



Officer Report

Application Number:	HGY/2023/1516
Application Type:	Full planning permission
Address:	All Saints Church Of England Church, Church Road, Hornsey, London, N6 4QH
Proposal:	Demolition of an existing timber shed and erection of a new detached crèche building within the church grounds.
Case Officer:	Ben Coffie
Valid Date:	09/06/2023
Applicant:	Ms Maureen Dunbar
Agent:	Mr Gus Alexander

RECOMMENDATION

Approve with Conditions

1. Site location

The subject site is within the All Saints Church an Anglican parish church located on the south side of Church Road on the junction with Talbot Road. The church is built primarily of stone, with stone dressings to the window openings. It has a large pitched roof over the nave and smaller pitched roofs over the aisles. There is no tower. The roof is partly slated, and partly tiled.

Along the boundary is a line of pleached Lime trees. The line of trees returns across the front of the church grounds. There are a number of TPOs on the existing trees on site.

The surrounding area is predominantly residential in character with mainly terrace residential dwellinghouses however to the rear of the church towards the east is a group of residential apartments.

The site is within the Highgate conservation area however it does not have any listing status.

2. Description of Proposal

The application seeks planning permission for the demolition of an existing timber shed and erection of a new detached crèche building within the church grounds.

There is a small wooden building in the ground between the church and the boundary with the adjoining houses. This has not been used for several years. The proposal is to replace it with a more substantial, albeit lightweight, building which will be run as a permanent and dedicated crèche. No items of the proposed work affect the fabric of the existing building directly, although a lockable security gate will be installed to the railings at the top of the stairs to the basement at the rear. Two small security cleats will be fixed into the mortar joints of the vestry wall at the rear to provide anchor points for the hooks, which will support a canvas canopy over the entrance to the new crèche

3. Relevant Planning and Enforcement history

HGY/2015/1396,

Address: All Saints Vicarage, 1B, Church Road, London, N6 4QH

Proposal: Demolition of existing building and construction of new building comprising 1 x 4 bedroom house, 1 x 1 bedroom flat and 1 x 4 bedroom vicarage with associated landscaping parking and servicing,

Received Date: 12 May 2015

Valid Date: 12 May 2015

Decision Date: 10 July 2015

Decision: Approve with Conditions

4. Internal & Statutory Consultation

The following were consulted regarding the application:

LBH Conservation officer: No objections conditions recommended regarding further details of the materials and fabric of the proposed development.

EHS - Noise & Pollution: No objections, conditions recommended regarding land contamination.

LBH Arboricultural Officer: No objections following details requested regarding new planning schedule.

LBH Transportation Group: No response received.

5. Local Representations

The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

No of individual responses: 0

Objecting: 0

Supporting: 3

The following local groups/societies made representations:

Highgate CAAC

- The loss of trees will affect 43 Talbot Road and the block of social housing on the Magistrate's Court site. There will be less screening and a possible increase in noise. An acoustic fence could mitigate any noise nuisance.
- Although the trees impacted by this application are to the rear and away from the road, we believe their removal will have a negative impact on this part of the Conservation Area.

Highgate Neighbourhood Forum's

- We regret the loss of three mature lime trees, possibly planted when the church was built over the period 1864 to 1912.

6. Assessment of Planning Considerations

The main planning considerations raised by the proposed development are:

1. Principle of development;

2. Design and appearance;
3. Impact on neighbouring amenity;
4. Transport considerations;
5. Impact on trees.

Principle of development

Day care facilities for preschool children

National Planning Policy Framework (NPPF) paragraph 94 states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.

Policy SP16 of the Council's Local Plan states that Haringey aims to provide a high standard of education and training for everyone through the borough's network of schools, youth centres and childcare providers. The Council will also work with partners, such as the further education colleges, neighbouring boroughs and the community and voluntary sector, to ensure that suitable services and facilities for education and training are provided.

Policy DM51 of the Council's Development Management DPD states that the Council recognises the value and importance of provision of suitable day care facilities for preschool children. Demand for a range of such facilities, operated either from dwellings or other premises, is likely to increase over the plan period. To ensure that basic standards are maintained, the Council will seek to ensure that all facilities are appropriately located, in particular to protect the amenity of the neighbouring properties and the wider area.

Part B of the policy notes that the Council will expect any planning application to outline the following information, which should address elements include amongst others, the number of staff and visitors expected to attend the facility, car parking and transport patterns and steps taken to minimise the noise impact of such a use.

The proposed creche will be located within the grounds of a church building, however given its location within close proximity to residential dwellings it is imperative that steps are considered to minimise the rise of such impacts as highlighted in the above policy which might be introduced by the use of the day care facility.

In terms of the principle of the development, the proposed development is considered to be acceptable and is supported by the policies outlined above, subject to further assessment relating to the elements within part B of the policy as detailed within this report. These include impact on neighbours, effect on traffic flows and highway safety, and concentration of similar facilities.

