



Officer Report

Application Number:	HGY/2023/3337		
Application Type:	Full planning permission		
Address:	Spring Lane Care Home, 170 Fortis Green, Hornsey, London, N10 3PA		
Proposal:	Three-storey standalone building to provide Use Class C2 accommodation with basement link to existing care home, including underground link for additional care home bedrooms, amenity space, landscaping, new garden and cycle parking as well as alterations to the existing Spring Lane Care Home. (AMENDED DESCRIPTION).		
Case Officer:	Ben Coffie		
Valid Date:	15/12/2023		
Applicant:	Spring Dene Care Homes		
Agent:	Mateo Espinosa		

Site and Surroundings

- 1.1 The application site at No. 170, 'Spring Lane', is a five-storey care home built in red brown brick with a flat roof and was formerly known as Charles Clore House. The side of the building fronts onto Spring Lane and provides access to a car park located to the back of the site. This serves as a vehicular access for visitors, staff, servicing, ambulances, etc. with the main access to the building being from Fortis Green.
- 1.2 The site also has a garden to the rear. On the other side facing onto Spring Lane are relatively new three storey houses, known as 8-10 Firemans Cottages. Adjacent to the west is a new 5 storey residential property, Delphi Court, and a 3 to 4 storey with pitched roof residential property, Woodside, to the east. To the north there is a block of flats, Jubilee Court, and to the east a block of single and two storey garages and a further residential development, Tetherdown Hall. These latter buildings are locally listed.

- 1.3 The site is located in between East Finchley and Muswell Hill and is situated in Muswell Hill Conservation Area (CA). the building is considered a detractor to the character and appearance of the Muswell Hill CA. The area is characterised by suburban and quiet residential streets with Edwardian terraces and Arts and Crafts style houses. Opposite the site are more residential buildings named 'Nos. 1 to 18 The Gables' that comprises of three-storeys. This is a Grade II statutory listed red brick block. Other residential development along Fortis Green is typically made up of substantial three and four storeys blocks of flats occupying large plots.

The Proposal

- 1.4 This is an application for the following works:
- a three-storey standalone building to provide Use Class C2 accommodation with basement link to existing care home with underground link for additional care home bedrooms,
 - amenity space, landscaping, new garden and cycle parking as well as alterations to the main building.

Relevant Planning and Enforcement history

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

HGY/2022/2494 - Repositioning of front entrance, installation of new canopy, low wall and ramp and alterations to side entrance on Spring Lane.- Approved 04/11/2022.

HGY/2020/0618 - Erection of a four-storey and single-storey rear extension to add 14 additional care home bedrooms and activity lounge, new garden and amendments to existing car park.- Refused 24/09/2020. Dismissed on appeal APP/Y5420/W/20/3264201.

HGY/2014/2546 - Installation of 3 No new antennae on existing support poles with proposed 3 No standoff brackets and associated development – Approved 3/11/2014

HGY/1991/0783 - Erection of lounge/dining room extension at rear fourth floor level, alterations to ground floor extension and alterations to existing 3 no 2 person flats and 1 no 3 person flat to form 11 bedrooms. – Approved 06/01/1992

2. Consultation Response

2.1 The following were consulted on the planning application:

- LBH Transportation
- LBH Carbon Management
- LBH Conservation
- LBH Design
- LBH Cleansing
- LBH Pollution
- London Fire Brigade
- Thames Water Utilities
- Metropolitan Police Designing out Crime Officer
- LBH Building Control
- LBH Drainage
- LBH EHS - Pollution Air Quality Contaminated Land
- LBH Employment And Skills

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

Internal:

- 1) LBH Design: The proportions, scale, bulk, height and detailing of the proposed new building are considered acceptable in design terms, the overall proposals remain of concern in design terms due to the over-scaled high fence to the new Spring Lane frontage and the ill-considered, badly proportioned and detailed, unclearly-depicted, aesthetic modifications to the existing building.
- 2) LBH Carbon Management: - Support the scheme subject to conditions.
- 3) LBH Conservation: - Raise no objection. Design changes to the main building viewed to be acceptable given fenestration pattern and palette of materials found in the locality is generally restricted.

3. Local representations

- 3.1 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: 8

Supporting: 0

- 3.2 The following local groups/societies made representations:

- 3.3 The following points were made in the representations received.

