditions, Informatives and Heads of Terms**

1. Three years
2. Drawings
3. Materials
4. Boundary treatment and access control
5. Landscaping
6. Lighting
7. Site levels
8. Archaeological investigation
9. Secure by design accreditation
10. Secure by design certification
11. Land Contamination
12. Unexpected Contamination
13. NRMM
14. Demolition/Construction Environmental Management Plan
15. Construction Ecological Management Plan
16. Landscape Ecological Management and Maintenance Plan
17. Bird nesting protection
18. Arboricultural Method Statements
19. Tree Protection Plan
20. Landscape Plan and aftercare programme
21. Energy strategy
22. Sustainability strategy
23. Overheating
24. Living roof
25. BREEAM Certification
26. Qualified professionals (Basement development)
27. Movement monitoring (Basement development)
28. Construction Management Plan (Basement development)
29. Car Parking
30. Cycle Parking
31. Construction Logistics Plan
32. Internal layout – Stirling accreditation
33. Obscure glazing
34. Restriction to use class
35. Use of treatment Room
36. Treatment room hours of operation
37. Reservation system for visitors
38. Kitchen extract
39. Restriction to telecommunications apparatus
40. Satellite antenna
41. Fire safety
42. Plant noise
43. Piling Method Statement
44. Surface Water Drainage Condition

45. Sewage infrastructure
46. Details of generator room

### **Informatives**

- 1) Co-operation
- 2) Hours of construction
- 3) Party Wall Act
- 4) Street Numbering
- 5) Sprinklers
- 6) Asbestos
- 7) Refuse contract
- 8) Secure by design
- 9) Archaeology
- 10) Thames Water underground assets
- 11) Water pressure
- 12) Ramps

### **Section 106 Heads of Terms:**

1. NHS financial contribution of £152,283 to support local NHS resources.
2. Private healthcare arrangement offered to residents.
3. Site wide management plan
  - Treatment room – shell and core fit out;
  - Use to be determined in consultation with NHS and Haringey Council;
  - Use will only be permitted for 1 external appointment at a time.
4. Priority use for Haringey residents
  - Locally advertised;
  - Fast track to top of waiting list.
5. Carbon
  - Be Seen commitment to uploading energy data
  - Energy Plan and Sustainability Review
  - Offset Contribution of £63,327 (plus 10% management fee).
6. Travel Plan & Monitoring Contribution
  - Tube drop off and pick up;
  - Monitoring of travel plan contribution of £2,000 per year for a period of 5 years.
7. Employment Initiative – participation and financial contribution towards Local Training and Employment Plan
  - Provision of a named Employment Initiatives Co-Ordinator;

- Notify the Council of any on-site vacancies during and following construction;
- 20% of the on-site workforce to be Haringey residents during and following construction;
- 5% of the on-site workforce to be Haringey resident trainees during and following construction;
- Provide apprenticeships at one per £3m development cost (max. 10% of total staff);
- Provide a support fee of £1,500 per apprenticeship towards recruitment costs.

#### 8. Monitoring Contribution

- 5% of total value of contributions (not including monitoring);
- £500 per non-financial contribution;
- Total monitoring contribution to not exceed £50,000

2.5 The above obligations are considered to meet the requirements of Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 (as amended).

In the event that members choose to make a decision contrary to officers' recommendation members will need to state their reasons.

2.6 That, in the absence of the agreement referred to in resolution (2.1) above being completed within the time period provided for in resolution (2.3) above, the planning permission be refused for the following reasons:

1. The proposed development, in the absence of a legal agreement securing 1) NHS financial contribution. 2) Site wide management plan for the C2 operation and ancillary treatment room and 3) Priority for Haringey admissions, would give rise to local stress on services. As such, the proposal is contrary to London Plan policy H13, policies SP14 and SP16 of Haringey's Local Plan 2017 and Development Management DPD Policies DM15.
2. The proposed development, in the absence of a legal agreement securing implementation of a travel plan and monitoring fee would have an unacceptable impact on the safe operation of the highway network, and give rise to overspill parking impacts and unsustainable modes of travel. As such, the proposal is contrary to London Plan policies T1, Development Management DPD Policies DM31, DM32, DM48 and Highgate Neighbourhood Plan Policies TR3 and TR4.
3. The proposed development, in the absence of a legal agreement to work with the Council's Employment and Skills team and to provide other employment initiatives would fail to support local employment, regeneration and address local unemployment by facilitating training opportunities for the local population. As such, the proposal is contrary to Policy SP9 of Haringey's Local Plan 2017.

4. The proposed development, in the absence of a legal agreement securing sufficient energy efficiency measures and financial contribution towards carbon offsetting, would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to Policies SI 2 of the London Plan 2021, Local Plan 2017 Policy SP4 and Policy DM21 of the Development Management Development Plan Document 2017.
- 2.7. In the event that the Planning Application is refused for the reasons set out in resolution (2.6) above, the Head of Development Management (in consultation with the Chair of Planning Sub-Committee) is hereby authorised to approve any further application for planning permission which duplicates the Planning Application provided that:
- (i) There has not been any material change in circumstances in the relevant planning considerations, and
  - (ii) The further application for planning permission is submitted to and approved by the Assistant Director within a period of not more than 12 months from the date of the said refusal, and
  - (iii) The relevant parties shall have previously entered into the agreement contemplated in resolution (1) above to secure the obligations specified therein.

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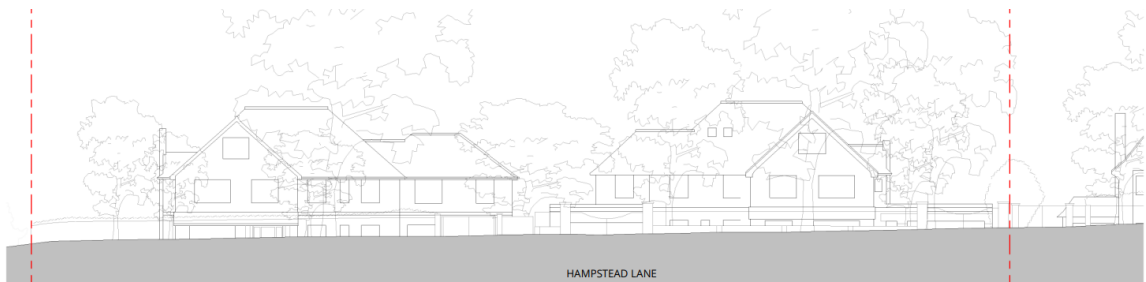
### **APPENDICES:**

- Appendix 1 Consultation Responses – Internal and External Consultees and Neighbour Representations
- Appendix 2 Plans
- Appendix 3 Quality Review Panel
- Appendix 4 Basement Impact Assessment Audit

### 3.0 PROPOSED DEVELOPMENT AND SITE LOCATION DETAILS

#### 3.1 Proposed development

3.1.1. This is a planning application proposing demolition of two existing dwellings at nos. 44 and 46 Hampstead Lane and redevelopment of the two sites to provide a care home (C2 use Class), specialising in dementia care. The two adjoining plots will be amalgamated to become one larger site. The two sites are currently occupied by two dwellings, one on each site.



Existing Southern Elevation

3.1.2. The proposed building will have a two storey frontage stretching across the site, with accommodation in the roof. The rear of the building would appear as three storeys, with roof accommodation, as a consequence of the existing topography of the site. The proposed building will appear as two distinct masses with a central, glazed link above the ground floor. The link will be recessed at ground level with further stepped recess at first and second floor. The predominant facing material will consist of red multi-stock brick, a roof of predominantly bronze standing seamed with bronze framed dormers. Projecting upper ground floor and first floor balustrade terraces would be provided in the rear. The height and design of the roof will enable solar panels and a lift overrun to be accommodated without being visible from street level.



Proposed Southern Elevation  
1:150





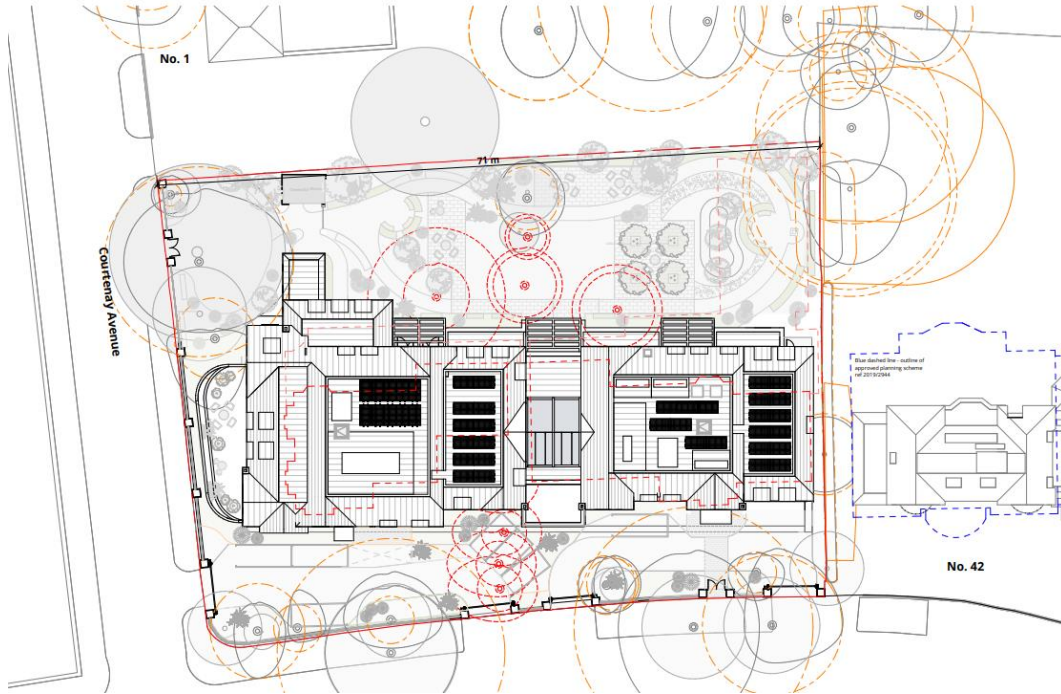
- 3.1.3. A basement car park is proposed, which will be served by a double car lift, providing 11 subterranean car parking spaces, two of which will be accessible bays. A further 7 parking bays will be provided in the re-landscaped forecourt. The basement configuration has been amended since the original submission, to accommodate improved accessible bays that result in the loss of one parking space overall. This amendment will improve the usability of the accessible bays, as well as improving servicing within the forecourt. The basement will also provide cycle storage provision for 42 bicycles, a pedestrian lift access, a kitchen, laundry room, stores, changing rooms, maintenance storage, reception, bin stores and plant rooms.
- 3.1.4 The natural topography of the site will result in a subterranean lower ground floor at the front of the building, which will open out onto garden level at the rear. Generous front and a side lightwells will provide light and outlook to the rooms in the front part of the lower ground floor. This floor would provide bedrooms on the western side and in the rear, a cinema room and a generous lounge and dining area.
- 3.1.4. The ground floor will house the main entrance lobby and reception area, leading to a café at the rear, as well as dining and lounge rooms for residents. These communal rooms will be served by external rear terraces. Bedrooms will be provided throughout the ground floor, as well as a goods lobby and a treatment room with independent access from the front of the site. The use of the treatment room is proposed as flexible use, with the suggestion of use for GP or dentist on a flexible basis to be determined. Although the end use is not finalised, it will constitute an ancillary medical use, with the exact purpose and management to be determined at time of construction through discussion with NHS, Integrated Care Boards (ICB), LBH and the end user.
- 3.1.5 The upper floors will consist of bedrooms, additional dining rooms, lounges and quiet rooms. Nurse rooms and associated facilities, communal toilets, sluice rooms and separate assisted bathrooms will be provided throughout the building.
- 3.1.6 The proposal would include comprehensive landscaping around the development including, generally retained trees along the Hampstead Lane and Courtenay

Avenue frontages. The landscaping will include the removal of existing hardstanding at the front which would be replaced with semi-permeable surface and dementia friendly landscaping in the rear garden. Four trees will be removed from the central part of the rear garden, as well as a group of 4 low grade trees along the front shared boundary between the two sites. These would be replaced as part of a comprehensive landscaping and ecological strategy, with proposed inclusion of ten multi-stemmed trees and fifteen proposed new trees. A single storey generator room will be provided in the rear garden, which would be used only in case of power outages. Boundary treatment would consist of dwarf wall and brick piers, of similar brickwork to the main building, with metal railings.



3.1.7 Access crossovers will remain as existing, with the crossovers currently serving No.46 utilised as a trades entrance on the junction of Courtenay Avenue and trades exit on Hampstead Lane. The existing crossover in front of No.44 will provide access to the basement car park lifts. An additional access will be provided at the rear of the site in the boundary of Courtenay Avenue, which will be for pedestrian access and maintenance only. Main pedestrian accesses will be provided within the Hampstead lane frontage.

3.1.8 The neighbouring site at No.42 has been approved for demolition and redevelopment as a single dwelling. This is shown in the plan below as a blue dashed line but permission has not been implemented as yet. The existing dwelling at no.42 is shown as are the existing two dwellings on the two sites, which are depicted with red dashed line.



### Site and Surroundings

3.1.9 The site contains two detached dwellings, which are predominantly two storeys, with roof accommodation provided in front gables and rear dormers. Both dwellings have been previously extended and No.44 has an outdoor swimming pool and tennis court in the rear garden.



3.1.10 The site is located within the Highgate Conservation Area. It does not contain any listed buildings or structures but is located opposite the statutory Grade I Listed Kenwood House and Grade II Listed West Lodge and associated listed parks and



## **4. CONSULTATION RESPONSE**

### **4.1 Planning Committee Pre-Application Briefing**

4.1.1 There was no Pre-Application briefing to Planning Sub Committee.

#### **4.1.2 Quality Review Panel**

4.1.3 The scheme has been presented to Haringey's Quality Review Panel on two occasions – comments below.

### **4.2 Development Management Forum**

4.2.2 There was no Development Management Forum.

4.2.3 The following were consulted regarding the application:  
(comments are in summary – full comments from consultees are included in Appendix 1)

#### Design Officer

Comments provided are in support of the development.

#### Conservation Officer

Comments provided are in support of the development.

#### Transportation

No objections raised, subject to conditions and S106 obligations for sustainable travel.

#### Refuse Management

No objection

#### NHS Haringey

No objection, subject to S106 obligation for financial contribution of £152,283.

#### Arboricultural Officer

No objection, subject to conditions.

#### Building Control

No comments received.

Nature Conservation

No objection, subject to conditions for bat toolkit, bird nesting, lighting and ecological management.

Pollution Lead Officer

No objection, subject to conditions for land contamination and registration of non-road mobile machinery (NRMM).

Surface and flood water

No objection, subject to condition for SuDS.

Carbon Management

No objection, subject to conditions and S106 clause for energy plan, suitability review and carbon offset and conditions for energy strategy, sustainability strategy, overheating, BREEAM certificate, living roofs and biodiversity.

Public Health

No objection, subject to conditions and S106 clause for management plan and use of treatment room.

Supported Accommodation

No objection, subject to the NHS contribution and conditions for layout.

EXTERNAL

CampbellReith (Specialist engineers)

No objection subject to conditions for basement.

Historic England

No objection – advised to seek views of LBH conservation officers.

Thames Water

No objection, subject to conditions for sewage infrastructure and surface water.

Designing out crime

No objection, subject to condition for SBD and accreditation.

Environment Agency

No comments received.

London Fire Brigade

No objection, subject to condition for fire safety.

GLAAS

No objection, subject to condition for exploration.

Tree Trust for Haringey

No comments received.

## **5. LOCAL REPRESENTATIONS**

5.1 The number of representations received from neighbours, local groups etc. in response to notification and publicity of the application were as follows:

No of individual responses: 24

Objecting: 24

Supporting: 0

5.2 The following local groups/societies made representations:

- Highgate CAAC
- English Heritage Trust
- Friends of Kenwood House

5.3 The issues raised in representations that are material to the determination of the application are set out in Appendix 1 and summarised as follows:

Principle:

- Questionable demand for this product;
- Demand is for affordable, but none provided;
- Lack of clarity of end use / user;
- Loss of local housing stock;
- Residential not commercial area / area of change;
- No assessment of suitability of retaining existing dwellings;
- Is in an Area of Limited Change (Local Plan SP1)

Design / Heritage:



- Out of character scale – bulky, relative scale, proximity to boundaries;
- Contrary to detached dwelling in generous plot character;
- Not Arts & Crafts style;
- Too many examples of large replacement dwellings in the area;
- Other large purpose-built developments on the Bishops Road;
- Overdevelopment and detrimental to Conservation Area character;
- Proximity to listed Kenwood Park and Garden, Kenwood House and associated buildings;
- Demolition contrary to Highgate policies – if use not compatible with existing then consider other uses;
- Existing buildings make positive impact;
- No public benefits to outweigh harm;
- Backland development;
- Insufficient details regarding site levels;
- Scale would tower over No.1 Courtenay Avenue;
- No break in the frontage of the proposed building.