Design and appearance

DPD Policy DM12 'Housing Design and Quality' states that extensions or alterations to residential buildings, including roof extensions will be required to be of a high, site specific, and sensitive design quality, and respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original building, including external features such as chimneys, and porches. High quality matching or complementary materials should be used appropriately and sensitively in relation to the context. 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.

The Highgate Conservation Area 'Character Appraisal and Management Plan', adopted in December 2013 is relevant, as is the more recent Highgate Neighbourhood Plan (HNP), which was adopted in July 2017 and now forms part of the development plan framework for the area. Of key relevance are policies DH1 and DH2 which are consistent with the above wider policy framework.

The proposed building will replace an existing shed which is located on the south side of the churchyard in front of the extended part of the church building. It will cover approximately 80 sqm therefore will result in the removal of three existing lime trees along the southern boundary.

The proposed building would have a lightweight and contemporary appearance due to its materiality which incorporates zinc standing seam roof, colour rendered timber cladding and floor to ceiling glazed panels. It will include an internal mezzanine floor of approximately 22m², which drives its part single/double storey form, having an asymmetric gable with a larger roof slope facing the church building. The structure will also create two small security cleats will be fixed into the mortar joints of the vestry wall at the rear to provide anchor points for the hooks, which will support a canvas canopy over the entrance to the new crèche and a decked area behind it.

Whilst the proposed structure will be situated within the setting of a well-preserved historic building, its scale and design will not detract from the character and historic form. The pitch roof element will communicate a positive relationship with the existing building and its footprint is considered acceptable and proportionate within the site. The proposed building will not appear overly dominant or prominent but rather is subordinate in scale and sensitive to its context.

The proposed building will be situated some considerable distance from the site, furthermore the site is largely enclosed by existing trees along the boundaries of the site therefore it is not highly visible from the streetscene.

Equally, due to its siting and design, moderate scale and high quality materials, it will not result in any harm against the character and appearance of the Highgate Conservation Area.

Overall, the proposed building is considered acceptable in terms of design and appearance and would not harm the character and appearance of the conservation area leaving it preserved.

In reaching this decision considerable importance and weight has been given to preserving the character and appearance of the conservation area, in line with the statutory test.

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. London Plan Policy D14 requires development proposals to reduce, manage and mitigate noise impacts.

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 resident.

The proposed new building will accommodate three adults and twenty-one pre-school children at any given time. It is indicated the creche will operate between the hours of 8am to 6pm from Mondays to Saturdays. The creche will not be in operation on Sundays or bank holidays. The

creation of external decking areas to the front and rear of the building are shown in the plans submitted.

While it is accepted that the introduction of such a use will lead to an element of change in relation to neighbouring amenity, in considering this application it needs to be considered as to whether this is harmful. It has to be accepted that a certain level of noise is expected to emanate from a nursery facility and that neighbouring residents often will also be accustomed to a certain level of noise/ activity on site.

As per the application submitted the number of children to be cared from here would be limited to 21 children, with a condition imposed to limit this so as to prevent an over intensive use of the site. As noted, the plans as submitted show two areas of amenity/ decking area, to the front and rear of the building. These spaces are located a sufficient distance away from the rear and side windows to the nearest property on Talbot Road. As such play activity would be dispersed within the site by using such areas as well as the larger garden area, to the front enclosed by vegetation to the side.

In considering impact on amenity, it is also accepted that the proportion of the 21 children using the external amenity spaces would also be limited due to the spread of the children's age groups as well as limited to recess/ break times, as well as restricted by weather conditions as such ensuring there is no continuous unbroken use of the outdoor space throughout the day, as such ensuring there is no adverse impact on neighbouring amenity.

In considering this application it is also noted that a nursery operated historically from a building located on the opposite side of Talbot Road on the junction with Church Road, indicating that such uses can co-exist with residential use.

The increase noise and disturbance in connection with car movements to and from the site will be mainly during drop offs and pick up times. This trips generated are not considered to be significantly high as it is anticipated that the creche will serve local residents who are more likely to drop off and pick up their children by walking.

Overall, Officers view that such a use would not lead to a significant noise and disturbance and as such the proposed would not unduly compromise the amenity of neighbouring residents.

Transport considerations

London Plan Policy T1 requires all development to make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and to ensure that any impacts on London's transport networks and supporting infrastructure are mitigated. Policies T4, T5 and T6 set out key principles for the assessment of development impacts on the highway network in terms of trip generation, parking demand and cycling provision.

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

Policy TR4 of the HNP states that development should not have a severe negative impact on the highway network or the environment or significantly add to on-street parking demand/ reduce existing on-street parking conditions.