- Overshadowing/ loss of light – in relation to homes in Fireman's Cottages, nos 8, 9 and 10 being significantly affected and the front gardens of nos 4 and 5.
- Loss of outlook – open views which are available from Spring Lane, would be blocked by the new building.
- Loss of privacy – due to the further enclosure of the existing care home.
- Impact on road network - would restrict road access to Spring Lane, leading to further congestion. Cycle parking would not meet needs of existing staff members.
- Noise and disturbance – Increase in footfall activity by reason of the new building. Increase in delivery vehicles.
- Design impacts – the additional building would further exacerbate the enclosure due to the height of the buildings which towers over the residential properties. The proposal is considered overdevelopment. It is inappropriate/incompatible for the location and too close to Fireman's Cottages, Woodside Mansions and the Coach House.
- Heritage impacts- Muswell Hill Conservation Area will be impact as the objector her disagrees that the proposed building will not be overly dominant and will not curtail public views from Spring Lane and locally listed buildings in the area.
- Loss of green space along Spring Lane

- 3.4 Non planning considerations

- The proposal is not meeting a real need. 4 luxury units are designed to increase profits.

3.5 Other associate matters to the application are raised and listed below.

- The External Daylight and Sunlight Study is not based on up-to-date analysis of the site as the site visit was conducted on 20 September 2019. Despite this, the dates of analysis of annual probable sunlight hours and vertical sky component analysis are stated to be on 29 September 2023.
- The height of the proposed new building in comparison to surrounding cottages and how it would compare to the height of all the homes on Fireman's Cottages is not provided.
- There is no assessment of the impact of the proposed construction, including the proposed basement, on the neighbouring properties and wall bordering Fireman's Cottages and Spring Lane, that is of historic significance.

4 Material planning considerations

4.1 The main planning considerations raised by the proposed development and taking account of appeal decision APP/Y5420/W/20/3264201 are as follows:

1. Principle of development;
2. Design and heritage;
3. Impact on neighbouring amenity;
4. Transport and highway considerations.

Principle of development

4.2 Policy DM15 of the Council's Development Management DPD supports new special needs housing if it meets several criteria. These include demonstrating a local need, ensuring suitable housing standards for the intended occupants, providing adequate amenity space, and offering appropriate levels of independence and care. Additionally, the development should have good access to public transport and services, and it must not negatively impact the local area or its services. The provision of residential care, particularly for the elderly, is highlighted as essential.

4.3 A proposal to add 6 new care suites to an existing care home, which currently has 62 residential rooms and extensive communal facilities. The care home has a high occupancy rate, with recent figures showing it is nearly full, leading to the need for additional space to meet the growing demand and increasingly complex care needs. The local planning authority (LPA) acknowledges the importance of this facility and supports the principle of expanding it, provided the design is of high quality. The extension is seen as a potential public benefit, adding valuable accommodation to meet local needs.

- 4.4 The principle of additional accommodation at this care home is welcomed and supported, subject to delivery of high quality design. It is accepted that the extension here has the potential to deliver 'public benefits' in terms of providing additional accommodation which needs to be considered in terms of the overall 'planning balance'.

Design & Heritage

- 4.5 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.
- 4.6 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.
- 4.7 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. In relation to extensions or alterations to residential buildings, including roof extensions, Policy DM9 requires proposals to be of a high, site specific, and sensitive design quality, which respect and/ or complement the form, setting, period, architectural characteristics, detailing of the original buildings, including external features such as chimneys, and porches. The policy also requires the use of high-quality matching or complementary materials, in order to be sensitive to context.