#### Amenity:

- Disturbance from use;
- Overlooking exacerbated by large windows, sloping site and removal of trees and commercial use of the site;
- Overbearing / enclosing from larger scale;
- Overshadowing.

#### Basement:

- Issue of stability, water diversion, ecology;
- Water drainage and water table issues.

#### Transport impacts:

- Unsustainable site – will encourage car use;
- Low PTAL;
- Parking stress;
- Car use of staff questioned;
- Bus services infrequent;
- Issues of servicing plan - narrowness / restricted width on Sheldon Avenue;
- Increased traffic movements at entry to Courtenay Avenue – safety concerns;
- Construction issues around gate and vehicle movements;
- Visitor numbers at peak time;
- Number of carers per patient questioned;
- Safety issues from use of Courtenay entrance;
- Pollution from additional cars;
- Potential waste issues;



- Pedestrian entrance should be removed as no permission granted from Courtenay Avenue residents.

#### **Impact on MOL:**

- MOL should be given same weight as green belt;
- Development adjacent to MOL should retain openness, character historical significance and not harm public enjoyment;
- No verified views from MOL.

#### Other issues:

- Internal layout issues including some non-compliance with BRE;
- Loss of trees – questionable level of replacement;
- Lack of ambition for biodiversity;
- Impact on sewage network;
- Electricity use so high it would need own substation (generator room);
- Lack of renewable energy solutions;
- No assessment of embodied carbon.

5.4 The following issues raised are not material planning considerations:

- Potential expansion of site to include Longwood (1 Courtenay) (Officer Comment: the scheme submitted does not include this and any such addition would require a further planning submission). Lack of verified views to show impact on MOL and heritage setting (Officer Comment: This would be beyond validation requirement and the level of detail provided is considered sufficient to assess this relationship).

## **6 MATERIAL PLANNING CONSIDERATIONS**

The main planning issues raised by the proposed development are:

1. Principle of the development:
  - a. Proposed use;
  - b. Affordable housing;
  - c. Type and tenure;
  - d. Accessibility of the site;
  - e. Loss of family housing;
  - f. Summary.
2. The impact of the proposed development on the character and appearance of the conservation area;
  - a. Statutory test;
  - b. Heritage character assessment;
  - c. Demolition;
  - d. Proposed building;
  - e. Streetscene and context;
  - f. Broader heritage setting;

- g. Impact on MOL;
- h. Summary.
- 3. Design;
- 4. Quality of accommodation;
- 5. Accessible accommodation;
- 6. Basement development
- 7. The impact on the amenity of adjoining occupiers;
- 8. Parking and highway safety;
- 9. Trees, ecology and landscaping;
- 10. Sustainability and biodiversity;
- 11. Flood risk and drainage;
- 12. Archaeology;
- 13. Employment; and
- 14. Fire safety.

## 6.1 Principle of the development

### Proposed use

- 6.1.1 The NPPF seeks to support balanced communities providing a range of homes to meet needs of present and future generations. This also specifies a need for a full range of retirement and specialised housing for those with support or care needs. The London Plan policy H13 specifically refers to predicted increases stating that: *“To meet the predicted increase in demand for care home beds to 2029, London needs to provide an average of 867 care home beds a year.”*
- 6.1.2 London Plan Policy H13 states that care home accommodation (C2) is an important element of the suite of accommodation options for older Londoners and this should be recognised by boroughs and applicants and that Boroughs should work positively and collaboratively with providers to identify sites which may be suitable for specialist older persons housing taking account of:
- 1) *local housing needs information including data on the local type and tenure of demand, and the indicative benchmarks set out in Table 4.3*
  - 2) *the need for sites to be well-connected in terms of contributing to an inclusive neighbourhood, having access to relevant facilities, social infrastructure and health care, and being well served by public transport*
  - 3) *the increasing need for accommodation suitable for people with dementia.*
- 6.1.3 London Plan Policy H13 also specifically refers to dementia care and recognises that whilst this does not just affect older people, the total of older people with dementia will increase by 31% between 2017-2029 to a forecasted 96,939 people.
- 6.1.4 Local Plan Policy SP14 considers health and well-being and the issues faced by the borough. This outlines socio-economic and other demographic differences

within the borough, such as male life expectancy in the west being 6.5 years higher than the east, that dementia is among the main health problems faced by the borough for an aging population and increased prevalence of dementia with age. The plan recognises the challenges and sets out goals to address them. These goals emphasise the importance of providing local and accessible care through neighbourhood health centres and delivering good quality, cost effective services.

- 6.1.5 Local Plan Policy SP16 states that in 2008, it was estimated there were 20,800 people aged 65+, making up approximately 9.2% of the total population (2006 Mid-Year Population Estimates, POPPI) and that this will be exacerbated due to the population of Haringey expected to increase to 24,200 people aged 65 and over in the next 25 years.
- 6.1.6 DPD Policy DM15 'Specialist Housing' considers criteria for special needs housing, including care homes and accommodation for older people. This reiterates that such uses will be supported where it can be shown that there is an established local need, sufficient standard of accommodation and care, a good level of accessibility to transport, services and community facilities and that the impact is not detrimental to amenity or local services. The body of the policy text goes on to state that the supply of such facilities will be market led but will be monitored.
- 6.1.7 Haringey's Older People Strategy (HOPS) 2011-2021 is now beyond the plan period but continues to offer relevant background of demographics in the borough. Map 1 of the HOPS document indicates a higher percentage of population of retirement age in Highgate than other areas of the borough. This document also reiterates expected increases in elderly population and resultant increase in dementia, as well as other diseases.
- 6.1.8 These policies present a requirement for care homes and an increasing need for dementia specific accommodation across England, London and at Borough and local level. In this regard the proposed use of the site for a care home with high quality dementia care services is supported as an overall principle. The proposed use can clearly be defined as a managed care facility, under single ownership, with rooms rented on an individual basis for older people with specific care needs, which would be catered for in-house. As such the use is considered to fall within the C2 use class for care home facilities.
- 6.1.9 The proposal is supported by two Planning Needs Assessments, which further justify the need for additional dementia care facilities nationally and locally. These have referenced extensive data sources including Laing Buisson (health care data specialists), Office for National Statistics (ONS) and Protecting Older People Population Information System (POPPI). The POPPI data was specifically requested by officers to understand the local need for dementia care and to align with data sources from the HOPS document.

- 6.1.10 The supporting assessments highlight that by 2026 the specific catchment area will have an estimated under supply of 278 suitable beds and that approximately 44% of existing bedrooms do not comprise suitable future proof accommodation, as they do not have the required en-suite wet rooms. Furthermore, the documents highlight that 73% of existing care beds do not provide specific dementia care. These documents go on to reference the operational advantages of purpose-built facilities over smaller facilities and converted properties and relative quality of service provision as well as difficulties of future proofing existing constrained facilities. The data collected in the two needs assessments show some variation in terms of under supply quantum, but both show a significant under provision. These detailed submissions have been reviewed by the Council's Supported Housing and Public Health teams who are satisfied that the proposed use is both needed in the area and that proposed layout will provide quality provision.
- 6.1.11 Officers and consultation comments for the previous withdrawn application (HGY/2021/2703) questioned the use of the designated catchment area for the Knight Frank assessment, which appeared somewhat arbitrary, with some care homes just outside this boundary and therefore not included. These assessments also omitted the Mary Feilding Guild Care Home, which is currently closed, but has recently been approved for redevelopment. However, even taking such considerations into account, including the additional 43 dedicated dementia care beds expected to be delivered on Mary Feilding Guild site, there would be a significant deficit in provision.
- 6.1.12 A further proposed local nursing home is also expected to be completed in Barnet on The Bishops Avenue (Signature Care Home), which is in relatively close proximity to this site. That site would be for more independent living, rather than the specialised dementia and care facility, proposed in this application. The additional submission from HPC also noted that Hammerson House in Barnet is another active care home within a mile of the site, but is specialised for, and predominantly in use by, the Jewish community. The proximity of these uses has been included in the assessment of need and consideration of whether this would create an over-concentration or significant change to the area. However, overall it is clear from these assessments that there is a local shortfall of care facilities, especially in dementia care, and that this supply deficit is likely to worsen. Furthermore, that the addition of the proposed use would be compatible with, and would not alter, the residential character of the area.
- 6.1.13 An end user for this proposal has been identified as Care Concern Group, a UK wide operator. The internal and external layout of the proposed use would provide exemplary care home provision compatible with the requirements of dementia sufferers and would achieve high industry standard specification. On this basis it is the principle of the use is acceptable in meeting policy requirements.

### *Affordable Homes*

6.1.14 London Plan Policy H4, H5 and H13 consider requirements for affordable housing provision but the supporting text for Policy H13 considers exceptions for 'Specialist older persons housing' where they are considered to be providing 'care home accommodation' in accordance with the following criteria:

- *Personal care and accommodation are provided together as a package with no clear separation between the two;*
- *The person using the service cannot choose to receive personal care from another provider;*
- *People using the service do not hold occupancy agreements such as tenancy agreements, licensing agreements, licences to occupy premises, or leasehold agreements or a freehold;*
- *Likely CQC-regulated activity will be 'accommodation for persons who require nursing or personal care'.*

6.1.15 The proposed use would be a managed facility where accommodation and care are provided as standard and the rooms will be rented accordingly with care on-site. The bedrooms will not have self-contained accommodation and will be part of the wider managed facility.

6.1.16 A management plan for admissions will ensure that the use is in accordance with these criteria. On this basis it is considered that the proposal meets the exceptions set out the London Plan and affordable housing contributions are not required by Policy. A condition has also been imposed which restricts the use of the building as a class C2 – a care facility specialised in dementia only and for no other use within Class C2.

### *Type and tenure*

6.1.17 Assessment of suitability of provision should not only be limited to a need but to socio-economic factors that relate to type and tenure, as required in London Plan Policy H13, DPD Policy DM15 and HOPS. Consultation comments have highlighted a more acute level of need at the lower end of socio-economic scale. This is also reflected in the needs assessments, which highlight residents being sent to other Boroughs, who are broadly categorised as those most in need and with less socio-economic choices. Consultation comments further note that economic disparity within Haringey may mean such siting in this affluent area will be unaffordable for many residents.

6.1.18 Whilst there is a need for affordable care homes, that does not diminish the requirement for private care homes. POPPI data highlights that there is a relatively higher proportion of older people in this part of the Borough who this type and tenure would appeal to, as a means of staying within their locality in the

next phase of life. It is accepted that there is a local need for the high quality provision proposed and such choice in housing supply is supported by policy.

6.1.19 The applicant has also expressed a desire to ensure that local residents are prioritised through targeted advertising in the local community and favourable admission for Haringey residents. This will ensure the additional care home places would be primarily of benefit to Haringey and minimise the potential impact on local services from residents moving from other areas, although such factors are also considered. An obligation in the S106 will achieve this through avoidance of any waiting lists and advertisement of the service in the local community. Overall the type and tenure proposed is considered to provide appropriate choice of quality care provision in this part of the borough.

#### *Accessibility of the site*

6.1.20 The relevant policies highlight the need for access to relevant facilities, public transport accessibility, social infrastructure and health care. The level of care to be provided on-site, as well as hairdressers and cosmetic on-site treatments, will mean occupants will have relatively limited need for local services. These prospective residents will however be vulnerable adults that will likely require greater access to health care than the single occupancy dwellings currently on site. As such, the site will provide 24-hour nursing care in-house and will provide a treatment room to shell and core finish, as an additional access facility on-site. The application is further supported by details of a number of services such as internet provision for the end users, which will also be available to the site.

6.1.21 The future use of the treatment room will be decided in conjunction with the end user and local stakeholders (NHS, ICB and Local Authority) closer to the time of construction and has potential for use by wider community depending on end use. Use of the treatment room will form part of a management plan for the site that will also ensure suitable private access to GP and other health services.

6.1.22 A financial contribution to the NHS of £152,283 will further mitigate the impact on local GP and emergency services and will be specifically provided to the NHS. This figure has been generated using the NHS Healthy Urban Development Unit (HUDU) model and based on an additional 45 residents who may move to the area from out of Borough, calculated in terms of estimated new residents. This figure is assuming that not all the residents will be new to the Borough and that a new household from outside of the Borough will not necessarily move into their former homes. The use of treatment room, management and financial obligations will form part of the Section 106 agreement.

6.1.23 The low PTAL of 1b indicates poor access to public transport. In reality, the site has a bus stop in close proximity, with a service running to Highgate, Archway and East Finchley tube stations. There are also two other bus routes in the vicinity. LBH Transport Officers have noted that not all buses were included in

the WebCAT calculation and that standard practice for these calculations does not take into consideration any station outside of 960m distance from the site. As such the distance of approximately 1 mile to Highgate and Archway Tube stations and connectivity to these would not have been factored into the PTAL figure.

- 6.1.24 Regardless of the low PTAL, it is relevant that this is aimed at the local community and that there is a shortfall in this area, which is generally less well connected. It is also considered that the relatively low accessibility can in part be mitigated through a robust travel plan, alongside the generous proposed on-site parking and cycle provision. Local need for this provision in the area is evident and with priority access to Haringey residents, the relatively low accessibility is considered acceptable.

*Loss of family housing (Use Class C3)*

- 6.1.25 London Plan Policy H8 considers that any loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. Policy DM10 of the Council's Development Management Development Plan Document states that the Council will resist the loss of all existing housing, including affordable housing and specialist forms of accommodation, unless the housing is replaced with at least equivalent new residential floorspace. Highgate Neighbourhood Plan Policy SC1 aims to facilitate the delivery of Highgate's housing needs by optimising the use of land, while Policy SC2 recognises the need to maintain supply for older people.
- 6.1.26 The site is within a suburban, residential setting of predominantly large single dwellings. The proposal would lead to the loss of two self-contained (C3) family dwellings but would provide a significant uplift in residential accommodation and density on site for the proposed specialist residential (C2) use. The high quality specialist housing proposed would help address a significant shortfall of care home provision in the local community. Such provision would be compatible with the residential character of the area and provide choice of accommodation to residents.
- 6.1.27 The assessment of need outlined above highlights a significant demand for the proposed use in this area, which is considered to provide a public benefit beyond the two large family dwellings. Given the proposed specialist housing use of the site, it would not be appropriate to re-provide family dwellings as part of the development unlike in other conversions. The proposed use would also have potential to free up other accommodation within the area, as dwellings are vacated by future residents. As such the loss of 2 family sized houses is considered acceptable given the benefits of the proposed redevelopment.
- 6.1.28 Overall it is considered that the proposed use would provide a high quality option of specialist housing provision compatible with the residential character of the

area, which will optimise the use of the land. A condition will restrict use Class C2 to the proposed care home product proposed.

### *Summary*

6.1.29 Planning policy and local evidence provided has highlighted an established need for dementia care homes and this type and tenure in general and in this locality. The relatively low accessibility of the site is considered to be mitigated by local demand, provision of on-site services and through conditions and planning obligations.

6.1.30 The provision of such specialist housing is not considered to substantially change the character of the area but would create a mix of housing options. As such the proposed principle of development is considered acceptable.

## **6.2 Impact of the proposed development on the character and appearance of the Conservation Area**

6.2.1 London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

6.2.2 DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context. Policy DH2 of the Highgate Neighbourhood Plan (2017) states that development proposals, including alterations or extension to existing buildings, should preserve or enhance the character or appearance of Highgate's conservation areas.

### *Statutory test*

6.2.3 Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 gives rise to a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas in the exercise of planning functions. The Court of Appeal decisions in the cases of *Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council* and *The Queen (on the application of The Forge Field Society) v Sevenoaks District Council* indicate that the duty in section 72 should be given considerable importance and weight. Where a proposed development would cause harm to the character or appearance of a conservation area, decision makers must give that harm considerable importance and weight, irrespective of whether the harm is substantial or less than substantial. Any finding of harm gives rise to a strong presumption against planning permission being granted,



unless that harm is clearly and convincingly justified and outweighed by public benefits.

- 6.2.4 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that “Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given “considerable importance and weight” when the decision-maker carries out the balancing exercise.”
- 6.2.5 The case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council sets out that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area or a Historic Park, it must give that harm considerable importance and weight. This does not mean that an authority’s assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 6.2.6 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given “considerable importance and weight” in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail.
- 6.2.7 Chapter 16 of the NPPF states that heritage assets are an “irreplaceable resource” that contribute to quality of life and should be conserved accordingly. Paragraph 194 requires that any harm to the significance of a designated heritage asset should require clear and convincing justification. Paragraph 196

requires that, where the harm would be less than substantial, it should be weighed against the other public benefits of the scheme.