The site is in a CPZ where parking is currently subject to parking restrictions in operation Monday to Friday 10AM to Noon. The public transport options in the vicinity include four (4) bus routes

(143, 263, 603 and 234) and London Underground services via Highgate LUL Station. Consequently, the site records a public transport accessibility level (PTAL) of 3 (with 0 being the worst and 6b being the best).

The proposed development will accommodate 21 pre-school children and approximately 3 staff. The parking restrictions on Church Road and Talbot Road will ensure that vehicles associated with the site will not park throughout the day. Moreover, it is expected that walking and public transport will be the predominant modes of transport used by parents to access the site.

Cycle parking in accordance with the London Plan requirement will need to be provided. The location and number of cycle parking spaces does not appear to be shown on the submitted plans. However, this can be conditioned.

Overall, the proposal would not generate any significant increase in parking demand, mindful of the current use of the site as a nursery and its associated catchment area.

Impact on trees

The supporting text to Local Plan 2021 Policy G6 states that development proposals should ensure that, wherever possible, existing trees of value are retained.¹⁴⁰ If planning permission is granted that necessitates the removal of trees there should be adequate replacement based on the existing value of the benefits of the trees removed, determined by, for example, i-tree or CAVAT or another appropriate valuation system. The planting of additional trees should generally be included in new developments – particularly large-canopied species which provide a wider range of benefits because of the larger surface area of their canopy.

Policy SO4.4 of the HNP seeks to 'protect and enhance the area's village character through conservation of its natural features, including trees' while policy OS2 of the HNP states that there should be no net loss of trees or as a result of development and pro rata replacement will be expected.

The trees within site are protected by the Highgate Conservation Area and further protected by a Tree Preservation Order. However, the development will result in the removal of three mature lime trees (T1a, T2a and T3a) on the southern side of the church yard and will be replanted.

New planting of trees are listed below:

- A - group of 3 Hybrid Cockspur Thorn
- B - specimen Small Leaf Lime 'Greenspire'
- C - group of 3 Judas Trees
- D - group of 3 Olive trees in memorial garden

The proposal has been reviewed by the council's tree officer and there are no objections, the application is considered in accordance with the above policies.

Conclusion

The proposal is considered to be acceptable in design terms, the appearance of the building and this part of the conservation area. The development will not adversely impact the residential, visual amenities or increase overbearing noise and nuisance to neighbouring occupiers.

As such, the proposal is considered in accordance with the above policies.

All other relevant policies and considerations, including equalities, have been taken into account. Planning permission should be **granted** for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7. CIL Applicable

The use here attracts a NIL rate in respect of CIL.

8. Recommendation

The application is recommended for approval subject to conditions detailed in the decision notice.

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 No works on the exterior of the building shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

A schedule of the materials to be use and their specification should be submitted in writing to the LPA. Arrangements should be made for the viewing of the samples on site.

Reason: In order to safeguard the special architectural or historic interest of the building consistent with Policy HC1 of the London Plan 2021, Policy SP12 of the Haringey Local Plan 2017 and Policy DM9 of The Development Management DPD 2017.

- 4 The number of children on site is limited to a maximum of 21. The number of staff on site will be 4.

Reason: This permission is given to facilitate the beneficial use of the premises whilst ensuring that the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017. Also, the number of children will be limited in accordance with the size of the property in accordance with Policy DM51 of The Development Management DPD 2017.

- 5 The development shall not be occupied until details of 4 cycle parking spaces have

been submitted and approved in writing by the Local Planning Authority and thereafter the spaces shall be permanently retained for the lifetime of the development.

Reason: To provide for the provision of adequate cycle storage in compliance to Policy T5 of the London Plan 2021

- 6 The identified new planting of trees as listed and shown in details submitted shall be planted accordingly in the first planting season after completion of the works hereby approved or before the completion of the works, with any tree that dies, is removed or becomes damaged or diseased within a period of five years from planting, being replaced and maintained thereafter.

Reason: In order to maintain a suitable setting for this house and in the interests of visual amenity and preserving the character and appearance of the Conservation Area, consistent with Policies G7 and HC1 of the London Plan 2021, Policies SP11 and SP12 of the Haringey Local Plan 2017 and Policies DM1, DM9 and DM34 of The Development Management DPD 2017, as well as the Highgate Neighbourhood Plan.

- 7 The use of the premises as a nursery/ daycare facility permitted shall not be operated before 08:00 or after 18:00 for children (before 07:00 or after 19:00 for staff) on Monday to Saturday (excluding Bank/Public Holidays) and not at all on Sundays and Bank/Public Holidays.

Reason: To facilitate the beneficial use of the premises of the premises whilst ensuring the amenities of adjacent residential properties are not diminished consistent with Policy DM1 of The Development Management DPD 2017.

Informatives:

INFORMATIVE: 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.

INFORMATIVE: Land Ownership

The applicant is advised that this planning permission does not convey the right to enter onto or build on land not within his ownership.