Context

- 4.8 The site is located within the Muswell Hill Conservation Area. The adjoining Tetherdown Hall and its structures to the rear are locally listed on Haringey's Local List. The site lies on the north side of Fortis Green and is surrounded by a mix of building heights and styles. The majority of the surrounding buildings are in residential use with a nursery to the east of the site at ground floor level of a five-storey residential building. To the rear are two to three-storey high residential buildings and to its west a mansion block of four storeys and the low-level rear buildings of Tetherdown Hall. The rear of the site includes a large car park which provides a break between the buildings, some of which are clustered relatively closely to each other. A roof extension has been erected to the roof of the subject building, fronting Fortis Green.
- 4.9 The application site is located within the Muswell Hill Conservation Area, a notably intact example of an Edwardian suburban development, created between the mid-1890s and the start of the First World War. The cohesive nature of the area derives partly from the relatively short period of construction, during which the development was carried out. This arrangement ensured not only a generally high standard of materials and construction but also a consistent architectural approach.
- 4.10 Development along Fortis Green and the south side of Fortis Green Road is made up of substantial three and four storeys blocks of flats occupying large plots. There are a variety of materials, the most common of which is red brick, although yellow brick and render are also used. The majority of the roofs are covered in red clay tiles. Architectural styles show predominantly Arts and Crafts and Neo-Georgian influences, with prominent chimneys, many of which are expressed at the ends of blocks, windows subdivided into small panes and mansard roof forms.
- 4.11 The development site is in the vicinity of a number of statutory and locally listed buildings, including The Gables (nos. 1 to 18 Fortis Green), a Grade II listed block of flats to the south of the development site, built in 1907 in a style inspired by Arts and Crafts and Jugendstil influences. The Gables is three storeys high, constructed of red brick and has a symmetrical elevation.
- 4.11 Also opposite the development site, to the south, is the locally listed Fairport Health Centre. It was designed with Arts and Crafts influence and is two storeys with an attic in a steeply sloping half-hipped and gabled tiled roof and has three prominent tall red brick chimney stacks.

- 4.12 To the rear of the development site, to the north-east, stands a complex of locally listed buildings, including the Tetherdown Hall, dating to 1928, a simple, well-detailed neo-Jacobean composition in red brick with stone dressings. The 'Cottage', to the rear of Tetherdown Hall, is a series of c1930 garages, built in red-brick, laid out as a traditional stable yard, with a central two-storey block topped by a cupola and original timber doors - an unusually complete survival in the area.
- 4.13 In contrast to the high-quality architecture and materials of its surroundings, the development site at No. 170 Fortis Green includes a five-storey undistinguished and over-scaled block of retirement homes ('Spring Lane Care Home'), built in 1969 as Charles Clore House, on the site of St James's School. The building was built in red brick with a flat roof, originally four storeys high, with the top floor added at a later time. There is a four-storey projecting bay and a ground floor projection, incorporating large windows and a variety of materials. The mass, bulk and poor design of the Spring Lane Care Home, further accentuated by later inappropriate additions, detracts from the character and appearance of the conservation area.
- 4.14 The development site sits within a very-well preserved heritage context and any new development should enhance and better reveal the significance of the conservation area and the elements that contribute to that significance.

Proposed three-storey extension

- 4.15 The application seeks planning permission for a three-storey standalone building with basement level link to create 6 additional care suites with more space to allow occupation by couple in need of care and to enable greater levels of independence whilst still receiving care. It also includes significant elevational improvements to the existing care home at 170 Fortis Green and ground floor communal space infill extension and enhanced landscaping to front of building.
- 4.16 Unlike the four-storey extension to the existing rear wing of the care home in the previous appeal dismissed on 25 June 2021 (PINS Ref. APP/Y5420/W/20/3264201), the new building proposed here will be a three storey standalone development. The build has been set back slightly from the existing Care Home building line to provide a break on the Spring Lane street scene and ensure that the development does not overshadow the houses opposite. It is one unit subdivided using material change and architectural treatment with a recessed third floor influenced by mansard roofs around the site.

- 4.17 The proposal here in comparison to the appeal reference ref: APP/Y5420/W/20/3264201 the proposal is considered more subservient by reason of it being a standalone building sitting much lower in height rather than increasing the scale of the existing building. The recessed third floor also contributes positively by reducing its scale and bulk and reflects the scale of existing surrounding development.
- 4.18 It is acknowledged that the proposal would result in the loss of some garden space. However, the reduction in the scale of the new building here would allow for significant useable amenity space. The applicant has explained that residents can all have use of the activity room/lounge which would benefit from the direct level access onto the new landscaped courtyard garden. The applicant outlines 'that overlooking rather than using the space is more important, although both can be achieved'.
- 4.19 Consequently, the proposed building the proposal has overcome the previous reasons set out in the appeal dismissal and is considered a compatible within the proposed location of the rear of the care home and will integrate appropriately with the existing design of the care home and the character of the surrounding buildings.