#### *Heritage character assessment*

- 6.2.8 The 'Highgate Conservation Area Appraisal and Management Plan' (2013) includes an appraisal of the significance of the area and guidelines for development that have been taken in to account in assessment of this proposal. This notes that incremental loss of features through remodelling and complete demolition of houses has had a detrimental effect on the Bishop's area (10.10.1). Furthermore, that many original houses in the Bishop's area have been replaced in recent years and that "it is now evident that some of these replacement houses are too big, too wide, and too deep, and are over-scaled compared to the size of the original houses" and that "the effect of this is eroding the special early twentieth century architectural and historic interest of the conservation area" (11.1.2). The Management Plan and Design Guide, included in the 2013 document, states that there will be presumption in favour of retaining assets that make a positive contribution to the conservation area, and that proposals for demolition should address the criteria for demolition set out in the NPPF (12.3.3). Furthermore, that: "In general, consent will not be granted for the demolition of buildings which make a positive contribution to the character or appearance of the conservation area" (12.3.25).
- 6.2.9 Paragraph 10.10.1 of the Highgate Conservation Area Appraisal and Management Plan states that the streets within the Bishops Area are an excellent example of high quality residential development of the period. It goes onto to note that loss of features, remodelling or complete demolition of houses have a detrimental effect on the conservation area and that future development should resist the loss of any buildings making a positive contribution to the area and should respect its layout and spaciousness. Paragraph 10.81 of the HCCAAMP sets out that most of the existing buildings contribute to the homogenous character of the sub-area, so the positive contributors are not individually identified.
- 6.2.10 The Highgate Neighbourhood Plan (HNP) (July 2017) Policy DH1 'Demolition in Highgate's Conservation Areas' states that demolition of non-designated heritage assets will be subject to a balance judgement with regard to the scale of the loss and the significance of the asset. Any proposed replacement should make a positive contribution to the conservation area.
- 6.2.11 The development site includes two adjoining plots in the southern part of the leafy and suburban Bishop's part of Highgate Conservation Area. This was historically the Bishop's Wood, later developed by the Ecclesiastical Commissioners from c.1900 to 1930 into a suburban area of large, detached houses set in mature gardens and surrounded by the ancient woodland. The original character of the Bishop's area has substantially changed over recent

years due to the replacement of several original buildings with new houses of various scale, style and design quality.

6.2.12 The Bishop's area is still a high quality residential and largely landscaped development characterised by suburban villas of various age and style well set into their generous plots, with a prevailing original arts and crafts character in the area and in some cases designed by renowned architect CHB Quennel and his associates. The layout and spaciousness of the area, with significant gaps between houses, allow the incidental views into their generous gardens, which are key component of the special character of the Conservation Area. Hampstead Lane itself is characterised as a historic ridge road with varying directions and gradient as a winding country lane flanked by a variety of houses with the development site prominently located in its western section that is characterised by large houses in substantial plots, large trees, and large green spaces.

6.2.13 The development site itself is largely screened by the dense and mature vegetation in views from any heritage asset within or around Kenwood Park whose leafy boundary along Hampstead Lane marks the inward-looking nature of the Kenwood estate despite its physical proximity to the Bishop's part of the Highgate Conservation Area.

#### *Demolition*

6.2.14 The proposal is accompanied by supporting documents that provides a comprehensive and detailed description of the historic evolution of the site, corroborated by extensive archival evidence of the outline conformity of these houses to the prevailing original character without possessing any special architectural quality as demonstrated in the thorough assessment of the special interest and significance of these houses in the context of the Conservation Area. The applicant has referred to other demolition and rebuilding schemes within this part of the conservation area, many of which likely form the response of the Conservation Area Appraisal of *"too big, too wide, and too deep, and are over-scaled compared to the size of the original houses"*. The proposed demolition and rebuilding over two sites would reasonably considered to fall within this category and being out of character, so mitigation in design of proposed building and justification of demolition require careful consideration.

6.2.15 The development site is prominently located along Hampstead Lane and Courtenay Avenue and forms an integral part of the visual experience of this part of the Highgate Conservation Area. The siting, proportions of existing buildings, together with their generous front and rear gardens, are established, positive features of the Conservation Area. However, the existing pair of unrefined late 1930s Arts and Crafts style houses were constructed by little known developers

and of modest intrinsic architectural interest and low heritage value. These have been considered by LBH Conservation officer to provide a neutral contribution to the character and appearance of the Conservation Area. The policy position can be summarised that even where individual dwellings are neutral contributors, such as these buildings, there is collective value in terms of the 20<sup>th</sup> Century and historic character to the area, so lack of intrinsic heritage value does not in its own right warrant demolition. However, the NPPF is clear that where the harm would be less than substantial, it should be weighed against the other public benefits of the scheme.

6.2.16 Unlike other demolition and extensive redevelopment of single dwellings referred to in the policy and character assessments, the proposed demolition and redevelopment of the site would be for a proposed use as a care home, with intrinsic public benefit beyond rebuilding a single large dwelling. The case for demolition is that such a use could not be reasonably accommodated within the existing buildings and that operational requirement of connectivity by amalgamating the sites is required to enable such a use. The supporting documents state that the proposed use would require level floor plate and floor to ceiling heights to allow mechanical operation and scale of development that could not reasonably be accommodated within the existing buildings. Potential for façade retention is considered to have similar issues, especially when considering how this would appear in a scaled-up massing and given the lack of architectural importance of the existing buildings.

6.2.17 The principle section of this report sets out the local need for the proposed use and as such provides justifiable public benefit of redevelopment. As such, it is considered reasonable that the loss of the neutral contributors for the specific proposed use is considered acceptable in principle. Overall this harm would be classed as 'less than substantial' as defined by the Framework and is considered to be justified in this instance by the appropriate proposed redevelopment.

6.2.18 Prominent within this application is the context of the approved demolition and rebuilding of a larger dwelling on the adjoining site of No.42 Hampstead Lane, which although not built does provide a relatable context. The applicant has further referenced demolition and rebuilding approvals in the vicinity, especially within Courtenay Avenue and that such examples provide no public benefit. The proposed drawings indicate that massing of the two forms of the building would not be significantly greater than that approved at No.42. On this basis it is relevant to consider the significantly greater public benefit of housing 66 vulnerable adults in a high quality, purpose built facility, rather than a precedent for any other such development for single dwelling use.

#### *Proposed building*

6.2.19 Further assessment of the detailed design of the proposed buildings is undertaken in this report, but in terms of the acceptability of demolition there is a

requirement for an assessment of scale, form and general design of the proposed replacement buildings, to ensure a positive contribution to the character and appearance of the conservation area.

6.2.20 The proposal has been informed by a thorough understanding of the potential for re-development offered by the site. The proposed form would predominantly be as two asymmetrical buildings with glazed link visually connecting the two existing parts of the site. The footprint of the proposed building will still sit well back from the highway frontage and space along the side western and northern side and rear boundaries would preserve the appearance of a building within a large plot. The proposed development represents a change in terms of scale, architectural language and built presence on this corner of the conservation area but the site is considered to be able to absorb a degree of change and proposed design is considered to complement the established features of the conservation area.

6.2.21 The connecting of two sites will create massing between two existing buildings, but the glazed link above ground floor would be recessed in a staggered form at first and second floor level, rather than a single continuous massing. This would create a clear distinction from the bold language of the brick gable frontages and a means of sympathetically linking the sites to best serve the operational requirement of the proposed use. This concept is considered to have been successfully integrated and a contemporary response to the established relationship between buildings and their side gardens in this part of the conservation area and is supported by the Council's Conservation Officer.

6.2.22 The Council's Conservation and Design Officers consider the proposed design to elegantly complement the prevailing Arts and Crafts original character of the area, which succeeds in expressing an imaginative response to the suburban, domestic character of the area through fluid, well-articulated masses, heights, traditional roof forms and materials. Further complimentary design features include the characterful red brick, articulated and steeply pitched roofscape, interesting and varied pattern of fenestration and semi projecting dormers. The proposed building would sit comfortably within a leafy boundary treatment, a well-integrated landscape scheme and a gently down-sloping rear elevation that connects with the topography of the site and rear garden.

6.2.23 The Council's Conservation Officer further considers that the proposed care home, despite the additional scale and proximity to the boundaries of Courtenay Avenue and No.42, will integrate with the surrounding development in views along Hampstead Lane by virtue of its architectural expression and affinity with the character, landscape, and topography. The retention of the front garden and side boundary, together with the mature trees along Hampstead Lane and proposed boundary treatment would complement and mitigate the presence of the new development on this prominent corner of the Conservation Area. Retention of a generous rear garden will retain the established spatial and visual

gap with No. 1 Courtenay Avenue. The carefully designed frontage and architectural language along Courtenay Avenue will largely retain the established spatial relationship between buildings and garden settings. The side and rear elevation of the proposed building will be experienced as part of the established residential environment along Courtenay Avenue in views from the playing fields of Highgate School.

6.2.24 The harmoniously integrated architectural and landscape design, especially at the rear of the site, respect the spatial and landscaped qualities that underpin and still legibly tie together this part of the Conservation Area. The site layout and plan form of the proposed scheme, articulation of height and massing, architectural expression, boundary treatment and landscape design altogether positively respond to the Conservation Area context. This would preserve the generous, now unified, rear gardens, whilst retaining an appropriate distance from No.1 Courtenay Avenue and the landscaped character of adjacent sites. Such design features will substantially help the new development to sit comfortably within this evolving heritage setting.

6.2.25 The proposed scheme will not impact any important features of any heritage asset and will add architectural and landscape quality to the site that will cause no harm to the Conservation Area and will preserve and enhance this character.

#### *Streetscene and context*

6.2.26 The approved (and extant) development at No.42 has not been implemented and there is no guarantee of this being developed. The applicant has provided existing plans that show the existing dwelling at No.42 but has shown a dashed line to indicate the proposed development of that site, which is considered as a maximum massing if both proposed and approved sites were developed. The existing building at No.42 is set further off the shared boundary and has a lower height relative to the approved scheme. Regardless, in either scenario (of No.42 remaining as is or being developed) the space between these sites is considered to be sufficient preserve the character of the conservation area.



6.2.27 The larger scale approved at No.42 in relation to existing building at No.44 was considered to be acceptable despite a variation in height. Such variation would

be apparent if this application were to be developed adjacent to the existing dwelling at no.42 but would be attenuated by a lower massing adjacent to that boundary, stepping up into the site. As with that approval at No.42, the proposed relative massing between these existing and proposed buildings would have an acceptable relationship. If both proposed and approved sites were to be developed then this staggered massing would still retain sufficient relief between sites and would be acceptable in light of the context of this proposed use.

6.2.28 The existing dwelling at no.44 appears significantly greater and more prominent in relation to No.1 Courtenay Avenue, which has a distinct low form. Such massing and design of this neighbour is contrary to the more vertical form and architectural language along Hampstead Lane and is greatly exaggerated by the steep fall in topography to the rear. Although the additional height and massing of the proposed development will exacerbate this hierarchy of massing it is considered to be an acceptable relationship which will preserve and enhance the character of the conservation area. Overall the relationship with neighbours and streetscene will be acceptable.

#### *Heritage setting*

6.2.29 The site is located opposite the grounds of Kenwood House and statutorily listed buildings within these grounds. These are separated by a significant distance from the site and the two lane highway of Hampstead Lane. Kenwood House's entrance point contains the Grade II Listed East lodge and gates, with Grade I Kenwood House set further back from the road frontage. Regardless of distance between these buildings and the development site, there is consideration the wider setting of these heritage assets.

6.2.30 English Heritage have been consulted on the impact of demolition and redevelopment on the site and impact on designated heritage assets. Their response confirms that they do not consider it necessary to comment and have deferred to the Council's conservation specialists.

6.2.31 The proposed building would have a greater scale and massing in relation to the highway and particularly the most western point of the building would project beyond the existing building line. However, the scale and massing would sit comfortably within the site and retain significant relief from front and side boundaries. As such this is not considered to harm the significance of the setting of these listed buildings.

#### *Impact on Metropolitan Open Land (MOL)*

6.2.32 The NPPF paragraph 147 states that MOL should be afforded the same protection as Green Belt and that "*inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances*".

6.2.33 Local Plan Policy SP13 requires new development to protect and improve Haringey's Parks and Open Spaces. The policy gives protection to the existing boundaries of the designated MOL and designated Open Spaces from inappropriate development, and *"requires the impacts of new developments in areas adjacent to designated open space to be appropriately managed and to preserve the historic significance of the designated parks and gardens"*. This goes on to state that development adjacent to open space should seek to protect and enhance the value and visual character of the open land. Furthermore, that the Council will only allow development on designated open spaces or sites adjacent to an open space that respects the size, form and use of that open space and does not detract from the overall openness and character of the site, the appearance and historical significance of the setting, or harms the public enjoyment.

6.2.34 The site is not within any designated MOL but Highgate School playing field and Kenwood House grounds are designated as such. The playing fields are part of adopted Site Allocation SA41, which covers all of the Highgate School estate, but is not relevant to neighbouring sites such as this one. There would be no infringement on the MOL and although the site can be considered in broad terms to be adjacent to MOL, the sites are significantly distinct from the MOL.

6.2.35 The proposed development retains at least a 20m set-in from the side boundary of Highgate School playing fields, which is a separation which includes the highway of Courtenay Avenue. The western block of the proposed building would also have a modest projection beyond the existing footprint to the front of the site but would retain at least 30m separation between from the boundary of Kenwood House Gardens, including a two-lane highway of Hampstead Lane.

6.2.36 The additional scale and massing are not considered significantly greater to consider there to be harm to the open character of the adjacent MOLs and that this would not detract from overall openness nor character of these sites. As such the impact on these adjacent MOL sites is considered appropriate to the historic significance of this setting.

### *Summary*

6.2.37 The proposed demolition is considered to be justified for the operational requirements of the proposed use, for which an established demand has been outlined. As such, this would provide a public benefit considered to outweigh the loss of the neutral contribution from the two buildings. The response to massing in combining the two sites is considered to preserve the distinction between these sites and the character and appearance of the conservation area. The high quality architectural language, design and materiality would preserve and enhance aspects of the conservation area. There would be no demonstrable harm to the significance of the setting of the character and appearance of the designated heritage assets in the vicinity, nor the openness and character of



nearby MOL. On this basis it is considered that demolition and redevelopment of the site would be acceptable.

### 6.3 Design

6.3.1 The NPPF 2021 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Being clear about design expectations, and how these will be tested, is essential for achieving this. The NPPF further states that proposed developments should be visually attractive, be sympathetic to local character and history, and maintain a strong sense of place.

6.3.2 DPD Policy DM1 requires that development proposals should relate positively to their locality, having regard to, building heights, form, scale & massing prevailing around the site, urban grain, sense of enclosure and, where appropriate, following existing building lines, rhythm of any neighbouring or local regular plot and building widths, active, lively frontages to the public realm, and distinctive local architectural styles, detailing and materials. Local Plan (2017) Policy SP11 states that all new development should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use. The Highgate Neighbourhood Plan refers to Highgate's rich history of innovative design and many landmark buildings and its fine mix of Georgian, Victorian, Edwardian, Arts and Crafts and modern architecture.

#### *Quality Review Panel (QRP)*

6.3.3 As noted above, the proposal has been assessed by Haringey's QRP at pre-application stage. The first QRP was in 2019, with significant changes made prior to the subsequent February 2021 discussion. The most recent QRP review was prior to the subsequently withdrawn scheme HGY/2021/2703, which had a greater footprint with a significantly greater rear projection along both sides of the rear elevation. There has been no review of the current scheme, but the current proposal has a similar appearance and frontage to that reviewed and has incorporated design suggestions from QRP, in conjunction with overall scale reductions. The Panel's final review broadly supported the scheme, which has since been further refined and scaled down. They noted that it was progressing well, so further review has not been deemed necessary. These comments noted the following:

6.3.4 *The panel supports the design development of the scheme, subject to further refinements on the architectural expression, the treatment on the corner of Courtenay Avenue, and the relationship with the topography. The development currently sits heavily on the ground, and the design needs to balance built form with open landscape, a key aspect of the local character. The design team should also continue to explore alternative approaches for stepping down the mass on the corner of Courtenay Avenue, to allow for views into the valley below.*

*There is an opportunity for the proposal to become a more architecturally expressive building. The panel feels that a contemporary Arts and Crafts approach is appropriate to the site and context. However, a stronger expression of the architectural form is needed, strengthening the relationship between the internal layout, the facade elements and the materiality. This includes simplifying the arrangement of gables, chimneys and roofs to express a sense of calmness and elegance. Construction details and materiality should also be carefully developed to ensure high-quality design and integration with the area's heritage character. The bridge between the two buildings could celebrate views of the landscape, and its materiality could be integrated into the Arts and Crafts architectural language to transform it into a unique feature of the proposal.*

6.3.1 A summary of the most recent Chair's review is below, in addition to the applicant's response and officer comments.

