

Your Ref: HGY/2022/2731
Our ref: MB1170

Matt Brewer
07919 890 207
Matt.Brewer@urbanspaceplanning.co.uk

Mr Samuel Uff
Haringey Council
Planning & Placemaking
5th Floor, Alexandra House
10 Station Road
Wood Green
London
N22 7TR

BY EMAIL

30th March 2023

Dear Mr Uff

**OBJECTION - REF: HGY/2022/2731: PLANNING APPLICATION
44-46 HAMPSTEAD LANE, LONDON, N6 4LL**

I write on behalf of the owners and residents of 5 properties* located on Courtenay Avenue and the Compton Avenue Association to **Object** to the above planning application which proposes the demolition of two existing family houses and development of a four storey care home providing 66 rooms.

The current application represents a significant overdevelopment of the site and will result in a harm to the character of the conservation area, the local environment, Metropolitan Open Land and residential amenity of the surrounding properties. The proposals will have a harmful impact and be contrary to the Development Plan for the reasons set out in this letter and we therefore object on the basis of:

- Loss of residential family houses
- Loss of existing buildings within the conservation area
- Overdevelopment
- Impact of the proposal on the setting and character of adjacent MOL and Open Spaces
- Impact of the proposed development on the conservation area
- Impact on surrounding residential amenity
- Lack of information

The Development Plan for the application site consists of the London Plan 2021; Haringey Local Plan, consisting of the Strategic Policies (2013 with alterations 2017), Development Management Policies (2017), and Site Allocations (2017); and Highgate Neighbourhood Plan 2017.

The site is located on the boundary of Haringey Council, with the land to the south of Hampstead Lane within the administrative authority of Camden Council. Therefore, consideration and regard also needs to be had for the designations and policies of the Camden Development Plan in respect of issues related to setting and effects on adjoining land. In this regards the Camden Development Plan also comprises the Local Plan 2017, Site Allocations 2013 and Proposals Map 2017. It is also important to note that the Highgate Neighbourhood Plan includes land within both Haringey and Camden Council administrative areas, and addresses the cross boundary issues related to development and impact on land within both authorities in this area.

The Highgate Neighbourhood Plan was approved via public referendum in July 2017 and was formally adopted by Haringey Council in July 2017, and by Camden Council in September 2017. The Neighbourhood Plan has formed part of the Development Plan since its adoption, and must be taken into account in the determination of planning applications within its area.

Site Allocation & Designations

The application site is not an allocated site for development within the Local Plan Site Allocations Document or the Neighbourhood Plan.

The site lies opposite Highgate School playing fields, which are identified in the Site Allocations document (SA41) for enhanced school facilities and community use. This land is also designated as Metropolitan Open Land on the Proposals Map.

The application site is within the Highgate Conservation Area and there are a number of TPOs protecting important trees within the site.

The land to the south of Hampstead Lane immediately opposite the site, which forms part of the Kenwood Estate within Hampstead Heath, is also Metropolitan Open Land and designated as Local Open Space, and a Site of Special Scientific Interest (SSSI) on the Proposals Map, and as Major Public Open Space within the Neighbourhood Plan. There are also a number of listed buildings and structures immediately to the south within the Kenwood Estate which sit within the setting of this site.

Loss of Existing Family Housing

The application proposes the demolition of two existing family houses and their replacement with a commercial care home operation for 66 occupiers, as well as staff.

The Development Plan identifies self-contained housing as the priority use within the borough. Strategic Policy 2 relates to housing and aims 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 and to secure high quality affordable housing.

Para. 3.2.14 highlights that the lack of family housing in Haringey has resulted in significant overcrowding and identifies the Council's aim of meeting the need for family housing.

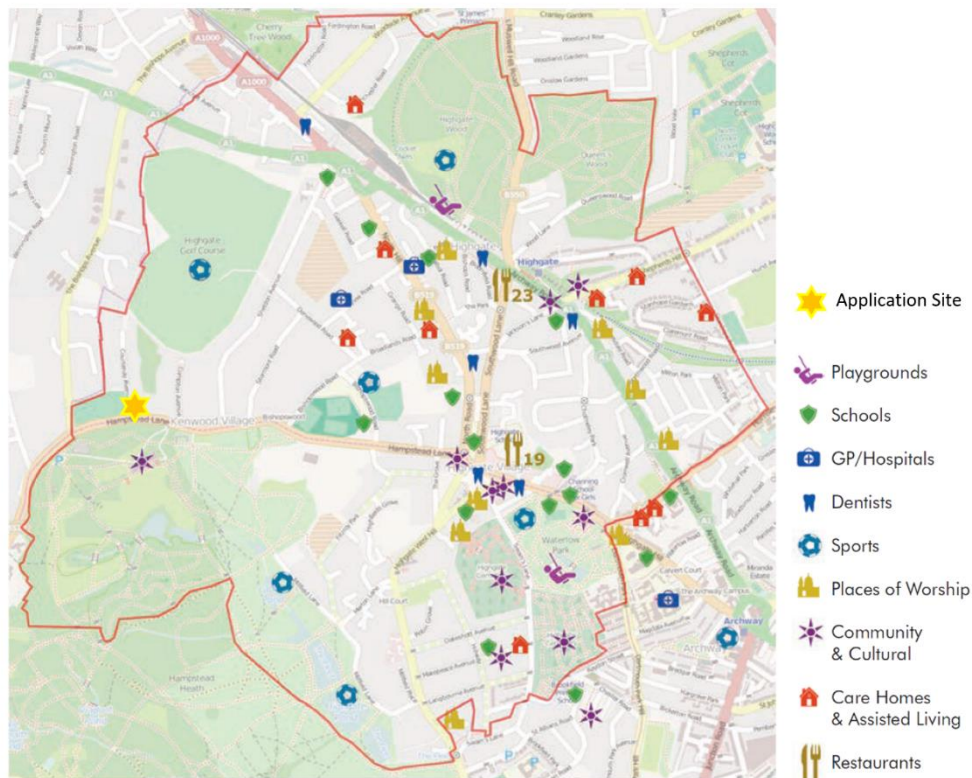
Policy DM10 resists the loss of all existing housing. Paragraph 3.3 specifically includes the requirement of the Strategic and Development Management Policies of ensuring that "existing family housing is maintained".

