



Officer Report

Application Number:	HGY/2023/2470
Application Type:	Full planning permission
Address:	The Holmewood Upper School, 8a Muswell Hill, London N10 3TD
Proposal:	The installation of 2no. wooden cabins to be used as classrooms for outdoor learning.
Case Officer:	Roland Sheldon
Valid Date:	15/09/2023
Applicant:	Cavendish Learning (London) Limited
Agent:	Connor Hall

RECOMMENDATION

Approve with Conditions

1. Site and Surroundings

The application site relates to a single storey building with accommodation within the roof, located at the end of a cul-de-sac to the north-east of Muswell Hill. The building on site with its extensive grounds is currently used by Holmewood School. This is a school for 7-19-year-olds with high-functioning autism, Asperger's Syndrome, and other language, communication, and social difficulties. This educational facility on site is the Upper School to Holmewood, while the Lower School is based in Woodside Park/ N12. The class sizes at this Upper school are small.

The access/ driveway to this site equally provides access to residents of a neighbouring building, Grove Lodge as well as to the residents of No 6 Muswell Hill, a former keepers lodge originally ancillary to Grove Lodge.

The school is located to the south side of Laurence Court, a residential development accessed off the south side of Springfield Avenue. The grounds slope on site and the residential properties to the north of the site along Springfield Avenue sit on significantly higher ground level. To the east of the site is Alexandra Park and Nursery and Grove Lodge Meadow Allotments.

The Site is located within the Alexandra Park Metropolitan Open Land and is a Site of Importance for Nature Conservation (Grade II). The site is also located within Rookfield Conservation Area.

2. The Proposal

The proposal seeks to install 2 wooden cabins within the site to be used as classrooms for outdoor learning.

The cabins would be timber clad with uPVC windows. In terms of size and scale, the larger cabin will be 4m width x 7.2m length and 2.94m in height and the smaller cabin will be 2.4m width x 2.4m

length and 2.92m in height. The larger of the 2 cabins would be positioned in the north-east section of the site, with the smaller cabin located more centrally within the woodland area of the site. The larger cabin would be used as a sheltered area during lessons taking place during inclement weather, with the smaller cabin proposed to be used as a one-to-one quiet learning space for any child who benefits from being in a quieter and more natural environment than the main school buildings.

3. Relevant Planning and Enforcement history

The planning history in relation to the site is as follows.

The Holmewood School London, 8A, Muswell Hill, London, N10 3TD

CON/2022/0279: Tree works as specified on application form – undetermined
Excel English School, 8A, Muswell Hill, London, N10 3TD

HGY/2019/2126: Works to trees protected by an Area TPO. Ash (T1): Dying back significantly. Monolith to height of 12-14m Ash (T2): Excessive Lean. Fell – approved 28/08/2019

HGY/2019/1413: Variation of condition 9 (Use as a Language School) attached to planning permission HGY/052715 in order to include educational uses (D1) – Approve 23/08/2019

HGY/052715: Demolition of single storey classroom building and garage and erection of replacement buildings in connection with use as a language school.

4. CONSULTATION RESPONSE

The following were consulted on the planning application:

- LBC Conservation
- LBH Education
- LBH Arboriculture
- LBH Parks & Open Spaces
- Muswell Hill & Fortis Green Association
- Rookfield Estate CAAC
- Alexandra Park and Nursery and Grove Lodge Meadow Allotments

The following responses below were received following consultation on the application:

Internal:

1) LBH Arboricultural Officer: Providing all the tree report, AMS for works within the RPAs, and the TPP drawing T003 are implemented and conditioned prior to commencement there are no overall objections to the proposal.

5. LOCAL REPRESENTATIONS

The application has been publicised by way of a site notice displayed in the vicinity of the site, a notice placed in the local press, and letters sent to neighbouring occupants. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Objecting: 3
Supporting: 0

Neither: 0

The following local groups/societies made representations:

No comments were received from any local groups/societies.

