

**Re: Highgate School Planning Applications
HGY/2023/0328 (Dyne House)
HGY/2023/0317 (Science Block)**

**SOUTHWOOD LANE RESIDENTS' ASSOCIATION
CONSULTATION RESPONSE**

Introduction and Summary of Objection

1. These representations have been prepared by the Southwood Lane Residents Association ("SLRA") with the input of specialist planning counsel in relation to Highgate School's ("the School") planning applications to redevelop the Science Block, Island Site and Dyne House.
2. The SRLA is also taking advice from daylight/sunlight experts and structural engineers in relation to the proposed basement development at Dyne House. Detailed reports will be supplied from these experts in due course. In particular, SRLA intends to provide a report from a structural engineer, Jim Gardiner BSc MICE MStructE, on the Applicant's basement design plans and a report on daylight/sunlight impacts of the scheme.
3. The SLRA comprises 43 residents who live along or close to Southwood Lane. Many of the properties owned and occupied by SRLA members are Grade II listed. Members include the immediate neighbours to the Dyne House redevelopment site and the Science Block/Island site who will be directly impacted by the construction and operational phase of that development if approved.
4. SRLA has sought at all times to engage constructively with the School and the Council first in relation to the Highgate School Supplementary Planning Document ("SPD") and in respect of these latest planning applications. However, the SRLA cannot escape the conclusion that the proposed developments for the Science Block, Island Site and Dyne House ("the Proposed Development") are unacceptable and totally out of scale in the constrained context of the historic Highgate Village. Whilst SRLA members are particularly concerned about the Dyne House proposal, these representations address these developments together since the objections relate equally to them and many of the impacts would be experienced cumulatively by the local community.
5. The Proposed Development is unsympathetic and detrimental to the Highgate Conservation Area and the listed buildings along Southwood Lane. The negative impacts from the developments on neighbouring properties in terms of the construction impacts which will last at least 5 years, - comprising noise, dust, vibrations, traffic, HGV movements - and in terms of long term operational impacts - impacts on daylight/sunlight, overlooking and parking - are significant and wholly unjustified.

6. The significant expansion of the School's built footprint and floorspace is unnecessary given the School's insistence that its programme is not one of growth. Yet if the Proposed Development is not a growth project what exactly is it? If the plans are simply to enable modernisation then a smaller scheme should have sufficed within these highly constrained development sites.
7. SRLA objects to the Proposed Development for the following reasons, which are developed in detail below:
 - i. Excessive Scale, Massing, Height and Bulk of the Proposed Development;
 - ii. Absence of Reasonable Justification for the Proposed Development;
 - iii. Basement Development Unacceptable in this Location;
 - iv. Unacceptable Construction Impacts;
 - v. Unacceptable Heritage Impacts;
 - vi. Sustainability and failure to achieve Carbon Neutral Development
 - vii. Impacts on Neighbours' Amenity - including Tree Loss
 - viii. Daylight/Sunlight Impacts;
 - ix. Overlooking and Adverse Impact on the Highgate Bowl
 - x. Additional Impacts from Community Uses.
8. The scale, the basement impacts and construction impacts constitute standalone reasons for refusal. The report of Jim Gardiner and the conclusions he reaches on the severe adverse impacts of the basement construction and the risks associated with the plans which have been understated by the Applicant should be read in full. The remaining objections when weighed together constitute further reasons for rejecting the Dyne House application.
9. If Members, contrary to our case, are minded to approve one or all of the applications then we respectfully ask that careful thought is given to the sorts of precise, clear and enforceable, planning conditions required to control the worst of the impacts, which will inevitably be experienced by neighbours over the next decade and beyond.

Process

10. Before turning to the specific objections, we reiterate the procedural points raised in our April letter.
11. First, it is vital that the planning applications for Science Block, Island site and Dyne House are considered at the same time by the same Planning Committee. That is because the applications are inextricably linked and the cumulative effect of the proposals in terms of impacts on the heritage assets, tree loss and the construction impacts (noise, dust, HGV movements) can only sensibly be undertaken together. There are cumulative impacts on the Highgate Conservation Area which could be missed if each application is considered separately.
12. Second, before any decision, members of the Planning Committee must undertake a site visit which includes visiting neighbouring properties in Southwood Lane

and Kingsley Place (including gardens). The visit should include viewpoints into the Dyne House Site from the Highgate Bowl. Members should also walk the entire length of Southwood Lane, Kingsley Place and Castle Yard and top of Jacksons Lane, Southwood Lawn Road and Southwood Avenue to understand the impact of site traffic on traffic flows.