The proposals as resulting in the loss of two family houses will be contrary to policy DM10, SP2 and Para. 3.2.14 of the Development Plan. The Strategic Policies specifically note the need for family housing and Policy DM10 does not permit the loss of existing self-contained housing. The proposals will not reprovide any general purpose housing by way of replacement for the existing housing on the site, and no replacement family housing will be provided. As such the current undersupply of family housing will be exacerbated and the requirements and objectives of the Development Plan policies will not be met by the demolition of the existing houses.

Whilst the Development Plan acknowledges the need for specialist housing in appropriate locations within the borough, this should not be at the expense of existing family dwellings, where there is a specific lack of these properties identified within the borough.

Policy DM15 relates specifically to specialist forms of accommodation and states that special needs accommodation will only be supported where it can be shown that "there is a good level of accessibility to public transport, shops, services and community facilities...".

The below extract from the Development Plan shows the location of the site in relation to amenities and facilities within the borough. It highlights the lack of availability of local amenities and services in close and accessible distances from the proposal, which residents, staff and visitors of such a facility should have easy and direct access to in terms of health and community facilities.



The site is also in an area of very poor public transport accessibility for occupiers, staff and visitors. This is reflected in the fact that the site has the lowest level of Public Accessibility with a PTAL rating of only 1b (Very Poor). It is evident that the proposed location of the site for the proposed use as specialist accommodation is not compliant with the requirements of Policy DM15, and alternative sites which do not result in the loss of family housing and are in accessible locations in terms of local amenities and public transport should be considered for the use proposed.

In terms of sustainability and impact on carbon, the first principle should be the reuse of existing buildings wherever possible. No embodied carbon assessment has been provided with the application submission in terms of the impact of demolishing the existing buildings and how this is to be off-set. Therefore, without this information the wider carbon and sustainability impacts of the proposals cannot be fully assessed within the application.

In considering the re-use of the existing buildings the Planning Statement (para. 7.3.18-7.3.21) only addresses the potential re-use of the properties as a care home. No reason or justification has been given as to why the properties cannot be retained and continued to be used for self-contained residential accommodation or improved and utilised for this existing lawful use. The application is deficient in this regards, whilst the reasons for requiring the demolition of the properties as set out in this part of the Planning Statement further support the position that the proposed use and its requirements are inappropriate for the site, and the properties should be retained and utilised for their lawful use as self-contained family houses, as required by Development Plan policy.

The proposal as a result of the loss of self-contained housing, loss of family housing and provision of a replacement use which is not located within a location with good accessibility to public transport, shops, services and community facilities is not compliant with Policies SP2, DM10 and DM15 of the Development Plan.

Heritage Assessment

Demolition of existing buildings within the conservation area

The proposed scheme requires the demolition of two existing dwellings at 44 and 46 Hampstead Lane within the Highgate Conservation Area. Highgate was designated as a conservation area in 1967 and forms part of an area of great historical and architectural interest (Para. 6.2.10 of the Strategic Policies Document).

Policy SP12 requires the conservation of the historic significance of its heritage assets, their setting and the wider historic environment.

Policy DM9 concerns the management of the historic environment and requires development to conserve and enhance the significance of a heritage asset and its setting. When considering the impact of proposals on the historic environment, the Council will have regard to: the priority given to sustaining and enhancing the significance of the heritage asset and its setting; the preservation or reinstatement of original or historic form, fabric, function, or character of the asset and its setting; the relationship with adjoining and neighbouring uses.

The Development Management Policies document sets out in terms of Conservation Areas that the Council will support where appropriate proposals for the sensitive redevelopment of sites and buildings where they detract from the character and appearance of a Conservation Area and its setting, provided they are compatible with and/or complement the special characteristics and significance of the area.

Para. 2.64 identifies the important role that the boroughs conservation areas play in shaping local character and creating sense of place. The Council has a duty to preserve the character of Conservation Areas under the provisions of Section 72 of the Planning (Listed Building and Conservation Areas) Act, 1990.

Core Objective 5 of the Neighbourhood Plan relates to heritage and requires the unique character of Highgate to be preserved and enhanced. It requires the design and form of new development to preserve and enhance the conservation areas; for the effect of building works on neighbours to be mitigated; retention of the sense of Highgate as a green village; and delivery of sustainable development.

In terms of heritage, the Plan requires all new developments to be socially, environmentally and economically sustainable, and respect the setting of Highgate's conservation areas, listed buildings and heritage assets.

Policy DH1 relates to demolition in Conservation Areas and requires proposals to demolish non-designated heritage assets to have due regard to the scale of the loss and the significance of the asset, with any replacement proposal required to make a positive contribution to the Conservation Area.

Policy DH2 concerns development proposals in the Conservation Areas and requires proposals to preserve or enhance the character or appearance of the conservation area, respect the setting of its listed buildings and other heritage assets. Development is required to preserve or enhance the open, semi-rural and village character of the area.

The Planning Statement submitted with the application confirms that the character of the conservation area is predominantly residential, with significant open spaces. The Highgate Conservation Area Appraisal and Management Plan locates the site within Sub Area 7L Bishops, which identifies the character as "*an excellent example of high quality residential development of the period*".

Whilst the buildings are not by the same architects as properties to the north, the buildings are of an Arts and Craft style which forms the character of the area and are established properties which contribute to the character of the conservation area. Indeed, the Heritage Statement submitted with the application highlights that the variation of design is a positive aspect of the Conservation Area... "*The changing character identified in the HCACAMP is an asset to the street. There are still several buildings that are of Arts and Crafts and/or neo-Georgian influence, but these are much more varied in their design*" (Page 21). It is evident that the more simplified Arts and Crafts design of these properties, compared to other more intricate examples of this style of architecture, does not detract from the contribution these properties make to the character of the conservation area. It is also clear that a large number of properties in this part of the conservation area have been modified or altered in various ways since their original construction, however again this on its own does not limit the contribution they make to the conservation area.

The Heritage Statement submitted with the planning application confirms that the application properties were planned and constructed around the same time as other properties in Hampstead Lane and as Courtenay Avenue (Para. 3.2). Whilst by a different architect, they follow the same use and are of the same style of house. These properties are an original element of the houses delivered within this part of the Conservation Area and form an important element of the Conservation Area within this street.

