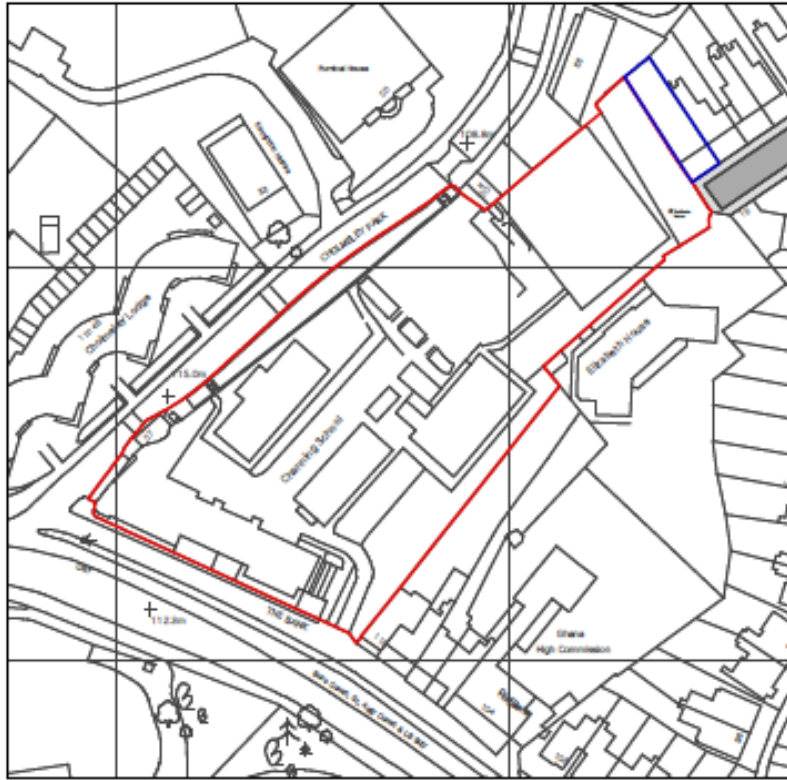
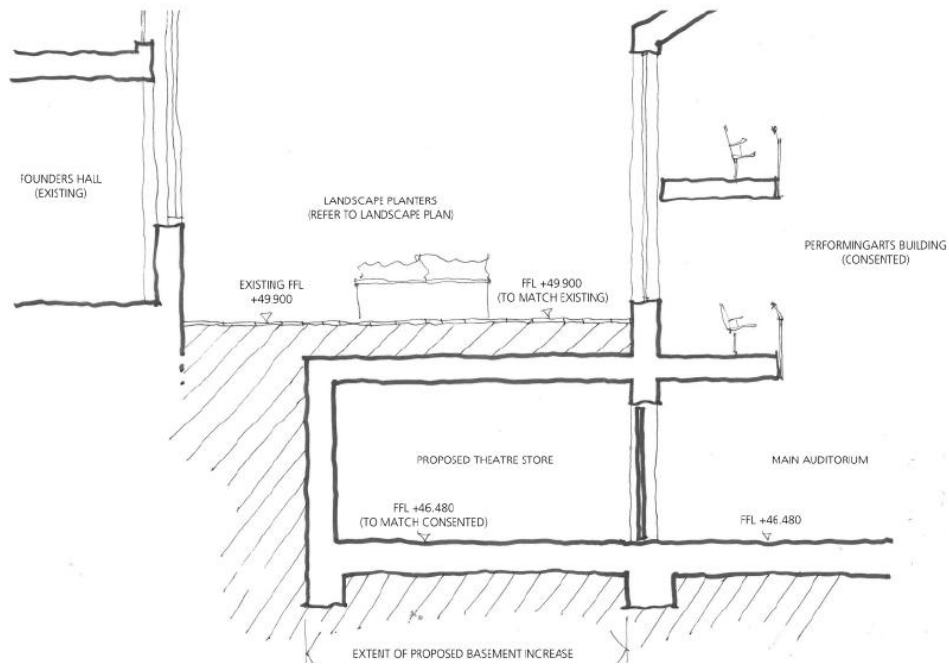


REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

Reference No: HGY/2013/2287	Ward: Highgate
<p>Address: Channing School Highgate Hill N6 5HF</p> <p>Proposal: Variation of Condition 2 (plans and specifications) attached to planning permission HGY/2011/1576, to allow a revised basement plan showing an extension at this level</p> <p>Existing Use: School D1 Use Proposed Use: School D1 Use</p> <p>Applicant: MrR Hill</p> <p>Ownership: Private</p>	
<p>Date received: 04/11/2013</p> <p>Drawing number of plans: 719_PL_101 Rev A, 719_PL_101 Rev B, 719_SK_194</p>	
<p>Case Officer Contact: Matthew Gunning</p>	
<p>PLANNING DESIGNATIONS: Road Network: C Road & Conservation Area</p>	
<p>RECOMMENDATION: GRANT PERMISSION/ VARIATION TO CONDITION 2</p>	
<p>SUMMARY OF REPORT: This application is for an amendment to an approved scheme (LPA Ref: HGY/2011/1576) for new buildings on this school site to accommodate a performing arts and sports facility together with space for a new sixth form centre. In this case the application seeks to vary the approved drawings to enlarge the basement area to the performing arts building by an additional 132 sq.m. The nature and scale of this change is considered minor and inconsequential in relation to the previously approved scheme. The additional basement area will be entirely concealed with no impact on the external appearance of the previously approved scheme or on the character and appearance of the conservation area/ setting of Listed Building. This application is recommended for approval subject to the conditions of the previously approved consent and a deed of variation to the signed S106 agreement being first entered into.</p>	

1.0 SITE & AERIAL PLAN





Cross Section showing enlarged basement area



Basement area as excavated including extended area



Previously Approved Street Elevation



Front Elevation of Performing Arts Block as Previously Approved

3.0 SITE AND SURROUNDINGS

- 3.1 Channing School, an independent secondary school for girls, is located on the northern side of The Bank/ Highgate Hill and immediately to the south of the junction with Cholmeley Park. The school site has a prominent frontage onto Highgate Hill, and extends approximately 150m along Cholmeley Park. The junior school is located diagonally opposite on Highgate Hill within the London Borough of Camden.
- 3.2 The site is 0.88 hectares in size and contains three main buildings fronting onto The Bank, all of which are listed buildings. Both 120 'Slingley' and 122 'Westview', Highgate Hill, are a pair of symmetrical mid 19th century buildings. They are three storeys high with a basement and mansard roof with two dormer windows each and are constructed in stock brickwork. They were listed in 1974. The adjoining 124 Highgate Hill is a late Victorian style building three storeys high with a basement and mansard floor. This building has a prominent corner elevation on the junction of Highgate Hill and Cholmeley Park. There are decorative wrought iron railings in front of the buildings.
- 3.3 Originally there was an identical pair of houses next door to the east; however these were destroyed during WWII and replaced by a larger 1950s 'replica' style building. This building serves as the main entrance and reception area of the school and is linked to the 120, 122, & 124 by internal connecting corridors.
- 3.4 Behind the main buildings fronting the site are two smaller buildings (Brunner House & Founders Hall), which sit at right angles to the main buildings. Further beyond these buildings close to the boundary with 112 Highgate Hill was a sports hall which has been recently demolished and is being replaced, as per the recently approved consent in question (Ref: HGY/2011/1576)
- 3.5 The next door property 112 Highgate Hill is a two storey building with attic which adjoins a three window wide building of 18th century origin with an altered hipped slate roof behind parapet. All of the buildings within the neighbouring terrace (106-112 Highgate Hill) are Grade II listed whilst the Ghanaian High Commission (106) at the end of the terrace is Grade I listed. The retaining wall to The Bank is also statutorily listed (Grade II). Behind 112 and adjoining the site is 'Elizabeth House'; a four storey plus basement Grade II listed building, which is accessed from the end of Winchester Place. The application site falls within Highgate Conservation Area.

