

REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference Nos: HGY/2024/2168

Ward: Highgate

Address: Newstead, Denewood Road, Hornsey, London, N6 4AL

Proposal: Erection of three buildings to provide 11 residential dwellings, amenity space, greening, cycle parking and associated works

Applicant: ACO Development Ltd

Ownership: Private

Case Officer Contact: Roland Sheldon

Date received: 05/08/2024 **Last amended:** 23/09/2025

SUMMARY OF KEY REASONS FOR RECOMMENDATION

- The site already has an extant planning permission for 13 residential units under planning permission HGY/2018/3205
- The proposed development would bring back in to use a brownfield site which has been vacant for a number of years with a high quality designed housing scheme, representing sustainable development
- The development would provide 11 new family homes in the form of houses and would contribute to much needed housing stock in the Borough;
- The proposed development would not have any material impacts on the amenity of existing residents of adjacent and surrounding properties.;
- There would be no significant adverse impacts on existing highways conditions or parking;
- The development would introduce a high-quality soft landscaping scheme on the site;
- The scheme would provide a number of section 106 obligations including a financial contribution of £1,694,597 towards offsite affordable housing within the Borough.

2 RECOMMENDATION

- 2.1 That the Committee resolve to GRANT planning permission and that the Head of Development Management and Planning Enforcement or the Director of Planning

& Building Standards is authorised to issue the planning permission and impose conditions and informatives subject to signing of a section 106 Legal Agreement providing for the obligations set out in the Heads of Terms below

- 2.2 That delegated authority be granted to the Head of Development Management and Planning Enforcement or the Director Planning & Building Standards 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 31 October 2025 or within such extended time as the Head of Development Management and Planning Enforcement or the Director Planning, Building Standards and 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.

Conditions Summary – Planning Application HGY/2024/2168 (full text of conditions - Appendix 01).

- 1) Time Limit (Compliance)
- 2) Approved Plans and Documents (Compliance)
- 3) Materials (Prior to commencement of relevant part)
- 4) Design and Detailing (Prior to commencement of relevant part)
- 5) Boundary treatment and access control (Pre-occupation)
- 6) Landscaping (Prior to commencement of relevant part)
- 7) Biodiversity (Pre-commencement)
- 8) Lighting (Pre-occupation)
- 9) Screening Planting (Pre-occupation)
- 10) Noise from building services plant and vents (Compliance)
- 11) Secure by Design Accreditation (Pre-above ground works)
- 12) Secured by Design Certification (Pre-occupation)
- 13) Drainage and SUDS Strategy (Compliance)
- 14) Piling Method Statement (Pre-commencement)
- 15) Land Contamination (Pre-commencement)
- 16) Unexpected contamination (If identified)
- 17) NRMM (Pre-commencement)
- 18) Management and Control of Dust (Pre-commencement)

- 19) Delivery and Servicing and Waste Management Plan (Pre-occupation)
- 20) Construction Logistics and Management Plan (Pre-commencement)
- 21) Considerate Constructors (Compliance)
- 22) Energy Strategy (Pre-above ground works)
- 23) Overheating (Pre-above ground works)
- 24) Urban Greening Factor (Compliance)
- 25) Water Butts (Pre-occupation)
- 26) Arboricultural Method Statement (Compliance)
- 27) Cycle Parking (pre-occupation)
- 28) Electric Vehicle Charging (Pre-occupation)
- 29) Accessible Parking Bay (Pre-commencement)
- 30) Car Parking Management Plan (Pre-occupation)
- 31) Waste/Recycling Storage (Prior to commencement of relevant part)
- 32) Restriction to Telecommunications Apparatus (Restriction)
- 33) Building Regulations Part M (Compliance)
- 34) Removal of Permitted Development Rights (Restriction)
- 35) Water consumption

Informatives Summary – (the full text of Informatives-Appendix 01).

- 1) CIL liable
- 2) Hours of construction
- 3) Party Wall Act
- 4) Street Numbering
- 5) Dust
- 6) London Fire Brigade (sprinklers)
- 7) Paid Garden Waste Collection Services
- 8) Groundwater Risk Management Permit from Thames Water
- 9) Using Thames Water Mains for Construction
- 10) Thames Water Minimum Pressure/Flow Rate
- 11) Discharging to a Public Sewer
- 12) Metropolitan Police
- 13) Biodiversity Net Gain (BNG) Informative (1/2)
- 14) Biodiversity Net Gain (BNG) Informative (2/2)

Section 106 Heads of Terms:

1. Affordable Housing Provision

- Financial contribution of £1,694,597 towards the provision off affordable housing off-site

2. Financial Viability Reviews

- Early stage review if works do not commence within two years
- Late Stage Review on sale of 8 homes

3. Section 278 Highway Agreement

- Payment for any necessary works to the public highway which is the footway on Denewood Road.

4. Car-Free Agreement

- No residents to be entitled to apply for a residents' parking permit under the terms of the relevant Traffic Management Order (TMO). Payment of £4000 (four thousand pounds) towards the amendment of the Traffic Management Order for this purpose.

5. Construction Logistics and Management Plan (CLP)

- Payment of £15,000 for monitoring

6. Car Club Membership

- Reasonable endeavours to establish a car club for the scheme, including the provision of adequate car club bays and associated costs, with provision of five years free membership for all residents and £100 per year per unit credit for first 2 years.

7. Residential Travel Plan

- Submission of a residential travel plan, including a payment of £3,000 per year for a period of five years for the monitoring of the travel plan initiatives.

8. Carbon Mitigation

- Post-occupation Energy Statement review
- Carbon offset contribution (and associated obligations) of £17,385 (indicative), plus a 10% management fee; carbon offset contribution to be re-calculated at £2,850 per tCO₂ at the Energy Plan and Sustainability stages.

9. Employment and Skills plan

- Participation and financial contribution towards Local Training and Employment Plan
- 20% of the on-site workforce to be Haringey residents
- Apprenticeship – 1 (one) apprentice per £3million Development Cost, including an apprenticeship support fee of £1,500

- Notify the Council of any on-site vacancies during construction

10. Air quality contribution

- A financial contribution of £51,580.29 to account for the shortfall in meeting air quality neutrality requirements with regards to transport emissions over a 30-year period.

11. Offsite biodiversity gain plan and monitoring

12. Considerate Constructors Scheme

13. 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 In the event that members choose to make a resolution 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 (2.2) above, the planning application be refused for the following reasons:

- i.* The proposed development, in the absence of a legal agreement securing the provision of early and late stage financial viability reviews, would fail to ensure that affordable housing delivery has been maximised within the Borough and would set an undesirable precedent for future similar planning applications. As such, the proposal is contrary to Policy SP2 of the Council's Local Plan 2017, Policy SC1 of the Highgate Neighbourhood Plan, Policy H5 of the London Plan 2021 and the Mayor of London's Affordable Housing and Viability Supplementary Planning Guidance document.
- ii.* 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.
- iii.* The proposed development, in the absence of a legal agreement securing sufficient energy efficiency measures and/or financial contribution towards

carbon offsetting, would result in an unacceptable level of carbon dioxide emissions. As such, the proposal would be contrary to Policies SI2, SI3 and SI4 of the London Plan 2021, Local Plan 2017 Policy SP4 and Policy DM21 of the Development Management Development Plan Document 2017.

- iv. The proposed development in the absence of a legal agreement to secure a financial contribution towards air quality offsetting, would fail to account for the shortfall of the development towards meeting air quality neutrality requirements with regards to transport emissions over a 30-year period, to the detriment of air quality conditions in the wider locality, contrary to policy SI 1 of the London Plan 2021.
- v. The proposed development, in the absence of a legal agreement to control the matter, would fail to provide offsite biodiversity gains to account for the absence of a 10% biodiversity net gain on site, running counter to biodiversity creation objectives, contrary to policy G6 of the London Plan 2021, policy DM48 of the Haringey Development Management Plan DPD 2017 and Schedule 7A of the Town and Country Planning Act 1990.
- vi. The proposed development, in the absence of a legal agreement securing sustainable transport measures and public highway works, would have an unacceptable impact on the safe operation of the highway network, and would give rise to overspill parking impacts and unsustainable modes of travel. As such, the proposal would be contrary to London Plan Policies T1, T2, T6, T6.1 and T7, Local Plan Policy SP7 and Policy DM31 of the Development Management Development Plan Document 2017.

2.7 In the event that the Planning Application is refused for the reasons set out above, the Head of Development Management and Planning Enforcement or the Director of Planning & Building Standards (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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Appendix 3: Internal and External consultation representations and public consultation representations summary

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Appendix 5: Plans and Documents List

3 PROPOSED DEVELOPMENT AND LOCATION DETAILS

Proposed Scheme

- 3.1 The proposal seeks planning permission for the erection of three terraces of three-storey buildings containing 11 dwellings, with associated landscaping, waste and recycling and bicycle storage and associated works.
- 3.2 The proposal would involve the removal of the existing vehicular access and internal road into the site and introduction of a replacement vehicular access and pedestrian entrance further east of the existing access.
- 3.3 The proposed development is broken up on the site into 'Terraces' and consists of the following:
- Terrace A would be located at the front of the site and would comprise of 3 dwellings;
 - Terrace B is located to the north of the site and would consist of 4 dwellings;
 - Terrace C is located in the north-eastern corner of the site which would consist of 4 dwellings.
 - A car park area and communal bike store would be located to the east of Terrace B.



Proposed site plan

- 3.4 A communal amenity space for residents is proposed to be provided in the area between terrace A and B, which would provide seated areas surrounded by soft landscaping. A large rainwater garden/amenity area with play facilities is proposed on the southern part of the site adjacent to the boundary with Courtyard House.
- 3.5 Buffer planting is proposed on the boundaries of the site with native trees and shrubs in addition to existing vegetation on site.
- 3.6 The development is contemporary in style, predominantly finished in brickwork, with elements of glazing and limestone.

Amendments since original submission of the planning application

- 3.7 The planning application has been amended since initial submission in August 2024 and includes the following changes:

- Terrace C in the north-east corner of the site was moved further away from the boundary with no. 2A Denewood Road, creating a 2.8 metre separation distance narrowing to 2.5 metres at its closest point.
- The parking layout was adjusted as a result of the re-positioning of Terrace C moving inward. Access to the communal bike store in the car park has re-arranged to avoid overlap with accessible car parking .
- A pedestrian pathway was introduced from the pedestrian access point up to the parking court, offering a safer means of pedestrian entrance into the site. An internal layby was also provided to allow vehicles to pass on approach to the site access.
- The vehicular gates were relocated further 4.8 metres inwards into the site, so that vehicles could wait off-street before access into the site if needed.
- The building line stagger of the front terrace, Terrace A, was reversed to increase the set-back of the building line from the back edge of the pavement.
- A larger and improved front soft landscaping scheme was proposed for this terrace.
- Amendments were made to the front boundary wall design, with omission of all brick piers to the right hand side of the entrance gates, and coping was amended to brick instead of concrete.
- Listening tubes were removed from play area, and replaced with kaleidoscope.

