

1. **INTRODUCTION**

1.1 I am writing to object to the proposed development. I wish to repeat the objections I made to the previous application for planning permission (HGY/2021/3481) and would like the points I made in those objections to be taken into account. I attach a copy of them here (the **"Previous Objections"**).

1.2 I attended the Haringey Planning Sub-Committee meeting on 6 June 2022 where the previous application was discussed. At that meeting I made a speech summarising my key concerns. I would like the concerns I made at that meeting to be taken into account by the Council in considering this application.

1.3 I would also like to make a few additional points, some of which arise from the Sub-Committee meeting and the Addendum to the Planning Officer's Report, which was made available on the Council's website on the same day as the meeting.

2. **LOSS OF SUNLIGHT TO MY GARDEN – DESIGN OFFICER'S COMMENTS AT THE MEETING REGARDING BRE GUIDELINES**

2.1 As I mentioned in my Previous Objections and at the meeting, the Planning Officer has failed to apply the rules on daylight and sunlight (the BRE Guidelines) correctly, which the Planning Officer is obliged to follow (as required by Council Policy DM1).

2.2 Under the developer's plans, the part of the new building that links with the North Hill Block, and whose wall runs alongside my garden, will be much taller than it is currently. This will take away more than 50% of the sunlight I currently get in my garden (under the "sun-on-ground" test). The developers' own report on daylight and sunlight confirms this.

2.3 This is a very significant breach of the BRE Guidelines, which say that a new development must not take away any more than 20% of a neighbour's pre-existing sunlight under this test.

2.4 As I mentioned at the meeting, I will be left with less than a quarter of my garden having sun and my windows will have much less light. I will feel completely enclosed by very high walls, and with much less view of the sky. As well as a loss of daylight and sunlight, I will suffer increased overlooking, and a loss of privacy and outlook.

2.5 As I mentioned at the meeting, some properties on Yeatman Road, whose gardens face the site, will also suffer a serious loss of light, in breach of the guidelines. (I note that some of the residents there are Council tenants.)

- 2.6 In her Report, the Planning Officer dismissed my concerns regarding sunlight, saying (at para 6.6.4 of her Report) that I already suffer some overshadowing by the current Mary Feilding Guild building, and by trees in my garden. She says the same about the Yeatman Road properties.
- 2.7 However, in saying this, she is not applying the BRE Guidelines correctly. Those Guidelines say that trees should be ignored, and it doesn't matter how overshadowed you are to start with – what matters is the impact of the new development on the light one does have. I set this out in more detail in my Previous Objections.
- 2.8 I raised this point in my speech at the Sub-Committee meeting. One of the Committee members (who later abstained when it came to the vote) asked Richard Truscott, the Haringey Design Officer, whether I had described the Guidelines correctly (in saying that one's existing overshadowing is irrelevant – what matters is the impact of the new development on the light one does have). The Design Officer confirmed that what I had said was correct.
- 2.9 The Design Officer sought to excuse the Planning Officer's approach by arguing that my garden was "already not BRE compliant", as a result of the current overshadowing. However, this argument is spurious. As mentioned above, whether I am currently overshadowed is irrelevant – what the Council needs to take into account is the extent to which the new development would take away light that I currently enjoy. This is what the BRE Guidelines require.
- 2.10 By accepting that I had described the BRE Guidelines correctly, the Design Officer had effectively admitted that the Planning Officer had misapplied the Guidelines. In so doing, the Planning Officer had failed to apply the Council's Development Policy DM1 correctly.
- 2.11 With this fresh application for planning permission, there is now an opportunity to put this right – for the Council to apply its policies correctly, and to require that the developer's plans are amended such that I do not lose daylight or sunlight to a degree that breaches the BRE Guidelines.
- 2.12 This is particularly important given that my house is a Grade 2 listed building, and so is entitled to additional protection (see Policy DM9). I discuss this further in my Previous Objections.
3. **LOSS OF DAYLIGHT TO WINDOWS – ADDENDUM TO PLANNING OFFICER'S REPORT**
- 3.1 The Addendum to the Planning Officer's Report amended the passage at paragraph 6.6.3 of the Report by adding the word "neighbouring" in the following sentence:

*"The assessment finds that the impact of the development on existing neighbouring windows is exceptionally favourable for both daylight and sunlight as 98% of the **neighbouring** windows pass the BRE's Vertical Sky Component guidelines and 99% of **neighbouring rooms** pass the BRE's No Skyline guidelines."* (bold as in the original)

- 3.2 This is misleading, as a substantial number of the windows assessed in the Daylight and Sunlight Report, which gave rise to the 98% and 99% figures, are not "neighbouring" at all, but are in the Highcroft building on the opposite side of North Hill, far away from the development site and on the other side of what is a wide road. By claiming that these are "neighbouring" windows and rooms, the Planning Officer has given a highly misleading impression.
- 3.3 In fact, as I explain in my Previous Objections, the Highcroft windows are too far away from the development site to constitute a meaningful comparator, and so ought to be ignored. If these windows were not included, then the figures for unaffected nearby windows would be much less than 98% and 99%. The developer's Daylight and Sunlight report asserts that Highcroft is a "neighbouring" property, but this is incorrect.
- 3.4 The Planning Officer has repeated this assertion and accepted the 98% and 99% figures uncritically in her report. Her revisions in the Addendum to include the word "neighbouring" will have emphasised this point to the Committee at the time of their deliberations.
- 3.5 This mis-description is likely to have given the Committee the wrong impression as to the impact on daylight of the new development, to make it look as though only a tiny minority of relevant neighbouring windows would be affected. This ought to be remedied in the current application, and the Council ought to disregard the Highcroft windows and not accept the 98% and 99% figures presented by the developers.

4. **LOSS OF SUNLIGHT TO WINDOWS - DESIGN OFFICER'S COMMENTS AT THE MEETING REGARDING IMPACT ON MY WINDOWS**

- 4.1 At the Committee meeting the Design Officer claimed that the development would not cause me to lose any daylight or sunlight to any of my rooms - I would only suffer the loss of sunlight to my garden (discussed above).
- 4.2 However, this is incorrect. The developers' Daylight and Sunlight Report says that some of my windows will suffer a loss of daylight that is in breach of the BRE Guidelines, under certain of the various tests. I addressed this in my Previous Objections. In particular, see Table 4 at paragraph 10.8 of the Daylight and Sunlight Report, which describes me as suffering a "high" reduction in winter light under the "APSH" test ("annual probable sunlight hours"). The affected window is to a living room / dining room, which has a particular need for sunlight.

- 4.3 The Design Officer misled the Committee by claiming that no such adverse impact arose. As I had already made my speech to the Committee and was not entitled to make any further comments, I was not able to correct this in the meeting.

5. **OVERLOOKING / PRIVACY / OUTLOOK**

- 5.1 As mentioned above, as well as losing daylight and sunlight, the extremely high walls of the new building, running alongside the entire length of my garden, will cause me to be severely overlooked, lose privacy and will be materially detrimental to my outlook.
- 5.2 By way of illustration, I attach a montage that was shown at the Committee meeting, showing a photograph of my garden on which has been superimposed the developers' own drawing. It shows the material impact that the proposed development will have on me.
- 5.3 As a related point, I wish to note that two members of the Highgate Planning team, Robbie McNaugher and Elisabetta Tonazzi, kindly visited my garden on 8 November 2022, after the initial decision to grant planning permission had been made and before the current planning permission application was made public. I believe that this visit will have given them a better sense of the impact the proposed development will have on my garden than they perhaps will have been able to appreciate beforehand, as well as an enhanced understanding of the context of the Grade 2 listed terrace next to the Mary Feilding Guild site. I would be grateful if they could reconsider their assessment of the proposed development in light of this and provide updated representations to the Council.

6. **CONCLUSION**

- 6.1 For the reasons set out above and in my Previous Objections (which include other concerns, including those relating to the basement), planning permission should not be granted to the development in its current form. Instead, the developers should be required to amend the development proposal to remove the detrimental impacts that I will suffer, in line with the Council's own policies regarding these issues.

Photo Montage Showing Impact of Proposed Development on my Rear Garden