Detailed Objections

13. We have the following specific concerns in relation to the applications:

(1) Excessive Scale of the Proposed Development

14. The scale height, massing and floorspace of the Proposed Development are enormous and, taken as a whole, represent significant overdevelopment given the site constraints. In particular, in relation to Dyne House, Science Block and Island Site, the existing areas will more than double their existing floorspace: enlargements by 106% for GIA and 116% for GEA. This amounts to overdevelopment.
15. The scale of the Proposed Development fails to respect the character of the area and is in conflict with development plan policy (DPD Policy DM6 A and B). The proposed scale and mass unsuitable for such sensitive sites in the heart of historic Highgate village, surrounded by Grade II listed properties and their gardens and on edge of the highly protected Highgate Bowl.
16. The School's Heritage Statement at para. 8.4 states: *"The proposed new buildings to the rear of Dyne House have been carefully articulated to soften the sense of massing and provide a modulated sense of scale.... The proposals have made use of the existing topography to conceal the majority of the rear extensions together with the basement levels to further reduce a sense of height.... In addition, roof planting and a "greened Parade Ground with new landscaping is considered to retain a sense of openness and further filter views of the proposals from the north and south"* Whilst the basement does mean that some of the rear building is concealed, there will be 2 floors of the rear extension (approximately 75m in length) clearly visible on the north and south sides. This is confirmed by the fact that the School will be building to the height of the ridge lines of the current buildings which are clearly visible from numbers 22, 20A, 20, 18, 16 Southwood Lane, 23A and 23B Kingsley Place and the gardens of 16 and 12 Southwood Lane. The green roofs will not filter views of the rear extension. Therefore, it is incorrect and misleading to say that the majority of the rear extension will be concealed. Furthermore, notwithstanding the School's claim in its Heritage Statement para. 7.5, that the green roofs will improve views into the site, those green roofs that the School have installed elsewhere such as the Junior School in Bishopswood Road are not adequately maintained. It is well accepted that green roofs are notoriously difficult to maintain and the School has not demonstrated historically that it has the skill or intent to do so. The proposed green roofs will inevitably become an eyesore in the conservation area with views into the site damaged as a result.

17. The SPD emphasises that “*Appropriate height, bulk and mass will reflect the need to maintain the openness of the designated areas*” (para. 5.25). “*For all new development a key issue will be the form and scale of development and its impact on the surrounding townscape and heritage assets*” (para. 5.59). Para 6.55 specifically states for Dyne House that the proposals should “*ensure massing is appropriate to the site and the locality*” The massing is wholly inappropriate at the rear of Dyne House given the site is surrounded by private properties and gardens and the Highgate Bowl. It is telling that the School have neglected to provide CGIs of the north or south facing elevations of the rear extension or cross sections drawings of the Dyne House site which would more clearly illustrate the excessive scale, massing and proximity of the rear extension to neighbouring properties and gardens in context. Even when local groups and the SLRA have requested such information during the consultation period, they have not been provided. Furthermore a great deal of existing garden at the rear of Dyne House will be lost as a result of the proposals which is contrary to section 6.55 of the SDP which states the proposals should “*consider carefully the provision of open space*”. Despite the policy requirements for the design, massing, height to be sensitive to the site context and constraints, the Proposed Development, and Dyne House in particular, are in conflict with those requirements and should be refused.

(2) Absence of Justification for the Proposed Development

18. The excessive scale of the Proposed Development has not been justified by the Applicant.

19. The Proposed Development is advanced by the School as a modernisation rather than an expansion project. The School is at pains to point out that despite the very significant expansion of floorspace and height at Dyne House and Science Block, it will remain within its current licensed capacity of 1970 students (+ staff members who total c.450). The SPD echoes the School’s case, taking at face value the claim that its estate management programme is not a growth project (SPD p.3 para. 2.6; p. 19 para. 3.23).