Impact on the character and appearance of the conservation area and setting of nearby listed buildings

- 4.20 The site lies within 'sub area 2 – Fortis Green'. The CA explains that this area is characterised by residential development interspersed with community and retail uses, much of which was initially developed in a 40 year period between 1896 and 19364 . The CA identifies the appeal premises as being a detractor and refers to its mass and poor design as negative features. The CA states that the appeal premises, along with other C20th buildings nearby, detract from the character and appearance of this part of the conservation area.
- 4.21 As noted above the proposed scheme presents a reduction in bulk/scale and a revised design which relates better to the immediate context, most notably Fireman's Cottage. Specifically the proposed scheme presents a reduction in bulk and scale, with a revised design that better relates to the immediate context, most notably Fireman's Cottage and the lower scale of buildings found on Spring Lane.
- 4.22 The building will consist of a main two-storey brick volume with a partially recessed top floor, clad in a different material. The proposed new building is considered acceptable in both design and spatial terms, as it is much more subservient to the main building and represents a transition in height along this

side of Spring Lane. Additionally, the building has been set back slightly from the existing care home's building line to create a break in the Spring Lane streetscape and to minimize the impact on neighbouring properties in terms of amenity.

- 4.23 The reduction in footprint and height of the new building has increased its separation from the locally listed buildings, thereby reducing its impact on their setting compared to previous schemes. As tested in the provided visualisations, views through to the end of Spring Lane will still be partially achieved.
- 4.24 Overall, the introduction of this new standalone building will not harm the setting or significance of the nearby listed buildings in terms of their physical presence or their setting. The ability to appreciate the heritage assets will remain unaffected, as they are well separated from the proposed building.
- 4.25 Regarding the impact on the character and appearance of the conservation area, the design approach is considered acceptable, as the building is clearly a subordinate and standalone structure, in contrast to the "substantial wing running rearwards from the main block" referenced in the appeal decision.
- 4.26 The proposed palette of materials, particularly the brick and its colour, respects the character of the area and integrates the new building into its surroundings.
- 4.27 In reaching this decision, considerable importance and weight have been given to preserving the character and appearance of the conservation area, in line with statutory requirements. Officers note the considerations of the appeal decision, where the large extension was viewed as compounding the harmful form of the existing care home building, appearing imposing along Spring Lane, and curtailing views along the lane.
- 4.28 As discussed, the standalone building is seen as more positively assimilated into its surroundings compared to the previous scheme. Additionally, improvements to the main building's fenestration will partially improve the appearance of the large care home within its immediate context.
- 4.29 Any harm to the character and appearance of the conservation area, or the setting of nearby locally listed buildings, is considered to be at a low level of "less than substantial".
- 4.30 The provision of additional accommodation in connection with this established care home, as recognized in the appeal decision, represents economic and social benefits. These public benefits outweigh any residual harm when applying the planning balance test.

- 4.31 For the reasons outlined above, the scheme is considered acceptable in design and heritage terms. The conservation area will remain preserved and unharmed, with adequate justification provided for this position. Furthermore, any attributable harm is justified, in compliance with the NPPF and the relevant statutory tests and policies referenced above.

Impact on neighbouring amenity

- 4.32 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.
- 4.33 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.
- 4.34 The main issue in terms of amenity is the impact on Nos 8, 9 and 10 Fireman's Cottages, which comprise of a short terrace of 3 houses immediately to the west of the proposed three storey extension, on the opposite side of Spring Lane.
- 4.35 As per the appeal decision ref: APP/Y5420/W/20/3264201 associated with application HGY/2020/0618, concerns were raised about a four storey scale of the extension directly opposite the rear elevations and gardens of Nos 8, 9 and 10. The Inspector outlined that due to the limited separation of just 17 metres this structure would be imposing and unneighbourly.
- 4.36 The current proposal has seen the scale of the proposed extension reduced from four storeys to three storeys in scale. In support of the planning application, a daylight and sunlight study by Base Energy has been submitted by the applicant. The study includes an analysis of neighbouring windows against the vertical sky component assessment (VSC), which measures the general amount of light available on the outside plane of the window as a ratio (%) of the amount of total unobstructed sky viewable following the introduction of visible barriers such as buildings. The maximum value is just under 40% for a completely unobstructed vertical wall.