Quality Review Panel Chair's Comment	Officer Response
<b>Overall Design</b>	
<p>The panel supports the care home use at this location, and the proposed increase in the building's footprint. However, it feels the development sits heavily on the topography, instead of celebrating and integrating with the local landscape.</p> <p>The reading of the development as two distinct buildings is also welcomed. Symmetry between the two volumes should be avoided, and their individual, yet coherent, architectural expression explored in terms of solids and voids.</p> <p>The current clear, glazed material used in the bridge between the two buildings might become too bright and overly dominant at night. The panel suggests investigating materials related to the Arts and Crafts language and the scheme's overall character. A stronger mass, for example using timber, could transform this link into a unique feature of the proposal.</p>	<p>The rear elevation has been amended to better integrate with the sloping site to the rear. The significant projection along Courtenay Avenue and adjacent to No.42 have also been removed. Massing has been reduced and landscaping increased.</p> <p>The asymmetrical design will emulate Arts and Crafts' style. Architectural features such as fenestration details, where side panels on the windows have been mixed with contrasting brickwork panels, creating points of interest on the solid parts of the elevations. The asymmetrical, modern arts and crafts style aesthetic has been carefully considered throughout the design development process.</p> <p>This was a suggestion from QRP, but officers consider the glazed material and recessing as a preferable means of retaining visual separation between the buildings. Light would be controlled by condition. The timber framing is considered a reasonable compromise that will encase the glazed link.</p>

<p>The bridge between the two buildings could also be a meeting point as well as a connecting structure, celebrating views of the landscape.</p> <p>There is an opportunity to integrate the fire escapes facing north with the architectural language of the building.</p> <p>The panel feels that the council is best placed to judge whether the proposal provides sufficient public benefit to the borough to justify demolition of the existing buildings.</p>	<p>This is a functional route to connect the sites and the glazed material would allow such views in passing when in use and would avoid cluttering of this feature.</p> <p>These have been integrated in this updated proposal and are considered subtle and understated.</p> <p>Noted and assessed in detail in this report.</p>
<p><b>Conservation Area Context</b></p>	
<p>The panel reiterates the importance of a balance between built form and open landscape as a critical feature of the character. It therefore asks the team to reconsider the relationship between the buildings and the topography.</p> <p>The corner on Courtenay Avenue is very prominent and provides important views of the valley. The design team should continue to develop alternative approaches for stepping down the mass at this point. These alternatives should also consider the materiality of the roof, which will be visible. Textured materials such as tiles, rather than sheeting, would contribute to enhancing the roof expression.</p> <p>It is crucial that construction details and materiality are carefully developed, to ensure</p>	<p>The southwest corner has been revised since the QRP comments to improve its response to the Conservation Area. The Courtenay Avenue corner element has been set-back at the top, lessening the impression on the view towards the building from the southeast and on Courtenay Avenue, resulting in a more domestic (rather than institutional) feel. The building also has reduced massing on this elevation, allowing greater garden amenity provision between the site and this neighbour.</p> <p>The projecting two storey wing to the rear (north) is smaller than the west-facing gable, maintaining the step-down with the topography towards 1 Courtenay Avenue enhancing the experience of the building sitting within the landscape and working with the topography, as aforementioned. The reduced option as currently proposed seeks to enhance the open feeling and character as noted within the QRP feedback.</p> <p>The windows will have deep recesses and include decorative brick features and</p>

<p>that the design's high quality and its integration with the conservation area character are delivered.</p>	<p>Flemish bond. The roof materials are proposed as a high quality bronze seem, which will provide articulation beyond continuous sheets. This is considered appropriate in this contemporary Arts and Crafts style. The details of materials will be covered by condition.</p>
<p><b>Arts and Crafts approach</b></p>	
<p>The panel commends the design team on the development of the architectural language, and feels that a contemporary Arts and Crafts approach is appropriate to the site and its context. However, the panel asks the team to further investigate the spirit and philosophy of the Arts and Crafts language, reflecting aspects such as form and craftsmanship.</p> <p>There is an opportunity for the proposal to become a more architecturally expressive building. The panel feels that a better expression of the architectural form is needed, strengthening the relationship between the internal layout, the facade elements and the materiality.</p> <p>It is essential that elements on the facade follow a narrative and are justified. Currently, they appear over-articulated and complex. Simpler elements, expressing a sense of calmness and elegance, should be explored.</p> <p>The gables compete with roof forms and massing, rather than act as punctuation elements. Separating and rationalising the gables could also help to simplify the roofs and drainage systems.</p> <p>The gables on the corner of Courtenay</p>	<p>Positive comments noted. The scheme has evolved since the QRP's comments to further satisfy the points raised. The form of the building emulates Arts and Crafts' style by being asymmetrical, with one primary front facing gable on the western half of the building. The scheme is balanced, with smaller projecting gables and recessed elements giving it an overall harmonious composition.</p> <p>The spirit of craftsmanship of Arts and Crafts' movement has been combined with contemporary architectural style so as not to appear pastiche. Simple eave and gutter details retain an overall contemporary feel to the building, taking note of some of the solutions found in other contemporary Arts and Crafts examples (refer to DAS statement by Wolff Architecture).</p> <p>The external elevation has been simplified since the QRP comments were provided. The southwestern corner has been rationalised with fewer chimneys and more orderly arrangement of the gables and dormers.</p> <p>Gables have been amended to better punctuate the levels and this as an end.</p> <p>The use of chimney design and textured brickwork has been amended in response</p>

<p>Avenue should also be rationalised and integrated with the chimneys in a creative and contemporary interpretation of the Arts and Crafts language.</p> <p>The panel notes that the precedents of contemporary expressions of Arts and Crafts language used in the presentation have successful relationships between gables and roof massing, as well as brick, rainwater and gutter detailing; other precedents could suggest ways to integrate gables with chimneys.</p>	<p>to the Arts and Crafts language. Finer detailing of materials will be conditioned.</p>
<p><b>Service Access</b></p>	
<p>The design team should investigate whether an alternative service access on Courtenay Avenue is viable without interfering with the existing trees and the garden. If kept at the front of the site, servicing should be smart, clean and well-managed.</p>	<p>Servicing entrance will have a one way system through and will largely retain existing trees as part of coherent landscaping strategy. The delivery entrance to the front of the site has been revised to become more subtle and further integrated into the holistic elevation.</p>
<p><b>Landscape</b></p>	
<p>The panel questions the relationship between the garden and the site's topography. It feels that it might not be accessible to residents with limited mobility. Cross-sections would help to reveal the extent to which the garden will be successful in use.</p>	<p>The rear landscaping has been amended and reviewed by LBH specialist housing colleagues who support the design.</p> <p>The two main accessible landscape areas are now largely located on flat ground. This is achieved using a terraced stepped approach in which landscape and architecture are coordinated to offer flat usable space at either end of the development. The main level difference is absorbed within the footprint of the building, with lower ground floor area predominantly level with the main accessible communal garden to the north of the site.</p> <p>Landscaping of the outdoor space to the north has been largely designed with resident accessibility and mobility in mind. As a result, flat terraces and gathering spaces, located amongst planting and lawn areas, are now connected by a continuous</p>

	level path that provides full accessibility and engagement to the proposed communal garden. The looped design of paving is considered beneficial for dementia sufferers.
<b>Internal Layout</b>	
There is an opportunity to enhance the experience of residents and visitors by extending the cafe through to the front of the building. This could increase its exposure to sunlight, and also enhance the building's relationship with Hampstead Lane.	The internal arrangement has focused on specific dementia care and incorporating such a relationship in lower ground floor lounge garden and dining room. The café has been re-designed to flow further towards the front of the building as suggested. There are security and safeguarding implications but the intention is to create an open, inviting café as you first enter the reception area.

### *Streetscape*

- 6.3.5 The streetscene contains large detached two storey dwellings with roof accommodation, prominent gables and variety of roof designs. The proposed scale and massing will be greater than that of the existing buildings on the site but are considered to successfully retain the existing streetscape character of individual large houses, set within front, side and rear gardens but at a greater scale than existing. This is considered appropriate in urban design terms, reflecting the corner site and main street frontage whilst respecting the strongly prevailing character of individual houses, by treating the building architecturally as two separate “houses” with lightweight, transparent link.
- 6.3.6 The street frontage is characterised by front gardens dominated by car parking and gated entrances. This is apparent in the existing sites, which have extensive hardstanding behind dwarf wall and railings, with solid vehicular gates on Courtenay Avenue and Hampstead Lane, serving the existing dwelling of No.46. The proposed layout will increase the level of soft landscaping and permeable materials, albeit with vehicular forecourts to accommodate some parking. Front garden walls and railings are considered to be appropriate and in-keeping with this character and such detailing should be preserved in the detailed submission of boundary treatment.
- 6.3.7 It is considered that the two parts of the proposed building will clearly address the street, with plentiful windows facing both street frontages and that the clearly visible main entrance and servicing entrance, with distinct, different purposes, mark and anchor each of these distinct “houses”. The land falls away steeply along the Courtenay Avenue boundary revealing a row of bedroom windows below entrance level emerging from a wide, level bottomed lightwell with sloped

sides. A wide gap between the rear of the proposed building and No.1 Courtenay Avenue will maintain a sense of hierarchy between the more important Hampstead Lane and the less important Courtenay frontages. Modest single storey buildings sit below street level in these lower rear gardens. Overall it is considered that the proposed development would sit comfortably within the site and existing streetscape.

#### *Form, Bulk, Height, and Massing*

- 6.3.8 The proposed additional height represents a modest increase, which includes a disguised lower ground floor, which casually observed would retain the appearance of a pair of large, two to three storey dwellings. The site is located on a major highway and marks the junction of this highway with Courtenay Avenue. The siting lends itself to the larger form required for the institutional use but has been design in a sympathetic manner which retains a residential aesthetic, in-keeping with the area, as supported by the officer advice and QRP.
- 6.3.9 The roofscape will consist of large sweeping pitched roofs, with steeply pitched roofs broken up with gabled bays and dormer windows, which would punctuate the massing and level changes. The Design Officer commends this design as a strong and important part of how the proposal will appear as a contemporary reinterpretation of the Arts and Crafts style that is so prevalent in the area. The roof form has further functional advantages of providing a recessed flat roof area that can provide green roof and solar panels and disguise lift overrun, whilst appearing as a coherent form.
- 6.3.10 Further design elements are considered to be contemporarily reinterpreted successfully such as the asymmetrically breaking up pitched form with gabled projecting bays, as well as insertion of tall brick chimneys, wide pitched dormers, asymmetrical windows within bays, all of which are considered to successfully incorporate this contemporary Arts and Crafts design. Such details alongside the façade detailing and strongly expressed front doors with decorative surrounds are commended by the Design Officer.





6.3.11 The topography of the site results in a proposed rear massing with the appearance of a larger, taller building, as the lower ground floor appears from the sloping ground. The side elevation mitigates this by dropping the roof lower to the rear over the very short projecting wing on this side and into this corner of the main massing of the building. The slightly recessed central portion of the rear elevation is designed as a series of terraces and balconies, with the potential for balcony and trellis planting to further obscure the building. There will be limited visibility of the rear from the public realm, but residents of Courtenay Avenue will be aware of the massing and detailing as they emerge from the private road and less prominently in views from private back gardens. However, the size of sites and perpendicular relationship of rear gardens to the application site will help mitigate such views of massing.



6.3.12 The bulk and massing of the proposal achieves a broken-up form by virtue of the main (upper) ground level, with entrances set low to the ground level, which is itself well below Hampstead Lane street level. The design as two separate “houses”, linked only at ground floor and below, or at upper floors by only a lightweight link, breaks up the facades into several projecting bays. The second floor is contained within the roof, with their bedrooms and communal rooms served by full and semi-dormer windows and windows in gables of bays, which further mitigates massing and avoids an institutional appearance.

6.3.13 Overall, the size, height, bulk, and massing of the proposal is unavoidably larger than the two existing houses, but only represents a modest increase, which can be considered reasonable considering the location. The design officer considers this to be a successful approach to the setting and proposed use, through well disguised, ingenious design and a successful contemporary reinterpretation of Arts & Crafts that balances referencing the context, breaking down the height and bulk and specialist residential function.



### *Elevational Treatment, Fenestration, Balconies, Materials & Detailing*

- 6.3.14 The detailed design has been agreed in discussion with the Design Officer and with consideration to QRP observations. This is considered to be a successful contemporary reinterpretation of Arts and Crafts design, composed in a balanced, asymmetrical manner, made up of two “house” sections defined by their encompassing roofs. This is modified by asymmetrical gabled projecting bays, containing arrays of large, vertically proportioned windows. Deep window will increase the weight and quality of the elevations, whilst dormer window surrounds are appropriately light and slender as possible. Detailing of cills, lintels, dormer surrounds, eaves, verges, chimneys, main front door surrounds and decorative brick panels will be simple and elegant but provide sufficient enlivening and decoration to raise these design features and compliment the overall composition.
- 6.3.15 The predominantly brick based architecture references good quality dark red, variegated multi-stock brickwork. Roofs are proposed to be in bronze standing seam metal, of a similar colour to traditional clay tiles but more contemporary and with a simpler, smoother rhythm and pattern, appearing as a contemporary reinterpretation of traditional construction. Similar bronze finishes will be used on metalwork such as window frames, dormer surrounds and solid panels inserted into selected windows. Each of these elements will have subtly different colour and reflectivity, beneficial to the overall appearance. The materiality is considered to be high quality and suitable for the setting and character of the area and will be subject to condition to ensure this is the case. All of which is commended in comments from the Design Officer.
- 6.3.16 Rear balconies would be composed of more chunky timber loggia detailing and glass balustrades within substantial timber frames and handrails. These will provide a robust appearance that references the firm, simple garden structures of Arts and Crafts language in a contemporary manner. The profile of user will likely be sitting outside, or wheelchair bound so the glazed screening will be functional for allowing views. Given that this will be a managed facility and the needs of the end user, it is considered unlikely that there would be large amounts of clutter visible. As such, glazed balustrades are considered to be appropriate.
- 6.3.17 The lightweight link between the two parts of the building at second and third floor is also to be detailed in chunky, robust timber framing with plain clear glass between. This also references Arts & Crafts garden features and secondary structures such as loggias and canopies, but more importantly limits the bulkiness of the link and distinguishes the two “houses”. The link is carefully designed to prevent clutter and light spillage (including recessed electric lighting), to ensure it will appear from transparent at day and night.

### *Summary*

6.3.18 This proposed development is to provide comprehensive response to the street context and architectural form predominant in the area. The proposal is on the edge of the Conservation Area and respects the form, pattern and character in a contemporary reinterpretation of Arts and Crafts. This design balances contextual reference to mitigate height and bulk and honestly expressing the contemporary, specialist residential function. The Design Officer further notes that the height, bulk, and massing is unavoidably larger than the two existing houses, but only represents a modest increase, which can be considered to be reasonable considering the location, setting and specialised use and that the proposed design will ensure that this is well disguised in an ingenious design. In summary, the design is considered to provide an excellent addition to the architectural heritage of the borough, neighbourhood and this special location, subject to requirement for material submission.

#### **6.4 Quality of Residential Accommodation**

6.4.1 London Plan Policy H13 and DPD Policy DM15 require proposed specialist housing be of a suitable standard. Local Plan (2017) Strategic Policy SP2 and Policy DM12 of the Development Management DPD 2017 reinforce this approach for all residential development.

6.4.2 The proposed use will operate as an entirely managed facility, with no self-contained units and will be staffed 24-hours a day by qualified nurses, with care included in any resident contract. All rooms benefit from generous floor space and have wheelchair friendly wet room en-suites, which are large enough to allow for staff assistance.

6.4.3 The rooms have sensitively designed window heights to allow for specific needs of residents. All rooms have good amenity levels, as confirmed in the supporting Daylight, Sunlight and Overshadowing Report. A proposed side lightwell, adjacent to Courtenay Avenue, would provide light and outlook to future residents in this lower ground floor. The lightwell has a sufficient size to allow for views into the stepped landscaped terrace. The slope of the site means the depth of this lightwell reduces to ground level as it approaches the rear, which will be appropriately landscaped. All other bedrooms also have views onto landscaped settings and trees.