The Site and Surroundings

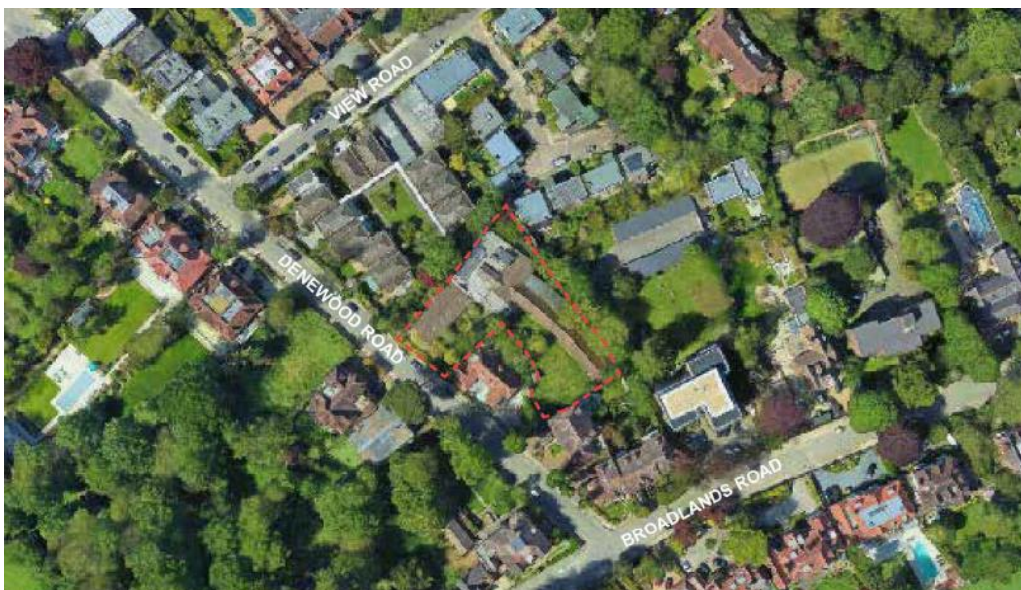
- 3.8 The site is located on Denewood Road between the junctions of Broadlands Road and View Road and is within Highgate Conservation Area. The site was formerly occupied by Newstead Care Home, but the L-shape building that served as the care home has been demolished within the last three years.
- 3.9 There are a number of semi-mature and mature trees within the site with slight land level changes across the whole of the site, which abuts the property boundaries of Nos. 1 and 10 Willowdene to the north-west, No. 6 View Close and Broadlands Lodge to the north and No. 2a Denewood Road to the east.
- 3.10 The surrounding area is predominantly characterised by individual houses of varied architectural styles and scales set within their own grounds being a mix of mock Georgian, Victorian, 20th Century and contemporary designs. To the south of the site are Nos. 2a and 2 Denewood Road which are a semi-detached pair of modern red brick terrace of houses. No. 18, also called Broadlands Lodge, is a six-storey yellow brick block of flats set back from the road in landscaped grounds. To the north-west

of the site is Willowdene, an estate of 10 houses, built in approximately 1970/71 which are of a mock Georgian design.

- 3.11 Outside the site and fronting onto Denewood Road lies 'Courtyard House', which is a locally listed building. This property is located immediately adjacent to the proposed new entrance into the site.
- 3.12 The site has a Public Transport Accessibility Level (PTAL) rating of 1 and therefore is not well served by public transport, within the wider context of London as a whole. However, Highgate Underground Station is approximately a 14-minute walk away, and there are local bus services that can be found on the A1, which includes several high frequency routes, where residents can get to areas such as Muswell Hill and Archway that offer access to shops, services, and transport links.



Site location plan



Aerial photograph: site outlined in red prior to demolition of former care home buildings.

Relevant Planning and Enforcement History

- 3.13 **HGY/2018/3205:** Demolition of existing building and erection of three buildings between two and three storeys in heights to provide 13 residential dwellings, private and communal amenity space and other associated development – Approved with conditions and a section 106 legal agreement 12/02/2021. All relevant pre-commencement conditions have been approved, and demolition has taken place of the former care home buildings that were previously on site. In planning law, a commencement on site of the works in association with the development have lawfully been implemented, which means that the planning permission remains extant.

4. CONSULTATION RESPONSES

Quality Review Panel

- 4.1 The proposal was presented to Haringey's Quality Review Panel (QRP) on 6 March 2024 as part of a Chair's Review Meeting. Overall, the scheme was welcomed by the QRP, who noted that it made significant improvements to the extant permission, with the summary from the report provided below:
- 4.2 *'The Haringey Quality Review Panel welcomes the proposals for terraced housing on the site and commends the project team for the significant improvements made on the extant permission. Further work is needed to resolve some issues around overlooking of the neighbouring properties, usability of the*

landscaping, architectural character and servicing, but the scheme is in a good position to move forward.

- 4.3 *The relationship between Terrace Two and the property to the north requires urgent attention to prevent privacy issues. Alternative arrangements, such as moving Terrace Two further south and reconfiguring the internal layout, should be tested while avoiding adverse impact to the existing trees and proposed community kitchen garden. The project team should explore other locations for the communal amenity spaces where they will be less overshadowed. The landscape proposals require interrogation to ensure that they are achievable, considering site constraints, and a management strategy should be put in place to maintain quality. The panel understands that the architecture is still in development, but finds the proposals lacking in interest. It encourages the project team to ensure that the architecture brings a sense of identity and vibrancy to the scheme. A contemporary interpretation of the detailing from the surrounding conservation area would help to add richness. The project team is encouraged to resolve the refuse collection strategy. The panel suggests communal collection from Denewood Road to remove the visual clutter of individual bins. Air source heat pumps could then be located in an elegantly designed enclosure in the front gardens, rather than disturbing residents' enjoyment of their back gardens.'*
- 4.4 The detailed QRP comments and officers' response is provided within the Design section of this report.

Applicant's Public Engagement:

- 4.5 The applicant's Statement of Community Involvement (SCI) sets out the consultation it undertook with local residents for the development prior to formal submission of the planning application, which included introductory letters being sent to surrounding 151 addresses in May 2024, an online webinar for near neighbours on 18th June 2024, and an in-person residents' meeting on 19th June 2024. In addition to this, stakeholder engagement has been undertaken by the applicant, including stakeholder meetings taking place with The Highgate Society on 28th May 2024 and Highgate Conservation Area Advisory Committee (CAAC) on 2nd July 2024.

5. CONSULTATION RESPONSES

- 5.1 The following were consulted regarding the application:

(Comments are in summary - full comments from consultees are included in appendix 3)

INTERNAL

Building Control

No comments

Parks & Open Spaces

No comments

Carbon Management

The development achieves a 71% carbon dioxide emissions on site, which is supported in principle. Some clarifications must be provided with regards to Overheating Analysis.

(Officer comment): This will be secured by the imposition of a condition.

Development is currently not compliant with the London Plan Policies G5, G6 and Local Plan DM21, as the urban greening factor and biodiversity net gain is below the policy requirement. Off-site compensation must be made in order to make this acceptable.

(Officer comment): This will be secured by section 106 legal obligation.

Conservation

The amendments to the front block have helped address some of the concerns previously raised. The scheme would cause less than substantial harm to the significance of the Highgate Conservation Area, and less than the originally submitted plans for this application, following amendments. This should be considered and balanced against the public benefits of the proposal in accordance with the provisions of the NPPF.

Design Officer

No objections to the proposal. It responds sensitively to the scale and rhythm along View Close and Denewood Road. The scheme has attempted to maximise separation distances from neighbouring properties to minimise overlooking impacts and incorporates screen planting to assist with this. The proposed development interprets this tradition in a contemporary manner, incorporating design details and a material palette that complement the character of the conservation area. All homes are proposed to be dual aspect, and the end of

terrace homes benefit from a triple aspect. A high quality landscaping scheme would be provided in the development.

Local Lead Flood Authority/Drainage

No objection to the proposal. Sufficient information has been provided to demonstrate that the impact on surface water drainage has been adequately addressed.

Housing

No comments

Private Housing

No comments

Planning Policy

No objections to the principle of the proposal. The quantum of development and mix of housing is deemed to be appropriate for the site and wider context. The development will secure a sizeable contribution to off-site affordable housing delivery. Given that there is not likely to be interest from a Registered Provider in the circumstances, an off-site provision is acceptable and will help address housing needs.

Pollution

No objection to the proposal in respect of land contamination subject to the imposition of appropriate conditions and informatives should planning permission be granted.

Noise

No objections

Transportation

There are no highway objections to this proposal subject to compliance with recommended conditions, S.106 obligations and a S.278 Agreement.

Tree Officer

No objections to the proposal. The arboricultural survey, impact and method

statement has been carried out in accordance with relevant British Standards. Whilst Biodiversity Net Gain uplift levels have not been met, an off-site planting contribution has been agreed.

Waste Management

The proposed use of communal waste containment is considered appropriate given the site's access constraints. There are weekly collections for refuse, mixed dry recycling and food waste where bulk bins are concerned.

Health in All Policies Officer

No comments

External

Environment Agency

No comments

Greater London Archaeology Advisory Service (GLAAS)

No comments

London Fire Brigade

No comments

Metropolitan Police - Designing Out Crime Officer

In principle there are no objections to the proposal subject to the imposition of, appropriate conditions and informatives. The conditions would require details of how the development could achieve 'Secure By Design Accreditation' (SBD) prior to above ground works commencing, and SBD certification being achieved prior to first occupation of the development. The project has the potential to achieve a Secured by Design Accreditation if advice given is adhered to.

Thames Water

A piling method statement is required to be submitted and is secured by condition. No objections with regards to surface water drainage considerations. A groundwater Risk Management Permit will be required for discharging into a public sewer; an informative would cover this point.

Transport for London

No comments, but the proposal should be determined in line with relevant London Plan policy and guidance.

LOCAL REPRESENTATIONS

5.2 The application has been publicised by way of a press notice, site notices placed in the vicinity of the site, and individual letters sent to surrounding local properties. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application area as follows:

The number of representations received from neighbours, local groups etc. were as follows:

No of individual responses: 47

Objecting: 46 (a large number of repeat objections, 20 objectors)

Supporting: 1

Others: 0

5.3 The following local groups/societies were consulted, and made representations:

- The Highgate Society
- Highgate CAAC
- Highgate Neighbourhood Forum

5.4 The main issues raised in representations from neighbours/local groups etc in response to notification and publicity of the application are summarised below.

Representations from neighbours:

Land Use and housing

- The density of development is considered excessive for the location of the site
- Absence of evidence of planned increased infrastructure provision in locality in response to increased number of residents
- A smaller scale lower density development with a greater range of dwelling sizes/apartments would address many of the concerns being raised
- There are restrictive covenants that protect the right to light and air of neighbouring properties that need to be respected.

Officer comment: Whilst it will be necessary for the applicant to ensure all legal matters regarding the development are resolved in order to implement any planning consent, matters of restrictive covenants are not a material or relevant planning consideration.

Impact on the Conservation Area

Size, Scale and Design

- There is a lack of set-back from the building line of neighbouring properties, which undermines the uniformity of the street scene. The lack of set-back fails to preserve or enhance the character and appearance of the conservation area.

Officer comment: This issue has been addressed through the submission of revised plans which have set the building back slightly further from the front boundary and introduced additional soft landscaping.

- The front balconies are out of keeping with development in the locality
- There would be a negative impact on the street scene through the placement of the waste/recycle store
- There are inaccuracies in the street elevation drawings not showing nos. 2A and 2 Denewood Road
- Willowdene properties shown to be bigger than they are on street elevations
- Broadlands Lodge shown on street elevations far more prominently than reality

Officer comment: Issues with inaccuracies in the plans have been addressed through the submission of revised plans and written responses from the applicant.

Standard of accommodation

- Insufficient child play space provided for the development

Parking, Transport and Highways

- The development will result in increased traffic
- The development should provide additional off-street parking
- Increased pressure on on-street parking capacity in the locality
- Absence of separate pedestrian pathway in the site

Officer comment: Revised plans introduced a separate pedestrian entrance into the site.

- The shared access road is too narrow for 2-way traffic and is not considered wide enough for an emergency vehicle.

Officer comment: Revised plans introduced a layby within the site to allow cars making egress to pull-in to allow vehicles entering into the site sufficient space to pass.

- There is a lack of pedestrian site splay to ensure the safety of pedestrians walking past the site
- Single lane access could result in vehicles having to reverse out with limited site lines

Waste and Recycling

- Excessive distance for residents to travel to reach communal waste storage area
- Insufficient waste/recycling storage capacity and space provided for future occupants
- Location of communal waste/recycle store adjacent to Courtyard House will result in loss of light, noise and odour pollution
- Absence of space for storage of bulky waste

Residential Amenity

- There will be a visually overbearing impact on 2 and 2A Denewood Road from Terrace C
- Terrace C will result in a loss of light, privacy and outlook from patio, garden and living areas of 2A Denewood Road
- Nos. 2A and 2 Denewood Road not shown on the Daylight & Sunlight Analysis.
- **Officer comment:** An updated BRE Daylight & Sunlight assessment was submitted that includes the windows of no. 2a Denewood Road within the assessment. Whilst no. 2 Denewood Road has not been included in the latest analysis, it is not considered necessary to do so as no. 2a is the immediately adjacent neighbour to Terrace C of the development and therefore the sensitive property of the pair with regards to undertaking an assessment of light conditions.
- Loss of outlook resulting from development
- Excessive loss of daylight and sunlight by neighbouring occupants
- Loss of privacy, particularly with regards to no. 6 View Close, where there is a gap of only between 10-13 metres between units 4 and 5 to the bedroom windows
- The sunken seating area of Terrace B may have an impact on the water table which could create settlement problems for no. 6 View Close. Management of maintenance of the boundary fence and landscaping should be made to be the developers.
- The drag distance of waste/recycling store from blocks B and C will result in noise disturbance for neighbouring residents
- The location of play area adjacent to Courtyard House and 2 Denewood Road would give rise to noise disturbance
- Terrace C will overlook Courtyard House
- Noise from Air Source Heat Pumps (ASHP). Lack of clarity if they will cause noise disturbance
- The noise impact assessment does not include property 2A Denewood Road despite it being immediately adjacent to terrace C

Officer comment: The updated Noise Impact Assessment included no. 2a Denewood Rd in the assessment.