4.0 PLANNING HISTORY

4.1 Planning Application History

OLD/9999/3251 - Demolition of existing and erection of new roof involving the provision of new dormer windows- No decision

OLD/9999/0733 - Erection of first floor extension to provide additional classrooms, office, store and access stairway to improve science test teaching facilities – No decision

HGY/1991/0362 - Alterations to external elevations including rear roof extension at sixth form centre – Approved 08/07/1991

HGY/1998/0401 - Extension to existing single storey classroom block to rear of main school. – Approved 02/06/1998

HGY/1999/0125 - Erection of rear roof extension, infilling section of flat roof to match adjacent dormer roof with four inset dormers to facilitate new music room. – Approved 06/04/1999

HGY/1999/0286 - Erection of single storey rear extension – Approved 15/06/1999

HGY/2000/0436 - Erection of first floor extension to provide additional classrooms, office, store and access stairway to improve science teaching facilities. – Withdrawn 07/03/2001

HGY/2007/0474 - Erection of extension to existing ground and first floor, insertion of additional floor space within existing building. – Approved 25/04/2007

HGY/2009/0874 – Minor dismantling of existing gables and erection of new classrooms and ancillary accommodation to the existing Brunner House – Approved 27/05/2010

HGY/2011/0583 - Erection of lower ground and ground floor extension to existing courtyard buildings with new internal staircase, new external disabled lift to replace existing stairs / ramp including internal and external demolitions, alterations and refurbishment. – Approved 18/05/2011

HGY/2011/0584 - Listed Building Consent for erection of lower ground and ground floor extension to existing courtyard buildings with new internal staircase, new external disabled lift to replace existing stairs / ramp including internal and external demolitions, alterations and refurbishment. – Approved 18/05/2011

HGY/2011/1584 - Erection of lower ground floor extension to existing 1950s school extension to provide additional dining facilities and space for electric transformer room, with associated external hard landscaping (Extension to consultation period of 14 days) – Approved 19/03/2012

HGY/2011/1585 - Listed building consent for erection of lower ground floor extension to existing 1950s school extension to provide additional dining facilities and space for electric transformer room, with associated external hard landscaping – Approved 19/03/2012

HGY/2011/1576 - Demolition of existing sports hall and provision of new buildings to provide new indoor sports, music and performing arts facilities together with associated landscaping works – Approved 16/01/2013

HGY/2011/1577 - Conservation Area Consent for demolition of existing sports hall and provision of rear building to provide new indoor sports, music and performing arts facilities together with associated landscaping works – Approved 16/01/2013

4.2 Planning Enforcement History

None

5.0 **RELEVANT PLANNING POLICY**

5.1 London Plan 2011

Policy 3.18 Education facilities
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 7.2 Creating an inclusive environment
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage Assets and Archaeology
Policy 7.21 Trees and Woodlands

5.1 Haringey Local Plan – Strategic Policies 2013

SP0 Presumption in favour of Sustainable Development
SP1 Managing Growth
SP4 Working towards a Low Carbon Haringey
SP5 Water Management and Flooding
SP6 Waste and Recycling
SP7 Transport
SP11 Design
SP12 Conservation
SP16 Community Infrastructure

5.3 Haringey Unitary Development Plan (Adopted July 2006; Saved 2013)

UD3 General Principles
ENV5 Noise Pollution
OS17 Tree Protection, Tree Masses and Spines
CSV2 Listed Buildings
CSV5 Alterations and Extensions in Conservation Areas
CSV8 Archaeology

5.2 Supplementary Planning Guidance / Documents

SPG1a Design Guidance and Design Statements
SPG2 Conservation and Archaeology
SPD Sustainable Design & Construction

5.2 Other

‘Haringey Strategic Floor Risk Assessment’ 2013
‘Highgate Conservation Area Character Appraisal’ 2013