The following issues were raised in representations and are addressed further on in this report or below:

Amenity

- Lack of clarity in the submitted drawings to demonstrate the siting and location of cabin 1 in relation to neighbouring gardens on Springfield Avenue
- The location of cabin 1 could give rise to noise disturbance on Springfield Avenue residents
- As the cabins will be positioned on a plinth, the finished height is likely to be greater than the height quoted and will be visible from ground floor windows and above
- Concern that cabin 1 will be used as a permanent classroom space which will have an affect on neighbouring residents.
- The dimension and siting of cabin 1 would be visible from adjacent neighbouring residents on Springfield Avenue.
- There will be a loss of privacy resulting from the proposed use and siting of cabin 1
- Concerns regarding noise resulting from the proposal to allow the site to be used as an educational facility (in 2019) have become a problem in practice, with noise and general disturbance encountered by neighbouring residents. The erection of the cabins would exacerbate this problem.

Design & heritage

- As the area is located within Rookfield CA, cabin 1 should be located nearer to the school

Trees and nature conservation

- The cabin 1 location should be located to have a less impact on tree/wildlife/nature conservation

6. Material Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of development;
2. Design and heritage;
3. Impact on neighbouring amenity;
4. Impact on trees and ecology;

Principle of development

Additional facilities for the community facility

London Plan (2021) policy S3 sets out that proposals for educational facilities should (inter alia):

- 7) ensure that new developments are accessible and inclusive for a range of users, including disabled people, by adopting an inclusive design approach
- 8) ensure that facilities incorporate suitable, accessible outdoor space
- 9) locate facilities next to parks or green spaces, where possible

Haringey Local Plan (2017) policy SP16 sets out that the Council will work with its partners to ensure that appropriate improvement and enhancements, and where possible, protection of community facilities and services are provided for Haringey's communities.

Part E of policy DM49 of the Development Management Plan (DPD) (2017) refers to proposals for new or extended community facilities. The policy sets out that proposals will be supported by the Council subject to specific criteria regarding accessibility, community access, provision of adaptable space where practicable, road/traffic safety and the protection of neighbouring amenity.

In this instance, the proposal does not seek to increase the scale or intake of the school which would remain at its current level. The school caters for 7-19 year olds with high-functioning autism, Asperger's Syndrome and other language, communication, and social difficulties.

The proposal involves the installation of 2 no. wooden cabins to be used as classrooms for outdoor learning. As outlined in the submission, pupils currently are not able to benefit from forest school learning as often as they would like, and equally not all pupils are able to participate. It is explained for this school at present, the forest school sessions take place at Sweet Tree Farm on Marsh Lane in Mill Hill. For practicality purposes and to remove the necessity of making specific extra journeys to this location, the Holmewood School would like to provide cabins on the land behind the main school buildings and which falls within their site boundary, to facilitate this.

The structure here therefore seeks to offer greater on site/outside learning opportunities for pupils, in line with its level 3 forest school designation and woodland learning programme. As explained the use of the cabins would be limited to small groups with a high staff to pupil ratio. The cabins would only be used during the school day and in term time. The proposal would be in general accordance with relevant policy that seeks to ensure that accessible and inclusive educational facilities are provided.

Impact of proposal on Metropolitan Open Land

Haringey Local Plan policy SP13 sets out that new development should protect and improve Haringey's parks and open spaces. All new development shall: ▪ Protect and enhance, and when and where possible, extend the existing boundaries of the borough's Green Belt, designated Metropolitan Open Land, designated Open Spaces, Green Chains, allotments, river corridors and other open spaces from inappropriate development.

Haringey Development Management Plan policy DM49 states that development that protects and enhances Haringey's open spaces will be supported.

The site is located within Metropolitan Open Land (MOL) with London Plan (2021) Policy G3 stating that MOL should be protected from inappropriate development and proposals that harm MOL should be refused. This policy states that national Green Belt policies, set out within the National Planning Policy Framework (NPPF), apply to MOL and therefore MOL is given the same protection as Green Belt land.

Paragraph 152 of the NPPF (2023) states that inappropriate development, by definition, harmful to Green Belt should not be approved except in very special circumstances. Paragraph 153 states development should be regarded as inappropriate in MOL unless it complies with a stated exception. Exception (b) states 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, as long as the facilities preserve the openness of the MOL and do not conflict with the purposes of including land within it'.

