

Our last report focused solely on the worsening national Planning situation. This has not changed, and we await a Planning Bill during the summer. The Government have introduced new rules widening Permitted Development, which it is widely believed will cause incalculable damage to high streets, against almost universal opposition, including from business, the professions and organisations across the whole town planning spectrum.

Alarming, Haringey is among eight London Boroughs censured for not meeting their Government-imposed housing targets, and it must be feared that more bad housing developments will be permitted, against local and national policy, as a result. Back in Highgate, David Richmond's dedicated Planning Group have been working as hard as ever on a number of complex and important issues. Appeals for help and advice continue to come in, by email rather than our Saturday morning Members' Planning Surgery, which we will hopefully be able to resume at not too distant a time.

Most urgent, and time-consuming, has been our damage limitation efforts over Haringey's granting of a highly damaging overdevelopment of housing in **Townsend Yard**, off the High Street. The Society – and particularly Planning group members Elspeth Clements, Janet Jones and David Richmond - has spent hundreds of hours trying to reverse this outstandingly bad decision. It will cause particular harm to the 400-year-old Shepherds Cottage (36A, High Street), and the concern has even caught national attention in a recent *Nooks and Corners* column of *Private Eye*. We warned Haringey that, in our view, there had been a signal failure of the planning process in that Listed Building Consent should have been sought, and refused. The *Survey of London* describes Shepherd's Cottage and its setting as '*A handful of Highgate's smaller early buildings survive... Across the High Street there were back alleys by the seventeenth century ... Among these was Townsend's Yard ... home to some isolated eighteenth century buildings of a more rural nature, good brick houses, as surviving at No. 36A Highgate High Street ...*'

We were therefore appalled at the Case Officer's statement, approving the development, that: "It is accepted the development sits next to this heritage asset... however [the] building is not highly visible with its functional and historic relationship being a building hidden behind others. It is also pointed out that currently No 36a is attached to a garage building which is being removed. This will be replaced with a new wall to form the elevation of the new house, independent of the Cottage to ensure no direct impact on the listed building... [T]he mews development [therefore] does not materially or significantly alter the relationship, setting and significance of No 36a and its contribution to the conservation area."

Even the most superficial inspection shows that it is highly visible, and that the case officer judgement was gravely mistaken. Under earlier local policy, the view of the cottage from Townsend Yard was a protected locally important view. To therefore claim that it is "not highly visible", and that this previously protected view from Townsend Yard can be completely closed off without causing "substantial harm", is not credible, as is the suggestion that because it is hemmed in on three sides, it can be hemmed in on the fourth; only demolition would cause greater harm.

The error is compounded by Haringey's statement that any harm to the cottage's setting was outweighed by the public benefit of 7 new houses. There is no "public benefit" from seven luxury private houses, and the obvious solution is 5 or 6 houses, which would respect the setting, and possibly even improve their value. Astonishingly, the Cottage does not even feature in the applicants' Heritage Statement, the Conservation officer's comments or any of the application drawings.

It dismisses the importance of possibly the oldest building in Highgate and a remarkable survival, fails to recognise the need for Listed Building Consent, is misleading, and breaches Listed Building guidance and legislation. In particular:

1. "..... *it is accepted the development sits next to this heritage asset.*" The development does not just "sit next" to 36A but encloses it. It recognises the building as a "*heritage asset*", a designation which confers legal protection. It accepts that existing buildings are attached to the Cottage and the new buildings will be similarly attached. Demolition of the existing buildings therefore requires Listed Building consent. National guidance states: "*Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve **substantial public benefits** that outweigh that harm or loss...*"

2 "..... [the cottage] is not highly visible... being... hidden behind others" is contradicted by even the most cursory observation. The building is highly visible to the public from Townsend Yard; after the development, it will be hidden for ever. It is wrong to argue that "the functional and historic relationship" of a 400 year old building is not relevant because it is "hidden behind others". Its setting is legally required to be taken into consideration - a requirement ignored by Haringey and the developer.

3. Haringey's conclusion that "the development does not materially or significantly alter the relationship, setting and significance of No 36a and its contribution to the conservation area" is therefore disastrously wrong, and contrary to the 2017 Court of Appeal's decision in *Steer v SSCLG* (2017) setting out the principles regarding the importance of the setting of a heritage asset. Historic England's guidance states: "...new works within the setting of a listed building or scheduled monument may require listed building consent... if they physically attach to or physically impact upon the building or site."

We have therefore demanded that the developer must be required to make an application for Listed Building Consent in relation to Shepherd's Cottage, in view of Haringey's failure to carry out their statutory duty to protect what is possibly the oldest building in Highgate. Haringey have now conceded that this is necessary, and our efforts are now focussed on providing them with sufficient grounds to justify refusal.