6.4.4 There are two lift cores, stairwells and a glazed link to ensure interconnectivity throughout the site. Corridors provide a minimum 2m width, to allow for moving of hospital beds and to provide sufficient width for wheelchairs to pass. All doors to resident areas will be designed with a minimum clear width of 800mm, allowing for wheelchair access. The floor to ceiling height and floor levels will ensure suitable mechanical equipment for the use.

6.4.5 The groupings of bedrooms, with separate communal areas would allow residents to be grouped accordingly depending on severity of condition and stage

of life. Activity space will be provided throughout the home and includes large lounges, dining rooms and quiet spaces for residents to undertake a variety of social, physical and cognitively stimulating activities. Residents will have access to communal gardens and specific terraced areas, for more private amenity. On-site service provision for cosmetic and medical care will also be provided.

6.4.6 Nurse stations and medication stores are provided throughout. A private treatment room is provided at ground floor, which will be available for residents and the wider community. The exact use of this will be determined through consultation with relevant stakeholders at the time of development.

6.4.7 This design has been guided by the end user, who have experience of such uses and purpose-built development. LBH Public Health and Supported Housing officers have reviewed the internal layout throughout the design process and are satisfied with the dementia specific design and layout. The applicant has expressed a desire to ensure compliance with Stirling University research that dictates optimal design of care homes. A condition has been imposed requiring the site to achieve the Stirling accreditation is recommended to ensure this is continued in the detailed internal design.

6.4.8 Therefore, the quality and layout of the proposed accommodation is considered to be suitable for the intended occupiers in terms of the provision of appropriate amenity space, parking and servicing; the level of independence; and level of supervision, management and care/support in line with the requirements of Policy DM15.

## **6.5 Accessible Accommodation**

6.5.1 London Plan Policy D5 seeks to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children. Local Plan Policy SP2 is consistent with this as is DPD Policy DM2 which requires new developments to be designed so that they can be used safely, easily and with dignity by all.

6.5.2 Each floor will provide level access throughout and each entrance into the building will have level thresholds for ease of access throughout. Strategically placed lifts will allow for ease of access to the upper floors. The proposed ground floor and garden amenity will be accessible throughout, with suitable ramps with gradient no steeper than 1:20. Two accessible car parking spaces are provided in the basement, with further spaces provided at ground floor that can be utilised as such if need be. The proposal is therefore acceptable in this regard.

## **6.6 Basement development**

6.6.1 London Plan policy D10 states Boroughs should establish policies in their Development Plans to address the negative impacts of large-scale development beneath existing buildings, where this is identified as an issue locally.

- 6.6.2 Policy SP11 of Haringey's Local Plan requires that new development should ensure that impacts on natural resources, among other things, are minimised by adopting sustainable construction techniques.
- 6.6.3 Policy DH7: basements of the Highgate Neighbourhood Plan (2017) seeks to ensure that full consideration is given to the potential impacts of basement developments at application stage.
- 6.6.4 A Basement Impact Assessment (BIA) has been submitted with the application, which seeks to demonstrate that the impacts of the works would be acceptable, as required by Policy DM18 of the Council's 2017 DMDPD. This policy requires proposals for basement development to demonstrate that the works will not adversely affect the structural stability of the application building and neighbouring buildings, does not increase flood risk to the property and nearby properties, avoids harm to the established character of the surrounding area, and will not adversely impact the amenity of adjoining properties or the local natural and historic environment.
- 6.6.5 The submitted BIA has been reviewed by officers as well as by external structural consultants at CampbellReith advising the Council, in part due to the scale of proposed, sensitivity of the site and comments received raising concerns of structural stability, flooding and drainage. The response from CampbellReith references the previous planning reference, which was for a larger footprint and basement, as well as the proposed scheme.
- 6.6.6 The site has a significant slope from front to rear, which results in a total difference in levels of three metres from the front of the site to the rear corner of the site. As such the proposed basement will appear as two subterranean storeys below the front elevation, with excavation of 7.2m below ground level, but as single storey basement and lower ground floor, opening onto the rear garden level, at the rear.
- 6.6.7 The predominant use of the lower proposed basement level will be for car park, mechanical plant, refuse/recycling and cycle storage, with some staff facilities. The front part of the lower ground floor will be for stores, cinema room and car lift to the lower basement. Some residential and lounge areas in the front part of the building would benefit from lightwells to serve these rooms. A dining and lounge area would have dual aspect from a front lightwell into the rear elevation. The rear elevation would have a conventional relationship with the rear ground level.
- 6.6.8 The BIA provides details of screening and scoping assessments of the proposed basement, which includes on-site boreholes and desktop studies. This states that the site is at low and very low probability of flooding from all sources and the associated Flood Risk Assessment has outlined suitable solutions to ensure the

proposal will not increase surface water drainage. A SUDs Assessment has also been reviewed by LBH Drainage Officers who concur.

- 6.6.9 A Building Impact Assessment (including the sensitivity analysis) indicates damage to neighbouring structures will not exceed Burland Category 1 (Very Slight). This will be monitored throughout construction with contingency measures will be agreed should predefined trigger levels be exceeded. While it is recognised that certain aspects of the works here cannot be determined absolutely at the planning stage (i.e. structural works to the party walls) a detailed construction management plan is adequately able to be provided prior to the commencement of works, which can be secured by condition.
- 6.6.10 Other legislation provides further safeguards to identify and control the nature and magnitude of the effect on neighbouring properties. Specifically, the structural integrity of the proposed basement works here would need to satisfy modern day building regulations. In addition, the necessary party-wall agreements with adjoining owners would need to be in place prior to the commencement of works on site. In conclusion, the proposal is considered acceptable in this regard.

## **6.7 Impact on the amenity of adjoining occupiers**

- 6.7.1 London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.
- 6.7.2 DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring residents.
- 6.7.3 The main impact on neighbours will be on 42 Hampstead Lane and 1 Courtenay Avenue, to the rear of the site. The proposal would increase the footprint of the rear projection beyond that of No.42. However, No. 42 has planning permission demolish and rebuild with a significantly larger footprint, which this proposed development would approximately align with. The rear elevation of this neighbour is also extensive, in both existing and proposed layout, resulting in rooms and garden area that would not be oppressed by the proposed footprint. As such, the

proposed development would not have a significant impact on amenity of the neighbouring occupier.

- 6.7.4 The site slopes considerably to the rear, making the relationship with the perpendicular site of no.1 Courtenay Avenue more sensitive. There are single storey elements of the backup generator room and plant room closer to the boundary but the main bulk of the rear elevation would be approximately 14m from the boundary and 25m from the side elevation of that dwelling. The footprint proposed has been designed to respect the relationship with the rear boundary and would sit comfortably in this context.
- 6.7.5 The proposed balcony / terraced areas and windows in the rear elevation would be 16m from the rear fence line and 30m from the side elevation of No.1 Courtenay Avenue. There would be more windows than currently existing but this would not result in any significant level of overlooking beyond the existing situation. Terraced areas would also be set in from the shared boundary with no.42 and therefore there would not be a material increase in overlooking of neighbours gardens.
- 6.7.6 The impact on overshadowing to the garden of no.1 Courtenay Avenue has been raised as a potential concern, especially given the proposed increase in massing and relative land levels. The BRE guidelines recommend that at least half of the garden or open space can receive at least two hours sunlight on March 21 or less than 0.8 times its former value. Following these concerns the applicant has provided an additional calculation to show that there would not be a significant impact in this regard. As such it is considered that the separation between the proposed building and relatively modest increase in massing are considered sufficient to retain such BRE guidance for sites.
- 6.7.7 Side windows are proposed at first and second floor which serve the nurse rooms, which will be obscure glazed and fixed shut below a height of 1.7m. These are not windows serving primary living accommodation and as such the obscure glazing would not be harmful to occupiers of the development.
- 6.7.8 Associated noise from air source heat pumps and any ventilation and extraction equipment will be restricted through a condition controlling noise levels. The substation is for backup power and will only be used if there is any power outage. Regardless, this is set far enough from any side windows of No.1 Courtenay Avenue for this not to be a concern and a noise condition will ensure mitigation of any on-site mechanical equipment.
- 6.7.9 Staff entering and leaving site would be early evening and morning so there would not be regular comings and goings throughout the night. The proposed managed facility would have control over noise on site, which is considered to be retained within the building.

6.7.10 A construction logistics management plan will be required via condition to ensure minimal disruption in construction. Overall the impact on neighbouring amenity is considered acceptable.

## **6.8 Parking and highway safety**

6.8.1 Local Plan Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

6.8.2 London Plan Policy T1 sets out the Mayor's strategic target for 80% of all trips in London to be made by foot, cycle or public transport by 2041. This policy also promotes development that makes the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport. Policy T6 sets out cycle parking requirements for developments, including minimum standards. T7 concerns car parking and sets out that 'car-free' development should be the starting point for all development proposals in places that are well-connected by public transport. Policy T6.1 sets out requirements for residential car parking spaces.

6.8.3 This site is located to the north side of Hampstead Lane, in between the junctions with Compton Avenue and Courtney Avenue. The site has a PTAL value of 1b which is considered 'very poor' access to public transport services. The site will employ 20 daytime and 10 night-time staff and will provide 18 parking bays, including 2 disabled bays. A treatment room will be provided at ground floor, with potential for external visitors. Visitors will be required to pre-book visiting appointments.

### *Public Transport Accessibility*

6.8.4 Transportation officers have been consulted and note that the PTAL for the site does not depict a site with good public transport links, as required in policy. However, PTAL ratings are a theoretical measure of accessibility only and should be considered in context.

6.8.5 TfL's walk distance criteria for inclusion into the site's PTAL value only includes one bus service (the 210 route), which is accessible within a 3 to 4-minute walk of the site. However, this fails to note further bus service (H3 bus route) accessible from the site. The H3 bus route is accessible from the stops on the Bishops Avenue, which is approximately a 5 minute walk from the site and a 4 minute bus journey to East Finchley. As such, the WEBCAT/PTAL assessment output under reports bus service availability to and from the site.

- 6.8.6 More broadly, PTAL ratings do not consider any train / tube station that is over 960m from a site in their calculations. In this instance both Highgate, Archway Golders Green and East Finchley tube stations are well served by buses and within reasonable walking or cycle distance, so could be easily accessible for staff and visitors.
- 6.8.7 Regardless of these anomalies in theoretical accessibility, the low PTAL does not necessarily make this inappropriate for the proposed use. However, management of the relatively low public transport accessibility of the site and attenuation is encouraged through the vehicle and parking provision and mitigation through a commercial travel plan, considered in more detail below. The travel plan will be subject to a S106 obligation.

#### *Parking stress*

- 6.8.8 Transportation officers note that a parking stress survey provided within the TA, from June 2021 recorded very high parking stresses during the daytime period, with only 2 spaces available out of 101 in the survey area during the 10AM to 11AM period. The TA does comment that the weather was warm and many visitors to the Heath were observed parking and accessing it. As there are no formal CPZ arrangements in place it is not possible to control on street parking directly.
- 6.8.9 The profile of arrivals and departures is derived from the TRAVL data so not referenced to a visiting time regime but estimate car arrivals/departures for visitors are detailed at 47 arrivals and 47 departures per day, based on 60% of residents receiving a visitor a day. Visitors will be required to pre-book an arrival through a booking system, which will therefore ensure that the number of visitors is managed. This will mean that any visitors arriving by car can be monitored.
- 6.8.10 Transportation officers note that the TA estimates that peak car parking demands will be between 1 and 2pm (10 cars), at which time 8 basement spaces are estimated to be in use by staff, which will retain 9 spare spaces. Furthermore, it is anticipated that the 40% staff who may travel to work by car should be reduced through the workplace travel plan, thus freeing up more spaces. On this basis it is considered that even at peak demand parking will be able to be accommodated on site rather than adding to on street parking demands.

#### *Parking layout and access*

- 6.8.11 Transportation officers note that the accesses to the site will remain as existing, with service entrance from Courtenay Avenue and exiting onto Hampstead Lane from what is the existing entrance for no.46. Staff and visitor access will be from the existing crossovers serving no.44. The service entrance will have a one-way system and a servicing and delivery plan will ensure vehicles are not backing up onto the road. Pedestrian and cyclist access will be via the main lobby, also



accessed from Hampstead Lane. The busiest hour in terms on entries/exists is the AM peak hour where there are 10 arrivals and 4 departures to the site, so the absolute number of movements navigating the site during any given hour are relatively low. This is considered to be a suitable access arrangement, subject to condition for servicing.

6.8.12 It is noted in comments received that there may be some concern regarding the proposed additional pedestrian and maintenance entrance at the rear side boundary onto Courtenay Avenue. The addition of this access is acceptable from a planning perspective but the development would remain acceptable if this access could not be implemented.

6.8.13 Car parking will accommodate up to 18 vehicles on-site, with 7 spaces in the forecourt and 11 spaces, including the 2 disabled bays, located in the basement. This has been revised from 19 to accommodate disabled parking bays in the basement, at the cost of one bay, on the advice of LBH Transportation officers. The basement car park will be served by two car lifts and a separate pedestrian lift, so these will be acceptable for disabled access. The pedestrian lift shall accommodate bicycles, which will be stored in the basement. There will be space for up to 42 cycle spaces in the basement and potential for some additional short stay cycle storage at street level.

6.8.14 London Plan policy requires 6% of parking bays to be accessible, which would equate to 3 bays. The ground floor bays were proposed to be disabled parking bays and had sufficient space for this but would have had potential conflict with servicing vehicles due to a fairly tight arrangement. Accordingly, LBH transport officers have suggested formally designating accessible bays in the basement at the cost of one standard bay, with the ground floor bays retaining potential to be used as accessible bays if required. This is considered to be a suitable solution to the shortfall of one designated accessible bay, especially given that this is a managed facility.

6.8.15 Four parking bays will be provided with active electric vehicle charging points, with the remaining spaces provided with passive provision, which is compliant with London Plan Policy T6.1. Overall the parking layout and access are considered acceptable, subject to the pedestrian lift being able to accommodate bicycles.

#### *Trips and transport demand*

6.8.16 Transportation officers note that the Transport Assessment (TA) predicts the total number of trips to be made by staff, visitors and delivery and servicing vehicles and these are not going to create any adverse impacts with respect to highway and public transport capacities and networks. The proposed mode split/shares for staff are in the table below;

<b>Table 2.2: Method of Travel to Work Data</b>	
<b>Method of Travel</b>	<b>Percentage</b>
Underground	14%
Train	8%
Bus	17%
Taxi	0%
Motorcycle	1%
Driving a Car	40%
Passenger in a Car	2%
Bicycle	3%
On Foot	15%
<b>Total</b>	<b>100%</b>

6.8.17 The mode share of 40% for staff is considered by Transportation Officers to be relatively high however it is recognised that those staff working a night shift may for personal security reasons prefer use of a private car or lift rather than public transport. Twenty staff is the maximum number of staff predicted with the daytime shift, and visitors to patients are expected to be at 60% of patients per day. A further 17 delivery and servicing movements are predicted per day.

*Workplace Travel plan*

6.8.18 Transportation Officers note that a draft workplace travel plan has been included within the application. This does include the initiatives expected such as the issuing of packs to advise as to public transport services, however other documents in the application reference car sharing and use of a minibus to pick up and drop off staff. Broadly speaking it is considered that the provision of bus services in both directions throughout the day will enable bus and tube travel to the site, but the proposal for minibus provision as an additional means of encouraging less staff use of cars is welcomed.

6.8.19 Transportation Officers advise that a Monitoring fee will be required to cover officer time in reviewing the travel mode surveys and any other travel plan or transportation related aspects of the development and travel plan once occupied and operational. This fee will be £10,000 for a 5 year travel plan and can be covered by the S106 agreement for the development.

*Delivery and servicing arrangements*

6.8.20 Transportation Officers note that it is proposed that all delivery and servicing activity can be accommodated on site. A one-way route is proposed through the

site and therefore access and egress can occur in forward gear. A service bay is included at ground floor level. Waste will be stored at basement level in a dedicated storage area. The commercial nature of the site requires a private refuse collection, which will take place within the site. LBH waste team are understood to be supportive of the proposed arrangements which include collection from both within the site and from the public highway with arrangements to store bins without impeding the footway.

#### *Construction Logistics Plan*

6.8.21 Transportation Officers note that an outline Construction Logistics Plan has been submitted. This references a two year build out. It also comments that all construction activity can take place within the site without the need for any temporary arrangements on the highway, however widening of the existing vehicular access off Courtenay Avenue is required. A basement excavation and construction plan is required, including import and export of materials and plant, and measures to avoid impacting the safe operation of the public Highway.

#### *Potential use of treatment room at ground level*

6.8.22 Transportation Officers note that the proposed use of a room at ground floor is unclear but has been informally referred to as potential GP / dentist or similar. The applicant has confirmed that if this is to be the case, a single patient will be seen at any one time, so at most one or two extra trips will be generated, aside from extra staff. Transportation Officers advise that is not a concern however this should be capped by condition, so as to prevent undesirable uplift in traffic.