It is noted that the NPPF (154b) refers to the provision of 'appropriate' facilities for outdoor sport/recreation as exceptional development, rather than 'essential' facilities as was the case previously. The term 'essential' implies that the proposed facility should be necessary to the functioning of a specific outdoor activity. The word 'appropriate' implies that the use should be suitably linked, which it is accepted is not as stringent as the previous requirement and would apply here.

The Local Planning Authority (LPA) accept that in this instance, it can be justifiably argued that the proposed structures would be with a purpose to support 'outdoor recreation' as defined in the NPPF. As such, the proposed development would not be considered to be 'inappropriate development' as per NPPF paragraph 152.

Officers accept the siting of such cabins would not materially affect views or compromise the openness and visual amenities of the MOL. Equally it is accepted that such works are reversible if such structures are no longer required in the future. Taking the above into consideration, the principle of the development here is considered to be acceptable and in accordance with relevant policies within the NPPF, London Plan and local plan policies.

Design & Heritage

DPD Policy DM1 'Delivering High Quality Design' requires development proposals to relate positively to their locality, while Local Plan (2017) Policy SP11 requires the highest standard of design that respects local context and character and historic significance, which is equally supported by London Plan (2021) Policy D6.

London Plan Policy HC1 seeks to ensure that development proposals affecting heritage assets and their settings, should conserve their significance. This policy applies to designated and non-designated heritage assets. Local Plan Policy SP12 and DPD Policy DM9 set out the Council's approach to the management, conservation and enhancement of the Borough's historic environment.

DPD Policy DM9 states that proposals affecting a designated or non-designated heritage asset will be assessed against the significance of the asset and its setting, and the impact of the proposals on that significance; setting out a range of issues which will be taken into account.

The cabins would be timber clad with uPVC windows. The siting, form, scale and materiality of such cabins are considered to be acceptable. In specific their material finish and subordinate nature, mean that they would integrate well into their verdant woodland surroundings and would not be openly visible from outside of the site.

The site falls within Rookfield Conservation Area, which consists principally of Rookfield Garden Estate on the other side of Muswell Hill. The estate is a low-density housing development built around the garden suburb principles; consisting largely of terrace houses of the Arts & Crafts style with communal open spaces, grass verges, hedges and many mature trees. Given the positioning and modest scale of the cabins set within the woodland area, largely screened from view from the public realm and neighbouring properties, the development proposed here would not harm the character and appearance of the conservation area, leaving it preserved.

Impact on neighbouring amenity

London Plan Policy D6 outlines that design must not be detrimental to the amenity of surrounding housing, in specific stating that proposals should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, while also minimising overshadowing. Policy DH3 of the HNP also states that proposals should not harm the amenity of adjacent properties.

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring residents.

Following a request for additional information, a site section was submitted that indicated the location, siting and height of the proposed cabins in relation to adjacent neighbouring properties. The submitted sections confirm that the siting, bulk and massing of the cabins would not result in any loss of light or outlook by neighbouring residential occupants, being located over 20 metres away from the rear elevation of the nearest dwellings on Springfield Avenue, and at least 10 metres away from their rear garden boundaries.

The fenestration on the cabins is located on the north and south elevations, not facing the rear elevations of adjacent properties on Springfield Avenue to the east. This, the existing fenceline and the separation distances involved would ensure that the privacy of neighbouring properties would not be unduly harmed by the introduction of the cabins for use by the school.

It is acknowledged that the introduction of the cabins will result in this part of the woodland being used more frequently by the school for educational/therapy purposes, and therefore there will be more activity and noise in this part of the site throughout the year. However, given the floorspace of the cabins cumulatively are approximately 30m², this would not give rise to an unacceptable intensification of the use in this part of the site that would result in unacceptable noise and general disturbance to be encountered by the nearest neighbouring occupants on Springfield Avenue.

Taking the above into consideration, the proposal is acceptable with regards to amenity impact considerations.

Impact on trees and ecology

Paragraph 180 of National Planning Policy Framework (NPPF) 2023 sets out that planning policies and decisions should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils. P.186 outlines that when determining planning applications, development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists.