This has primarily involved an urgent application to upgrade the Listing of Shepherd's Cottage from Grade II to Grade II\*. This would normally cost between £2,000 and £6,000, but in view of the clear wrongness of the decision and the extreme urgency, Historic England may be prepared to waive this fee.

Since we fear that this terrible decision is a direct result of the pre-application process, we have also submitted a freedom of Information request for the pre-application advice given to the developers; if their scheme was agreed at pre-app, there will be great pressure to approve it, despite there having been no public consultation. There were many objections to the application – ours filled eight pages - and with so many objections to such a controversial development, it is also a major failure that it was not taken to Planning Committee.

We have long tried to persuade Haringey to introduce desperately-needed **Article 4 Directives** withdrawing specific rights under Permitted Development (PD). As one example, it is PD to build over up to 50% of a rear garden, even in a Conservation Area and even when that garden faces the street, and this problem will only intensify if home working becomes the norm and more people apply for garden offices etc. Another example is at 30 Grange Road, on the corner of Broadlands Road, where a large outbuilding has been built on the Broadland Road frontage. While it seems clear to us that this is a front garden, the way the house was built, with its entrance in Grange Road, somehow transforms the plot into a "back garden", and as a result Haringey maintain that they can do nothing about it, despite its damaging impact. Since PD Rights were designed to prevent building at the front or side of houses so that they are not visible from the street, this is a gaping loophole in the law. Following one neighbour's approach to us for help, we are also dismayed to find that rear garden swimming pools are PD, even in Conservation Areas, unless the building is listed. Considering the damage they can cause to surrounding properties and habitats, this is another piece of thoughtless legislation. Haringey nevertheless remain obdurately resistant to this demonstrable need for Article 4 Directives.

We also remain concerned at Haringey's definition of "**Non-Material Amendments**", where it is decided that an amendment to a planning permission is sufficiently minor that it does not need to go for further consultation. Unfortunately, in our view, many of them are far from "non-material" but are a significant change to what was permitted, inevitably to the applicant's advantage. This has happened several times lately, for example increasing heights of developments or walls. In addition, apparently "non-material" developments can cause cumulative damage over time and would not have been allowed if submitted together. We have also had a problem recently of **Planning Decisions being made too early, before the consultation period has ended**, which has seriously disadvantaged neighbours who may be affected but who need adequate time to put together their objections.

We have raised with Haringey the ongoing major works at **225 Archway Road**, one of the few listed buildings in that area, and are concerned that some conditions on the consent remain undischarged and works commenced without the conditions being approved. Haringey advise that there have been long delays in getting the information required, have highlighted the urgency of this matter and advised that works cannot start until such information is provided and the conditions discharged. We have also queried whether the extensive tree-felling is in accordance with the permission, and whether the works started within the statutory three years time limit.

We have succeeded in persuading Haringey that the consent they gave for the former **Newstead Nursing Home** in Denewood Road was based on a number of discrepancies in the approved drawings. This has, as a result, been corrected and the design modified. However, it exposed the weakness in planning committee meetings by Zoom, where it proved impossible to raise the discrepancies, which objectors could have raised in person through councillors at a physical meeting.

Neighbours have expressed concerns at the proliferation of **obtrusive security and garden lighting**, but have been told by Haringey that external lighting on a domestic property is not subject to planning controls, nor is there any statutory definition of nuisance levels for such lighting.

Following the closure of **Barclays Bank** in the High Street, an application has been made to remove an old condition from the 1960s requiring the upper floors to revert to residential use should Barclays vacate the premises. With the pressing need for housing, particularly in Haringey, we consider that new residential units would be important and have opposed the application.

For several years we have pressed Haringey's Planners, Conservation Officers and Social Services to take action on the Grade II Listed **37 North Road**, which has been relentlessly deteriorating over the years and is now in a dangerous condition; cracks are visible, windows are missing and a large piece of cornice recently fell onto the garage forecourt. It can only be a matter of time before a major collapse takes place, and Haringey's ignoring of the problem is unacceptable.

We were horrified to see yellow line crosshatching appear on the fine cobbled surface of the historic **Old Fire Station Flats** forecourt, authorised by the owners, Homes for Haringey as the adjacent gate is the only emergency vehicle access to St. Michael's School. Since they are an eyesore and do not appear to have any effect, we urged Haringey to replace them with simple double yellow lines, or even an "Emergency Access: No unauthorised Parking" sign, but they seem incapable of such a gigantic leap of imagination.

The Society and the Better Archway Forum have been pressing Historic England to Statutorily List the fine mid-Victorian **Holborn Infirmary** buildings by Archway Station. We learn that the owner, Peabody Estates, no longer intends to develop them for housing and has put the site up for sale, raising concerns about its future.