6.0 CONSULTATION

Statutory	Internal	External
English Heritage	Building Control Ward Councillors Transportation Building Control Transportation Arboricultural Officer	London Fire Brigade Crime Prevention Officer Sport England Environment Agency L. B. Islington L. B. Camden <u>Amenity Groups</u> Highgate Society Highgate CAAC <u>Local Residents (Total 266)</u> 106-112 (e) Highgate Hill Flat 1 – 4 (c) 110 Highgate Hill Greenview Court Winchester Place Plats 1-48 Cholmeley Lodge 2-16 Winchester Place Flats 1-8 Elm Court Cholmeley Park Flats 1-6 Kempton House Cholmeley Park Flats 1-9 55 Cholmeley Park Flats 1-3 47 Cromwell Avenue Flats A, B, C 51 Cromwell Avenue Flats A & B 53 Cromwell Avenue Flats A, B, C 55 Cromwell Avenue Flats 1-6 56 Cromwell Avenue Flats 1-8 57 Cromwell Avenue Flats 1-5 61 Cromwell Avenue Flats A, B, C 64 Cromwell Avenue 1-8 Dukes Point Dukes Head Yard 1-9 Park View Mansions 2-22 Highgate High Street

7.0 RESPONSES

Local Residents

7.1 Letters of objection have been received from the residents of the following properties: Flat 1 110 Highgate Hill, No. 15 Miles Road N8 & No. 6 Winchester Place N6. The objections raised are summarised below and commented upon in Appendix 1:

- Agreed dimensions were already overlarge and will have a negative impact on the hydrology and vegetation in this area;
- Increased basement volume may affect the underground flow of water from natural springs in the area, which in turn could affect the basements and foundations of the neighbouring listed buildings, 112, 110, 108, 106 and 104 Highgate Hill;
- Unclear whether the basement extension will affect the area above it/ likely that there will be even less opportunity for rainwater to seep into the ground.

Conservation Officer

7.2 “This would not have an impact on the listed building and as such I have no objections from a listed building and conservation point of view.”

8.0 ANALYSIS / ASSESSMENT OF THE APPLICATION

8.1 The main issues in terms of this application are considered to be:

- Background;
- Scope of a Section 73 Application; and
- Proposed Change.

Background

8.2 An application (ref. HGY/2011/1576) for new buildings on site to accommodate a performing arts and sports facility together with space for a new sixth form centre was considered by the Planning Committee on 12th April 2012 and was approved subject to conditions and a S106 agreement. The works to demolish the existing hall and to construct the new sports hall and performing arts building commenced on site in August 2013 and is currently due to last until September 2014 (Phase 1). The basement area as per the approved consent and that proposed here, have been excavated.

Scope of a Section 73 Application

8.3 As with any planning condition imposed on a planning permission, the applicant is entitled to make a S.73 application to seek to vary a condition. In this case the application seeks to make a minor material amendment to provide a larger basement area which is to be regularised by way of a S.73 application to vary condition 2 of planning consent ref: HGY/2011/1576, which states that the development shall be carried out in accordance with the approved plans.

8.4 There is no statutory definition of a “minor material amendment”, however Government guidance has suggested a non-statutory definition: “*a minor material*

amendment is one whose scale and nature results in a development which is not substantially different from the one which has been approved”.

- 8.5 In the 2009 guidance, the Government confirmed that S.73 of the Town and Country Planning Act 1990 (which allows changes to the conditions applying to existing permissions) can be used for the approval of minor material amendments. It is important to note that when assessing S.73 applications the previously granted planning permission is a material consideration, to which significant weight can and indeed should be attached in the assessment of the proposal.
- 8.6 As discussed below the proposed amendment is not significant, however an application is needed to regularise this change.