20. SRLA makes the following points in relation to the School’s justification:

- a. The School’s proposal for significant expansion in the teaching floorspace and facilities at Dyne House, the Island Site and the Science Block, without expanding student numbers does not add up. Either the school has no ambitions to increase student numbers, in which case the extent of the new floorspace on a constrained site is not justified; or the development applications are a precursor to a future expansion of student numbers.
- b. The School’s Educational Needs Assessment has received little, if any, scrutiny and is simply parroted in the SPD. There is a difference between a demand for and a *need* for expanded facilities based on current pupil numbers. The School is, on any view, a successful institution in terms of League Tables and market position, with its current offering. We understand its desire to upgrade its existing facilities but what is proposed

is a massive, unjustified expansion of the School's floorspace in the heart of the highly constrained site. The Proposed Development is required to respond to its context; not the other way around. In short, these are over-ambitious proposals, divorced from, and materially detrimental to, the setting of the development sites in a Conservation Area and surrounded by Grade II listed residential properties.

- c. Given the School's case that this is not a growth project, the Council should attach a planning condition limiting the numbers of students that can occupy the buildings. Such a condition is necessary because of the adverse planning impacts which would be generated by increased numbers of students. If pupil numbers were to increase that would lead to a host of unacceptable impacts on traffic, air quality and amenity. It is clear that the Village cannot accommodate greater student numbers (currently at c.4000 a day). As the SPD states, more students leads to more cars dropping students off in Highgate Village (SPD p. 31, para. 4.39). Already the movement of Highgate School pupils around the Village causes a great deal of disruption in terms of stopping traffic while students cross many roads around the Southwood Lane campus . The Village's narrow streets and a dense, tightly woven set of protected heritage assets cannot withstand additional volumes of traffic. As things stand, congestion in the Village at pick up times is severe. A future increase in student numbers at the School will lead to increased congestion and parking pressures. Absent a planning condition, there is no mechanism to control student numbers in future. If the School is sincere in its intention to operate within its -licensed- capacity such a condition should be acceptable to it.

21. We suggest the inclusion of a planning condition to this effect:

"(a) The number of students who can occupy the School's "Village campus" is limited to 1970 students."

and

"(b) any new floorspace must be limited to the uses put forward in this SPD (namely for music, drama or Sixth Form teaching)."

(3) Basements Unacceptable in this Location

22. SRLA is deeply concerned about the nature and extent of the basement development proposed at Dyne House. The School accepts there will be impacts on neighbouring structures from the excavations although it has assessed those as being "very slight". Residents disagree with that risk assessment and consider it greatly understates the risks to fragile and protected neighbouring properties.
23. The policy governing basements is set out in Policy DH7 of the Highgate Neighbourhood Plan which provides:

“Under no circumstances should construction be allowed to proceed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1”.

24. The School’s Basement Impact Assessment (“BIA”) gives little confidence. Given the nature of the “challenging topography” (a phrase used by the Council in the SPD itself) at Dyne House on a steep slope, which descends into the protected Highgate Bowl, and the development’s immediate proximity to neighbouring listed properties and gardens, the proposal for extensive basement development on the Dyne House Site is wholly unsuitable. The BIA contains a number of self-serving conclusions which minimise the evident risks of basement development in this location. Given the scale and depth and complexity of the proposed basement works, there is a serious risk of settlement and subsidence over time resulting from the works. The surrounding housing stock is C18-19th century and neighbouring properties face an unacceptable risk of serious damage over time.
25. No new basement work should be permitted. The proposals conflict with Policy DH7 of the Highgate Neighbourhood Plan and should be refused.
26. If approved, neighbouring listed buildings must be protected from the excavations. The Council should insist that any basement works are undertaken to Burland Scale 1 and neighbouring owners indemnified against damage, whenever occurring.
27. SRLA commissioned a review of the BIA and the proposed Construction Management Plan by Jim Gardiner of Alan Baxter Structural Engineers. Mr Gardiner’s report should be read in full. He concludes that the proposed basement is a “significant engineering challenge” and the use of sheet piling is by the Applicant is “questionable”. He notes that ground water has not been adequately considered and the ground movement assessment is “inappropriate”. The CMP, in his view, understates the disruption and construction impacts.