- Block A will have an unacceptable impact on adjacent Willowdene property

- Light pollution from terrace C on Broadlands Lodge
- Location of bin store close to Courtyard will give rise to odour disturbance. The bin store would likely be higher than the boundary wall
- No consideration given to the storage of white/bulky goods.
- Concern that the bin store has insufficient space to accommodate required level of refuse, recycling and food waste storage for a development of this scale.

Environment and Public Health

- Increased risk of flood risk during excessive rainfall events
- What will be done to improve air quality in and around Denewood Road
- Loss of trees would result in development not complying with biodiversity net gain requirements and offsite planting
- Additional habitat, planting and green open space should be added to the site

Trees and biodiversity

- There is a lack of clarity with regards to which trees have been felled in connection with the previous consent in the current Arboricultural Impact Assessment (AIA). Some are proposed to be felled for convenience of development. Trees 6-13 need protection to provide screening of development
- The development results in a loss of biodiversity
- Impact of development on Acer tree adjacent to proposed bin store

Local groups/societies representations:

Highgate CAAC:

- The scale of the development will be visually obtrusive to neighbours
- Insufficient set-back of the front terrace
- Block A will have an unacceptable impact on the adjacent Willowdene property
- Privacy concerns regarding the relationship between the proposed and existing properties
- There is likely to be a noise impact on Goldsmiths Cottages from the positioning of the play area
- Development overall out of keeping with Bishops' area of Highgate CA
- Concerns of layout, form and entrance to the dwellings
- Poor levels of daylight received by some kitchens within development
- The BNG level is very low and should have been based on 2018 levels

Highgate Neighbourhood Forum:

- The biodiversity assessment should have been carried out on the basis of the pre-degradation habitat type as the site baseline. More habitat and ecological mitigation/green space should be added to the site

- The development building line is too close to the pavement. Additional planting should be provided on the boundary
- There should be a management and maintenance plan to ensure the sustainability of any planting for the required period

Highgate Society:

- Whilst the latest plans are an improvement in comparison to the previously consented scheme, the proposal still represents an overdevelopment of the site and breaches a number of design standards, causing harm to the conservation area
- The front block has been moved forward from consented scheme which will have adverse impact on the street scene, worsened by the step in the terrace, it would be dominant and have a deleterious effect on the conservation area. Insufficient parking has been provided which may lead to occupants using access to parking permits, increasing pressure on on-street parking capacity
- Deliveries will likely take place from Denewood Road, which will cause congestion
- The height and density of the scheme is excessive, exacerbated by spartan, featureless, unmodulated design
- Poor positioning of the refuse store, in terms of close proximity to Courtyard House, travel distance for occupants to store, and vehicle safety
- Private amenity spaces are smaller than rest of conservation area
- Communal amenity spaces and child play areas are insufficient in scale
- Lack of privacy for windows of 6 View Close by virtue close proximity of unit 4
- Height and positioning of development will result in light issues for 2a Denewood Road and 6 View Close
- There is a lack of greenery in the development
- Objection to the loss of trees

The comments on planning matters not addressed with an officer comment above will be addressed later in the report.

6. MATERIAL PLANNING CONSIDERATIONS

6.1 The main planning issues raised by the proposed development are:

1. Principle of the Development
2. Affordable Housing and Housing Mix
3. Design and Appearance
4. Heritage / Conservation
5. Residential Quality
6. Impact on Amenity of Adjoining Occupiers
7. Child Play Space
8. Transportation and Parking

- 9. Energy, Climate Change and Sustainability
- 10. Flood Risk, Drainage and Water Infrastructure
- 11. Air Quality
- 12. Trees
- 13. Urban Greening and Ecology
- 14. Waste and Recycling
- 15. Land Contamination
- 16. Fire Safety and Security
- 17. Equalities

Principle of the development

National Policy

- 6.1.1 The current National Planning Policy Framework (NPPF) was updated in December 2024. The NPPF establishes the overarching principles of the planning system, including the requirement of the system to 'drive and support development' through the local development plan process. It advocates policy that seeks to significantly boost the supply of housing and requires local planning authorities to ensure their Local Plan meets the full, objectively assessed housing needs for market and affordable housing.
- 6.1.2 Paragraph 70 notes that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built out relatively quickly. To promote the development of a good mix of sites local planning authorities should support the development of windfall sites through their policies and decisions - giving great weight to the benefits of using suitable sites within existing settlements for homes.

Regional Policy - The London Plan

- 6.1.3 The London Plan is the overall strategic plan for London, setting out an integrated economic, environmental, transport and social framework for the development of London over the next 20–25 years. The London Plan (2021) sets a number of objectives for development through various policies. The policies in the London Plan are accompanied by a suite of Supplementary Planning Guidance (SPGs) and London Plan Guidance that provide further guidance.
- 6.1.4 The London Plan (2021) Table 4.1 sets out housing targets for London over the coming decade, setting a 10-year housing target (2019/20 - 2028/29) for Haringey of 15,920, equating to 1,592 dwellings per annum.
- 6.1.5 Policy H1 of the London Plan 'Increasing housing supply' states that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites, especially sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m of a station or town centre boundary.

- 6.1.6 Policy H2A of the London Plan outlines a clear presumption in favour of development proposals for small sites such as this (below 0.25 hectares in size). It states that they should play a much greater role in housing delivery and boroughs should pro-actively support well-designed new homes on them to significantly increase the contribution of small sites to meeting London's housing needs. It sets out (table 4.2) a minimum target to deliver 2,600 homes from small sites in Haringey over a 10-year period. It notes that local character evolves over time and will need to change in appropriate locations to accommodate more housing on small sites.
- 6.1.7 Policy D3 of the London Plan seeks to optimise the potential of sites, having regard to local context, design principles, public transport accessibility and capacity of existing and future transport services. It emphasises the need for good housing quality which meets relevant standards of accommodation.

Local Policy - Haringey Local Plan

- 6.1.8 The Haringey Local Plan Strategic Policies DPD (hereafter referred to as Local Plan), 2017, sets out the long-term vision of the development of Haringey by 2026 and sets out the Council's spatial strategy for achieving that vision. While this is not an 'allocated site' for larger-scale housing growth, not all housing development will take place on allocated sites. The supporting text to Policy SP2 of the Local Plan specifically acknowledges the role these 'small sites' play towards housing delivery.
- 6.1.9 Local Plan Policy SP2 states that the Council will aim to provide homes to meet Haringey's housing needs and to make the full use of Haringey's capacity for housing by maximising the supply of additional housing to meet and exceed the minimum target including securing the provision of affordable housing. The Development Management Development Plan Document (2017) (hereafter referred to as the DM DPD) is particularly relevant. Policy DM10 of the DM DPD seeks to increase housing supply and seeks to optimise housing capacity on individual sites such as this. Policy DM13 makes clear that the Council will seek to maximise affordable housing delivery on sites.

Assessment

- 6.1.10 The site was previously occupied by 36 nursing home units, which were vacated a number of years ago. Planning permission was granted for 13 apartments in 2021 - planning reference HGY/2018/3205. The original care home buildings have since been demolished and in doing so, the approved development for 13 apartments (planning reference HGY/2018/3205) has been implemented and as such is a development which has extant planning permission and can be built out at any time in the future.

- 6.1.11 The proposal for the site now is for a revised residential development for 11 family-sized homes in the form of conventional houses. Given the extant planning consent, the principle of a residential development on the site of a similar scale has already been established and therefore the principle of the proposed development on the site is acceptable. Furthermore, the proposal adheres to the planning policies as mentioned above, and is located within a sustainable location for a residential development of this scale which is adequately served by infrastructure and amenities within the wider locality. The development would contribute to the Borough's much needed housing stock.

Affordable Housing and Housing Mix

National Policy

- 6.1.12 The NPPF 2024 states that where it is identified that affordable housing is needed, planning policies should expect this to be provided on site unless off-site provision or an appropriate financial contribution can be robustly justified, and the agreed approach contributes to the objective of creating mixed and balanced communities.

Regional Policy – London Plan

- 6.1.13 The London Plan Policy H4 also states that affordable housing should be provided on site or provided as a cash in-lieu contribution in exceptional circumstances. The London Plan goes on to set out that cash in lieu contributions can be used where on-site affordable housing delivery is not practical and the contribution will not be detrimental to the delivery of mixed and inclusive communities.
- 6.1.14 The Mayor of London's Affordable Housing and Viability (AHV) Supplementary Planning Guidance (SPG) states that all developments not meeting a 35% affordable housing threshold should be assessed for financial viability through the assessment of an appropriate financial appraisal, with early and late-stage viability reviews applied where appropriate. It states that all schemes which propose cash in lieu payments are required to provide a detailed viability assessment as part of the justification.
- 6.1.15 The SPG states 'The starting point for determining in-lieu contributions should be the maximum reasonable amount of affordable housing that could be provided on-site as assessed through the Viability Tested Route. The value of the in-lieu contribution should be based on the difference in Gross Development Value arising when the affordable units are changed to market units within the appraisal. This is to ensure that where the on-site component of market housing is increased as a result of the affordable contribution being provided as a cash in-lieu payment, this does not result in a higher assumed profit level for the market homes within

the assessment which would have the effect of reducing the affordable housing contribution’.

Local Policy

- 6.1.16 Local Plan Policy SP2 states that subject to viability, sites capable of delivering 10 units or more will be required to meet a Borough wide affordable housing target of 40%, based on habitable rooms. Policy DM13 of the DM DPD reflects this approach and sets out that the Council will seek the maximum reasonable amount of affordable housing provision when negotiating on schemes with site capacity to accommodate more than 10 dwellings, having regard to Policy SP2 of the Local Plan and the achievement of the Borough-wide target of 40% affordable housing provision, the individual circumstances of the site, the availability of public subsidy, development viability; and other planning benefits that may be achieved. Policy DM13 of the DM DPD states the off-site provision may be acceptable in the following exceptional circumstances where a development can: secure a higher level of affordable housing on another site, secure a more inclusive and mixed community or better address priority housing needs.
- 6.1.17 The Council’s Planning Obligations Supplementary Planning Document (SPD) provides further guidance on where a cash in lieu payment may be suitable. This includes:
- Where no Registered Provider is identified, or the Council is not willing to take the units on;
 - The size of the site is too small; or
 - Practicalities of design and management.
- 6.1.18 The Highgate Neighbourhood Plan Policy SC1 states that in order to aid the objective of achieving a balanced, inclusive and sustainable community, affordable housing that meets the Borough’s targets should be delivered on site. Policy DM13 sets out a preference for on-site affordable housing, and only in limited circumstances does it support exceptions i.e. off-site affordable housing or financial contributions. These exceptions include where the provision of ‘a higher level of affordable housing on an alternative site’ would result and where it would ‘better address priority housing needs’.

Viability Review

- 6.1.19 In support of the planning application, a financial viability assessment by James. R. Brown has been submitted by the applicant alongside supporting information. The report outlined that the development with 100% private housing generated a deficit of £216, 676 against the viability benchmark. The Council commissioned BNP Paribas Real Estate to review the viability appraisal. Their initial conclusion was that the scheme could provide a significant surplus contribution, but they

made clear that their conclusion was made strictly subject to clarification from the applicant on matters in relation to construction costs and floor areas, which would have a significant impact on their conclusion.