Proposed Change

- 8.7 This application seeks consent to enlarge the basement floor area of the performing arts building by an additional 132 sq.m representing a 6.8% increase in comparison to the previously approved floorspace (1944 sq.m). The performing arts building as approved will be a double height space and will be located to the side of Founders Hall. This building will accommodate an auditorium and staging facilities, with seating for up to 300 people. The change to the approved scheme arises from the need to:
- Facilitate the building's dual purpose functions of drama and music. Drama requires the flexibility of additional back stage area together with multipurpose teaching space;
 - Provide ample storage for instruments, costumes and stage scenery to ensure the circulation spaces remains free of obstacles;
 - To meet the servicing requirements of the building a larger plant room is necessary to accommodate specialist equipment.
- 8.8 The additional basement area will be entirely concealed with no impact on the proposed external levels/ hard landscaping proposed or affect on the appearance of the previously approved scheme. Equally as this additional basement area will not be visible it will not affect the character and appearance of the conservation area or the setting of listed building within the site and adjoining.
- 8.9 A basement impact assessment (BIA) was carried out in respect of the previously approved scheme. The BIA ground investigations indicated that groundwater level is below the proposed development. The report indicated that due to the predominantly cohesive nature of the soils on site the groundwater flow rate is anticipated to be very slow. The results of the groundwater monitoring indicated groundwater flowing towards the east, thus following the general topography as expected. The report concluded that the proposed development is unlikely to result in any specific issues relating to hydrogeology and hydrology of the site and that with suitable construction methods slope stability can be ensured.
- 8.10 An addendum to the BIA report has been submitted which indicates that the additional basement area proposed to the performing arts building is not considered to present any issues that have not already been considered in the original proposal; other than that the retaining walls need to be designed to

support adjacent loads, especially along the northern boundary adjacent to the Founders Hall.

- 8.11 A concern has been raised in respect of increased hard surfacing on site and the impact of rainwater run-off. Large areas of the site are already covered in hardstanding with the exception to the playing fields in the centre of the site. The site in question is located in a zone defined as having a low annual probability of flooding. While it recognised that the previously approved scheme resulted in the loss of a grassed picnic area to the southwest of the original sports hall, this previously approved scheme incorporated some mitigation measures, namely the use of stone paving which will be permeable to a degree to allow rainwater infiltration. In addition water butts will be provided on site to collect rainwater from the new roofs introduced to be used on landscaping.

9.0 COMMUNITY INFRASTRUCTURE LIABILITY

- 9.1 Channing School is a registered charity and is therefore exempt from Mayoral CIL.

10.0 HUMAN RIGHTS

- 10.1 All applications are considered against a background of the Human Rights Act 1998 and in accordance with Article 22(1) of the Town and Country Planning (General Development Procedure) (England) (Amendment) Order 2003 where there is a requirement to give reasons for the grant of planning permission. Reasons for refusal are always given and are set out on the decision notice. Unless any report specifically indicates otherwise all decisions of this Committee will accord with the requirements of the above Act and Order.

11.0 EQUALITIES

- 11.1 In determining this planning application the Council is required to have regard to its obligations under equalities legislation including the obligations under section 71 of the Race Relations Act 1976. In carrying out the Council's functions due regard must be had, firstly to the need to eliminate unlawful discrimination, and secondly to the need to promote equality of opportunity and good relations between persons of different equalities groups. Members must have regard to these obligations in taking a decision on this application.

12.0 CONCLUSION

- 12.1 This application is for an amendment to an approved scheme (LPA Ref: HGY/2011/1576 - approved 12th April 2012) for new buildings on this school site to accommodate a performing arts and sports facility together with space for a new sixth form centre. In this case the application seeks to vary the approved drawings to enlarge the basement area to the performing arts building by an additional 132 sq.m. The nature and scale of this change is considered minor and inconsequential in relation to the previously approved scheme. The additional basement area will be entirely concealed with no impact on the external appearance of the previously approved scheme or on the character and appearance of the conservation area/ setting of Listed Building. This application is recommended for approval subject to the conditions of the previously approved

consent and a deed of variation to the signed S106 agreement being first entered into.

13.0 RECOMMENDATIONS

The Sub-Committee is recommended to RESOLVE as follows: (1) That planning permission be granted in accordance with planning application no. HGY/2013/2287 subject to a pre-condition that the owners of the application site shall first have entered into a deed of variation to the current S.106 Agreement (attached to planning ref: HGY/2011/1576) and following completion planning permission be GRANTED in accordance with drawing No's 719_PL_101 Rev A, 719_PL_101 Rev B, 719_SK_194 and subject to the following conditions:

IMPLEMENTATION

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of 24th December 2012, failing which the permission shall be of no effect.

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

2. The development hereby authorised shall be carried out in complete accordance with the plans and specifications submitted to, and approved in writing by the Local Planning Authority

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity.