The properties demonstrate a positive response to a number of the key criteria set out within the "Conservation Area Designation, Appraisal and Management" checklist (Historic England Guidance, 2016):

- As demonstrated, and evident from the buildings and their surrounding context, the properties reflect a substantial number of other elements in the conservation area in terms of their age, style, materials, form and other characteristics.
- The properties form part of a group of dwellings which form the character of the area and were developed in the same time period and style and together illustrate the development of the settlement in this area.
- The properties reflect the traditional functional character of the area as residential dwellings of this period and as confirmed by the Conservation Area Character Appraisal and Management Plan they are not identified as negative contributors to the character of the area.

The Conservation Area Character Appraisal and Management Plan is clear that the existing properties are not negative contributors to the conservation area, and their style, form and presence do not detract from the character of the conservation area.

This position is emphasised by the Quality Review Panel (ref: HQR_P_80) report which highlighted that the existing buildings contribute to the area's character through their cumulative impact and their demolition and replacement would be likely to fail to meet the criteria of preserving and enhancing the conservation area setting.

No significant public benefits have been provided as part of the submission which would off-set the loss of these properties in terms of the conservation area and which would justify the loss of these properties. Whilst the provision of care home accommodation will provide a form of specialist accommodation, this does not outweigh the loss of the existing family dwellings and therefore on its own does not provide any additional public benefit which could be considered to outweigh the demolition of these properties in heritage terms.

It is evident that the demolition of the existing buildings does not meet the policy requirements of the Development Plan in terms of Policy SP12 and DM9 and their demolition would fail to meet the requirements of Section 72 of the Planning (Listed Building and Conservation Areas) Act, 1990 and be contrary to the NPPF.

Proposed Development

The impact of the demolition of the existing properties within the Conservation Area is significantly exacerbated by the scale, form and nature of the proposed replacement building and its use.

The Conservation Area Character Appraisal and Management Plan is clear that complete demolition and rebuilding of houses that are not in keeping with the character of the area are negative attributes. The assertion in the Heritage Statement that other sites have also experienced change is not sufficient grounds to address such negative attributes.

The Heritage Statement confirms that the Townscape Character of the area is substantial residential buildings set within large plots. The proposal however will introduce a large commercial care home facility with 66 residents as well as staff, in a single largescale block that will replace two separate detached self-contained homes. The proposed scale of development will dominate the plot, with the proposed single building expanding its footprint towards all boundaries, and the separation between the buildings removed by infilling the space between the current houses. The replacement building therefore significantly reduces the space around and between the buildings, with limited separation to its boundaries, and providing a large single frontage that extends almost the full extent of its Hampstead Lane frontage. Whilst there are large individual properties along Hampstead Lane, the introduction of this single built element across the entire width of two

plots will be of a completely different scale and form on Hampstead Lane than the existing houses and will disrupt and break up the existing form and scale of dwellings on this part of the street.

The proposal due to both the scale, height and form of the proposed building, and its intensity of use, will introduce a new commercial block which is out of keeping with the townscape of the area and will be harmful to the character and appearance of the Conservation Area.

It is evident that the proposed scheme results in the following heritage issues:

- The proposed scheme is at odds with its heritage context, providing a bulky presence, large footprint and excessive height which neither enhances or preserves the character of the conservation area;
- The development will erode the heritage interest and significance of the Highgate Conservation Area through the provision of a bulky and imposing building, which provides limited separation and relief from its boundaries, diminishes the semi-rural qualities of the site and detracts from its openness;
- The height of the proposed building and positioned with a lack of separation to the boundaries of the site, is not contextual, and is of a scale and visibility that will detract from the conservation area;
- No heritage or community benefits are identified which would outweigh the level of harm to the heritage asset, as required by Paragraph 202 of the NPPF.

The proposals are excessive in size and mass for the heritage context, at odds with the built environment of its surroundings and neither preserve or enhance the character and appearance of the conservation area. The visual amenity of the Conservation Area would be subsequently reduced and the proposals will lead to harm, which would not be outweighed by public benefits. The proposals are therefore not compliant with Neighbourhood Plan Core Objective 5 and Policies DH1 and DH2; Local Plan Policies SP12 and DM9; London Plan Policy HC1 or paragraphs 200, 202 and 206 of the NPPF.

Other Heritage Assets

Furthermore, consideration also needs to be given to the setting of other heritage assets within the area and the impact of the proposals on these assets.

The site is located directly opposite the Kenwood estate and within close proximity of the two entrance lodges. Kenwood has outstanding architectural and historic significance, the main house is Grade I listed and the lodges Grade II listed. Kenwood is also a Registered Park and Garden (Grade II*) and the estate contains the Kenwood Site of Special Scientific Interest. While the North Wood will screen the proposed development from the main house it will impact on Kenwood's wider setting, and the immediate setting of the single-storey lodges and Registered Park and Garden.

The wider setting to the north of Kenwood is currently characterised by spacious and low-rise residential development with detached houses set back from the road within relatively large gardens with trees and soft landscaping leading to a verdant quality. The proposed development would result in built form of a much greater height, bulk and scale than that which currently characterises the area and without any break in its massing. The proposal therefore results in the replacement of two lower original residential properties with a large single built form and would result in the loss of open space, trees and soft landscaping.

Consequently, the proposed development would not conserve or enhance the significance of these heritage assets and their setting, and will lead to a degree of harm, especially to the setting of the single-storey lodges. The proposals are therefore contrary to Policies SP12 and DM9 in this regard.

Overdevelopment

The proposed scheme represents a significant overdevelopment of the site. The scheme extends both the floorspace, density and height of development significantly beyond the scale of development currently on site. The combination of these increases, together with the reduction of space around the building and the size of the plot, results in overdevelopment which will have adverse impacts in terms of the character and quality of the area and its contribution to local context.

The site is not within an allocated "Growth Area" or "Area of Change" as defined by the Haringey Local Plan. Whilst Policies SP1 and DM1 rightly sees to make efficient use of land, they first and foremost require "high-quality development" that relate positively to neighbouring structures, makes a positive contribution to place and improves the character and quality of the area.

Strategic Policy 1 focuses growth and development in the most suitable locations. The policy requires housing supply to be maximised, with a requirement to meet and exceed the minimum strategic housing required over the plan period. The policy identifies three areas for "Growth" in the borough and two "Areas of Change". The application site is not located within either an area of "Growth" or an "Area of Change".

Whilst the policy acknowledges that parts of the borough outside of the Growth Areas and Areas of Change will experience some development and contribute towards meeting "local development needs", these are identified as "Areas of Limited Change" and any proposals are required to respect the character of its surroundings and provide environmental improvements and services. The proposal does not deliver against these requirements.