- 6.1.20 Extensive talks regarding the construction costs for the development between the quantity surveyor (QS) used by BNP on behalf of the Council (Stace) and the QS used by the developer (Linesight) have been ongoing since January 2025, most notably with regards to the construction costs arising from the development. James. R. Brown was replaced by Montagu Evans as the viability consultant during the process. BNP concluded that the proposed development with 100% private housing could provide a surplus of £1,887,935 that could be used to provide on-site affordable housing, a payment in lieu, or further section 106 payments (should this be justified in planning terms).
- 6.1.21 The applicant concluded that after all costs were accounted for in their assessment, a financial contribution of £1,483,921 could be made towards affordable housing, meaning there was a gap between the Council and applicant residual land value calculations of £404,014. The only point of contention was regarding build costs, with all other inputs agreed between the two parties. Officers highlight that there can be a difference in how build costs are calculated on a case by case basis, and therefore they do not necessarily have a definitive rate. The applicant subsequently offered an off-site contribution of £1,694,597 which, whilst less than the BNP assessment amount, officers consider to be acceptable in this instance, in order achieve a high quality design.
- 6.1.22 Given the number of homes being provided in this scheme and the extremely limited opportunity to provide for affordable housing on site, which would not be taken up by RPs or the council, this contribution would provide the best value opportunity to deliver affordable housing, and would therefore be pooled to contribute towards the provision of social rented homes within Haringey.
- 6.1.23 Review mechanisms will be secured by legal agreement. An early stage review will be provided so that, where the development has not been implemented within two years of planning permission being issued, a further review of the development's viability position can take place. The legal agreement would also secure a late-stage viability review once more than 8 of the proposed homes have been sold to capture any uplift in values.
- 6.1.24 Therefore, it is considered that a financial contribution towards affordable housing provision off site and subject to early and late stage viability reviews, all of which will be secured by legal agreement, would be acceptable in this instance and meets policy requirements.

Dwelling Unit Mix

- 6.1.25 London Plan Policy H10 requires new residential developments to offer a range of housing choices, in terms of the mix of housing sizes and types, taking account of evidence of housing need, the requirement to deliver mixed and inclusive neighbourhoods, the need to deliver a range of unit types at different price points and the mix of uses and range of tenures in the scheme. Strategic Policy SP2 and Policy DM11 of the DM DPD adopts a similar approach.
- 6.1.26 Policy DM11 of the DM DPD states that the Council will not support proposals which result in an overconcentration of 1 or 2 bed units overall unless they are part of larger developments or located within neighbourhoods where such provision would deliver a better mix of unit sizes. Individual site circumstances, including location, character and its surrounds, site constraints and scale of development should all be taken into consideration in determining the appropriate housing mix.
- 6.1.27 Policy SC1 of the Highgate Neighbourhood Plan (2017) requires development to deliver an appropriate mix of homes, including smaller units to provide for a mix of house sizes and to allow older residents to downsize from family housing to smaller units and supported housing, as well as to provide affordable housing products aimed at first time buyers.
- 6.1.28 The overall proposed dwelling mix is set out in Table 01 below:

Table 01: Proposed dwelling mix

Bedroom Size	No. of Units	% by unit
3 bed 6 person	4	36.4
4 bed 8 person	7	63.6
Total		100%

- 6.1.29 As can be seen from the table above, all of the units within the scheme would be family-sized dwellings. It is acknowledged that the proposal does not deliver any smaller homes. However, taking a view of the housing mix within the wider locality, there is a mix of housing ranging from very large family dwellings set within spacious plots, to smaller dwellings and flatted developments in high-density blocks, especially on Broadlands Road North Hill. On balance, taking into account the identified issue with a significant loss of family housing across the borough for which there is a strong need, the housing mix is considered to be acceptable and welcome in this instance, in providing 11 family-sized dwellings to the borough's housing stock.

Design and Appearance

- 6.1.30 The Chapter 12 of the NPPF 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.

- 6.1.31 It states that, amongst other things, planning decisions should ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development, and should be visually attractive due to good architecture, layouts, and appropriate and effective landscaping.
- 6.1.32 Policy D3 of the London Plan 2021 emphasises the importance of high-quality design and seeks to optimise site capacity through a design-led approach. Policy D4 of the London Plan 2021 notes the importance of scrutiny of good design by borough planning, urban design, and conservation officers as appropriate. It emphasises the use of the design review process to assess and inform design options early in the planning process.
- 6.1.33 Policy SP11 of the Haringey Local Plan requires that all new developments should enhance and enrich Haringey's built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use.
- 6.1.34 Policy DM1 of the DM DPD requires development proposals to meet a range of criteria having regard to several considerations including building heights; forms, the scale and massing prevailing around the site; the urban grain; and a sense of enclosure. It requires all new developments to achieve a high standard of design and contribute to the distinctive character and amenity of the local area.

Quality Review Panel

- 6.1.35 The proposal was presented to Haringey's Quality Review Panel (QRP) on 6 March 2024 as part of a Chair's Review Meeting. This meeting followed 2 previous meetings that the QRP had in association with the previously approved and extant scheme on the site for 13 flats (planning reference HGY/2018/3205). Overall, the scheme was welcomed by the QRP, who noted that it made significant improvements to the extant permission. Further work was highlighted as being needed to address some issues with regards to overlooking of neighbouring properties, usability of the landscaping, architectural character and servicing. The full response from the QRP can be found at Appendix 4.
- 6.1.36 The panel's comments and officers' comments in response are set out below.

Panel Comments	Officer Response
<i>The removal of the large basement car park (included in the previously approved scheme HGY/2018/3205) is welcomed in reducing the carbon footprint of the scheme.</i>	Noted.

<i>Providing terraced houses rather than flatted accommodation is considered more appropriate for the location.</i>	
<i>The relationship between terrace two and the property to the north requires urgent attention to prevent privacy issues. Alternative site layouts should be considered in order to resolve this.</i>	The applicant has amended the scheme following the initial submission to provide additional soft landscaping within the rear garden of plot 04 in terrace 2, to improve the relationship between this new dwelling and no. 6 View Close.
<i>Further work is needed to be done by the project landscape architect to ensure that the amenity spaces will not cause damage to existing trees on western boundary, drainage issues</i>	<p>The proposal has been reviewed by the Council's Arboricultural Officer who raised no objection to the scheme with regards to impact on trees on/near the site subject to compliance with method statement and protection plan. The development would be required to be carried out in accordance with the protection measures outlined in the arboricultural method statement by condition.</p> <p>The Council Flood and Water Management Lead has commented on the scheme that they were satisfied that sufficient information has been received to determine that the impact on surface water drainage has been adequately addressed.</p>
<i>Concern was raised about overshadowing of private and shared amenity spaces. It is acknowledged that it may not be possible to find an alternative solution to provide more light to private gardens, which is not unacceptable provided there</i>	Both communal amenity spaces were found to receive at least 2 hours of direct sunlight on 21 st March in the submitted Daylight/Sunlight report, in accordance with BRE guidelines. It is acknowledged that all private amenity space areas are north-facing, but are considered to

<i>are alternatives to enjoy sun elsewhere.</i>	provide satisfactory amenity spaces for future occupants. This will be discussed in further detail in the report.
<i>More inspiration should be taken from the surrounding conservation area, such as white painted or stone details, to add richness to the elevations.</i> <i>More interest should be provided for the front terrace.</i>	Following on from the QRP review, the design of the scheme has evolved, including the inclusion of a white limestone treatment to the bay windows of terraces A and B, alongside improved details of boundary landscaping to the front terrace, more in keeping with Highgate's verdant character.
<i>The panel suggests considering a communal collection for waste which is integrated into the landscape design</i>	A communal waste and recycling enclosure is proposed for the development accessed off Denewood Road, which will be treated with an extensive green roof.
<i>The air source heat pumps (ASHPS) should be placed in brick enclosures and placed at the front of the properties to avoid interfering with enjoyment of rear garden amenity space.</i>	The ASHPs have been retained within the private rear garden areas. It is still considered that a satisfactory standard of amenity space would be provided subject to compliance with noise limitation conditions that could be imposed on the development if approved.

Form, Pattern of Development, Bulk and Massing

- 6.1.37 The development would be divided into three separate terraces of two-storey dwellings with prominent dual-pitch gable end roof forms with habitable floor space, which would provide an appearance of a three-storey form. The form of the terraces would reflect the smaller domestic form of the wider context, in a contemporary reinterpretation of the Victorian Gothic and Arts and Crafts styles that are prevalent within the Bishops sub area, with steeply pitched roofs expressed as gables.
- 6.1.38 Terraces A and B would have ground floor front bay projection features expressed in a lighter stone material.

- 6.1.39 Spaces between the three terraces would be separated by existing and proposed soft landscaping features, including a communal area for seating between terraces A and B, and a rainwater garden in front of terrace C. A car parking area would be located between terraces B and C.
- 6.1.40 The separation of the development into three terraces, the articulation of the elevations, steeply pitched gable roof forms in a reinterpretation of the original development of the Bishops sub area is considered to be a satisfactory approach to form, pattern, bulk and massing.

Streetscape Character

- 6.1.41 Terrace A would comprise of 3 dwellings fronting onto Denewood Road, with the frontage set back between 3.9 metres and 5 metres from the back-edge of the pavement, set behind a front garden wall with railings and would be treated with a soft landscaping scheme and boundary hedge which would serve to soften the appearance of the frontage of the development. A gated vehicular and pedestrian access into the site would be located to the side of this terrace.
- 6.1.42 Terrace B would be located to the rear of Terrace A and would consequently be less visually prominent than terrace A, and would benefit from a well-landscaped pedestrian entrance.
- 6.1.43 Front boundary treatments of all the dwellings would benefit from small landscaped front gardens. Further details of front boundary treatments and landscaping can be secured through conditions imposed on the development should planning consent be granted.

Elevational Treatment, Materials and Fenestration, including Balconies

- 6.1.44 The dwellings would have brick facades articulated with soldier course brickwork above window openings. Each terrace would use a different brick tone to add variation and distinction between them. All roofs would be treated with a standing seam zinc roof with cast iron railings across balconies. A high-level finish would be provided, with recessed downpipes and hidden gutters integrated into the design.
- 6.1.45 A large proportion of the side elevation would be treated with a recessed and projecting brick panel to break up the mass of the flank wall. A light-coloured

limestone projecting bay feature would be proposed on terraces A and B which would provide contrast and echo some of the Arts and Crafts bay features within the locality. Further details of materials samples and key junctions in the facades between different materials, door and window openings would be required to be submitted through the imposition of a condition if permission is granted for the development.

Design Summary

- 6.1.46 The proposed scheme is a well composed design that provides a modern reinterpretation of the prevailing neighbouring Victorian Gothic and Arts & Crafts style in the locality. The bulk, massing, form, fenestration and materials are appropriate to the location. Subject to compliance with details and materials conditions, the proposed development would be acceptable with regards to design considerations. The proposal is thereby considered to comply with the requirements, aims and objectives of the design policies.

Secured by Design

- 6.1.47 London Plan Policies D1-D3 and D8 stress the importance of designing out crime by optimising the permeability of sites, maximising the provision of active frontages, and minimising inactive frontages.
- 6.1.48 The development would be accessed via a secured vehicular and pedestrian gated access off Denewood Road, which will require some form of fob or intercom access to secure entrance. The orientation and layout of the development would ensure that all communal parts of the development including the car park area and play space, would be well observed. No details of lighting have been provided but would satisfactorily be secured by a condition imposed on any grant of planning consent.
- 6.4.20 A meeting between the applicant and the Metropolitan Police SBD Officer took place in late November 2024 to discuss the proposal. The SBD Officer noted that subject to details of rear garden enclosure, lighting and gating, they were confident that the development would achieve SBD certification. The imposition of appropriate conditions requiring 'Secured by Design' accreditation and certification is required for the development and a condition have been recommended for on any grant of planning permission. r

Heritage / Conservation

- 6.4.21 Paragraph 215 of the NPPF sets out that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 6.4.22 London Plan Policy HC1 is clear that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail and places emphasis on integrating heritage considerations early on in the design process.
- 6.4.23 Policy SP12 of the Local Plan seeks to maintain the status and character of the borough's conservation areas. Policy DM6 continues this approach and requires proposals affecting conservation areas and statutory listed buildings, to preserve or enhance their historic qualities, recognise and respect their character and appearance and protect their special interest.

Legal Context

- 6.4.24 The Legal Position on the impact of heritage assets is as follows. Section 72(1) of the Listed Buildings and Conservation Areas Act 1990 provides: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.' Among the provisions referred to in subsection (2) are "the planning Acts'.
- 6.4.25 Section 66 of the Act contains a general duty as respects listed buildings in exercise of planning functions. Section 66 (1) provides: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'
- 6.1.1 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that 'Parliament in enacting section 66(1) intended 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.'