#### *Summary*

6.8.23 Transportation Officers advise that despite the low PTAL the proposed development is considered to provide reasonable accessibility to public transport, with easy access to and from three tube stations and buses. The site would provide suitable levels of car parking for staff and visitors, further mitigated through visitor requirement to make reservations. The access arrangements will ensure free flow of serving and delivery vehicles. The site would provide suitable levels of cycle parking. A Green Travel Plan, including minibus drop off and pick up for staff, will encourage lower car use. On this basis it is considered that the impact on parking, transport and highway safety will be acceptable.

### **6.9 Tress, Ecology and Landscaping**

6.9.1 London Plan Policy G7 states that wherever possible existing trees of value should be retained, if a development necessitates removal of trees then there should be adequate replacement, in line with. The planting of new trees should generally be included in new developments. Developments that are likely to be

used by children and young people should increase opportunities for play and informal recreation, in accordance with London Plan Policy S4.

- 6.9.2 Local Plan Policy SP11 notes that development should promote high quality landscaping on and off site. Development should protect and improve sites of biodiversity and nature conservation, in line with Local Plan Policy SP13. Opportunities for biodiversity enhancement should be maximised, in accordance with DM DPD Policy DM21.
- 6.9.3 The supporting text to Local Plan 2017 Policy SP13 recognises, “trees play a significant role in improving environmental conditions and people’s quality of life”, where the policy in general seeks the protection, management and maintenance of existing trees. Policy SO4.4 of the Highgate Neighbourhood Plan seeks to ‘protect and enhance the area’s village character through conservation of its natural features, including trees’ while policy OS2 of the Highgate Neighbourhood Plan states that there should be no net loss of trees as a result of development and pro rata replacement will be expected.
- 6.9.4 The site falls within an Area TPO which covers an area bounded on the north side by the Highgate Golf Course, on the east side by Sheldon Avenue, on the south side by Hampstead Lane and on the west side by the rear boundaries of properties on the west side of Courtenay Avenue. The Area TPO was made in 1954 and covers the trees that were in situ at that time. 44-46 Hampstead Lane also falls within the Highgate Conservation Area.
- 6.9.5 The proposed development would involve the loss of 4 large trees in the rear of the site. These are defined as T15 (Leyland Cypress), T17 (Common Oak), T18 and T33 (Lawson Cypresses). These are mature trees but only T33 is classed as moderate quality (Category B), with the other three trees categorised as low grade (Category C). T15 and T33 were both previously refused permission to be removed on the basis that there was lack of evidence to justify the works in isolation. However, the proposed removal has been considered in this application and reviewed by the Council’s Arboriculturalist agrees that the removal would be acceptable and can be sufficiently mitigated.
- 6.9.6 A group of 4 trees would also be removed from the front of site but these are low quality and not worthy of retention in planning terms. The proposals include the planting of ten multi-stemmed trees and fifteen proposed new trees within the scheme, as detailed in the Biodiversity Net Gain document. This would constitute an uplift of 17 trees on site. The proposed trees will be required to provide a net gain in tree canopy and will form part of a comprehensive landscaping scheme. This mitigation is considered to be suitable justification for the removal of trees.
- 6.9.7 There are a number of other trees within or adjacent to the site, which will require protection during construction and suitable conditions will be attached accordingly. Specific concern was raised with regard to the root protection area

(RPA) of the large Plane tree in front of the site (T26 and T27) but subsequent clarification has confirmed this and that these will also be protected in construction through a detailed methodology and tree protection condition.

- 6.9.8 The loss of any trees is regrettable but will be compensated by re-planting and a comprehensive landscape plan. A provisional Master Landscape Plan has been reviewed by the Council's Arboroculturalist, who confirms that this provides suitable mitigation.

### *Ecology*

- 6.9.9 The site has no ecological designation but is adjacent to Metropolitan Open Land (MOL) of Highgate Playing Fields to the west. Kenwood House is located to the south, on the opposite side of Hampstead Lane highway. Kenwood House grounds are also designated as MOL, Site of Special Scientific Interest and Site of Importance for Nature Conservation. These do not result in any specific restrictions over the application site, beyond considering setting and openness (as addressed elsewhere in this report) but do form part of the wider ecological context.
- 6.9.10 Ecology Reports (Ecology Ecological Impact Assessment, Ecology Addendum and information collated in Bat Assessment Report), comprising a desk study search for baseline information on designated sites, habitats and protected species have been provided. Site visits and Habitat Surveys seek avoidance, mitigation and compensation measures for vegetation, trees, continued roosting opportunities for bats, ecological enhancement opportunities measures and Biodiversity Net Gain are also referenced. These have been reviewed by the Council's Ecological officer and considered acceptable.
- 6.9.11 The reports confirm a low potential of bat roostings, but make reference to a 'toolbox talk' from an ecologist to ensure all contractors are aware of any potential signs. This is considered to be sufficient protection given the preliminary assessment. Any light spill is considered to be reasonably contained within the building and can be managed externally, subject to condition. As such this is not considered to harm adjacent ecological areas.
- 6.9.12 All preliminary works are recommended outside of any nesting season of breeding birds and with site clearance works recommended to be undertaken between September and middle of March. If this is not possible then a suitably qualified ecologist will be required to review the site prior to the commencement of works, which will be conditioned. Furthermore, a Landscape and Ecological Management Plan shall be included to inform the Biodiversity Net Gain Report. On this basis, it is considered that the proposed removal of trees, replacement landscaping and ecological mitigations are acceptable.

### *Urban Greening Factor*

6.9.13 London Plan Policy G5 notes that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design. The Mayor recommends a target urban greening factor score of 0.4 for developments that are predominantly residential. London Plan Policy G6 outlines that proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. The Biodiversity Net Gain calculation shows a net gain of 10.18%, which is above the 10% requirement due to come into force in November 2023, as set out in the Environment Act 2021. This is supported in principle, but this should be evidenced with measurable and implemented biodiversity benefits. An Urban Greening Factor Statement will require a target score of 0.4 for developments which are predominately residential, to be achieved through condition.

## 6.10 Sustainability

6.10.1 The NPPF requires development to contribute to the transition to a low carbon future, reduce energy consumption and contribute to and conserve the natural environment.

6.10.2 London Plan Policy SI 2 'Minimising greenhouse gas emissions', states that major developments should be zero carbon, and in meeting the zero-carbon target, a minimum on-site reduction of at least 35 per cent beyond Building Regulations is expected. Local Plan Policy SP4 requires all new developments to introduce measures that reduce energy use and carbon emissions. Residential development is required to achieve a reduction in CO<sub>2</sub> emissions. Local Plan Policy SP11 requires all development to adopt sustainable design and construction techniques to minimise impacts on climate change and natural resources.

6.10.3 DPD Policy DM1 states that the Council will support design-led proposals that incorporate sustainable design and construction principles and Policy DM21 expects new development to consider and implement sustainable design, layout and construction techniques.

6.10.4 The proposed development has sought to adopt a progressive approach in relation to sustainability and energy to ensure that the most viable and effective solution is delivered to reduce carbon emissions. An energy statement was submitted with the application which demonstrates that consideration has been given to sustainable design principles throughout the design of the proposal. Overall this shows a site-wide improvement of approximately 37% in carbon emissions with SAP10.2 carbon factors, from the Baseline development model

(which is Part L 2021 compliant). This represents an annual saving of approximately 13 tonnes of CO<sub>2</sub> from a baseline of 35.2 tCO<sub>2</sub>/year.

- 6.10.5 The proposal would represent a saving of 5.7 tCO<sub>2</sub> in carbon emissions (16%) through improved energy efficiency standards in key elements of the build, based on SAP10.2 carbon factors. Such elements include floor, windows, wall and roof u-values, cooling, heating, lighting and thermal bridging. Further details and clarification for these inputs are required to be provided as the energy strategy evolves and will be required through planning conditions and obligations. This is considered to be acceptable as the proposal will meet the minimum 15% reduction set in London Plan Policy SI2 for non-residential developments.
- 6.10.6 The site is not within reasonable distance of a proposed Decentralised Energy Network (DEN), so 'Be Clean' carbon reductions are not suitable. Likewise, a Combined Heat and Power (CHP) plant would not be appropriate for this site.
- 6.10.7 'Be Green' carbon reductions require a minimum reduction of 20% from on-site renewable energy generation to comply with Policy SP4. The application has reviewed the installation of various renewable energy technologies and concludes that air source heat pumps (ASHPs) and solar photovoltaic (PV) panels are the most viable options to meet this requirement. A total of 7.3 tCO<sub>2</sub>/year (21%) reduction of emissions are proposed under Be Green measures, which is considered acceptable.
- 6.10.8 The total solar array peak output would be 24 kWp. The 60 panels of 400W would be installed horizontally or at a low angle of 10° or less on the flat roof areas. The communal air-to-water ASHP systems (min. SCOP of 3.99) will provide space heating to the habitable rooms through wet underfloor heating, as well as hot water generation and space cooling (SEER 4.92). Further clarification on PV coverage and any surplus storage and distribution and interaction with the living roofs will be required through condition, as will further details on heating and hot water demand and the functioning of the ASHPs.
- 6.10.9 London Plan Policy SI2 requests all developments to 'be seen', to monitor, verify and report on energy performance. The GLA requires all major development proposals to report on their modelled and measured operational energy performance. The intention is to improve transparency on energy usage on sites, reduce the performance gap between modelled and measured energy use, and provide the applicant, building managers and occupants clarity on the performance of the building, equipment, and renewable energy technologies. Further detail on metering strategy, unregulated emissions and proposed demand-side response to reducing energy: smart grids, smart meters, battery storage and planning stage energy performance will be required through conditions and obligations.

- 6.10.10 Overall a carbon shortfall of 22.2 tCO<sub>2</sub>/year remains. The remaining carbon emissions will need to be offset at £95/tCO<sub>2</sub> over 30 years, which is estimated to be £63,327 with a 10% management fee resulting in total of £69,659.70 carbon offset. This is an estimate and will be subject to the detailed design stage. This figure will be secured by legal agreement should consent be granted.
- 6.10.11 An Overheating Assessment has been submitted which details various measures that have been incorporated to minimise the risk of overheating as part of the overall energy strategy. Details of the proposed mitigation measures for the future weather will need to be modelled however the Council's Carbon Officer is satisfied this can be adequately addressed at a later stage, and as such this matter can be secured by condition.
- 6.10.12 A BREEAM Design Stage accreditation certificate confirming that the development will achieve a BREEAM 'Very Good' outcome (or equivalent), aiming for 'Excellent' will be prior to the commencement of works, and as such this matter can be secured by condition should consent be granted.

#### *Further requirements*

- 6.10.13 No reference has been made to reducing whole-life carbon within the proposed development. The applicant is strongly encouraged to consider using low-carbon materials, sourced as locally as possible. Likewise, no reference has been made to integrating circular economy principles within the proposed development and consider implementing circular economy principles, such as designing for disassembly and reuse in the demolition. These will form part of the wider sustainability strategy condition.

#### *Summary*

- 6.10.14 The development achieves a reduction of 37% carbon dioxide emissions on site against Part L2021, which is acceptable in principle. Further information and clarifications are required regarding overheating assessment and mitigation strategy, and overall sustainability strategy. Appropriate planning conditions and obligations are considered appropriate in achieving successful outcomes for the site.

### **6.11 Flood Risk and Drainage**

- 6.11.1 London Plan (2021) Policy SI.13 (Sustainable drainage) and Local Plan (2017) Policy SP5 (Water Management and Flooding) require developments to utilise Sustainable Urban Drainage Systems (SUDS) unless there are practical reasons for not doing so, and aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible in line with the drainage hierarchy.



6.11.2 Policy also requires drainage to be designed and implemented in ways that deliver other policy objectives, including water use efficiency and quality, biodiversity, amenity and recreation. Further guidance on implementing Policy SI.13 is provided in the Mayor's Sustainable Design and Construction SPG (2014) including the design of a suitable SUDS scheme. The site is located within Flood Zone 1 and is therefore considered to have a low probability of flooding. The applicant has submitted a Flood Risk Assessment (FRA) which is considered acceptable in this regard.

6.11.3 A Sustainable Urban Drainage report has been submitted with hydraulic modelling for all surface water runoff. Overall, this verifies that less impermeable surface will be present in the proposed development on the basis of the proposed landscaping alongside additional SuDS measures. Six raingarden planters and approximately 300sqm of green roofs have been included to allow gradual release of rainwater. All surface water runoff will discharge into a below ground attenuation tank and be released at a reduced rate. Overall, the reduction in surface water run off for a 1 in 100 year storm event following the inclusion of the SuDS proposed will be 93.35%.

6.11.4 The SuDS report outlines methodology for maintenance of the site and associated drainage infrastructure and landscaping, including green roofs and raingarden planters to ensure such methods remain efficient. Accordingly the proposed SuDS arrangements are considered to be beneficial to the site and in accordance with policy.

6.11.5 Thames Water raises no objection with regards to foul water sewerage network infrastructure, surface water network infrastructure capacity, water network and water treatment infrastructure capacity. Thames Water recommends a condition regarding piling and sewage and further informatives regarding Thames Water's underground assets and water pressure.

6.11.6 As such, it is considered that the proposal is acceptable in terms of its water management arrangements subject to the relevant informative being imposed.

## **6.12 Archaeology**

6.12.1 Section 16 of the NPPF recognises the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration and that applications should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. These considerations are reiterated in London Plan Policy HC1 and DPD Policy DM9.

6.12.2 The site is located within a recently defined Archaeological Priority Area for the mediaeval hunting park of the Bishop of London, sited on the southern edge of

the park's extent, Hampstead Lane having followed its boundary since at least the middle ages. A Heritage Statement has been submitted with the application, which states that the site is of low archaeological potential but Historic England Greater London Archaeological Advisory Service officers have suggested that there is an unusual narrow strip of land that crosses the site on nineteenth century mapping and this may reflect a pre-modern land use and that further investigation will be required. As such a condition regarding written scheme of investigations will be required and any findings suitably addressed.

## **6.13 Employment**

6.13.1 Local Plan Policies SP8 and SP9 aim to support local employment, improve skills and training, and support access to jobs. The Council's Planning Obligations SPD requires all major developments to contribute towards local employment and training.

6.13.2 There would be opportunities for borough residents to be trained and employed as part of the construction process and once the proposed development is occupied. The Council requires the developer (and its contractors and sub-contractors) to notify it of job vacancies, to employ a minimum of 20% of the on-site workforce from local residents (including trainees nominated by the Council) during and following construction. These requirements would be secured by legal agreement. As such, the development would have a positive impact on local employment provision.

## **6.14 Fire Safety**

6.14.1 London Plan Policy D12 states that all major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

6.14.2 The applicant has submitted a fire safety strategy report which confirms that fire safety details are sufficient for the purpose of planning. A formal detailed assessment will be undertaken for fire safety at the building control stage. The London Fire Brigade has confirmed that there are no objections to the application in respect of fire safety.

## **6.15 Conclusion**

- The need for care homes and specifically dementia care have been suitably justified;
- The scheme optimises the potential of the site for a new modern care home, specialising in dementia care;
- The care home facility would provide 66 bedrooms alongside specialist staff and tailored care;

- The proposed development would be a high quality design of an appropriate scale to its context and would respect the visual amenity of the streetscape and locality generally;
- The proposed development will lead to a very low, less than substantial harm to the significance of the Conservation area and its assets while optimising the use of the site and its garden;
- The proposed redevelopment will preserve the relationship with the setting of the listed buildings at Kenwood House and would not constitute harm to these designated heritage assets;
- The impact of the development on residential amenity is acceptable;
- There would be no significant adverse impacts on the surrounding highway network or on car parking conditions in the area;
- The proposed scheme will be more sustainable and energy efficient than the existing buildings;
- The proposed development would result in the loss of 4 significant trees in the rear of the site and small group of 4 trees in the front of the site but would be replaced with newly planted trees - ensuring there is no net loss of crown coverage and improved biodiversity The new trees will form part of a high quality and substantially sized landscaping scheme as part of the proposed development;
- The scheme would provide a number of section 106 obligations

6.15.1 All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

## **7.0 CIL**

The use of the site will be for a managed care facility and as such is subject to a Nil Rate for CIL.

## **8.0 RECOMMENDATIONS**

GRANT PERMISSION subject to conditions subject to conditions in Appendix 1 and subject to sec.106 Legal agreement.