- 4.37 The VSC measured at the centre of a window should be no less than 80% of its former value, where the window(s) do not meet this criteria, BRE guidelines state that if the VSC at the centre of a window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.
- 4.38 The analysis also includes the Annual Probable Sunlight Hours (APSH), which is a measure of the amount of potential direct sunlight that is available to a given surface. Only windows which face within 90 degrees of due south need to be assessed. BRE guidance states that windows should continue to receive in excess of 80% of their pre-development value, or 25% of available hours over a year / 5% of hours in winter to be considered well-lit.
- 4.39 The properties that have been analysed as part of the assessment are Nos. 8-10 firemans Cottages to the immediate west, Jubilee Court to the north and the Tetherdown dwelling to the east. Of the 19 windows within this analysis, all passed the VSC assessment, experiencing only a negligible loss of existing value. All windows also comfortably passed the APSH test, with their being negligible effect on all affected windows. As such, the applicant has demonstrated to the satisfaction of the local planning authority that an acceptable level of daylight and sunlight would be retained by neighbouring residential occupants following the introduction of the development.
- 4.40 As with the previous scheme which had a similar footprint and was an additional storey in height, the conditions for occupants in Jubilee Court and The Tetherdown dwelling in terms of outlook were considered to be acceptable. As such, the current proposal is also acceptable in terms of outlook, given its reduced scale with regards to these properties.
- 4.41 The proposed extension would project out in front of the rear (east) facing windows of nos. 8-10 Firemans Cottages. The Inspector in the previously dismissed appeal highlighted that the proposed four-storey scale of the building would result in an imposing and un-neighbourly form of development, at 17 metres separation distance from the rear-facing windows of these neighbouring properties.
- 4.42 The proposed development has been reduced in terms of its mass and scale, at three-storeys, with a slightly smaller footprint to the previous scheme. It is accepted that there would be some level of change in respect of outlook to the occupiers of Fireman's Cottages, however this would not be significant in such an urban setting. Similar to the scale of Fireman's Cottages the development here is now three stories, with the bulk broken into a two-storey form with the top floor represented in a different material. In relation to the high wall located

to the rear of Fireman's cottages the front elevation of the main body of the proposed extension is set back 11.9 metres, with the rear elevation of Fireman's cottages set away 6.25 metres from this wall.

- 4.43 It is considered that the reduction in scale and height of the building has addressed the Inspectors concerns with regards to outlook and un-neighbourly form of development. Officers have taken into consideration the context of the site which is an infill scheme on a busy edge-of-centre street, and that Firemans Cottages are also infill dwellings originating from the early 2000s.
- 4.44 In such locations, more dense forms of development can be accommodated in comparison to a more suburban context. The main footprint of the building would still be set 17 metres away from these neighbouring windows within 8-10 Firemans Cottages, which is considered would provide an adequate means of outlook and would not be visually overbearing in appearance in such a context.
- 4.45 Taking the above into consideration, the proposal is considered to ensure a satisfactory level of living standards would be retained for all neighbouring residential occupants. The proposal is therefore acceptable with regards to amenity impact considerations.
- 4.46 In terms of construction while it is accepted that there will be some degree of inconvenience/disturbance associated with construction such impact can be mitigated and minimised with the submission of a construction management plan. It is important to highlight that also there would be no justification for refusing planning permission on this basis. Equally it is pointed out that the Control of Pollution Act 1974 provides safeguards in respect of construction site noise.
- 4.47 Taking the above into consideration, the proposal is acceptable with regards to amenity considerations.

Transport and highway considerations

- 4.48 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'.