- 6.4.26 The judgment in the case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council says 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 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.
- 6.4.27 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.
- 6.4.28 The authority's assessment of likely harm to the setting of a listed building or to a conservation area remains a matter for its own planning judgment but subject to giving such harm the appropriate level of weight and consideration. As the Court of Appeal emphasized in Barnwell, 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.
- 6.4.29 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 strong statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 6.4.30 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.
- 6.4.31 The development site lies in Denewood Road, within Highgate Conservation Area which is characterised by few surviving 1914 - 1930 Arts and Crafts houses set in generous plots with large front and rear gardens. The development site is also located in the immediate vicinity of locally listed Courtyard House and in the wider surrounding of grade II listed property at No. 16 Broadlands Road. Denewood Road has lost much of its original houses, which were set in very large plots, and has been substantially developed over the last century and is nowadays characterised by a range of houses of different periods and architectural style which are often larger than the original houses which positively contributed to the character of the area.

- 6.4.32 Denewood Road has evidently been developed from the late 1950's onwards. Throughout the progressive development of Denewood Road over the last century, few fundamental characteristics of the conservation area, such as the original site layouts, generous front and rear gardens, the original spatial relationship between buildings and landscape have been consistently retained and replicated in modern developments. The existing houses are well separated with good views into gardens and into the land behind them. The front gardens often provide off street parking resulting in a streetscape not overly dominated by parked cars.
- 6.4.33 The variety of architectural styles of the existing houses is a characteristic of Denewood Road within this part of the conservation area where houses are typically well set-back in their respective sites, mostly screened from street views behind leafy gardens with mature trees and tall boundary walls or timber fences. The conservation area along Denewood Road is currently characterised as suburban, leafy, 2 to 3 storeys high, almost secluded residential environment where the mature vegetation and front gardens reveal only glimpses of the residential buildings along the road. Local views along and across Denewood Road illustrate the domestic townscape and prevailing landscape features which contribute to the surviving character of this part of the conservation area. Within this context, the adopted Conservation Area Appraisal warns that over-scaled, poorly designed buildings and overdeveloped sites where mature gardens, leafy boundaries, spaces and views between houses are obscured are detractors to the character of the area.
- 6.4.34 Prior to demolition, the most recent building on site was a 1950's single-storey L-shaped concrete building of modest architectural quality which was complemented by two mews-type residential ranges converging in the communal facilities block, featuring a pitched roof. According to the characteristic siting of the area, the previous building was well set-back within its leafy site and its eastern range extended behind the locally listed Courtyard House site.
- 6.4.35 The proposed development follows a similar layout to the previously approved scheme under planning reference HGY/2018/3205, with a frontage block, with 2 blocks to the rear of the site in an L-shaped format. The development adopts a similar architectural language to the approved scheme which is welcomed. Likewise, the development has a similar scale in terms of heights. However, the frontage block has less of a set-back from Denewood Road, with the frontage block between 3.8 and 5 metres set back from the main front wall to the back edge of the footway.

- 6.4.36 It is acknowledged that this would result in a more visually prominent building than the previously approved scheme when viewed from Denewood Road with a reduced level of boundary soft landscaping and less verdant contribution to the street scene, in contrast to the characteristic pattern of houses set behind mature landscaped gardens in this section of the conservation area.
- 6.4.37 The previously approved extant scheme reference HGY/2018/3205 required a number of mature tree specimens to be removed to facilitate the development, many of which have already been removed during the demolition works to remove the care home buildings from the site. Seven mature trees would be required to be removed in the proposed scheme, of which 3 were already identified to be removed in the previous scheme, meaning an additional 4 trees would be removed, including a large prominent Norway Maple on the north-western boundary of the site. Whilst the tree officer has not objected to the scheme and its compensatory soft landscaping plan, the scheme was viewed by the Council's Heritage Officer to cause less than substantial harm to the character and appearance of the Highgate Conservation Area, on the basis of the front block building line resulting in a more visually prominent feature with reduced soft boundary landscaping, and the loss of large scale planting specimens, most notably tree 4 as identified in the arboricultural impact assessment (AIA), which is a Norway Maple non-native species.
- 6.4.38 Since the Heritage Officer raised these concerns, whilst the applicant was not able to make alterations to retain tree 4 and set-back the building line of Terrace A to the same extent as the previously approved extant scheme, amended plans have been received that have marginally increased the set-back of the frontage block from the highway, increased soft planting in the front gardens of these properties, and an improved front boundary wall detail, removing all brick piers to the right hand side of the front garden gates, and a change of materiality from concrete to brick coping. These changes are considered to have improved the appearance of this frontage block, albeit a further increased set-back would have been desirable. It is acknowledged that the shift from a flatted development to a housing typology with back gardens has reduced scope to provide an equivalent set-back to the approved scheme, and the applicant has responded to concerns raised by the Heritage Officer with regards to this to set-back and to providing greening within the site as much as was feasible whilst providing 11 homes. To this end, the amendments have gone some way to addressing concerns previously raised by the Council's Conservation Officer with regards to less than

substantial harm. They considered that the redesign of the front block to reverse the stagger and increase the setback from the street along with the amendments to the boundary wall have improved the relationship to the locally listed building.

- 6.4.39 Whilst it would be preferred if all of the group of Norway Maple trees (2, 3 and 4 as identified in the AIA) on the north-west boundary were retained, it is acknowledged that doing so would present significant challenges to introducing plots 4 and 5 to the site, and the previous consent also saw one of this group of three trees being removed, with tree 2 being removed in that scheme, whereas it is being retained in the current proposal.
- 6.4.40 Officers are mindful that the development would provide 11 family-sized dwellings of a high quality design in the form of conventional family sized homes that would contribute to the Borough's housing stock. Furthermore, the proposal would provide a substantial Payment in Lieu of affordable housing contribution totalling £1,694,597 that would be used and would make a substantial contribution towards meeting identified affordable housing needs in the borough. Overall, it would be a well-designed and energy-efficient development, providing a large proportion of its energy through renewable energy sources from air source heat pumps and solar photovoltaic panels. On balance, it is considered that these benefits outweigh the less than substantial harm to the conservation area that would result from the development.

Residential Quality

- 6.4.41 London Plan Policy D6 sets out housing quality, space, and amenity standards, with further detail guidance and standards provided in the Mayor's Housing SPG. Strategic Policy SP2 and Policy DM12 reinforce this approach at the local level.

Accessible Housing

- 6.4.42 London Plan Policy D7 and Local Plan Policy SP2 require that all housing units are built with a minimum of 10% wheelchair accessible housing or be easily adaptable to be wheelchair accessible housing. All homes would benefit from level means of entrance.
- 6.4.43 Of the 11 homes within the scheme, 1 of them, unit 8, would be designed to comply with Part M4(3) (Wheelchair User Dwellings) of the building regulations, alongside the provision of a wheelchair accessible parking bay provided adjacent to the dwelling. Whilst the provision of 1 of 11 homes is below the 10% threshold at 9.1%, the level of provision is only marginally lower with the policy requirement and is, on balance, acceptable. The remaining homes within the scheme would be designed to meet Part M4(2) standards in terms of accessibility.

6.4.44 Revised plans were received during the assessment of the application that proposed a separate pedestrian path to the entrance of the site from the pedestrian gate. Whilst this pedestrian path would provide separation of entrance to the site from vehicles, it would still be necessary for pedestrians to cross the private road in order to access Terraces B and C within the site. However, given the relatively limited number of vehicular movements that would occur in the site on a daily basis, on balance, the proposed layout is considered to ensure that safe means of access and movement within the development is provided.

6.4.45 A condition is recommended requiring the development to be undertaken in accordance with this balance of M4(3) and M4(2) units.

Indoor and Outdoor Space Standards

6.4.46 All of the proposed homes would meet the minimum internal space and floor to ceiling heights (2.5m) standards called for in London Plan Policy D6. The London Plan requires 3-bedroom 6-person units to provide at least 2.5sqm built-in storage and 4-bedroom 8-person units to provide 3sqm. Through a combination of in-built cupboards, storage spaces, pantries and cellar provision, or homes within the scheme would comfortably meet this requirement for in-built storage space.

6.4.47 All homes would benefit from a private rear garden well in excess of the minimum standards as set out in the London Plan. In addition to this, the dwellings in terraces A and B would benefit from a small first floor front balcony. A communal landscaped lawn/terrace area of approximately 60m² would also be provided for residents, located between terraces 1 and 2.

Aspect, outlook, and privacy

6.4.48 All homes would benefit from dual-aspects with southerly orientation on the front elevation and northerly orientation on the rear elevation, with satisfactory means of outlook. It is acknowledged that the rear elevations of dwellings within terraces A and B are in close proximity to each other. However, there would be at least 10 metres separation distance between all facing windows/terraces within the two terraces which would be set at an oblique angle to each other in order to avoid direct views between respective homes

6.4.49 This would represent a similar relationship between terraces A and B in comparison with the previously approved extant scheme on the site under planning reference HGY/2018/3205, where a minimum separation distance between the two terraces was also 10 metres. There would be a degree of mutual overlooking between the proposed homes, but this would be reflective of the

pattern of development that is commonly found within traditional urban/suburban residential areas such as direct facing terraces on opposite sides of a street.

- 6.4.50 In order to limit overlooking between first floor side-facing windows within no. 6 View Close and house no. 4 within the proposed development, trees are to be planted to the rear of house no. 4. Subject to a condition requiring further details for approval, this mitigation measure would be considered to provide adequate screening between the dwellings to prevent material levels of mutual overlooking between the facing windows/balconies of the two properties. A condition is recommended that requires these trees to be planted prior to first occupation of the development and maintained as such for the lifespan of the development, in order to ensure privacy levels would be maintained for existing and proposed occupiers.

Daylight/Sunlight/overshadowing – Future Occupiers

- 6.4.51 The applicant has submitted a Daylight and Sunlight Analysis in support of the planning application. The proposed internal home layouts have been tested against the Spatial Daylight Autonomy (SDA) and Sunlight Exposure assessments in accordance with compliance guideline targets within the BRE Guide 2022.
- 6.4.52 The SDA method is used to assess the level of internal daylight received within habitable rooms of a new development. The BRE Guide 2022 recommends that a bedroom receives 100 Lux, 150 Lux for a living room and 200 Lux for a kitchen/kitchen-living room. Compliance for a room is then defined in the BRE Guide if at least 50% of the room achieves this target. The analysis confirms that all relevant rooms within the development would pass the SDA methodology.
- 6.4.53 The BRE guide outlines that in general a dwelling, or non-domestic building that has a particular requirement for sunlight, will appear reasonably sunlit provided: at least one main window wall faces within 90° of due south and a habitable room, preferably a main living room, can receive a total of at least 1.5 hours of sunlight on 21 March. This is assessed at the inside centre of the window(s); sunlight received by different windows can be added provided they occur at different times and sunlight hours are not double counted.
- 6.4.54 The analysis confirms that where the assessment is undertaken for the homes as a whole all homes would receive satisfactory levels of sunlight when measured against the BRE guidelines.
- 6.4.55 Subject to compliance with relevant conditions and terms within the Section 106, the development would provide a satisfactory standard of accommodation for future occupants of the development, in general accordance with relevant policy and guidance.

Child Play Space

- 6.4.56 London Plan Policy S4 seeks to ensure that development proposals include suitable provision for play and recreation. Local Plan Policy SP2 requires residential development proposals to adopt the GLA Child Play Space Standards and Policy SP13 underlines the need to make provision for children's informal or formal play space. The Mayor's SPG indicates at least 10 sqm per child should be provided.
- 6.4.57 Using the GLA's Population Yield Calculator (October 2019), the estimated child yield from the development would require 99.3m² of play space to be provided. The play space would be provided to the south of Terrace 3 within a landscaped garden area, with play equipment consisting of a climbing pyramid, jumping discs, kaleidoscope and animal springers. In addition, a bench would be provided for informal seating and contemplation.
- 6.4.58 The equipment would primarily cater for young children, but also up to pre-teenage years, and would be contained within a 107m² space. The amount of play space provision would exceed the 99.3m² requirement and would be of a satisfactory standard for a development of this scale. There are large play areas for older children within Hampstead Heath (approximately 480 metres from the site). It is also pertinent to add that each house would benefit from private rear garden amenity space that would also provide some scope for use for child play space.