Whilst an initial assessment of the need for care home accommodation assessed provision within a 10 minute drive-time of the site, the application is supported by reports by HPC which assesses need across the Borough in its entirety. On this basis the justification provided for the proposed use and development is not based on meeting "local development needs" in the area of the site, but a borough wide need, which under policy SP1 is to be located within the identified "Growth" areas or "Areas of Change" - the focus of new development.

The site has the lowest level of public transport accessibility, with a Passenger Transport Accessibility Level (PTAL) of only 1, representing very poor accessibility and demonstrating the unsustainable location of the site for significant additional development. The accessibility and connectivity of the site by public transport and lack of proximity to local services and amenities does not support the increased scale of development proposed within the application and demonstrates the unsuitability of the site to accommodate the scale and intensity of use of the proposal.

Para. 3.1.46 and 47 notes that development in Areas of Limited Change must not change the character of these areas, respect the historic significance and character of its surroundings, and conserve heritage and other important features and provides environmental improvements and other local benefits.

Policy SP11 requires all new development to enhance and enrich the built environment. Development is required to be of the highest standard of design which respects its local context and character and historic significance.

Para. 6.1.4 confirms that the Council will not accept design that is considered inappropriate to its context, or which fails to take opportunities to improve the character and quality of the area.

Development Management Policy DM1 requires all new development to achieve a high standard of design and contribute to the distinctive character and amenity of the local area. Development must relate positively to neighbouring structures, make a positive contribution to a place, improving the character and quality of an area.

Development is required to relate positively to their locality having regard to building heights; form, scale and massing prevailing around the site; urban grain; maintaining a sense of enclosure and following existing building lines; rhythm of regular neighbouring or local regular plot and building widths.

Policy DM6 relates to building heights and requires all proposals to be of an appropriate scale which respond positively to the site's surroundings, the local context, and the need to achieve a high standard of design.

Para. 2.44 recognises that that optimising existing built sites may be necessary to meet the Borough's housing needs, however infill and backland development requires sensitive design in order not to detract from the character of the street scene, the architectural integrity and scale of adjacent buildings or from residential amenity.

Policy DM7 requires such development to relate appropriate and sensitively to the surrounding area as well as the established street scene, safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens; and retain and provide adequate amenity space.

Policy DH10 of the Neighbourhood Plan sets a presumption against the loss of garden land, and requires new development to take account of existing front and rear building lines.

For the reasons set out below the proposals do not respect the character of its surroundings.

The Planning History for the site, set out in Section 3 of the Planning Statement submitted with the planning application, confirms that the properties have already been the subject of large scale extension and additions since their original construction. The proposals for the new block further seek to increase the volume and scale of development.

The application materially fails to adequately provide drawings and details to enable appropriate assessment of the scheme as limited information on existing and proposed site levels have been provided, especially given the significant sloping nature of the site. Whilst the submitted drawings include one existing section and proposed sections which include details of floor levels of the building, this does not include dimensions of the overall building heights, spot heights of the existing and proposed ground levels around the building, or details of the changes to these levels. This is of particular interest on this site given the significant change in ground levels existing with the land sloping down from south to north, and the presence of the change in level with the neighbouring property to the north (Longwood) and the existence of the retaining wall to this boundary. Details showing the heights of the existing and proposed building and levels information for the existing and proposed land around the property has not been included on the existing or proposed elevations/sections and this should be requested to be able to fully assess the relationship with surrounding properties and any changes of levels proposed across the site.

Further information is therefore required to address these matters and allow full assessment. It is considered that this is information that the Council require in order to adequately assess the impacts of the development and should be requested from the developer.

Despite this lack of detail within the application drawings and documents, it is evident that the proposed scheme, due to the combination of the large single footprint building, together with its height, lack of separation from the boundaries and space around the built form, represents an overdevelopment of the site. This is demonstrated in the following analysis of the scheme.

The following drawings demonstrate the significant increase in the footprint and height that are proposed in the application scheme (Source: Design and Access Statement and Application Drawings). The significant change in height is evident in Figures 1-4, with the outline of the proposed development shaded orange.



Figure 1: Section A-A



Figure 2: South Elevation to Hampstead Lane and Kenwood Estate



Figure 3: West Elevation to Courtenay Avenue and Playing Fields

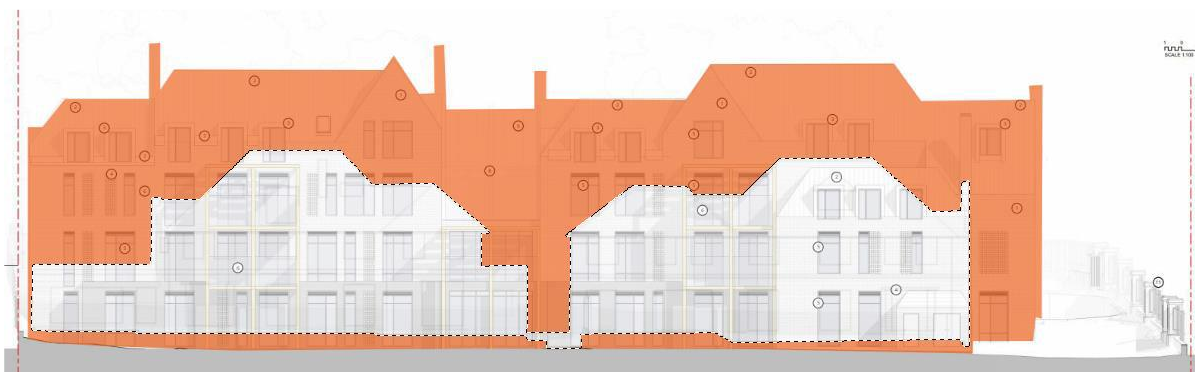


Figure 4: North Elevation with studio windows overlooking neighbour on Courtenay Avenue.

The topography of the site and surroundings further exacerbates the impact on its neighbours, particularly to the rear and relationship with Longwood, Courtney Avenue (see page 25 of DAS). Whilst no levels information is provided, the section in Figure 5 demonstrates that the ground floor of the proposed building is located at the same level as the eaves of Longwood, Courtney Avenue. As a result of the change in levels and the excessive height of the new building, the proposal is more than twice the height of the neighbouring property immediately adjacent to the north, as demonstrated in Figure 5 below. The blue line represents the ground floor level of the proposed new building, the orange line represents the highest point of Longwood, Courtney Avenue, and the red line the increased height of the proposed scheme. The combination of the increased height and increase of the footprint and massing of the development further to north results in a significantly increased scale of development that towers above the neighbouring house and creates an uncomfortable relationship between the building proposed on Hampstead Lane and the existing property in Courtenay Avenue adjacent, detrimental to townscape appearance and character.