London Plan policy G6 sets out that Sites of Importance for Nature Conservation (SINCs) should be protected. Part D sets out that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Local Plan policy SP13 sets out that all development shall protect and improve sites of biodiversity and nature conservation, including private gardens through its: ▪ Contribution to wildlife and ecological habitats and, where possible, include green and brown roofs, rainwater harvesting, green walls, bird and bat nesting/roosting opportunities; ▪ Protection, management and maintenance of existing trees and the planting of new trees where appropriate; and ▪ Protection, enhancement and creation of SINCs and Local Nature Reserves (LNRs).

DPD policy DM19 sets out that proposals on designated sites, including SINCS, should protect and enhance the nature conservation value of the site.

DPD policy DM1 requires proposals to demonstrate how it responds and integrates with landform, levels and trees on and close to the site.

Trees

In support of the planning application, an arboricultural survey by Marcus Foster Arboricultural Design & Consultancy dated August 2023 has been submitted with the case. The report has been reviewed by the Council Senior Arboricultural Officer. Whilst they have highlighted some minor inconsistencies in the report and that there will be some minor incursions into the root protection area of some nearby specimens, as mitigating piling and ground protection measures are proposed, they have not raised any objection to the scheme. Heavy machinery will not be required, with storage outside the RPAs. Providing that all the tree report, arboricultural method statement procedures for works within the RPAs and drawings are implemented, the scheme would be acceptable with regards to tree impact considerations.

Ecology

In support of the application, a Preliminary Ecological Appraisal by Ecology Partnership has been submitted. The report sets out that the site is located within a non-statutory designation as Grove Lodge Site of Importance for Nature Conservation (SINC).

In line with the recommendations of the appraisal, all mature trees will be retained and protected and the minor loss of scrub land in the south of the site will be compensated through the enhancement of the remaining woodland. The mature trees on site may provide suitable habitat to support roosting bats. Ecological enhancements including proposed bat boxes will be provided to aid this, in addition to bird boxes and a stagbeetle logger.

A condition is being imposed for the works to be undertaken prior to first use of the approved buildings.

Subject to compliance with this condition, the proposal would be acceptable with regards to trees and ecology considerations.

Conclusion

The proposed cabins would aid the function of the existing educational facility without intensifying its use. It would be acceptable with regards to design considerations, preserving the character and appearance of the conservation, whilst not resulting in an unacceptable impact on neighbouring amenity or trees/ecological conditions.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be granted for the reasons set out above.

7. CIL Applicable

The additional floorspace is less than 100 square metres and as such is not liable for CIL.

8. Recommendation

The application is recommended for approval subject to the following conditions.

Conditions:

- 1 The development to which this permission relates must be begun no later than three years from the date of this decision notice, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town and Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission.

Reason: For the avoidance of doubt and in the interests of proper planning.

- 3 The works hereby approved shall be carried out in accordance with the tree protection measures as set out in approved document 'Arboricultural Survey Impact Assessment & Method Statement Report (BS5837:2012)' by Marcus Foster Arboricultural Design & Consultancy.

Reason: In order to ensure the safety and wellbeing of the trees adjacent to the site during construction works that are to remain after works are completed consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of The Development Management DPD 2017

- 4 The recommendations for ecological enhancements as highlighted in approved document Preliminary Ecological Appraisal July 2023 and as shown in approved plan no. LXA-1940-MH-030 shall be implemented prior to first use of development hereby approved, and shall be maintained as such for the lifespan of the development.

Reason: In the interest of the creation of habitats for biodiversity, in accordance with Policies G1 and G6, of the London Plan (2021), Policies SP11 and SP13 of the Haringey Local Plan (2017), and Policy DM19 of the Haringey Development Management Development Plan DPD (2017).

Informatives:**INFORMATIVE: Hours of Construction Work**

The applicant is advised that under the Control of Pollution Act 1974, construction work which will be audible at the site boundary will be restricted to the following hours:-

8.00am - 6.00pm Monday to Friday

8.00am - 1.00pm Saturday

and not at all on Sundays and Bank Holidays.

In dealing with this application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and

proactive way. We have made available detailed advice in the form of our pre-application advice service and published development plan, comprising the London Plan 2021, the Haringey Local Plan 2017 along with relevant SPD/SPG documents, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.