Impact on Amenity of Adjoining Occupiers

- 6.4.59 London Plan policy D3 requires that proposals deliver appropriate outlook, privacy and amenity. Policy DM1 of the DM DPD states that development proposals must ensure a high standard of privacy and amenity for the development's users and neighbours. Proposals should provide appropriate sunlight, daylight and open aspects to all parts of the development and adjacent buildings and land.
- 6.4.60 Proposals should avoid overlooking and loss of privacy detrimental to the amenity of neighbouring residents and address issues of vibration, noise, fumes, odour, light pollution and microclimatic conditions likely to arise from the use and activities of the development.

Daylight and sunlight impact

- 6.4.61 In support of the planning application, a BRE Daylight and Sunlight Analysis by IN2 has been submitted. The report provides an assessment of the impact of the development on daylight and sunlight conditions on neighbouring existing buildings and their amenity spaces against guidelines within the Building

Research Establishments (BRE) 'Site Layout Planning for Daylight and Sunlight: A guide to good practice' 2022 edition.

- 6.4.62 The submitted report assesses the development against the BRE methodologies relating to daylight. Vertical Sky Component (VSC), which is a measurement of the percentage of illuminance that a point can receive from an overcast sky as a percentage of that received at unobstructed horizontal locations. In simple terms, how much of the sky that can be seen for a given point.
- 6.4.63 Annual probable sunlight hours and winter probable sunlight hours, also referred to as APSH and WPSH, are used for the assessment of impact on neighbouring buildings by a proposed development. APSH and WPSH are a measure of probable direct sunlight to a window or surface and therefore are only relevant to windows within 90 degrees of south for buildings in the northern hemisphere. An assessment calculating the daylight and sunlight impact of the proposal was made for the following neighbouring properties:
- 6 View Close
 - 1, 4, 5 & 10 Willowdene
 - Goldsmiths Cottage (Courtyard House)
 - 17 & 15 Denewood Road
 - 2A, 20, 20A, 20B & 20C Denewood Road
- 6.4.64 An amendment was made to the positioning of Terrace C, to set the terrace an additional 1.5 metres off the boundary shared with neighbouring no. 2A Denewood Road. Following this amendment, all neighbouring windows would retain a satisfactory level of daylighting, with all retaining at least 80% of their former value or a value of at least 27% when applying the VSC assessment.
- 6.4.65 In response to a representation received that some side windows to no. 2A Denewood Road were not included in the original daylight/sunlight report, an addendum to the Daylight and Sunlight analysis was submitted, which applied a 'No Sky Line' assessment to the room served by these side windows, and an updated VSC analysis that included the 2 side windows. The No Sky Line study determines the percentage change in the working plane area (area of the affected room above 850mm) of the room, that receives a direct view of the sky. The analysis concluded that there would be a minimal reduction of 0.27% of current light received in the room using this analysis, and therefore that a satisfactory level of light would still be received by this living and dining room area using this criteria, which is served by a full-height band of glazing on its rear elevation.
- 6.4.66 All relevant neighbouring windows would also not be materially affected with regards to APSH by the development, with all complying with the BRE guidelines. With regards to sunlight received by neighbouring outdoor amenity spaces, all garden spaces within 90 degrees of due south would still receive at least 2 hours

of sunlight on 21st March (equinox) to at least 50% of the garden, in accordance with BRE guidelines.

- 6.4.67 In summary, the proposed development would not result in an unacceptable impact with regards to the daylight and sunlight conditions of neighbouring occupants.

Privacy/overlooking and outlook

- 6.4.68 The scheme has been designed to minimise the impact of overlooking, privacy and outlook of neighbouring residents.
- 6.4.69 *Courtyard Cottage*: There is a north-facing dormer in the loft floor of this neighbouring dwelling that would be over 14 metres away from directly facing windows within terrace C. It is understood that this serves a stairwell area in the dwelling and not a habitable room. There are no upper floor windows on the eastern flank of terrace A that would provide views towards the side dormer window of Courtyard Cottage. Satisfactory privacy and outlook conditions would be maintained for the occupants of this neighbouring property.
- 6.4.70 *10 Willowdene*: This neighbouring property is located parallel to the flank wall of terrace A. there are no side facing windows on the flank elevation of the adjacent proposed dwelling in Terrace A, and the rear windows of this terrace would not project beyond the rear extent of this neighbouring property. The upper floor front windows of terrace B would be over 14 metres away from the rear facing windows of this neighbouring property and set at an oblique angle, which would not result in an unacceptable loss of privacy. The front balconies placed above the ground floor bay of properties within Terrace A are located on the right hand side of the frontage, meaning the angle is oblique towards no. 10 Willowdene and restricts scope for overlooking of this neighbouring property. Satisfactory privacy and outlook conditions would be maintained for the occupants of this neighbouring property.
- 6.4.71 *1 Willowdene*: The front facing windows of this neighbouring property would be approximately 20 metres away from the front-facing windows of terrace A and set at an oblique angle, and there are no side facing windows within the adjacent proposed dwelling in terrace B, ensuring a satisfactory level of outlook and privacy would be maintained.
- 6.4.72 *6 View Close*: The rear elevation of Terrace B faces onto the side elevation of no. 6 View Close. The adjacent dwellings in Terrace B to the first-floor side window of this neighbouring property are plots 4 and 5. Rear facing upper floor windows within plot 4 would be located 10.3 metres away from the flank first floor window of no. 6 View Close and an upper floor side window of 6 View Close would be positioned 13.2 metres away from those of plot 5.

- 6.4.73 Although a 13.2 metres 'window to window' is generally considered to be an acceptable distance to avoid a material level of overlooking, a large existing evergreen hedge is proposed to be retained along the shared boundary of the proposed house and the existing neighbouring property which will further mitigate the impact of overlooking. In addition to this, the applicant has proposed the planting of bespoke compact evergreen trees on this shared boundary to prevent mutual overlooking between the neighbouring property and the proposal. A restrictive condition is recommended to be imposed on any grant of planning permission that requires further details of the planting positions, densities, heights and species, to be submitted, approved and fully implemented prior to occupation of the proposed house (and maintained for the life of the development) in order to ensure that the screen planting would be sufficiently effective and appropriate for its positioning.
- 6.4.74 It is considered that satisfactory privacy and outlook conditions would be maintained for the occupants of this neighbouring property.
- 6.4.75 *2A Denewood Road:* The front windows of block C are set at a very oblique angle to 2A Denewood Road, and there are no side facing windows in block C that would overlook this neighbouring property. The rear facing windows are set at an oblique angle to the rear garden of this neighbouring property. Whilst it is acknowledged that the introduction of Terrace C would reduce outlook from the rear facing windows of no. 2a looking north-west, these windows would still benefit from the principle outlook for the rooms they serve looking rearwards, and Terrace C is adequately set-off the shared boundary to ensure that it would not result in a visually overbearing impact when viewed the rear windows and garden of no. 2A
- 6.4.76 As such, the proposed development would not result in an unacceptable adverse impact on the outlook or privacy levels of this neighbouring property.

Noise/odour

- 6.4.77 The position of the proposed play area would be adjacent to the rear garden of Courtyard House and side wall of no. 2a Denewood Road. An acoustic fence is proposed to be installed alongside the eastern boundary of the play area adjacent to the boundary shared with no. 2a Denewood Road. It is acknowledged that would be some uplift in noise levels experienced by the occupants of Courtyard House and no. 2a Denewood from the introduction of the play area for the proposed development, whilst in use by children. However, given the small scale of the development for 11 dwellings and its gated design meaning the play area would only be used by occupants of the development, it is not considered that the intensity of use or scale of the play area would result in an unacceptable level of noise disturbance to be encountered by the occupants of this neighbouring property.

- 6.4.78 The bin store for the development would be located at the entrance to the site, adjacent to boundary shared with Courtyard House. The bin store would be fully enclosed and divided from the neighbouring property by a boundary fence. The submitted Design and Access Addendum indicates that the rear elevation of the timber bin store would be solid with no openings. Any louvred openings to provide ventilation for the store would therefore not be placed on the elevation adjacent to this neighbouring property.
- 6.4.79 As such, it is considered that the location of the bin store is of an adequate distance away from adjacent residential properties to avoid unpleasant odours and as such would not have a material adverse impact on the amenity of surrounding residents.
- 6.4.80 The proposal therefore, subject to compliance with relevant conditions, would not result in an unacceptable impact on neighbouring amenity conditions.

Transportation and Parking

- 6.4.81 Paragraph 115 of the NPPF makes clear that in assessing applications, decision makers should ensure that appropriate opportunities to promote sustainable transport modes have been taken up and that the design of streets and other transport elements reflects national guidance (including the National Design Guide).
- 6.4.82 London Plan Policy T1 sets a strategic target of 80% of all trips in London to be by foot, cycle, or public transport by 2041 and requires all development to make the most effective use of land. Policy T5 encourages cycling and sets out cycle parking standards and Policies T6 and T6.1 to T6.5 set out car parking standards.
- 6.4.83 Other key relevant London Plan policies include Policy T2 – which sets out a ‘healthy streets’ approach to new development and requires proposals to demonstrate how it will deliver improvements that support the 10 Healthy Street Indicators and Policy T7 – which makes clear that development should facilitate safe, clean and efficient deliveries and servicing and requires Construction Logistics Plans and Delivery and Servicing Plans.
- 6.4.84 Policy SP7 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 approach is continued in Policies DM31 and DM32 of the DM DPD.
- 6.4.85 Policy DM32 of the DM DPD states that the Council will support proposals for new development with limited or no on-site parking where there are alternative and accessible means of transport available, public transport accessibility is at

least 4 as defined in the Public Transport Accessibility Index, a Controlled Parking Zone (CPZ) exists or will be provided prior to the occupation of the development parking is provided for disabled people; and parking is designated for occupiers of developments specified as car capped.

Car parking

- 6.4.86 The proposal would see the provision of 11 car parking spaces within the site, with one of these spaces designated as a disabled car parking bay. The parking spaces would be supported by electric vehicle charging points. 22 long-stay and 2 short-stay cycle spaces for residents and visitors would be provided on site.
- 6.4.87 The proposal site has a PTAL rating of 1b as stated on Transport for London's WebCAT tool, this indicates that its access to public transport is poor when compared to London as a whole suggesting that there will be a strong reliance on the private vehicle for trips to access the site. The site is located within the Highgate Underground Station Outer CPZ which restricts parking to permit holders Monday to Friday between 10:00 – 12:00.
- 6.4.88 The nearest station to the site is Highgate Station, it is around a 14 min walk and a 6 min bike ride. Local bus services can be found on the A1 which includes several high frequency routes, where residents can get to areas such as Muswell Hill and Archway that offer access to shops, services, and transport links. The development location is not near to any of Transport for London's cycle infrastructure.
- 6.4.89 The site currently has an existing vehicle access on to Denewood Road, this application would see this existing access removed, with a new vehicular access on to Denewood Road provided in a new location to the east of its current location. Pedestrians will be provided with a separate dedicated gated access to enter the site. It is to be noted that the application site benefits from an extant planning permission reference HGY/2018/3205 for the construction of 13 residential dwellings.
- 6.4.90 The proposed provision of 11 off-street parking spaces would be below the maximum parking standards set out in the London Plan for a proposal in this location of this scale, which would allow for a maximum on-site allocation of 17 parking spaces. The car capping of the development to have no more than 11 spaces and making the development 'car-free' – in removing the rights of future occupants to apply for parking permits to use in the adjacent car parking zone (CPZ) – is considered an appropriate provision that would ensure that the site does not generate a high number of private vehicle trips onto the surrounding road network, helping to support local public transport options, and would not increase on-street parking stress.

- 6.4.91 One of the 11 parking spaces would be a designated accessible parking bay which would be in accordance with London Plan parking standards. Further details of the accessible parking bay, including details of 1.2m hatched areas, shall be required by a condition imposed on the development.

Electric vehicle charging

- 6.4.92 Policy T6.1 of the London Plan requires that 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. The transport statement confirms that all 11 spaces will have active EV charging facilities which would exceed minimum standards within the London Plan. A condition shall be imposed on the development that requires the charging points to be installed and active prior to first occupation of the development.