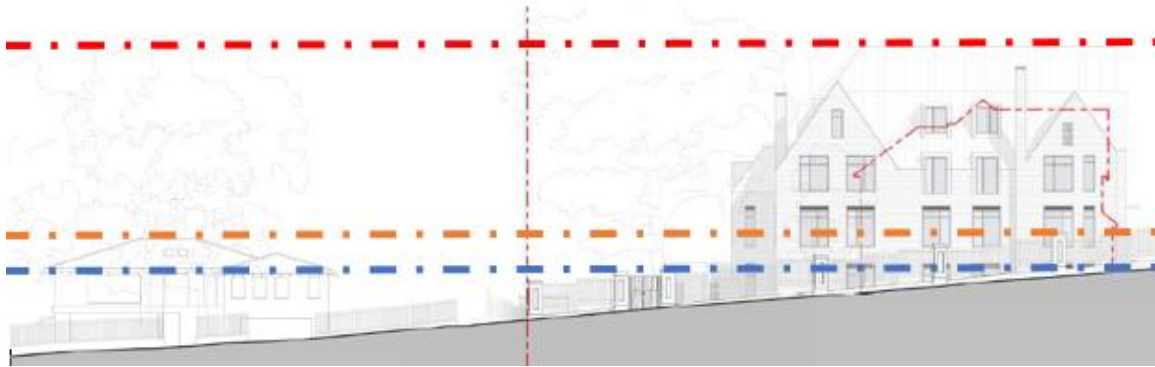


Figure 5: Section of the proposed scheme along Courtney Avenue and relationship with Longwood, Courtenay Avenue adjacent to the north (Source: Design and Access Statement & Drawing Ref: 1627-PL-212 Rev F)

Whilst the adjacent property to the east of the site (No. 42 Hampstead Lane) has been the subject of a previous planning approval for a replacement family dwelling this has not been constructed and there is no guarantee that this will be delivered. As such it is necessary to consider the proposed scheme against the existing context to ensure that the proposal is appropriate and meets the requirements of the Development Plan in the eventuality that the redevelopment of No. 42 is not delivered, and the current dwelling remains in situ. However, the submitted information within both the application drawings and Design and Access Statement only provide the proposed scheme with the approved consent for No. 42, and do not provide any sections or street scene elevations of the existing adjacent dwelling. Without these existing plans and details it is not possible to fully assessment the proposal and potential impact of the scheme. Furthermore, no assessment or consideration of the relationship between the existing property at No. 42 and the scheme and impact on the streetscene, townscape or amenity of this existing relationship is provided in the Design and Access Statement or Planning Statement.

The proposed footprint of the buildings is also greatly extended to fill a much larger extent of the plot, infilling the open space around the building and most noticeably replacing two separate buildings with a single large development block. There is no break in the extensive front or rear elevations of the building which now extend almost completely from the east to the west boundaries of the site, over circa. 60 metres in length. Figure 6 below demonstrates the increase in the footprint of the building to all sides, with the built form extended to the east and west of the existing properties, as well as substantially to the front and rear, and to the existing space in the middle of the current houses, which presently provides important separation between the built forms and visual relief within the streetscene.

The plots which the existing properties sit in are materially smaller than those neighbouring the site, with the neighbouring dwellings to the north and east having far greater depth to their plots. As such No. 42 has the potential to accommodate a greater extent of development than these plots whilst maintaining appropriate separation and open space around the dwellings, a key characteristic of the properties in this area, as noted in the Conservation Management Plan. The proposed increase in the footprint as proposed across these two plots substantially reduces this open space, changing the overall character and balance of the plot to one where the building dominates the open space which is retained around the building. Together with a building of increased height and bulk, it does not provide sufficient relief and separation from its boundaries to be able to comfortably accommodate this increase in scale within the streetscene, and is out of context with the development and open spaces along Hampstead Lane.

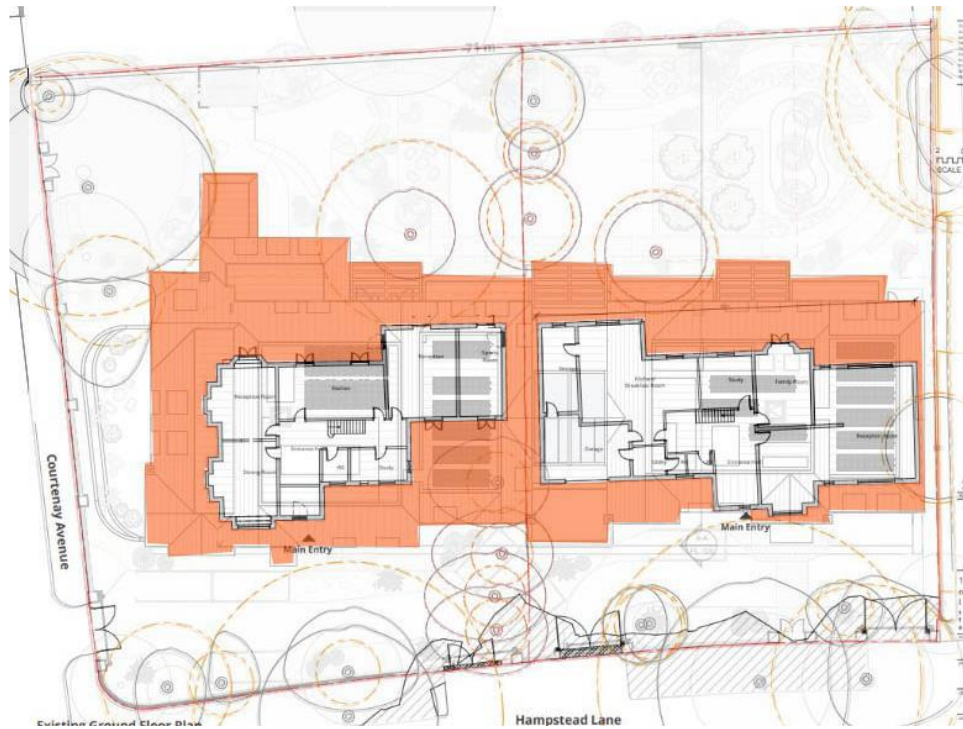


Figure 6: Ground Floor Plan

The proposal for a single building across both existing plots will result in a single continuous frontage on Hampstead Lane which is 3+ stories in height. This extent of single frontage, without any breaks or separation, is out of keeping with the scale and form of development within the streetscene along Hampstead Lane and will detract from the existing character of development. It will provide a monotonous and bulky frontage on Hampstead Lane out of character and not respecting the historic or existing development in the area.