(4) Unacceptable Construction Impacts

28. The Proposed Development is of such a nature and scale it will have a detrimental impact on the residents of adjacent properties in terms of dust, noise, vibrations, damage, parking pressures and congestion over a prolonged period which cannot be justified. SRLA appreciates that construction impacts are part of any project but in this case, the length and nature of the acknowledged impacts which will be felt by residents who live along the narrow, protected streets of the Village tips into the unacceptable category. In particular, SRLA objects to:
 - a. **Length of impacts** - The construction impacts of successive developments at Dyne House, the Science Block and Island Site will directly and very materially affect residents on Southwood Lane and visitors to Highgate Village for at least 5 years and most likely considerably longer. Moreover, the total enabling and construction period for all of the School’s proposals will be ‘approximately ten years’.

That is an incredibly long period for residents to live with the disruption and construction impacts. It is a prolonged assault on residents' ability to enjoy the amenities of their own homes. The Highgate Neighbourhood Plan acknowledges the significant financial and mental health implications of those impacts (p.61).

- b. **Health risks posed to neighbours** - A Dust and Emissions Assessment prepared in support of the Science Block (June 2022) concluded that during the demolition phase there will be a "*medium risk*" to human health receptors (Highgate Screening Report, para. 5.57). An Air Quality and Dust Risk Assessment in support of the planning application for Dyne House (June 2022) concludes that during the construction phases there is "*a medium risk to human health and dust soiling*". The School says this can be controlled by condition, however, the health risk, and not just the obvious harm to amenity, posed to those who cannot avoid living next door to the development site is unacceptable. The potential of the health risks from asbestos within the buildings to be demolished and developed is omitted from any of the documentation
- c. **Severe Traffic During Construction Phase** - The basement development will entail thousands of HGV and other vehicle movements which will have a very serious effect on the surrounding narrow streets. Southwood Lane – particularly the top of Jacksons Lane with Southwood Lawn Road and the length of Southwood Avenue will not be able to cope with site traffic routing without causing regular congestion. Parking along these roads will need to be removed to accommodate the number, volume and size of construction vehicles. Already there is only room for one vehicle to pass on Southwood Lane between Castle Yard and the junction with Jacksons Lane and the same for the entire length of Southwood Avenue. The access onto the red route at Archway Road from Southwood Avenue is tight and involves crossing bus lanes. With the anticipated volume of construction vehicles likely to be every 20mins-30mins during the demolition, ground works and excavation traffic will quickly become grid-locked not just on the Archway Road but throughout Highgate and surrounding roads. Road closures to facilitate the movement of heavy construction equipment such as cranes will also add to the disruption. The road network much of which is B road status, is unsuitable and inadequate for the amount of site traffic that these proposals would cause. The School has not given proper consideration to the issue of construction vehicles, other road users or pedestrian safety. This, in turn, will cause harm for residents as well as intensifying air pollution in an air quality management area.

- 29. If approved, it is imperative that construction impacts are minimised and mitigated as far as possible. The developer says the impacts can all be controlled by a Construction Environmental Management Plan (CEMP). A robust CEMP must ensure that:

- a. Construction noise, vibration and dust are kept to an absolute minimum. This requires the imposition of specific measurable limits and real- time monitoring throughout the period of the works;
- b. HGV and LGV movements do not significantly increase traffic congestion placing unreasonable stress on local residents. We suggest a specific cap on the total number of the overall and total daily HGV movements and a specific period of time for completion of them.
- c. Construction hours are limited. In accordance with the Neighbourhood Plan, work on basements should be limited to 8am-6pm on Mondays to Fridays only. High impact works, including all demolition, concrete breaking and use of piling rigs or other similar equipment should be restricted to 9am-noon and 2pm-5:30 pm on weekdays. At no time should there be any works on Saturdays, Sundays or public holidays.
- d. High, good quality screening is erected and maintained for the duration of the works around the construction site at Dyne House so that neighbours can continue to enjoy their property without being overlooked.