- 4.49 The site has a PTAL value of 3, considered 'moderate' access to public transport services. There are 7 bus services accessible from the site, within 1 to 8 minute walk of it. There are no rail stations within the PTAL walk distance criteria for the site (12 minutes/960m) but North Finchley Underground Station is a 16 minute walk away. The site has moderate public transport accessibility (PTAL=3) and is not located within a CPZ. The St.Luke's CPZ to the south of Fortis Green has limited operational of between 11am-1pm Monday to Friday.
- 4.50 The scheme would increase the number of care bedrooms from 62 to 68 rooms. There would also be a reduction of car park spaces on site from 16 to 12 spaces, inclusive of the minibus/disabled space. Staff number would increase from 64 FT to 74 FT employees.
- 4.51 A new transport statement has been submitted with the application dated November 2023. As indicated in the information submitted, including agency staff and external catering contractors the site has around 57 employees. A maximum of 25 to 30 staff are on site at a given time. The site is in operation 24/7, with the reception staffed between 08:30 and 20:00. The maximum staff and external catering contractors are normally during daytime and weekends. However over three quarters of staff (78%) use a sustainable mode of travel to get into work, i.e. not by private vehicle.
- 4.52 The Transport Statement indicates existing demand for 7 parking spaces. According to the transport statement, at present the maximum number of staff on site concurrently is 25 to 30. Following the proposed standalone building this could increase by one or two staff members. As informed by the survey as summarised in Section 3, with 22% of current staff driving to work, which equates to 7 drivers within a representative group of 30 employees, two extra staff members on site would not be expected to account for an additional driver; rising from 6.6 to 7.04. This would therefore not represent a perceptible change to on the local highway network or parking amenity.
- 4.53 Cycle parking provision is proposed for six cycles and short-stay parking for four cycles and would meet the emerging London Plan standards. This provision would need to be sheltered, secure and accessible. In the event the application was being approved a construction management and logistics plan would be required which could be secured by planning condition.
- 4.54 Given the current operations of the care home and the information submitted and measures to promote sustainable travel it is considered that the extension here would not exacerbate on-street parking conditions or affect highway safety.

Energy and sustainability

- 4.55 The London Plan sets out detailed policies in relation to energy efficiency, renewable energy, climate change and water resources. Local Plan Policy SP4 promotes and requires all new developments to take measures to reduce energy use and carbon emissions during design, construction and occupation. Low- and zero-carbon energy generation are required with all new development, specifically to achieve a reduction in predicted carbon dioxide emissions through on-site renewable energy generation.
- 4.56 DPD Policy DM21 also requires new development to consider and implement sustainable design, layout and construction techniques, with proposals required to apply the energy hierarchy to minimise energy use in order to meet/ exceed, minimum carbon dioxide reduction requirements.
- 4.57 An Energy Statement prepared by Harniss, Revision 5 (dated 2 Aug 2024), and an Overheating Assessment prepared by Harniss, Revision T2 (dated 5 Aug 2024), have been submitted. These documents are updates to previously submitted reports. The energy report follows the recognised energy hierarchy of "Be Lean, Be Clean, Be Green." The thermal performance of the building envelope has been maximised as much as possible, considering the constraints of a traditional building. The updated energy report confirms that the development will achieve a 37% improvement in carbon emissions over the 2021 Building Regulations Part L. Solar PV arrays and air source heat pumps will be installed.
- 4.58 Each unit will include Mechanical Ventilation with Heat Recovery (MVHR) systems, which bring in fresh outdoor air and remove stale indoor air. Further clarification is required regarding the Overheating Strategy, which is currently being addressed.
- 4.59 The applicant has undertaken a dynamic thermal modelling assessment based on London 2020 conditions. The report modelled 12 habitable rooms. All bedrooms passed the relevant assessment using the proposed baseline specifications, internal gains, and occupancy levels, without the need for any additional measures.

- 4.60 Conditions are being imposed requiring the development to be implemented in accordance with the Energy Statement. Details of the air source heat pump and PV arrays must be submitted and approved prior to the commencement of on-site development. The conditions relating to energy, sustainability, and BREEAM have been adapted to meet the relevant legal tests, ensuring they are precise, relevant, enforceable, and achievable. These adjustments accurately reflect the nature of the proposed scheme, which involves the extension of an existing care home facility.
- 4.61 In terms of broader sustainability considerations, the scheme is sustainable in its location, offering access to public transport and proximity to the town centre and other facilities.
- 4.62 As such, it is considered that this minor application complies with relevant policies and is acceptable in terms of sustainable design and energy efficiency, subject to appropriate conditions being imposed to achieve the aforementioned objectives.