The scheme also reduces the spaces between the building and its boundaries to the east and west. The existing separation of the building with No. 42 Hampstead Lane is already small as a result of the current relationship. Although only a minor extension of the footprint to the east is proposed, given the existing small separation, this proposal will further exacerbate the terracing effect of these properties in too close proximity, and together with the increase in height, results in an uncomfortable relationship with No. 42 which fails to address the current character of buildings within spacious plots.

The expansion of the footprint to the west is far more substantial and results in the space between the west flank of the dwelling and Courtenay Avenue being reduced by almost half, with a reduction in the open space from circa. 11.5 metres from the existing house, to 6 metres within the proposal. Again, the impact is compounded by the increase in the height of the building, with the western elevation increased in height by more than 4 metres, and the enlarged depth of the building, which further exacerbates the visual impact of the development when seen from Courtenay Avenue and from views travelling east along Hampstead Lane. This can be seen in the comparison images of the existing building and proposed scheme in Figure 7 below:



Figure 7: Photo of the existing property (left) from Courtenay Avenue and an image of the proposed scheme (right) demonstrating the considerable change to the scale and form of development proposed for the site.

The proposal as a result of the combination of its height (and change in topography), massing and continuous single built form across almost the full extent of the plots does not respect the local context and character of development in the area, provides inappropriate development in its context which does not improve the character and quality of the area and does not achieve a high quality of design.

The proposed building does not relate positively to the neighbouring structures to create a harmonious whole, as required by Part A(a) of Policy DM1, nor does it make a positive contribution to place or improve the character and quality of the area, rather than detracting from it through its excessive scale, height and continuous solid massing, contrary to Part A(b). The joining of two plots and delivery of a single building with continuous, unrelieved massing and elevations, together with the height and lack of space around the building, does not relate positively to its locality, and is not in keeping with the urban grain or rhythm of neighbouring buildings, contrary to the requirements of Part B of Policy DM1.

The proposed scheme does not enrich or enhance the built environment, but detracts from it through the inappropriate scale, form, bulk and nature of a single large development block of the scale and height proposed. The proposal is therefore contrary to Policies SP11, DM1, DM6 and DM7.

Impact of the proposal on the setting and character of adjacent MOL and Open Spaces

The unacceptable impact of the scale and form of the development on this site is further evident through its effect on the setting and character of the adjacent MOL and Open Spaces which are located adjacent to the proposed building.

London Plan Policy G3 relates to MOL and states that areas of MOL should be afforded the same status and level of protection as Green Belt. It requires MOL to be protected from inappropriate development in accordance with national policy tests that apply to the Green Belt. The NPPF paragraph 147 states that "Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances".

Policy SP13 requires new development to protect and improve Haringey's Parks and Open Spaces. The policy gives protection to the existing boundaries of the designated MOL and designated Open Spaces from inappropriate development, and *"requires the impacts of new developments in areas adjacent to designated open space to be appropriately managed and to preserve the historic significance of the designated parks and gardens."*

Para. 6.3.3 confirms that the Council will only allow development on sites adjacent to designated open spaces that respects the size, form and use of that open space and does not detract from the overall openness and character of the site, the appearance and historical significance of the setting or harms the public enjoyment.

Para. 6.3.11 highlights that MOL is to receive the same presumption against inappropriate development as Green Belt land. It notes that MOL contributes to the physical structure of the landscape and the pattern of development. It notes that the London Plan strongly supports the current extent of MOL and its protection from development having an adverse impact on its openness.

Policy DM20 requires development proposals to protect and enhance open spaces. The policy states that development adjacent to open space should seek to protect and enhance the value and visual character of the open land.

Core Objective 4 of the Neighbourhood Plan requires the protection, enhancement and obtaining the maximum benefits from Highgate's Open Spaces.

Policy OS1 of the Neighbourhood Plan relates to Highgate's Major Open Spaces, and requires development which is adjacent to Highgate's areas of major open space to respect its setting and not be visually intrusive. Development adjacent to major open spaces must ensure that it is not detrimental to the integrity, appearance or setting of the open space in terms of height, scale, massing, use of materials or function.

The Neighbourhood Plan highlights one of the key concerns as being the potential impact that development around the fringes of Highgate's open space may have on its character and tranquillity. While the major open spaces in the area (as listed above) are afforded a great deal of protection, either as MOL or Haringey designated SLOL, it was recognised that the demand for development land in London often results in new buildings growing increasingly tall and that this impacts on their settings.

Currently, Highgate's open spaces are special in this regard because the urban built form around them intrudes only minimally on the views into and out of them. The Neighbourhood Plan confirms that this is largely because of the dominant nature of the many mature trees in the vicinity and the subservient scale of development around the periphery of the heaths and parks of the Plan area. The Neighbourhood Plan requires this balance to be preserved to ensure that the special character of the open spaces of Highgate, and by extension of Highgate itself, is retained.

Policy OS2 protects trees and mature vegetation. Specimen, veteran and mature trees and mature vegetation should only be removed where absolutely necessary and include proposals for suitable replacements on a like for like basis. Developments will be expected to preserve or enhance the character of Highgate's conservation areas, and the setting of the major open spaces. This is required to include, where necessary, the provision of new or replacement planting. There should be no net loss of trees as a result of development, and pro rata replacement is required.

The site sits in a unique position opposite two separate MOL designations, with the open space to the west of the site and on the opposite side of Hampstead Lane, immediately to the south, both protected as Metropolitan Open Space. The site therefore lies in a very sensitive position in terms of these designations and amplifies the policy requirements of ensuring that the proposals are appropriate to the setting of these spaces and do not result in any unacceptable impact on their openness, value or visual character, as required by the NPPF, London Plan and Haringey Development Plan policies.

Despite this high sensitivity, no Townscape or Landscape Visual Assessment analysing the visual impact and effect of the proposals on these highly protected open spaces has been undertaken and submitted with the planning application. Furthermore, no verified views or images of the scheme from these open spaces have been provided within the application submission to demonstrate the contribution that the scheme will have to the visual character and value of these spaces.