Cycle parking

- 6.4.93 The London Plan sets out minimum standards for the provision of cycle parking within residential developments. The development would provide 22 long-stay cycle parking spaces and 2 short-stay spaces which is in accordance with London Plan standards with regards to level of provision. The spaces are to be provided within the front or rear gardens of blocks 1 and 3, with a communal cycle store within the north central section of the site provided for block 2. No details have been provided on the specific type of bike storage at present, but they would be covered and secured facilities. A pre-commencement condition can be imposed on the development requiring details and plans of the cycle parking spaces to be in line with policy T5 of the London Plan, to be approved and provided prior to first occupation of the development.

Highway works

- 6.4.94 The development would require some changes to the adopted highway on Denewood Road, these include the realignment of the new access, removal of a redundant crossover, reinstatement of the footway, removal of on-street parking, with establishment of replacement new on-street parking bays that will ensure there is no net loss of on-street parking bay capacity on Denewood Road, and associated road markings. The proposed internal layout and access changes have already been subjected to a Stage 1 Road Safety Audit. It has been independently audited with comments provided and the developer/applicant has provided a design response to issues identified by the auditor.
- 6.4.95 The Transport Planning and highways department has concluded that the issues identified in the road safety audit can be addressed via further detailed design which will be subjected to a further Stage 2 Road safety audit which will be secured by a S.278 highway legal agreement between the council and the applicant.

Access

- 6.4.96 The development would provide pedestrian access into the site that is independent to the vehicular access. The pedestrian footpath into the site is 1.5 metres width which should allow for easier movement of all users. Whilst the path does not allow for segregated access from the path directly up to the entrance of each individual dwelling, this is a private road that given the small scale of development, would be subject to a very low level of vehicular movements throughout the day, and therefore there are no significant safety concerns with this arrangement.
- 6.4.97 Cars seeking to enter the site would be able to dwell inside of the site whilst the gates open, given the set-back provided for the vehicular gate entrance into the site, thereby ensuring vehicles would not oversail the public footway/highway whilst waiting to enter the site. Whilst the driveway in the site to the parking area is not double width, a section of the driveway adjacent to the gates is widened to 4.7 metres width to allow a car looking to make egress to wait with adequate width to allow incoming cars to pass.
- 6.4.98 The proposed access into the site would have a width of 4 metres, accessing onto Denewood Road which is subject to 20 miles per hour speed restrictions. The means of access into the site has been subject to a stage one Road Safety Audit (RSA), which looks at the physical characteristics of the means of access into the site. Following clarifications received from the designer for the proposed scheme, the authors of the RSA were happy with the measures employed by the designer to improve highway safety. Officers are aware that Denewood Road can be subject to higher traffic and pedestrian movements during school drop-off and collection hours in association with nearby school facilities on Broadlands Road, so ensuring safety is even more paramount.
- 6.4.99 The proposal has been designed to provide satisfactory visibility splays to allow safe egress from the site. The small scale of the proposed residential development would not give rise to a high number of vehicular movements to and from the site that would give rise to highway safety concerns.

Servicing and deliveries

- 6.4.100 The site has a turning area just to the south of the car park which would allow for a 7.5 tonne box van and a 7.9 metre length fire engine to enter and leave the site in forward gear without issue.
- 6.4.101 A communal waste and recycling store would be provided within the site adjacent to the site entrance. This would allow for collections to be made by waste operatives on Denewood Road without the need to enter the site. Whilst this may result in a waste vehicle dwelling whilst waste is collected from the store, it is not considered that this would impede highway movements significantly given that the store is immediately adjacent to the highway.

6.4.102 A condition requiring the submission of and approval of a waste service and delivery plan is recommended to secure the appropriate details.

Construction logistics

6.4.103 A detailed construction logistics plan will be required to be submitted to and approved by the LPA prior to the commencement of all works on site, but no issues have been raised by Council Transportation Officers at this stage that raise concerns to the feasibility of the construction works being carried out safely.

6.4.104 Subject to compliance with conditions imposed on the development, and the construction logistics plan being secured by way of a Section 106 agreement, alongside a car capped and car free agreement, the proposal is considered to be acceptable with regards to highways and parking considerations.

Energy, Climate Change and Sustainability

6.4.105 London Plan Policy SI2 sets out the Mayor of London's energy hierarchy: Use Less Energy (Be Lean); Supply Energy Efficiently (Be Clean); Use Renewable Energy (Be Green) and (Be Seen). It also sets a target for all development to achieve net zero carbon, by reducing CO2 emissions by a minimum of 35% on-site, of which at least 10% should be achieved through energy efficiency measures for residential development (or 15% for commercial development) and calls on boroughs to establish an offset fund (with justifying text referring to a £95/tonne cost of carbon). London Plan Policy SI2 requires developments referable to the Mayor of London to demonstrate actions undertaken to reduce life-cycle emissions.

6.4.106 London Plan Policy SI4 calls for development to minimise overheating through careful design, layout, orientation, materials and incorporation of green infrastructure, designs must reduce overheating in line with the Cooling Hierarchy.

6.4.107 Local Plan Strategic Policy SP4 requires all new development to be zero carbon (i.e. a 100% improvement beyond Part L of the 2021 Building Regulations) and a minimum reduction of 20% from on-site renewable energy generation.

6.4.108 Policy DM21 of the Development Management Document requires developments to demonstrate sustainable design, layout, and construction techniques.

Energy

6.4.109 The principal target is to achieve a reduction in regulated CO2 emissions over Part L 2021 Building Regulations. The London Plan requires the 'lean', 'clean', 'green' and 'seen' stages of the Mayor of London's Energy Hierarchy to be

followed to achieve a 'Zero Carbon' Standard targeting a minimum onsite reduction of 35%, with 10% domestic and 15% non-domestic carbon reductions to be met by energy efficiency. All surplus regulated CO2 emissions must be offset at a rate of £95 for every ton of CO2 emitted per year over a minimum period of 30 years.

- 6.4.110 'Be Lean.' The development has been designed to incorporate passive design and efficiency measures, to optimise the balance between beneficial winter solar gains and summer comfort, while maximising internal daylight levels. It would achieve 14% carbon savings when measured against Part L of the Building Regulations 2021.
- 6.4.111 'Be Clean.' The applicant is not proposing any Be Clean measures. The site is not within a reasonable distance of a proposed Decentralised Energy Network (DEN). A Combined Heat and Power (CHP) plant was not considered to be appropriate for this site. The applicant has outlined that an air source heat pumps for each unit would be a more suitable option; and officers agree this approach.
- 6.4.112 'Be Green.' The development would achieve carbon savings of 57% against Part L of the Building Regulations 2021 through on-site renewable energy generation, including each property being provided with an air source heat pump (ASHP) and solar photovoltaic (PV) panels installed on their south-east facing roof sections.
- 6.4.113 Overall – 'Lean', 'Clean' and 'Green'. Table 12 below sets out the overall carbon emission savings:

Table 12: Regulated carbon dioxide emissions savings (SAP12 carbon factors)

	CO2 savings (Tonnes CO2/year)	Percentage savings
Be lean	2.9	14%
Be clean	0	0%
Be green	12	57%
Total savings	14.9	71%
	CO2 savings off-set	
Off-set	6.1	

6.4.114 'Be Seen.' It is recommended that a planning condition requires the submission to the LPA that the development has been registered on the Greater London Authority's (GLA) energy monitoring platform.

6.4.115 Carbon Offsetting. Despite the adoption of the 'Lean' and 'Green' measures outlined above, the expected carbon dioxide savings fall short of the zero-carbon policy target for proposed domestic uses. Overall, the amount of carbon to be offset would be 6.1 tonnes per year (based on SAP10 carbon factors). Based on 30-years of annual carbon dioxide emissions costed at £95 per tonne, this amounts to £17,385. It is recommended that s106 planning obligations secure this sum or any different agreed sum that may be appropriate in the light of additional carbon savings that arise from more detailed design agreed with the LPA, by way of s106 planning obligations.

6.4.116 Energy conclusion. The overall anticipated on-site carbon emission reductions over Building Regulations of 71% and associated offsetting payments would meet London Plan Policy SI2.

Overheating

6.4.117 The applicant has provided a revised overheating assessment that has been reviewed by Carbon Management Officers. The scheme would now include external shutters and MVHR with air tempering. Carbon Management Officers consider that passive design measures to improve the overheating risks should be explored by the applicant. A condition is recommended to be included by officers that requires the submission of an updated Overheating Report to minimise overheating risk accordingly.

Environmental sustainability

- 6.4.118 Construction waste. The applicant's Sustainability Statement states that a separate Site Waste Management Plan (SWMP) will be provided to maximise diversion of construction and excavation waste from landfill.
- 6.4.119 Water consumption. In order to ensure compliance with London Plan Policy SI5, it is recommended to use a planning condition to minimise the use of mains water in line with the Operational Requirement of the Building Regulations requirement of 125 litres/person/day for all new dwellings, with an aspiration of achieving 105 litres/person/day.
- 6.4.120 Considerate Constructors Scheme. The development would need to achieve formal certification under the Considerate Constructors Scheme, and this requirement is secured through the imposition of a condition.

6.5 Flood Risk, Drainage and Water Infrastructure

- 6.5.1 Development proposals must comply with the NPPF and its associated technical guidance around flood risk management. London Plan Policy SI12 requires development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed.
- 6.5.2 London Plan Policy SI13 and Local Policy SP5 expect development to utilise Sustainable Urban Drainage Systems (SUDS).
- 6.5.3 Policies DM24, 25, and 29 of the DM DPD continue the NPPF and London Plan approach to flood risk management and SUDS to ensure that all proposals do not increase the risk of flooding. Policy DM27 of the DM DPD seeks to protect and improve the quality of groundwater.
- 6.5.4 London Plan Policy SI5 requires proposals to ensure adequate wastewater infrastructure capacity is available.
- 6.5.5 In support of the application, a Drainage and SUDS Strategy by Barrett Mahony has been submitted.

Flood Risk

- 6.5.6 The site is entirely in Flood Zone 1 and has a low probability of flooding from tidal and fluvial sources. There are no public sewers crossing the site, with foul and surface water drainage understood to currently drain into the existing sewer network on Denewood Road to the south of the site.

Drainage & Water Infrastructure

- 6.5.7 Rainwater attenuation measures would be employed in the design of the proposal, including the use of tree pits with attenuation below ground, a rain garden in front of terrace C, and use of permeable block paving/porous surfacing. It is proposed to use the existing sewage network for foul and surface water from the development. Thames Water have been consulted at pre-application stage and have confirmed that there is capacity in their sewers to accommodate the proposed surface water discharge rate. They raise no objection to the planning application. It is proposed to limit flows from the developed site to 1.8l/s for all rainfall events up to and including the 1-in-100-year event, including taking into consideration climate change allowance in terms of rainfall intensity.
- 6.5.8 An attenuation tank would be installed beneath ground level in the site to attenuate movement of water from the surface to the drainage network during intense rainfall events. The Lead Local Flood Authority (LLFA) is the London Borough of Haringey for this proposal. Following the submission of additional drainage calculations for a greater range of storm events, the LLFA are happy with the overall strategy and methodology used within the Drainage and SUDS strategy. A condition has been recommended requiring the development to be carried out in accordance with the Drainage and SUDS Strategy.
- 6.5.9 The engineers employed by the applicant have outlined in a response dated 08/09/25 that the impact of the relatively shallow sunken gardens on groundwater flows will be negligible, outlining the proposal will not have any material impact on groundwater levels and no resultant settlement is anticipated.
- 6.5.10 Thames Water has raised no objection to the proposed scheme, subject to the imposition of conditions and informatives. Subject to compliance with conditions, the proposal is acceptable with regards to flood risk, drainage and water infrastructure considerations.

6.6 Air Quality

- 6.6.1 London Plan policy SI1 sets out that major development proposals should be submitted alongside an air quality assessment. A revised air quality assessment was submitted in October 2024 alongside the application, which sets out that the development will utilise an all-electric energy strategy for the provision of heat and hot water with no centralised combustion plant. A construction dust assessment has been provided as part of the assessment to set out how appropriate mitigation would be undertaken to minimise air quality impacts during construction. The report finds that the development is 'air quality neutral' with regards to building emissions. Whilst the development is found not to be 'air quality neutral' with regards to road transport emissions on the basis of anticipated road trips per year arising from the development, it needs to be taken into consideration that the site is located in an area with a very low PTAL value, and the majority of dwellings within the locality benefit from off-street parking. The development would only provide one off-street parking space per dwelling which

is within the maximum standards for car parking in the London Plan for a residential development in an outer London location with a low PTAL.