Conditions:

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications:

Drawings:

1627/PL-001; 002; 100; 101; 102; 110; 111; 120; 199/G; 200/G; 201/H; 202/H; 203/H; 204/H; 206/G; 210/F; 211/F; 212/F; 213/C; 220/E; 221/E; 222; 251/F; 252/F; 253/F; 254/F; 600/B; 6678/M/101/P; 6678/ PH/101/P1; 102/P1; 103/P1; 104/P1; 105/P1; 106/P1; 707/P\_LG\_100/P02; 00\_1-1/P02; XX\_105/P02

Documents:

1627/PL/DAS/C; Statement of Community Involvement (September 2022);  
BVP – Daylight & Sunlight (August 2022);  
11860 – Two hours sunlight to Amenity – Neighbour Analysis  
SM Planning – Planning Statement (September 2022);  
HPC Care Home Needs Assessment (June 2022);  
Knight Frank – Planning Needs Assessment – July 2022; HPC letter (30 November 2022);  
Landmark Trees HVL/44HSL/AIA/01d;  
Caneparo Associates – Transport Statement (July 2022);  
Caneparo Associates – Workplace Travel Plan (July 2022);  
Caneparo Associates – Framework Delivery & Servicing Plan (July 2022);  
Caneparo Associates – Outline Construction Logistics Plan (July 2022);  
Air Quality Consultants – J10/12544A/10 (September 2022);  
FHP ESS Ltd – Energy & Sustainability Statement (06 September 2022);  
FHP ESS Ltd – 6678/Iss\_4 (9 September 2022);  
Eight Versa - 10032 - 44 - 46 Hampstead Road - Bat Assessment Report - 2210-12snc rw/Issue\_1;  
Eight Versa - 10032 - 44-46 Hampstead Lane – Biodiversity Net Gain - 2210-13snc sc/Issue\_1;  
Eight Versa - 10032 - 44-46 Hampstead Lane - Ecology Addendum - 2210-12snc rw;  
KP Acoustics - 22320.NIA.01;  
Ashton|Fire - AF2389 (Issue P03);  
Nimbus Engineering Consultants - C2823-R1-REV-A;  
GEA – Desk Study & Basement Impact Assessment - J21167A (December 2021);  
Heritage Statement - Volume 1 – Background and Significance Assessment;  
Heritage Statement - Volume 2 – Impact Assessment and Policy Consideration;  
Email from ESP@safedigs.co.uk (16 June 2021);  
Linesearch beforeudig – LSBUD Ref 22423513 (16/06/2021);  
Thames Water- RFB/VM/6678/5a (16 June 2021);  
UK Power Networks - RFB/SAS/6678/03 (16 June 2021);  
Virgin Media email;  
Cadent Gas ALS Maps;  
BT Openreach ALS maps;  
BT Infinity Postcode search results.

Reason: In order to avoid doubt and in the interests of good planning.

3. Prior to the commencement of buildings works above grade, detailed drawings, including sections, to a scale of 1:20 to confirm the detailed design and materials of the:
  - a) Detailed elevational treatment;
  - b) Detailing of roof treatment;
  - c) Details of windows, including recess and obscuring of the flank windows;
  - d) Details of entrances;

- e) Details and locations of rain water pipes;
- f) Details of any external extract, ventilation and filtration equipment;
- g) Details of balustrades; and
- h) Details of any standalone storage buildings.

Shall be submitted to and approved in writing by the Local Planning Authority. Samples of brickworks, windows, roof, glazing, balustrade, should also be provided. The development shall thereafter be carried out solely in accordance with the approved details (or such alternative details the Local Planning Authority may approve).

Reason: To safeguard and enhance the visual amenities of the locality in compliance with Policy SP11 of Haringey's Local Plan Strategic Policies 2017, Policies DM1 and DM9 of the Development Management Development Plan Document 2017, Policies D4 and HC1 of the London Plan 2021 and Policy DH2 of the Highgate Neighbourhood Plan 2017.

4. Prior to occupation of the development details of exact finishing materials to the boundary treatments and site access controls shall be submitted to the Local Planning Authority for its written approval. Once approved the details shall be provided as agreed and implemented in accordance with the approval.

Reason: In order to provide a good quality local character, to protect residential amenity, and to promote secure and accessible environments in accordance with Policy D4 of the London Plan 2021, Policies DM1, DM2 and DM3 of the Development Management Development Plan Document 2017 and Policy DH2 of the Highgate Neighbourhood Local Plan 2017.

5. Prior to the commencement of the development above slab level full details of both hard and soft landscape works that shall achieve an urban greening factor of 0.4 shall be submitted to and approved in writing by the Local Planning Authority, and these works shall thereafter be carried out as approved. These details shall include information regarding, as appropriate:

- a) Proposed finished levels or contours;
- b) Means of enclosure;
- c) Hard surfacing materials;
- d) Minor artefacts and structures (e.g. Furniture, storage units, signs, lighting etc.); and
- e) Proposed and existing functional services above and below ground (e.g. Drainage power, communications cables, pipelines etc. Indicating lines, manholes, supports etc.).

Soft landscape works shall include:

- f) Planting plans;
- g) Written specifications (including details of cultivation and other operations associated with plant and/or grass establishment);
- h) Schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate;
- i) Implementation and management programmes;
- j) Any new trees and shrubs to be planted together with a schedule of species to provide at least a net gain of tree canopy.

The approved scheme of planting, seeding or turfing comprised in the approved details of landscaping shall be carried out and implemented in strict accordance with the approved details in the first planting and seeding season following the occupation of the building or the

completion of development (whichever is sooner). Any trees or plants, either existing or proposed, which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species. The landscaping scheme, once implemented, is to be retained thereafter.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policies D4 and G5 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.

6. Prior to first occupation of the development hereby approved details of a lighting strategy for all external lighting to building facades, internal lighting, street furniture, communal and public realm areas shall be submitted to and approved in writing by the Local Planning Authority. Outdoor lighting will aim to minimise light spill, with light spread near to or below the horizontal; use light sources that emit minimum ultra-violet light to avoid attracting large numbers of insects; be as low-level and directional as possible; and be the minimal level required for health and safety. The agreed lighting scheme shall be installed as approved and retained as such thereafter.

Reason: To ensure the design quality of the development and also to safeguard residential amenity and ecology in accordance with Policies D4 and D11 of the London Plan 2021, Policy SP13 of Haringey's Local Plan Strategic Policies 2017 and Policy DM1 and DM23 of the Development Management Development Plan Document 2017.

7. No development shall proceed until details of all existing and proposed levels on the site in relation to the adjoining properties be submitted and approved by the Local Planning Authority. The development shall be built in accordance with the approved details.

Reason: In order to ensure that any works in conjunction with the permission hereby granted respects the height of adjacent properties through suitable levels on the site in accordance with Policy D4 of the London Plan 2021, Policy DM1 of the Development Management Development Plan Document 2017, Policy SP11 of Haringey's Local Plan Strategic Policies 2017 and Policy DH2 of the Highgate Neighbourhood Local Plan 2017.

8. No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then a stage 2 WSI shall be submitted to and approved in writing by the local planning authority for those parts of the site which have archaeological interest. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:
  - A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

- B. Where appropriate, details of a programme for delivering related positive public benefits
- C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason: To ensure any heritage assets of archaeological interest are identified and suitably analysed and assessed in accordance with the NPPF and London Plan Policy HC1 and Policy DM9 of the Development Management Development Plan Document 2017.

- 9. Prior to the commencement of above ground works to 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. 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.

- 10. Prior to the first occupation of each building or part of a building or use, 'Secured by Design' certification shall be obtained for such building or part of such building or use.

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.

- 11. Prior to commencement of development, other than for investigative work, the following shall be submitted and approved by the Local planning Authority:

- a. A desktop study to include the identification of previous uses, potential contaminants that might be expected, given those uses, and other relevant information.
- 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.
- 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.
- 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.
- 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.

Reason: To ensure the development can be implemented and occupied with adequate regard for environmental and public safety in accordance with Policy DM23 of the Development Management Development Plan Document 2017.

12. 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.

Reason: 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 and in accordance with Policy DM27 of the Development Management Development Plan Document 2017.

13. (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. ( 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.

Reason: To protect local air quality and comply with Policy SI1 of the London Plan 2021 and the GLA NRMM LEZ

14. (A) No demolition or development works shall commence until a Demolition Environmental Management Plan (DEMP) has been submitted to and approved in writing by the local planning authority.

(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.

The following applies to both Parts (a) and (b) above:

- a) The DEMP/CEMP shall include a Construction Logistics Plan (CLP) and Air Quality and Dust Management Plan (AQDMP).
- b) The DEMP/CEMP shall provide details of how demolition/construction works are to be undertaken respectively and shall include:
  - i. A construction method statement which identifies the stages and details how works will be undertaken;



- 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;
- iii. Details of plant and machinery to be used during demolition/construction works;
- iv. Details of an Unexploded Ordnance Survey;
- v. Details of the waste management strategy;
- vi. Details of community engagement arrangements;
- vii. Details of any acoustic hoarding;
- viii. A temporary drainage strategy and performance specification to control surface water runoff and Pollution Prevention Plan (in accordance with Environment Agency guidance);
- ix. Details of external lighting; and,
- x. Details of any other standard environmental management and control measures to be implemented.

Reason: To safeguard residential amenity, reduce congestion and mitigate obstruction to the flow of traffic, protect air quality and the amenity of the locality, in accordance with Policy SI 1 of the London Plan 2021, Policy SP7 of Haringey's Local Plan Strategic Policies 2017 and Policy DM19 and DM23 of the Development Management Development Plan Document 2017.

15. Prior to any demolition works a Construction Ecological Management Plan incorporating the mitigation and enhancements options from the Bat survey report, including toolbox talk to all contractors onsite by a suitably qualified bat licenced ecologist shall be submitted to and approved, in writing, by the Local Planning Authority and thereafter shall be implemented and retained in accordance with the approval.

Reason: In order to ensure that the authorised development makes a positive contribution to biodiversity in accordance with Policy DM1, DM23 and DM27 of the Development Management Development Plan Document 2017.

16. Prior to the commencement of above ground works a Landscape Ecological Management and Maintenance Plan to ensure the safeguarding of the proposed net gain shall be submitted to and approved, in writing, by the Local Planning Authority and thereafter shall be implemented and retained in accordance with the approval.

Reason: In order to ensure that the authorised development makes a positive contribution to biodiversity in accordance with Policy G6 of the London Plan 2021, Policy SP13 of Haringey's Local Plan Strategic Policies 2017, Policy DM19 of the Development Management Development Plan Document 2017 and Policy OS4 of the Highgate Neighbourhood Plan 2017.

17. No removal of vegetation or demolition shall take place between 15<sup>th</sup> March and 1<sup>st</sup> September unless evidence is provided to the Local Planning Authority detailing a site visit by a suitably qualified ecologist undertaken and that any active nests are suitably removed no later than 4 weeks prior to the commencement of works.

Reason: To prevent disturbance of nesting birds in bird breeding season Policy G6 of the London Plan 2021, Policy SP13 of Haringey's Local Plan Strategic Policies 2017, Policy DM19 of the Development Management Development Plan Document 2017 and Policy OS4 of the Highgate Neighbourhood Plan 2017.

18. No development should take place until an arboricultural method statement for any works within the root protection areas is submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented and retained in accordance with the approval.

Reason: In order to ensure the safety and well-being of the trees on the site during constructional works that are to remain after building works are completed in accordance with Policy G7 of the London Plan 2021, Policy SP13 of Haringey's Local Plan Strategic Policies 2017 and Policy OS2 of the Highgate Neighbourhood Plan 2017.

19. The development hereby approved shall be constructed in accordance with the tree protection plan and method statements and shall be overseen by an Arboriculturist to be retained until completion of the development.

Reason: In order to ensure the safety and wellbeing of the trees on the site during constructional works that are to remain after building works are completed in accordance with Policy G7 of the London Plan 2021, Policy SP13 of Haringey's Local Plan Strategic Policies 2017 and Policy OS2 of the Highgate Neighbourhood Plan 2017.

20. Prior to the commencement of above ground works a Landscape Plan and aftercare programme shall be submitted to and approved, in writing, by the Local Planning Authority and thereafter shall be implemented and retained in accordance with the approval.

Reason: In order for the Local Planning Authority to assess the acceptability of any landscaping scheme in relation to the site itself, thereby ensuring a satisfactory setting for the proposed development in the interests of the visual amenity of the area consistent with Policies D4 and G1 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.

21. The development hereby approved shall be constructed in accordance with the Energy and Sustainability Statement prepared by PHP Engineering Services Solutions Ltd (dated 6 Sep 2022) delivering a minimum 37% improvement on carbon emissions over 2021 Building Regulations Part L, with SAP10.2 emission factors, high fabric efficiencies, air source heat pumps (ASHPs) and a minimum 24 kWp solar photovoltaic (PV) array.

(a) Prior to above ground construction, details of the Energy Strategy shall be re-submitted to and approved by the Local Planning Authority. This must include:

- Confirmation of how this development will meet the zero-carbon policy requirement in line with the Energy Hierarchy;
- Confirmation of the necessary fabric efficiencies to achieve a minimum 15% reduction with SAP10.2 carbon factors;
- Details to reduce thermal bridging;
- Calculated Primary Energy Factor, Energy Use Intensity and its performance against GLA benchmarks for a similar use.
- Annotated floorplans showing which spaces will be cooled.
- Location, specification and efficiency of the proposed ASHPs (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
- Specification and efficiency of the proposed Mechanical Ventilation and Heat Recovery (MVHR), with plans showing the rigid MVHR ducting and location of the unit;

- Details of the PV, demonstrating the roof area has been maximised, with the following details: a roof plan; the number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp); and how the energy will be used on-site before exporting to the grid;
- Updated GLA Carbon Emission Spreadsheet for Part L 2021 to demonstrate that the solar PV generation has been appropriately reflected in the above energy hierarchy.
- Specification of any additional equipment installed to reduce carbon emissions;
- Details on how lighting energy demand has been improved.
- A metering strategy

The development shall be carried out strictly in accordance with the details so approved prior to first operation and shall be maintained and retained for the lifetime of the development. The solar PV array shall be installed with monitoring equipment prior to completion and shall be maintained at least annually thereafter.

(b) The solar PV arrays and air source heat pump must be installed and brought into use prior to first occupation of the relevant block. Six months following the first occupation of that block, evidence that the solar PV arrays have been installed correctly and are operational shall be submitted to and approved by the Local Planning Authority, including photographs of the solar array, installer confirmation, an energy generation statement for the period that the solar PV array has been installed, and a Microgeneration Certification Scheme certificate.

(c) Within six months of first occupation, evidence shall be submitted to the Local Planning Authority that the development has been registered on the GLA's Be Seen energy monitoring platform.

(d) Within one year of first occupation, evidence shall be submitted to and approved by the Local Planning Authority to demonstrate how the development has performed against the approved Energy Strategy and to demonstrate how occupants have been taken through training on how to use their homes and the technology correctly and in the most energy efficient way and that issues have been dealt with. This should include energy use data for the first year and a brief statement of occupant involvement to evidence this training and engagement.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with Policy S12 of the London Plan 2021, Policy SP4 of Haringey's Local Plan Strategic Policies 2017 and Policies DM21 and DM22 of the Development Management Plan Document 2017.

22. Prior to above ground commencement of development, details of the sustainability strategy shall be submitted to and approved by the Local Planning Authority. This shall include specifications, plans and sections that demonstrate sustainable design, layout, construction techniques and proposed measures to improve the sustainability of the scheme including but not limited to sustainable transport, health and wellbeing, reduction of material use and waste, water consumption, and flood risk, drainage improvements, and biodiversity enhancement. The report shall include:

- Urban greening and biodiversity enhancement measures;
- Details on electric vehicles charging points, cycle parking facilities;

- A target percentage for responsibly sourced, low-impact materials used during construction;
- Justification for the demolition of the existing buildings in terms of its impact on the whole life carbon of the development and the circular economy principles;
- Details on how any demolition materials can be reused;
- Details on how surface water runoff will be reduced and overall sustainable drainage strategy;
- Climate Change mitigation measures to be considered for the external spaces and the impact of the increase in severity and frequency of weather events on the building structures.

Reason: To ensure the development provides the maximum provision towards increasing the level of sustainability in line with London Plan (2021) policies G6, SI7 and Haringey Local Plan Policy SP4, DM21, DM25, and DM29.

23. Prior to the above ground commencement of the development, an updated Overheating Report shall be submitted to and approved by the Local Planning Authority. The report will assess the overheating risk in line with CIBSE TM59 (using the London Weather Centre TM49 weather DSY1-3 files for the 2020s, and DSY1 for the 2050s and 2080s) and demonstrate how the overheating risks have been mitigated and removed through design solutions. These mitigation measures shall be operational prior to the first occupation of the development hereby approved and retained thereafter for the lifetime of the development.