Notwithstanding these omissions, it is evident from the proposed elevations (as seen in Figure 2 and 3 above) that the significant increase in bulk, form and height will have a considerable impact on these adjacent open spaces.

To the south the immediate area of MOL is formed by a wooded area which provides a tree'd boundary to the northern end of this open space. Whilst in summer months the foliage of the trees provides a dense visual barrier to Hampstead Lane, during half of the year when the trees are not in leaf views of Hampstead Lane and its properties from the MOL within the woodland area and beyond are visible and provide a visual backdrop to this part of the open space, as evidenced in the photo in Figure 8 below.

To the west the MOL is formed by open grassed playing fields. Whilst there is some tree planting along the eastern boundary of the MOL in this location, there are no trees on the western boundary of the application site along the extent of this elevation of the building (Photo in Figure 9 below). There is clear intervisibility and a visual relationship between the application site and this open space adjacent, as can be seen in the photo in Figure 10 below.



Figure 8: Photo from Hampstead Lane outside of the application site into the Metropolitan Open Space immediately to the south



Figure 9: Photo of the application site showing the open western boundary of the site.



Figure 10: Photo of the playing fields MOL on the left hand side, with the application site to the right.

The proposed scheme will result in the form and mass of development being positioned closer to the front (southern) and side (western) boundaries of the site, nearer to these open spaces and protected MOL areas, whilst the increase in the height and bulk of development to these boundaries will provide a more substantial hard edge and dominant built form when viewed from these spaces. This closer proximity, together with the increased scale, height and continuous form of development, will have an adverse cumulative effect harming the setting and openness of these open spaces and increasing their visual impact. The proposals will harm the current semi-rural character of these boundary relationships with these open spaces due to their overbearing scale and proximity, will dominate the edges of these spaces in these views and do not result in a harmonious transition between the open space and built form of their surroundings.

The proposals are therefore contrary to London Plan Policy G3; Haringey Development Plan policies SP13 and DM20, and Core Objective 4 of the Neighbourhood Plan and Policies OS1 and OS2.

Transport

Further evidence of the overdevelopment of the site is demonstrated through the proposed arrangements and provisions for access and parking for the site.

The Transport Statement seeks to justify the position that only 40% of staff will drive to site and 14% of staff will travel via underground, based on static analysis of the wider area and travel to work patterns. The location of the application site and its accessibility to public transport is however unlikely to yield anywhere near this level of usage of underground services. Paragraph 3.10 of the Transport Statement confirms that the underground station is a "*considerable distance from the site*". It is located over 1.8km away, meaning that it is a 25 minute walk from the site. Whilst there may be some usage by tube, given this "considerable distance", it is unlikely that it will be regularly utilised by 14% of staff to complete twice daily journeys to the premises.

As set out above, the site has a PTAL of 1 (very poor) identifying the lowest level of public transport accessibility. It is considered unrealistic given the location of the site, the surrounding nature of the residential area, the lack of public transport accessibility and distance to the nearest tube station that only 40% of staff will access the site by car.

The Transport Statement in Paragraph 4.3 concludes that up to 30 staff could be on site at any one time. The assumption therefore that there will only need to be parking for 12 staff (40%) is extremely questionable, with the operation likely to attract a far greater proportion of staff by driving given the inaccessible location of the site by public transport and will require a greater degree of on-site parking for staff to avoid overspill onto the surrounding highways.

Paragraph 6.6 underplays the likely car trips to the site required by staff and the discount applied in paragraph 6.10 is not appropriate. This does not take account of the range and abundance of associated trips associated with such a use that travel by car / other vehicle including other health professionals, service providers (such as hair dressers), couriers, deliveries, refuse collections, ambulances etc. which undertake regular trips to such operations, in addition to staff and visitor numbers. The provision of only 7 car parking spaces to accommodate these vehicles, as well as visitors is unlikely to be sufficient.

In addition, all of these trips by car are proposed to access the site via the entrance on Courtenay Avenue. The Transport Statement highlights a potential for 47 trips for visitors alone daily using this entrance into the site. This entrance currently serves a single residential dwelling and given its proximity to Hampstead Lane and configuration of these roads and access, the substantial increase in intensity of use and movements will result in potential conflict with movements on Courtenay Avenue and into and out of this street. The scheme should therefore be amended to remove any entrance or exit from the site on Courtenay Avenue.

Furthermore, the pedestrian access to the rear of the site onto Courtenay Avenue should be omitted from the scheme as there is no right to create an additional entrance from this site onto the Courtenay Avenue, which is a private road.

Amenity

Development Management Policy DM1 requires development proposals to ensure high standards of privacy and amenity for the development's users and neighbours. Proposals must provide appropriate sunlight, daylight and open aspects to all parts of the development and adjacent buildings and land; provide an appropriate amount of privacy to their residents and neighbouring properties to avoid overlooking and loss of privacy; address issues of vibration, noise, fumes, odour, lighting pollution and microclimate conditions. Policy DM7 requires development to relate appropriately and sensitively to the surrounding area, safeguard privacy, amenity, and ensure no loss of security for adjoining houses and rear gardens; and retain and provide adequate amenity space. The Council has a duty to ensure that the amenities of surrounding residents' properties are protected for existing and future residents of these dwellings and that an appropriate living environment is maintained.

The proposal will result in a harmful impact on properties to the north in Courtenay Avenue in respect of overlooking, loss of privacy, disturbance, noise, sense of enclosure and outlook.

The proposed building moves the existing rear elevation of the current two detached properties between circa. 5 and 10 metres closer to the rear boundary with Longwood. The proposed scale and massing of the new four storey block will therefore be moved to within only circa. 15 metres of this southern boundary of Longwood, with a new building of circa. 17 metres in height to the rear providing a continuous single elevation of circa. 60 metres facing towards Longwood. Together with the elevated position of the application site compared to Longwood, this will result in an imposing and over dominant building as viewed from Longwood and its amenity areas. The proposal as a result of its position, height, ground level, bulk and massing will have a significant detrimental impact on the outlook of Longwood and result in an unacceptable sense of enclosure given the relationship of the two sites and properties.