- 6.6.2 To mitigate for this, the Air Quality Assessment outlines that an offsetting payment calculation has been undertaken in accordance with Greater London Authority (GLA) guidance with regards to Air Quality, which demonstrates that a contribution of £51,580.29 would be required to account for the shortfall in meeting air quality neutrality requirements with regards to transport emissions over a 30-year period.
- 6.6.3 The development has been reviewed by the Council Environment Health Pollution Officer who was happy with the revised air quality report submission on this basis. The section 106 agreement will to secure this financial contribution.

6.7 **Trees**

- 6.7.1 Paragraph 136 of the NPPF sets out the importance of trees and makes clear that planning decisions should ensure that new streets are tree-lined. London Plan Policy G7 makes clear that development should seek to retain and protect trees of value and replace these where lost. Core Objective SO4.3 of the Highgate Neighbourhood Plan 2017 sets out that natural features, including trees, should be protected within the plan area.
- 6.7.2 In support of the application, an Arboricultural Impact and Method Statement has been submitted by Patrick Stileman Ltd. The former care home that occupied the site has since been demolished in May 2022, alongside the surrounding hard surfacing and associated infrastructure. Most of the trees which were shown to be removed in the originally approved extant scheme for the 13 apartments - reference HGY/2018/3205 were also removed during the demolition process.
- 6.7.3 There are no trees subject to a tree preservation order (TPO) located within the site. A site survey was undertaken in April 2024 which confirmed that there were 24 individual trees and 4 tree groups within the survey area. Three trees that were identified for removal in the extant scheme – reference HGY/2018/3205 are proposed to be removed in this current scheme. In addition to this, six other trees are proposed for removal, including a prominent Category B Norway Maple (tree 4) on the north-western boundary of the site. However, tree 2 – a large Category B Norway Maple close to tree 4 that was previously proposed to be removed in the consented extant scheme – would now be retained as part of this proposal. The arboricultural report indicates that 3 of the 6 trees that require removal are Category U trees, that need removal for reasons of sound management due to their condition.
- 6.7.4 The proposed landscaping would primarily be positioned around the boundaries of the site with 30 additional mature standard and semi-mature standard multi-stem trees planted on site. The strategy for the tree planting is to create a visual

interest, important screening and ecological value. The species have been chosen to create all year round interest, with interest created through bark, foliage colour and flower. The tree report and landscaping details have been reviewed by the Council's Arboriculture Officer, who considers that providing that the works are carried out in accordance with the tree protection details within the method statement section of the report, there are no objections to the proposal with regards to tree impact. Appropriate conditions are imposed on any grant of planning permission requiring adequate tree protection measures to be implemented as recommended by the Council Tree Officer.

6.8 Urban Greening/landscaping and Biodiversity

- 6.8.1 London Plan Policy G5 sets out the concept and defines Urban Greening Factor (UGF) as a tool used to evaluate and quantify the quality of urban greening provided by a development and aims to accelerate greening of the built environment, ensuring a greener London as it grows. It requires boroughs to develop their own UGF targets, tailored to local circumstances, but recommends an interim target score of 0.40 for proposed development that is predominantly residential.
- 6.8.2 London Plan Policy G6 seeks to manage impacts on biodiversity and aims to secure biodiversity net gain. Local Plan Policy SP11 promotes high quality landscaping on and off-site. Policy DM1 of the DM DPD requires proposals to demonstrate how landscape and planting are integrated into the development and expects development proposals to respond to trees on or close to a site. Policy DM21 of the DM DPD expects proposals to maximise opportunities to enhance biodiversity on-site.

Urban Greening/landscaping

- 6.8.3 The scheme has attempted to maximise greening of the site within its constraints, including a tree planting scheme , primarily along the boundaries of the site, alongside shrub and hedge planting separating different sections of the site. A large proportion of the planting will be native/semi-natural planting. An edible planting/herb garden is proposed within the communal garden between terraces A and B with species chosen to produce edible produce throughout the year. A rainwater garden has also been proposed in the eastern part of the site. The front gardens of all dwellings within the site would benefit from soft planting in the form of hedge boundaries. The front terrace A would benefit from a small amenity/planting area. Where possible, the dwellings have been provided with lawned gardens.
- 6.8.4 Overall, the development would achieve an Urban Greening Factor score of 0.32 which is below the recommended score of 0.4 outlined in the London Plan. The

applicant has highlighted that the ability to achieve a higher score is constrained by a number of factors:

- Impermeable clay soil: Minimising practical use of permeable paving.
- Overall constrained site area: 32 percent is taken by pitched roof housing (for design purposes) which are unsuitable for green roofs.
- Existing trees: The root protection areas (RPA) of existing trees reduce the area where new trees can be planted and development can take place.
- Universal access: level/gently sloping paths & steps of accessible dimensions take up space as hard landscape elements reducing possible planted area.

- 6.8.5 Whilst Officers always seek to ensure that urban greening is maximised in developments whilst balancing the need to meet other planning objectives in order to meet the recommended 0.4 UGF score, it is accepted that it would be difficult to achieve this within the constraints of the site, given the aforementioned issues above. Therefore, a condition is imposed that requires the proposal to achieve a minimum 0.32 UGF score.
- 6.8.6 In addition to the soft landscaping proposed throughout the site, a high quality hardstanding scheme is proposed, including herringbone paving/resin bound gravel for vehicular and pedestrian access areas, with permeable green seeded paving used in the parking areas. Detailed landscaping and boundary conditions are recommended in order to secure high quality landscaping scheme, for the site and for the benefit of the surrounding built environment generally.
- 6.8.7 Subject to compliance with such conditions, the development would be acceptable with regards to urban greening and landscaping considerations.

Biodiversity

- 6.8.8 Biodiversity Net Gain (BNG) is an approach to development which makes sure that habitats for wildlife are left in a measurably better state than they were before the development. The Environment Act 2021 introduced a statutory requirement for most developments to deliver a BNG of 10%. This means a development will result in more or better-quality natural habitat than there was before development.
- 6.8.9 If however the 10% BNG cannot be achieved within the site, the legislation allows the option to deliver a mixture of on-site and off-site biodiversity gain, through purchase of off-site biodiversity units on the market or directly from the Government.
- 6.8.10 The development has attempted to provide biodiversity value within the site including through the inclusion of modified grassland, a rain garden, mixed scrub, gardens, a small green roof on the waste stores and urban trees. Objections have been received that outline it was considered that the biodiversity assessment should have been carried out on the basis of the pre-degradation habitat type as

the site baseline. Works by the previous developer to clear the site and implement the extant planning permission HGY/2018/3205 have inevitably resulted in a reduced biodiversity value, but this consent was granted prior to the introduction of 10% Biodiversity Net Gain legislation in 2024. It would therefore be considered unreasonable to apply the pre-degradation biodiversity value of the site as the baseline.

- 6.8.11 When using the statutory biodiversity metric calculation tool, the development would result in a -10.65% BNG value loss when measured against the pre-development baseline value. As such, due to the proposed loss of medium and large sized trees to facilitate the development, it fails to provide the required 10% BNG on site.
- 6.8.12 A number of urban trees would need to be planted off-site in order to offset the BNG shortfall, through an offset provider. The offset contribution has been secured through a section 106 agreement between the applicant and the LPA. A condition has been recommended securing a Biodiversity Net Gain Plan that is required to be submitted prior to commencement of development, details which shall include how onsite biodiversity enhancement measures would be undertaken and managed on site in order to support and protect local wildlife and natural habitats.
- 6.8.13 Subject to compliance with the recommended conditions and obligations secured through a S.106 legal agreement, the development would be acceptable with regards urban greening/landscaping and biodiversity considerations.

6.9 **Waste and Recycling**

- 6.9.1 London Plan Policy SI7 calls for development to have adequate, flexible, and easily accessible space and collection systems that support the separate collection of dry recyclables and food. Local Plan Policy SP6 and Policy DM4 require development proposals make adequate provision for waste and recycling storage and collection.
- 6.9.2 The Haringey Waste Management Guidance Notice for Residential and Mixed-Use Developments provides guidance for waste storage and collection on new developments. The guidance sets out for communal collection arrangements, 1 x 1,100 litre (L) bins are required for refuse per 6 dwellings, 1 x 1,100L bins for recycling per 10 dwellings, and 20 L of food waste per dwelling.
- 6.9.3 The proposed bin store would accommodate 2 x 1,100 L for waste, 1 x 1,100 L & 1 x 240 L for recycling, with 2 x 140 L for food waste.
- 6.9.4 The proposed development would provide a communal waste store immediately adjacent to the entrance to the development. It would not be set behind the gated entrance to the site, meaning that waste operatives would be able to make

collections from the communal bin store without entering into the site. The distance from the public highway to the waste store would be less than 1 metre, meaning waste collections could be undertaken very easily from the street without the need for waste vehicles to dwell for long periods. Officers within the Council Street Cleansing Team have reviewed the proposal and are happy with the proposal from a waste/recycling storage and collection perspective.

- 6.9.5 The maximum distance from dwelling entrance to the bin store would be approximately 60 metres, which exceeds the 30 metres limit that is set out in Building Regulations guidance for domestic developments. Whilst this is not an ideal arrangement for future occupants, it is not sub-standard to an extent that would warrant refusal of the development. Further details of the dimensions, design and materials of the waste store shall be required to be provided through a condition recommended on the development. Subject to satisfactory compliance with this condition, the development would be considered acceptable with regards to waste and recycling storage and collection considerations.

6.10 Land Contamination

- 6.10.1 Policy DM23 of the DM DPD requires development proposals on potentially contaminated land to follow a risk management-based protocol to ensure contamination is properly addressed and carry out investigations to remove or mitigate any risks to local receptors.
- 6.10.2 The application and its associated documentation have been reviewed by LBH Pollution officers, who raise no objection, subject to the imposition of conditions regarding Land Contamination and Unexpected Contamination.

6.11 Fire Safety and Security

- 6.11.1 Policy D12 of the London Plan requires all major development proposals to be submitted with a Fire Statement which has been prepared by a suitably qualified third-party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. Policy D5 of the London Plan also seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. A Fire Safety Statement has been submitted alongside the application which sets out how fire safety has been considered and incorporated into the design of the development from the earliest stage.
- 6.11.2 The fire safety of the development would be checked at building regulations stage. The proposal is acceptable with regards to planning considerations.

6.12 Equalities

6.12.1 In determining this application, the Council is required to have regard to its obligations under Section 149 of the Equality Act 2010. Under the Act, a public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under this Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it

6.12.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Members must have regard to these duties in taking a decision on this application. In addition, the Council treats socioeconomic status as a local protected characteristic, although this is not enforced in legislation. Due regard must be had to these duties in the taking of a decision on this application.

6.12.3 The overall equalities impact of the proposal would be positive as any limited potential negative impact on people with protected characteristics would be both adequately mitigated by conditions and would be significantly offset by the wider benefits of the development proposal overall. It is therefore considered that the development can be supported from an equalities standpoint.

6.13 Conclusion

- The site already has an extant planning permission for 13 residential units under planning permission HGY/2018/3205
- The proposed development would bring back in to use a brownfield site which has been vacant for a number of years with a high quality designed housing scheme, representing sustainable development
- The development would provide 11 new family homes in the form of houses and would contribute to much needed housing stock in the Borough;
- The proposed development would not have any material impacts on the amenity of existing residents of adjacent and surrounding properties;
- There would be no significant adverse impacts on existing highways conditions or parking;
- The development would introduce a high-quality soft landscaping scheme on the site;

- The scheme would provide a number of section 106 obligations including a financial contribution of £1,694,597 towards offsite affordable housing within the Borough.

6.14 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 **COMMUNITY INFRASTRUCTURE LEVY (CIL)**

7.1 Based on the information given on the plans, the Mayoral CIL charge will be £143,886.16 (2,024sqm x £71.09) and the Haringey CIL charge will be £877,484.96 (2,024sqm x £433.54). These rates are based on the Annual CIL Rate Summary for 2025. This will be collected by Haringey after/should the scheme is/be implemented and could be subject to surcharges for failure to assume liability, for failure to submit a commencement notice and/or for late payment, and subject to indexation in line with the RICS CIL Index. An informative will be attached advising the applicant of this charge

8 **RECOMMENDATIONS**

8.1 GRANT planning permission for the reasons set out in Section 2 above, subject to conditions and a s106 legal agreement.