(5) Unacceptable Heritage Impacts

30. The Proposed Development lies in a Conservation Area in close proximity to a large number of individually listed buildings. Moreover, the existing Dyne House itself is arguably a non-designated heritage asset. We have read and agree with the objection submitted by the Twentieth Century Society regarding the redevelopment of Dyne House. This is a relevant consideration which the Applicant has not taken into account.
31. The significance of the Highgate Conservation Area is described in the Local Plan at p. 118. The Plan makes clear that Highgate Village is an area that can only support *"limited change"* and the majority of Haringey's future growth will take place outside the Village. Policy SA41 in the Local Plan states that *"development should preserve the setting of the statutory and locally listed buildings on site and neighbouring the School"* And *" development should preserve or enhance its (the Highgate Conservation Area) appearance as per statutory requirements"* It is in that context that the proposed large scale, overdevelopment falls to be assessed. The rear of Dyne House in particular is surrounded by private gardens and listed buildings. The excessive scale and mass of the rear extension to Dyne House will be extremely damaging to the setting of the listed buildings and gardens along Southwood Lane. Local Plan Policy DM9 and Neighbourhood Plan Policy DH2 are applicable.
32. The School's Heritage Assessment unsurprisingly concludes that the proposals are neutral, that they preserve the heritage assets in the Conservation Area (see Screening Report 5.91 -5.94; 5.95-5.100) and *"constitute a modest beneficial enhancement to the surrounding listed buildings "*(section 8.3). However, that assessment fails to take proper account of the impacts on the listed residential properties and their settings from basement excavations, vibrations and in kinetic views along Southwood Lane and from the Highgate Bowl or provide cogent

convincing reasons to support the conclusions. Overall, the Proposed Development fails to preserve or enhance the special character of the Conservation Area; fails to demonstrate that the proposals meet a “limited change” to the Conservation Area and the School’s consultants have failed to give the impact on the individual listed buildings due weight.

(6) Sustainability and failure to achieve carbon neutral development

33. The Council expects all new non-residential developments to be Zero Carbon in accordance with the London Plan and Haringey’s Local Plan Policy SP4. As part of that the SPD expects the School to achieve “at least a BREEAM Very Good rating with an aspiration to reach Excellent” where feasible (SPD p. 51, para. 5.27).
34. It is not clear that even that minimum requirement will be achieved. In relation to Dyne House, the School’s planning consultants are mealy mouthed. The School’s Screening Report (p.45) states that “A BREEAM Pre-assessment has been undertaken for the Proposed Development and identified that a “Very Good” rating can be targeted.” With respect the issue is not whether “Very Good” can be targeted, Very Good is a policy requirement (see Local Plan SP4 1 b); the issue is whether that minimum standard can be achieved. If the Council is serious about its sustainability commitments it should not approve a development which cannot guarantee that it will meet BREEAM Very Good in accordance with Policy SP4.

(7) Impacts on Neighbours’ Amenity

35. The Highgate School SPD provides that neighbours' amenity should be preserved or improved where possible (p. 62 para 6.56). Amenity will not be improved but will plainly be eroded in a number of respects by the Dyne House proposal. Specifically that proposal will have negative impacts in respect of:
- i. Tree Loss;
 - ii. Daylight/Sunlight Impacts;
 - iii. Light and Noise Pollution; and
 - iv. Overlooking.

(i) Tree Loss

36. The Proposed Development will result in the removal of a significant number of mature trees, particularly to the rear of the Dyne House Site.
37. DPD Policy OS2: ‘Protection of Trees and Mature Vegetation’ provides “*Within the conservation areas...specimen, veteran and mature trees and mature vegetation, which have townscape, ecological or amenity value should be retained where possible.*” In addition, the SPD provides that proposals must ensure all protected trees are retained unless they are unsafe, and tree canopies are retained to preserve the character of the adjacent Highgate Bowl site (SA42).
38. As a result of the development, a large number of large mature trees are being removed which are visible from the Bowl and which currently provide screening

and privacy to neighbours. The School says that the impacts are insignificant because the trees will be replaced. However, that ignores the fact that replacement trees may not be as successful as existing mature trees and also fails to acknowledge the significant time period (development phase plus the time taken for new trees to mature) during which residents and views will be impacted. In terms of the removal of trees, the Dyne House development conflicts with policy.