It is noted that the Daylight / Sunlight Assessment has omitted any analysis of overshadowing of neighbouring amenity areas. This should be assessed and included as part of the consideration of the application. The application is considered to be deficient without this analysis. The sun path analysis demonstrates that the proposed building is likely to cast long shadows over the garden of Longwood, Courtenay Avenue (which is located directly to the north of the application proposal) across the year, and will affect the levels of direct sunlight that residents would reasonably expect, therefore negatively affecting residents' amenity.

The combination of these factors means that the development will not protect the amenities of the residents within Longwood, Courtenay Avenue and will result in an unacceptable impact on the amenity of these occupiers.

Furthermore, the increased scale of the development, the number and location of windows, together with the intensity of use will result in unacceptable overlooking and loss of privacy to the residents of Longwood and its private garden areas, as well as potentially leading to additional light pollution as a result of their position and function.

The existing house at No. 46 Hampstead Lane has 7 windows at first floor level serving 5 rooms, with a single dormer window at second floor, set further back on the roof pitch. These all relate to its use as a single family dwelling.

The proposals however provide 17 full length glazed windows within the ground floor, with a further 15 full length glazed windows at first floor and another 14 windows at second floor. The proposals also include a number of balconies on the north elevations overlooking the property directly to the north at various levels. All of these windows and balconies will have direct line of sight over the boundary treatment to the existing house and the residents at Longwood, Courtenay Avenue due to the topography of the site. These proposed south facing windows will serve 16 units of accommodation, as well as multiple communal facilities including a café, two dining rooms, one lounge and three combined lounge/dining halls.

The principal external amenity space of Longwood is to the south and east of the house, directly adjacent to the rear boundary with the application site. In addition, the existing property has primary residential accommodation within this flank of the house, with the majority of its outlook and light received from the south.

Given the relationship between the application proposal and the existing property of Longwood adjacent to the north; the significant increase in occupiers, units and communal facilities looking out to the south; the provision and scale of the openings proposed, together with the introduction of large balconies; and the increased height of the property and reduced proximity to Longwood. The application building and its proposed use will result in significant overlooking and loss of privacy to the rooms within Longwood, as well as its private garden amenity, which will have an unacceptable impact on the living standards of its residents.

The proposed amenity space of the development and its use also raises concerns in relation to the impact on noise and disturbance to residents of Longwood, Courtenay Avenue and 42 Hampstead Lane. The usable amenity space to the scheme is located to the north of the block. As well as questions over the suitability of this space given its orientation and the height and position of the building adjacent as to whether it will receive appropriate levels of sunlight, and be attractive and readily usable by the occupiers; the reduced size of the external space available for 66 guests, their visitors and staff, and its proximity to their neighbours will have a potential unacceptable impact on the amenity of the neighbouring properties. The amenity space directly adjoins the principal garden areas of Longwood and 42 Hampstead Lane and the increased intensity of use adjacent to these residential properties, the associated noise and disturbance, is likely to lead to unacceptable impacts on these neighbouring dwellings and their gardens. No details of the use or management of the external amenity area is provided. The potential impact is exacerbated by the orientation and position of the house and amenity space, with the amenity space provided to the north of the building. Given the height of the building and position of the amenity space, residents wanting to make use of sunlit areas will have congregate to the northern boundary away from the building, immediately adjoining the neighbouring properties gardens.

The scheme also raises concerns in relation to potential fumes and odour from the vents proposed within the scheme. The submitted lower ground and ground floor plans show vents rising from the basement of the building (which is shown to contain plant and laundry areas) to ground level. Limited detail is provided, but the proposed elevations do not show any extraction or louvres proposed up to the roof and therefore it appears that these vents extract at ground level. Given the proximity of a vent extract immediately adjacent to No. 42 Hampstead Lane there is high potential for fumes and odours from the operation of the site and activities within the building and basement to unduly affect the residents of No. 42. Further details are required to address this matter, and/or revisions to deal appropriately with the ventilation and extraction system proposed.

On the basis of the proposed scheme and relationship with its existing neighbouring properties the development does not comply with Development Management Policies DM1 and DM7, and Neighbourhood Plan Core Objective 5 as it will lead to direct harm to the amenities of neighbouring properties, unacceptably impacting on their standard of living.

Conclusion

The proposed development represents an unacceptable step change in the scale, height and bulk of development compared to the existing buildings and will result in a detrimental impact both to the amenity of immediate neighbours and to the conservation area.

The proposed development is of an unacceptable scale, height, mass and bulk, the impacts of which on neighbouring amenity and the character of the conservation area are exacerbated by the location of the development in very close proximity to the boundaries of the homes surrounding the site and its relationship with the areas of Metropolitan Open Land adjacent. The proposed height and bulk on the boundaries of the site, especially due to the sites topography, and without sufficient space to provide an appropriate separation and buffer, further intensifies the impact of this over-sized scheme on the conservation area and neighbours, and demonstrates the overdevelopment of the site.

The proposal for a significant care home operation is out of keeping with the residential character of the area, harmful to the heritage asset of the conservation area and surrounding heritage assets at Kenwood and harmful to the residential amenity of the occupiers neighbouring the site. The proposals do not include any justification for the scale of the operation proposed, whilst the Local Plan requires the delivery of residential homes and affordable housing as a priority. The proposals within this application deliver a scale of

development which is overbearing, out of keeping, and will have an unacceptable impact on the townscape, MOL and character and appearance of the area.

The current proposals do not comply with the policies of the Development Plan and will result in unacceptable impacts in terms of overdevelopment, amenity, impact on the MOL and heritage. The current application proposals have been demonstrated to be contrary to the policies of the Development Plan, as well as the requirements of the NPPF, with no material considerations identified by the applicant which would overcome the non-compliance of the Development Plan policies. The proposals are contrary to Core Objectives 4 and 5 and Policies OS1, OS2, DH1, DH2, DH7 and DH10 of the Neighbourhood Plan; Policies SP2, SP11, SP12, SP13, DM1, DM6, DM7, DM9, DM10, DM15 and DM20 of the Camden Local Plan; and Policies HC1 and G3 of the London Plan. The application therefore must be refused in line with the Development Plan.

I would be grateful if you could confirm receipt of this representation and request that you keep me updated on the progress of the application, confirming if there are any amended plans, additional information received, as well as dates for a potential planning committee, and resulting decision.

If you have any queries or would like any further information, please do not hesitate to contact Matt Brewer on the details at the front of this letter.

Yours sincerely

URBANSPEACE Planning Ltd

For and on behalf of Ridgemount, The Villa, Heathways, The Rydings, Red Gables (Courtenay Avenue) and the Compton Avenue Association.