EXTERNAL APPEARANCE & SITE LAYOUT

3. Samples of all materials to be used for the external surfaces of the development shall be submitted to, and approved in writing by, the Local Planning Authority before any development is commenced. Samples should include sample panels or brick types and a roofing material sample combined with a schedule of the exact product references.

Reason: In order for the Local Planning Authority to retain control over the exact materials to be used for the proposed development and to assess the suitability of the samples submitted in the interests of visual amenity.

4. A final landscaping scheme for the treatment of the surroundings of the proposed development including the planting of trees and/or shrubs in addition to an associated maintenance regime shall be submitted to, approved in writing by the Local Planning Authority. The landscaping shall be completed within 12 months, or by the end of the first planting season, after the completion of the development to the satisfaction of the Local Planning Authority.

Any trees, or plants which die within a period of 5 years from the completion of the development; are removed, or become seriously damaged, or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In order to provide a suitable setting for the proposed development in the interests of visual amenity

5. Details of a scheme depicting those areas to be treated by means of new hard landscaping shall be submitted to, approved in writing by, and implemented in accordance with the approved details. Such a scheme to include a detailed drawing of those areas of the development to be so treated, a schedule of proposed materials and samples to be submitted for written approval on request from the Local Planning Authority.

Reason: In order to ensure the development has satisfactory landscaped areas in the interests of the visual amenity of the area.

6. Before the buildings hereby permitted are occupied the windows on the side elevation of the building facing No 112 The Bank shall be glazed with obscure glass only and shall be non-opening.

Reason: To safeguard the privacy and amenities of occupiers of adjoining residential properties

7. No external lighting, floodlighting or other means of external illumination shall be affixed to the external elevations of the buildings, or placed/erected within the site other than those approved in writing by the Local Planning Authority. Any external lighting or other means of external illumination shall be installed and thereafter retained in full accordance with the approved details.

Reason: To enable the local planning authority to retain control over these matters in the interests of the amenities of the adjoining properties.

TREE PROTECTION

8. All works associated with this development shall be undertaken in accordance with the detail as specified in the Arboricultural Report & Method Statement.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

9. A pre-commencement site meeting must take place with the Architect, the consulting Arboriculturist, the Local Authority Arboriculturist and the Planning Officer to confirm tree protective measures to be implemented. All protective measures must be installed prior to the commencement of works on site and shall be inspected by the Council Arboriculturist and thereafter be retained in place until the works are complete.

Reason: To safeguard the health of existing trees which represent an important amenity feature.

ENERGY EFFICIENCY / SUSTAINABILITY

- 10.A supporting statement shall be submitted demonstrating consistency with submitted Energy Assessment including the siting of the PV panels. Thereafter the renewable energy technology/ system shall be installed in accordance with the details approved and an independent post-installation review, or other verification process as agreed, shall be submitted to the Local Planning Authority confirming the agreed technology has been installed prior to the occupation of the buildings hereby approved.

Reason: To ensure the development incorporates energy efficiency measures including on-site renewable energy generation, in order to contribute to a reduction in carbon dioxide emissions generated by the development in line with national and local policy guidance.

- 11.A certificated BREEAM Post Construction Review, or other verification process agreed with the Local Planning Authority, shall be provided, confirming that the agreed standards have been met, prior to the occupation of the development.

Reason: To ensure that the proposal complies with the principles of sustainable development

PERMITTED DEVELOPMENT

- 12.The proposed development shall have a central dish/aerial system for receiving all broadcasts for these buildings hereby approved, details of such a scheme shall be submitted to and approved by the Local Planning Authority prior to the occupation of the property and the approved scheme shall be implemented and permanently retained thereafter.

Reason: In order to protect the visual amenities of the neighbourhood.

- 13.Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 no telecommunications antennae or associated equipment shall be erected on the exterior of this development, without a separate planning permission

Reason: In the interest of orderly development and the visual amenities of the area, and in order to permit the Local Planning Authority to assess the design quality and appropriateness of any such features on the overall streetscape and appearance of the development.