Conclusion

- 4.63 Taking account of the previous appeal decision the proposed standalone building and other works and alterations to the existing building are considered acceptable in design terms, and the character and appearance to this part of the conservation area, leaving it preserved. The stand alone building in terms of its height, siting and orientation will not cause unacceptable harm to the living conditions/ amenity of neighbouring residents.
- 4.64 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

- 7.1 Extra care housing developments are exempt from the residential charge.

8. RECOMMENDATION

GRANT PERMISSION subject to conditions

- 1 The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development shall be completed in accordance with the approved plans except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Reason: In order to ensure the development is carried out in accordance with the approved details and in the interests of amenity

4. No above ground works shall take place until the following details of the new building and alterations to the existing building hereby permitted have been submitted to and approved in writing by the Local Planning Authority:
 - a. particulars and samples of the materials to be used on the external faces of the new building and front boundary wall;
 - b. details of the elevations of the new building (elevations, plans and cross-sections at scale 1:20) as well as typical details of the fenestration and entrance, including detail of front boundary wall and railing;
 - c. details and locations of down pipes, rainwater pipes or foul pipes and all external vents in connection with the new building;
 - d. details of the elevational changes to the existing building (at scale 1:20) and particulars and samples of the materials in relation to the indicated elevational changes, namely new banding detail, replacement windows, Juliet balustrades and other balustrades, clay hanging tile to the top floor etc.

The development shall thereafter be carried out solely in accordance with the approved details.

Reason: In order to ensure a satisfactory appearance for the proposed development and to ensure the character of Muswell Hill Conservation Area is

preserved, consistent with Policies SP11 & SP12 of the Haringey Local Plan (2017) and Policies DM1, DM9 & DM12 of The Development Management DPD (2017).

5. Notwithstanding the detail submitted as part of the planning application no development above ground shall take place until final details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall comprise the following details:

- a) proposed trees: their location, species, size,
- b) soft planting: including grass and turf areas, shrub and herbaceous areas;
- c) a statement detailing how the proposed planting has been selected to maximise biodiversity and to improve air quality;
- d) a landscaping maintenance plan;
- e) any other landscaping feature(s) forming part of the scheme.

The submitted details shall confirm that the landscaping scheme will achieve an Urban Greening Factor (UGF) net gain of 0.09% or higher.

The approved detail shall thereafter be carried out and implemented in strict accordance with the approved details, including landscaping in the first planting and seeding season following the occupation of the building or the completion of development (whichever is sooner).

Any trees or plants which, within a period of five years from the completion of the development die, are removed, become damaged or diseased shall be replaced in the next planting season with a similar size and species.

Reason: In the interests of visual amenity 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 and ensure that the development provides provision towards the creation of habitats for biodiversity in accordance with London Plan (2021) Policies G1, G5, G6, SI1 and SI2 and Local Plan (2017) Policies SP4, SP5, SP11 and SP13.

5. No construction shall take place, other than site clearance, until a construction management plan for the proposed development has been submitted to and approved in writing by the Local Planning Authority. The plan shall provide the following details:

- I. A programme of works (including measures for traffic management);

- II. Vehicle routing and if any reversing manoeuvres on public highway land is required, provision for the management of their movement by a qualified and certificated banksman;
- III. Storage of plant and materials used in constructing the development;
- IV. Details of a construction compound including the siting of any temporary site office, toilets, skips or any other structure;
- V The erection and maintenance of security hoarding where appropriate;
- VI Wheel cleaning / wash facilities to prevent mud, or dust from migrating on to the adjacent highway;
- VII Contact details for the Site Supervisor responsible for on-site works.

have been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented and retained during the demolition and construction period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area consistent with Policies T4, T7 and D14 of the London Plan 2021, Policies SP0 of the Haringey Local Plan 2017 and with Policy DM1 of The Development Management DPD 2017.