39. The Highgate Bowl allocation (SA42) runs along the southern boundary of the Dyne House site. The Council has made clear that it will only support those proposals which do not negatively impact on the biodiversity and visual character of the Bowl and that it should be protected as Significant Open Land. Regrettably, the Dyne House proposals do not respect that.
40. The application does not include any plans identifying the 2 Highgate Bowl sites that border Dyne House; no photos of existing views into the Dyne House site from the Bowl and neighbouring gardens -such photos should be of winter views without tree cover as views must be protected all year round; photographic montages of views into the site with the proposed development from various points in the 2 no. neighbouring Bowl sites. The School cannot assert (and the Council should not accept) that it has responded to Highgate Bowl policies unless these key pieces of information (which have been requested from the Applicant) are submitted with the applications.

(8) Daylight and Sunlight Impacts on Neighbouring Properties

41. SRLA considers that the School has understated the daylight/sunlight impacts from Dyne House on neighbouring residential properties. It has engaged Delva Patman Redler LLP to undertake a technical review of the School's Report produced by Anstey Horne which will be submitted in due course.

(9) Light and Noise Pollution from Dyne House

42. Light pollution will result from the expanded Dyne House development. The rear of Dyne House is unusually dark due to the Bowl and all the private gardens that surround it. However, residents have noted that the School invariably leaves lights on after 9pm leading to light pollution in the evenings.
43. If approved, light pollution should be regulated requiring all but emergency/security lights to be turned off after 8pm
44. In terms of noise, the School's consultants acknowledge in the Screening Report the need for a planning condition to control noise impacts on residents from the Dyne House plant. We agree. This should set specific decibel levels so that residents are not impacted by noise.

(10) Overlooking

45. Due to the topography of the Southwood Lane properties, which drop steeply into the Highgate Bowl, the large area of windows in the proposed Dyne House development creates significant risk of overlooking into private homes and gardens. In particular, numbers 16 and 12 Southwood Lane and 23A and 23B Kingsley Place will be impacted. The proposed rear extension of Dyne House incorporates an increase in size and number of windows to classrooms and the fully glazed corridor (the Bridge). This is likely to lead to unacceptable breaches of privacy and interference with neighbours' reasonable enjoyment of their properties. The proposed first floor external walkway at the Central Hall Science Block will result in unacceptable potential for overlooking into the bathroom and bedrooms of 16 Southwood Lane.
46. If approved, a planning condition should be imposed limiting the height of buildings , the number and size of windows in Dyne House and requiring use of frosted glass or similar in the large Dyne House window and the external covered walkway on the first floor of the Central Hall Science Block

(11) Highgate Bowl

47. The Highgate Bowl is a unique and highly sensitive area of open land in Highgate which incorporates parts of private gardens. The community has fought hard to protect the Bowl over many years. That protection is referenced in SA41 of the Local Plan which states there must be "*appropriate regards to the open character of the Bowl* " this is reiterated in the SPD section 6.5 that the Dyne House proposals should "*have regard to ... the impact on the Bowl*". Furthermore point 7 says views from the Bowl should be protected. The proposals do not take account of the fact that on the south side of the Dyne House site, the garden of number 12 Southwood Lane is in the Highgate Bowl and half the garden of 6 Southwood Lane are also in the Bowl. The Design and Access Statement says the plans "*respond to the openness of the Highgate Bowl and Parade Ground*". The Heritage Statement section 7.5 states "*the proposals provide the opportunity to improve the quality and character of existing views within, into and out of the site towards the conservation area and Highgate Bowl* " This is not supported by the proposals which will result in an increased footprint, massing and bulk of the rear extension.

(12) Weight to be given to Community Uses

48. The School contends that positive weight should be given to the community uses to which its Proposed Development may be put. As a charity, community access to its facilities is not an *additional* planning benefit of the scheme but something which the School is legally required to provide in order to demonstrate its public benefit under charity law.
49. SLRA supports genuine "community use" of the School's property but that is different from the hire of Dyne House for private events or commercial use which would lead to additional and unacceptable impacts on residential amenity,

through the generation of traffic, parking pressures and noise, outside of School hours, on weekends and throughout the year.

Conclusion

50. For those reasons, we respectfully ask that Members refuse the above applications.

**SRLA,
Southwood Lane
22 May 2023**