CONSTRUCTION

- 14.The construction works of the development hereby granted shall not be carried out before 0800 or after 1800 hours Monday to Friday or before 0800 or after 1300 hours on Saturday and not at all on Sundays or Bank Holidays.

Reason: In order to ensure that the proposal does not prejudice the enjoyment of neighbouring occupiers of their properties.

15. Prior to the commencement of work a Construction Management Plan including a scheme for the management of the construction traffic associated with implementing this scheme, shall be submitted to and approved in writing by the Local Planning Authority. The plan will specifically show the how traffic around the immediate road network are routed.

16. Reason: To ensure the construction period of the development does not result in unreasonable disturbance for neighbouring properties and to minimise vehicular conflict at this location.

17. Prior to the commencement of development, drawings and a method statement for the construction of the basements and the protection of the retaining wall along the boundary with No 112 The Bank shall be submitted to and approved in writing by the Local Planning Authority. This shall demonstrate a means of ensuring the safety and structural stability of this wall throughout the period of the approved works of excavation and construction. The relevant work shall be carried out in strict accordance with the approved details.

Reason: To ensure the special character, architectural interest and integrity of this historic wall is preserved.

18. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Reason: To enable archaeological investigation of the site.

19. The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow that person to observe the excavation and record items of interest and finds. Reason: To enable archaeological investigation of the site.

Reason: To enable archaeological investigation of the site.

CONTROLS ON USE

20. The use of the premises for the purposes hereby permitted shall only take place between the hours of 7.00am and 10.30pm on weekdays and, Saturdays and between 9.00am and 10.00pm on Sundays.

Reason: To ensure that the use does not prejudice the amenities of occupiers of neighbouring residential properties.

21. Prior to the commencement of the use/development a Community Use Scheme shall be submitted to and approved in writing by the Local Planning Authority. The Scheme shall include details of pricing policy, hours of use, access by non-school users/non-members, management responsibilities and include a mechanism for review. The approved Scheme shall be implemented upon commencement of use of the development.

Reason: To secure well managed safe community access to the sports facility and, to ensure sufficient benefit to the development of sport.

APPENDIX 1: COMMENTS ON OBJECTIONS

No.	Stakeholder	Comments	Response
1	Local Residents	<p>Agreed dimensions were already overlarge and will have a negative impact on the hydrology and vegetation in this area.</p> <p>Increased basement volume may affect the underground flow of water from natural springs in the area, which in turn could affect the basements and foundations of the neighbouring listed buildings, 112, 110, 108, 106 and 104 Highgate Hill.</p> <p>Increased basement volume may affect the underground flow of water from natural springs in the area, which in turn could affect the basements and foundations of the neighbouring listed buildings, 112, 110, 108, 106 and 104 Highgate Hill.</p> <p>Unclear whether the basement extension will affect the area above it/ likely that there will be even less opportunity for rainwater to seep into the ground and the greater surface water in the event of a downpour.</p>	<p>There is no technical evidence to indicate adverse impact on hydrology in the area. As per the BIA the basement is above the water table in this location. Many of the buildings in the vicinity of this site have basements with no associated problems of flooding.</p> <p>As noted above the basement is above the water table in this location. There is no indication of natural springs in this part of the site (from ground investigations report submitted and the basement area as now excavated). The part of the site in question is underlain by Bagshot Formation and geology maps indicate that spring lines are present at the interface of the Bagshot Beds and the Claygate Member, which is further away from this part of the site in question.</p> <p>It is know that there is a feeder stream arising in the vicinity of Channing School (N/NE of the site area in question) crossing into Cromwell Avenue, running via Langdon Park Road, joining the main stream Cholmeley Brook beyond Parkland Walk and eventually feeding into the Moselle River. This will not be affected by the proposal.</p> <p>As above, there are no natural springs evident in this part of the site. The basement is above the water table in this location and is positioned far away from the properties in question.</p> <p>The previously approved scheme incorporated some mitigation measures, namely the use of stone paving which will be permeable to a degree to allow rainwater infiltration. In addition water butts will be provided on site to collect rainwater from the new roofs. The site in question is located in a zone defined as having a low annual probability of flooding</p>