6. The development hereby approved shall be constructed in accordance with the Energy Statement Report prepared by Harniss Revision 3 (dated 7 June 2024) delivering a minimum 37% improvement on carbon emissions over 2021 Building Regulations Part L, with SAP10.2 emission factors, high fabric efficiencies, air source heat pumps (ASHPs) with a minimum SCOP of 3.2, and a minimum 7/11kWp solar photovoltaic (PV) array with further details in respect of the following first being submitted to and approved by the Local Planning Authority.
 - Confirmation of the necessary fabric efficiencies to achieve a minimum 3% reduction, and aiming for 15% reduction;
 - Details to reduce thermal bridging;
 - Location, specification and efficiency of the proposed ASHPs (Coefficient of Performance, Seasonal Coefficient of Performance, and the Seasonal Performance Factor), with plans showing the ASHP pipework and noise and visual mitigation measures;
 - Specification and efficiency of the proposed Mechanical Ventilation and Heat Recovery (MVHR), with plans showing the rigid MVHR ducting and location of the unit;
 - Details of the PV in terms of number, angle, orientation, type, and efficiency level of the PVs; how overheating of the panels will be minimised; their peak output (kWp)

- Specification of any additional equipment installed to reduce carbon emissions.

The development thereafter shall be carried out strictly in accordance with the details so approved with the solar PV arrays and air source heat pump(s) installed and brought into use prior to first occupation of the relevant block and retained for the lifetime of the development, unless otherwise agreed with the Local Planning Authority.

Reason: To ensure the development reduces its impact on climate change by reducing carbon emissions on site in compliance with the Energy Hierarchy, and in line with London Plan (2021) Policy SI2, and Local Plan (2017) Policies SP4 and DM22.

7. Prior to the occupation of the building hereby approved a Unilateral Undertaking or equivalent mechanism shall be completed and submitted to the Local Planning Authority securing a payment of £6,555.00 to fund offsetting the remaining carbon emissions from this development.

Reason: In the interest of climate change and to help achieve zero carbon development across the borough and in compliance with Local Plan Policies SP4 and DM21.

8. As per the Sustainability Statement prepared by Harniss Revision 3 (dated 7 June 2024, the development hereby approved shall achieve a post-construction Building Research Establishment Environmental Assessment Method (BREEAM) rating of "Very Good" outcome (or equivalent), aiming for "Excellent" rating, with post construction review certificate(s) being submitted to, and approved in writing by the local planning authority, within six months of the building hereby approved being first occupied/ brought into use.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with Policies SI2, SI3 and SI4, and Local Plan (2017) Policies SP4 and DM21.

9. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons: To ensure that the development is not put at unacceptable risk from, or adversely affected by, unacceptable levels water pollution from previously unidentified contamination sources at the development site.

10. Prior to the first occupation/ use of the new building hereby approved, 'Secured by Design' accreditation shall be obtained for such building and thereafter all features are to be permanently retained. Accreditation must be achieved according to current and relevant Secured by Design guidelines at the time of above grade works of the building. Confirmation of the certification shall be submitted to and approved in writing by the Local Planning Authority.

The development shall only be carried out in accordance with the approved details.

Reason: In the interest of creating safer, sustainable communities.

11. Prior to the commencement of above ground works for the development hereby approved scaled drawings with details of the location and dimensions of the secure and covered cycle parking facilities shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking spaces shall be provided in accordance with the London Cycling Design Standards prior to first occupation of the development and shall be retained thereafter for this use only.

Reason: To promote travel by sustainable modes of transport and to comply with the London Plan 2021 minimum cycle parking standards and the London Cycling Design Standards.

12. The off-street parking facilities shown on the site plan hereby approved (drawing 1100) shall be provided before the building is first occupied/ brought into use, and thereafter retained for that purpose.

Reason: To ensure the satisfactory provision of parking facilities and in the interest of highway safety and the amenity of the area.

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.

INFORMATIVE: Need for Dilapidation survey

The applicant may be liable under Sections 131 and 133 of the Highways Act 1980 to pay for damage to the publicly maintained highway if caused as a result of the building works hereby approved. The applicant is, therefore, required that before the commencement of the works hereby approved to contact the Council's Highway Department regarding the preparation of a site dilapidation survey and photographs of the footway and carriageway around (Insert Road). This survey will be used as a basis for assessing the amount of damage caused to the publicly maintained highway caused by building works.

INFORMATIVE: Designing out crime

The applicant must seek the continual advice of the Metropolitan Police Service Designing Out Crime Officers (DOCOs) to achieve accreditation. The services of MPS DOCOs are available free of charge and can be contacted via docomailbox.ne@met.police.uk.