This report shall include:

(a) Revised modelling of units modelled based on CIBSE TM59, using the CIBSE TM49 London Weather Centre files for the DSY1-3 (2020s) and DSY1 2050s and 2080s, high emissions, 50% percentile;

- Demonstrating the mandatory pass for DSY1 2020s can be achieved following the Cooling Hierarchy and in compliance with Building Regulations Part O, demonstrating that any risk of crime, noise and air quality issues are mitigated appropriately evidenced by the proposed location and specification of measures;
- Annotated floorplans showing which spaces/units have been modelled. The report should model all single-aspect dwellings, min. 75% of rooms facing south or south-west, min. 50% of top-floor rooms, rooms closest to any risk of crime / noise and / or air pollution source, with windows closed at all times.
- In addition, the report should model other communal areas: in particular, the south-west facing treatment room and north-east facing café on the ground, lounge and the quiet room on south-west part of the first floor.
- One or two worst-case hallways need to be included, with a realistic assumption of the heat gains from communal heating pipework.
- Modelling of proposed mitigation measures required to pass future weather files, clearly setting out which measures will be delivered before occupation and which measures will form part of the retrofit plan;
- Confirmation who will be responsible to mitigate the overheating risk once the development is occupied.
- Confirmation whether the MVHR will have a summer bypass.

(b) Prior to occupation of the development, details of internal blinds to all habitable rooms must be submitted for approval by the local planning authority. This should include the fixing mechanism, specification of the blinds, shading coefficient, etc. Occupiers must retain internal blinds for the lifetime of the development or replace the blinds with equivalent or better shading coefficient specifications.

(c) Prior to occupation, the development must be built in accordance with the approved overheating measures and retained thereafter for the lifetime of the development:

- Individual continuous mechanical ventilation units with heat recovery;
- Glazing g-value of 0.40;
- Active cooling;
- Any further mitigation measures as approved by or superseded by the latest approved Overheating Strategy.

Reason: In the interest of reducing the impacts of climate change, to enable the Local Planning Authority to assess overheating risk and to ensure that any necessary mitigation measures are implemented prior to construction, and maintained, in accordance with Policy SI4 of the London Plan 2021, Policy SP4 of Haringey's Local Plan Strategic Policies 2017 and Policy DM21 of the Development Management Development Plan Document.

24. (a) Prior to the above ground commencement of development, details of the living roof be submitted to and approved in writing by the Local Planning Authority. Living roof must be planted with flowering species that provide amenity and biodiversity value at different times of year. Plants must be grown and sourced from the UK and all soils and compost used must be peat-free, to reduce the impact on climate change. The submission shall include:
- i) A roof plan identifying where the living roof will be located;
  - ii) A section demonstrating settled substrate levels of no less than 120mm for extensive living roofs (varying depths of 120-180mm), and no less than 250mm for intensive living roofs (including planters on amenity roof terraces);
  - iii) Roof plans annotating details of the substrate: showing at least two substrate types across the roof, annotating contours of the varying depths of substrate
  - iv) Details of the proposed type of invertebrate habitat structures with a minimum of one feature per 30m<sup>2</sup> of living roof: substrate mounds and 0.5m high sandy piles in areas with the greatest structural support to provide a variation in habitat; semi-buried log piles / flat stones for invertebrates with a minimum footprint of 1m<sup>2</sup>, rope coils, pebble mounds of water trays;
  - v) Details on the range and seed spread of native species of (wild)flowers and herbs (minimum 10g/m<sup>2</sup>) and density of plug plants planted (minimum 20/m<sup>2</sup> with roof ball of plugs 25m<sup>3</sup>) to benefit native wildlife, suitable for the amount of direct sunshine/shading of the different living roof spaces. The living roof will not rely on one species of plant life such as Sedum (which are not native);
  - vi) Roof plans and sections showing the relationship between the living roof areas and photovoltaic array; and
  - vii) Management and maintenance plan, including frequency of watering arrangements.
  - viii) A section showing the build-up of the blue roof and confirmation of the water attenuation properties, and feasibility of collecting the rainwater and using this on site;
- (b) Prior to the occupation of 90% of the development, evidence must be submitted to and approved by the Local Planning Authority that the living roof has been delivered in line with the details set out in point (a). This evidence shall include photographs demonstrating the measured depth of substrate, planting, and biodiversity measures. If the Local Planning Authority finds that the living roof has not been delivered to the approved standards, the applicant shall rectify this to ensure it complies with the condition. The living roof shall be retained thereafter for the lifetime of the development in accordance with the approved management arrangements.

Reason: To ensure that the development provides the maximum provision towards the creation of habitats for biodiversity and supports the water retention on site during rainfall. In accordance with Policy G1, G5, G6, SI1 and SI2 of the London Plan 2021, Policies SP4, SP5, SP11 and SP13 of Haringey's Local Plan Strategic Policies 2017 and Policies DM21, DM24 and DM25 of the Development Management Development Plan Document 2017.

25. a) Prior to the commencement of development, a sustainability assessment should be submitted to the planning authority which achieves the highest possible standard have been achieved through measurable outputs to demonstrate how environmental sustainability has been integrated into the development. This may be achieved through a BREEAM Pre-Assessment with a minimum 'Very Good' rating but aiming for Excellent, or similar independently audited assessment where measurable outputs can be demonstrated. This should include a table to demonstrate which credits will be met, how many are met out of the total available, under which category, which could be achieved, and justification for which credits will not be met.

(b) Upon approval, the measures shall be implemented on site prior to occupation and maintained thereafter for the lifetime of the development. A post-construction certificate shall be submitted to the Council within six months of occupation of the development.

Reasons: In the interest of addressing climate change and securing sustainable development in accordance with Policies SI2, SI3 and SI4 of the London Plan 2021, Policy SP4 of Haringey's Local Plan Strategic Policies 2017 and Policy DM21 of Development Management Development Plan Document 2017.

26. The basement works hereby approved shall not commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body. Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith and retained for the duration of the construction works.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the policy DM18 of the Development Management DPD 2017.

27. Notwithstanding the information submitted with the application no development shall take place until the result of site specific geotechnical investigations and a final method statement for the construction of the basement, including a plan for structural monitoring of the adjoining property has been submitted to and approved in writing by the local planning authority. The Method Statement shall also demonstrate that the predicted Burland Scale at the time of the construction phase is no more than Burland Scale 1. The development thereafter shall be carried out in accordance with this approved methodology and detail.

Reason: In the interests of residential amenity and safety, and Policy DM18 of the Development Management Development Plan Document 2017 and Policy DH7 of the Highgate Neighbourhood Local Plan 2017.

28. Notwithstanding the submitted details and prior to commencement of the development hereby approved a final Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority, detailing the programme of works and providing details in respect of the construction traffic movements, material and plant storage areas, details of necessary suspended car parking spaces, details of conveyor and gantry to transfer material over the footway. The approved details thereafter shall be implemented throughout the project period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017

29. Prior to occupation of the proposed development, disabled parking bays and parking layout shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T6 of the London Plan 2021, Policies SP7 of the Haringey Local Plan 2017 and with Policy DM1 and DM32 of The Development Management DPD 2017.

30. Prior to any above ground works, details of proposed cycle storage for 42 spaces, including a provision of short stay spaces in the front forecourt and basement changing facilities must be provided in line with the London Plan 2021 and the design and implementation must be in line with the London Cycle Design Standards as produced by TfL, with such provision retained thereafter.

Reason - To ensure high quality long and short stay cycle parking for employees and visitors and contribute towards the uptake of active travel modes in accordance with Policy T5 of the London Plan 2021, Policy SP7 of Haringey's Local Plan Strategic Policies 2017, Policy DM32 of the Development Management Development Plan Document 2017 and Policy TR1 of the Highgate Neighbourhood Plan 2017.

31. A Construction Logistics Plan will be required to be submitted three months before commencement of the works on site. The Construction Logistics Plan shall include:

- a survey of the existing conditions of adjacent public highways;
- an assessment of the cumulative impacts of demolition and construction traffic;
- details of the likely volume of demolition and construction trips and any mitigation measures;
- site access and exit arrangements including wheel washing facilities and swept paths where required;
- vehicular routes, booking systems and an assessment for the scope of consolidating loads to reduce generated road trips;
- proposed temporary access and parking suspensions and any temporary access and parking solutions required;
- Site compound arrangements including arrival of vehicles, parking, loading, storage and waste arrangements;
- methods for of protection of adjacent highway infrastructure; and,

- an assessment of all matters as are likely to cause nuisance to adjoining occupiers (including but not limited to; noise, dust, smoke, road cleaning, odour control) accompanied by mitigation measures addressing all matters relevant to this particular site.

Works shall only be carried out in accordance with the approved Construction Logistics Plan.

Reason: To safeguard the amenities of the area, the local highway and manage the impacts of the development in accordance with Policies T7 and D14 of the London Plan 2021, Policy DM23 of the Development Management Development Plan Document 2017 and Policy TR2 of the Highgate Neighbourhood Plan 2017.

32. Prior to the commencement of the approved use detail of internal and external layout achieving high quality dementia care accommodation to Stirling University standards and accreditation shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented as such.

Reason: to ensure the use is optimised for dementia care use within the C2 Use Class in accordance with Policies D5 and H13 of the London Plan 2021, SP14 of Haringey's Local Plan Strategic Policies 2017, Policies DM1, DM12 and DM15 of the Development Management Development Plan Document 2017

33. Notwithstanding the plans hereby approved, the first and second floor side windows on the eastern side elevation facing no.42 Hampstead Lane shall be obscured glazed to level 3 or higher on the Pilkington scale of privacy or equivalent and shall be non-opening up to a minimum height of 1.7 m above the internal floor level of the room in which it is installed. This specification shall be complied with before the extension/ development is occupied and thereafter be retained for the lifetime of the development unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard against overlooking and loss of privacy in the interests of amenity of neighbouring occupiers and to comply with Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017.

34. Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, the care home shall be occupied by Use Class C2 dementia care provision only with a smaller component for the ancillary treatment room and shall not be used for any other purpose, unless approval is obtained to a variation of this condition through the submission of a planning application

Reason: In order to restrict the use of the premises in the interest of the amenities of the area in line with Policy DM1 of the Haringey Development Management Development Plan Document 2017.

35. Prior to the first occupation of the use hereby approved, a use plan for the use of the treatment room hereby approved, detailing discussion with ICB and NHS, and how the treatment room will be used and operated shall be submitted to the Local Planning Authority and such be retained as such unless otherwise agreed in writing.



Reason: In order to restrict the use of the premises in the interest of the amenities of the area in line with Policy DM1 of the Haringey Development Management Development Plan Document 2017.

36. The proposed treatment room facility should only be opened to patients between the hour of 08:00 to 20:00 hours and should be used by no more than 1 patient at a time.

Reason: To reduce the number of trips generated by the development and the resulting car parking demand on local roads in accordance with Policies T1 and T6 of the London Plan 2021, Policy SP7 of Haringey's Local Plan Strategic Policies 2017, Policies DM31 and DM32 of the Development Management Development Plan Document 2017 and Policies TR3 and TR4 of the Highgate Neighbourhood Plan 2017.

37. All visitors to residents of the site shall be required to make a reservation through the online / telephone booking system prior to arrival and shall provide details of the mean of travel to be used.

Reason: To minimise impacts on parking around local roads and to safeguard the amenities of the area and to encourage greater use of public transport consistent with Policies T4, T6 of the London Plan 2021, Policies SP7 of the Haringey Local Plan 2017 and with Policy DM1, DM31 and DM32 of The Development Management DPD 2017.

38. Prior to the implementation of the permission, details of any extract fans or flues shall be submitted to and approved by the Local Planning Authority prior to commencement of use and thereafter shall be implemented and retained in accordance with the approval.

Reason: In order to ensure that the proposed development does not prejudice the enjoyment by neighbouring occupiers of their properties in accordance with Policy DM23 of the Development Management Development Plan Document 2017 and Policy DH9 of the Highgate Neighbourhood Plan 2017.

39. Notwithstanding any provisions to the contrary, no telecommunications apparatus shall be installed on the building without the prior written agreement of the Local Planning Authority.

Reason: In order to control the visual appearance of the development in accordance with Policies DM1 and DM3 of the Development Management Development Plan Document 2017 and Policy DH5 of the Highgate Neighbourhood Plan 2017.

40. The placement of a satellite dish or television antenna on any external surface of the development is precluded, with the exception of a communal solution for the residential units details of which are to be submitted to the Local Planning Authority for its written approval prior to the first occupation of the development hereby approved. The provision shall be retained as installed thereafter.

Reason: To protect the visual amenity of the locality in accordance with Policies DM1 and DM3 of the Development Management Development Plan Document 2017 and Policy DH5 of the Highgate Neighbourhood Plan 2017.

41. The proposed development should include appropriate fire safety solutions and represent best practice in fire safety planning in both design and management and should include a more detailed fire strategy/fire engineered design in order to satisfy Part B of the Building Regulations - Fire Safety. This will be subject to a more detailed check by Building Control and the Fire Authority.

Reason: In the interest of fire safety to comply with Policy D12 of the London Plan 2021.

42. Noise arising from the use of any plant and associated equipment shall not increase the existing background noise level (LA90 15mins) when measured (LAeq 15mins) 1 metre external from the nearest residential or noise sensitive premises. The applicant shall also ensure that vibration/structure borne noise derived from the use of any plant or equipment does not cause nuisance within any residential unit or noise sensitive premises.

Reason: To protect residential amenity in accordance with Policies DM1 and DM23 of the Development Management Development Plan Document 2017 and Policy DH9 of the Highgate Neighbourhood Plan 2017.

43. No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure.

44. 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 that:

- a) For the calculations above, we request that the applicant utilises more up to date FEH rainfall datasets rather than usage of FSR rainfall method.
- b) Any overland flows as generated by the scheme will need to be directed to follow the path that overland flows currently follow. A diagrammatic indication of these routes on plan demonstrating that these flow paths would not pose a risk to properties and vulnerable development.
- c) 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 ensure that the principles of Sustainable Drainage are incorporated into this proposal and maintained thereafter in accordance with Policies SI1 of the London Plan 2021, Policy SP5 of Haringey's Local Plan Strategic Policies 2017 Policies DM25 and DM29 the Development Management Development Plan Document 2017.

45. Prior to first occupation of the development hereby approved the applicant shall provide detailed management plan to the Local Planning Authority, in consultation with Thames

Water, of sufficient existing foul water capacity off site to serve the development or if no such capacity exists will be required to provide an infrastructure phasing plan. Where required the development will be required to ensure all foul water network upgrades required to accommodate the additional flows from the development have been completed.

Reason – Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents in accordance with Policies SI1 of the London Plan 2021, Policy SP5 of Haringey's Local Plan Strategic Policies 2017 Policies DM25 and DM29 the Development Management Development Plan Document 2017.

46. Prior to commencement of above ground works details of the proposed generator room, justification for requirement and details of how this will be used and managed shall be submitted to and approved by the Local Planning Authority.

Reason: To ensure this is used in a compatible manner with the site and surroundings in accordance with Policy DM23 of the Development Management Development Plan Document 2017.

**Informatives:**

**INFORMATIVE:**

In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to foster the delivery of sustainable development in a positive and proactive manner.

**INFORMATIVE:**

Hours of Construction Work: The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

- 8.00am - 6.00pm Monday to Friday
- 8.00am - 1.00pm Saturday
- and not at all on Sundays and Bank Holidays.

**INFORMATIVE:**

Party Wall Act: The applicant's attention is drawn to the Party Wall Act 1996 which sets out requirements for notice to be given to relevant adjoining owners of intended works on a shared wall, on a boundary or if excavations are to be carried out near a neighbouring building.

**INFORMATIVE:**

The new development will require numbering. The applicant should contact the Local Land Charges at least six weeks before the development is occupied (tel. 020 8489 5573) to arrange for the allocation of a suitable address.

**INFORMATIVE:**

The London Fire Brigade strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and

can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. .

**INFORMATIVE:**

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 the correct procedure prior to any demolition or construction works carried out.

**INFORMATIVE:**

The waste contractor used will be required to be a licenced waste carrier that complies with the [waste duty of care code of practice](#). Details on the waste and recycling containers and services Haringey provides can be found at <https://www.haringey.gov.uk/environment-and-waste/refuse-and-recycling>

**INFORMATIVE:**

The applicant must seek the 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](mailto:docomailbox.ne@met.police.uk) or 0208 217 3813.

**INFORMATIVE:**

The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-ordiverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

**INFORMATIVE:**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**INFORMATIVE:**

There is Institution of Structural Engineers Guidance for the design and detailing of ramps and underground car parks and the applicant will need to adhere to this guidance.