Haringey held a Zoom public meeting in January on their proposals to rebuild the **Cranwood House Home** the junction of Woodside Avenue and Muswell Hill Road as 65 units in 3 blocks of flats 4, 5 & 6 storeys high. It was not well received, local people unanimously considering it grossly overdeveloped and poorly designed. A planning application was expected in February, but nothing further has been heard. Our concern is that it abuts Highgate Wood and could impact badly on its amenities; it is also very close to where the Highgate Wood Roman pottery factory and prehistoric site were excavated in the 1970s.

The site of **The Old Crown Car Park at 90 Highgate Hill** is an eyesore calling for a sensitive development. When the new owners met us to explain their proposals for a terrace of houses, we were supportive in principle but had considerable reservation about the concept as a considerable overdevelopment, the design and materials wrong, and the living rooms all facing directly onto the busy main road. Discussions are continuing.

It is now generally known that the **Mary Feilding House** care home on North Hill is to be closed, all current residents relocated, the existing buildings demolished and a new 72-bed facility proposed. A preliminary meeting with the developers and Councillors indicate that the new development will not be a care home for the elderly, but a post-operative recovery unit. The drawings and CGIs indicated a highly disappointing standard of design and architecture, far below the standard we would expect for a Conservation Area, and we made our concern very clear.

We opposed adding more units to **Jameson Lodge, 58 Shepherds Hill**, as backland development, against local policy, setting a bad precedent; resulting in significant loss of trees and vegetation; affecting neighbouring properties badly; and reducing the rear garden for the block. Haringey agreed that it would be overdevelopment and harmful to the character and appearance of this part of the conservation area, and refused it.

Following refusal of a garage on a prominent wooded site at **45 Highgate West Hill**, we objected to a new application for a timber workshop outbuilding there. It would dominate this small piece of woodland, highly visible from the public realm. The application does not say what would be carried out in the "workshop". It says that the site "has aesthetic and some historic value", but that "the proposed scheme would cause no harm to the aesthetic value of the site" because "the proposals would not be seen from

the public realm”, though we consider it would; and in a Conservation Area, it cannot be argued that something should be permitted because it cannot be seen. Since the land has always been open, probably remnant of the old Highgate Green, it has significant heritage value which a large shed would harm. Camden’s pre-application advice for the previous application confirmed that they would resist proposals which may threaten trees, and the woodland has townscape and amenity value that contributes to the setting of the listed building and the wider area.

At **15 Broadlands Road**, an application for an extension, including a large basement, is worrying neighbours, both for structural reasons and because of the high ground water level, with cellars often flooded and problems encountered on large basement excavations nearby. We have supported neighbours’ concerns, and learn that the application has been withdrawn and a new one submitted. However, we also learn that Haringey has required the applicants to commission an independent expert assessment of their Basement Impact Assessment before any decision is made.

An application has been made to turn the 1930s **Phone Box Outside Waterlow Park** into a coffee bar similar to one in Hampstead. We have not objected, subject to the external appearance of the Listed box being as little changed as possible.

We have opposed proposals for a large detached house on part of the rear garden of **12 Broadlands Road**. include development of garden land against Haringey and national policy, impact on neighbours and the Conservation Area, the creation of an access road into back garden land and loss of trees, as well as creating a hugely damaging precedent for backland development. Policy requires applicants to justify such development and show that it will improve the area; we believe that it will have the opposite impact. It may be in “woodland cabin” style, but it is two storeys, with first floor and roof spire in red zinc cladding, its scale further emphasised by a ridged roof 8.4m high. There will be parking for three cars near the entrance, which is only a narrow passageway. To enable construction traffic to enter, land will have to be taken from the garden of 12 Broadlands Road, affecting the trees and hedge, and the new use will cause significant disturbance for neighbours in back garden land. Twenty-four trees are identified as affected, some belonging to neighbours, and four are to be removed.

The application claims minimal visual impact on the character and appearance of the Conservation Area, and that reinstatement of the tennis court area as a garden would “bring back the lost woodland feel”, despite the fact that the area has never been woodland, formerly being farmland. It is also dismaying that such an expensive development should be accompanied by a request for exemption from Community Infrastructure Levy – vital for enabling affordable housing in more deprived areas – because it is a self-build project where the applicant – who also owns 12 Broadlands Road and will presumably sell it for a substantial sum - will live for three years. Haringey’s self-build policy, intended to help those struggling to afford a home, was surely not intended to apply to this class of development.

To our dismay, permission was nevertheless granted; a very damaging decision for the Conservation Area.

Unconfirmed accounts suggest that the BBC intend to demolish the **mast at the Swains Lane end of Bisham Gardens**. While it has long been a blot on the skyline, particularly from the Heath, a developer may want to buy it for a high-rise building with spectacular views. We understand that the mobile phone and other companies using the mast are currently fighting the BBC’s attempts to terminate their contracts.

The blocking of **right turns into Pond Square** at the top of Swains Lane, under the Government’s emergency “Low Traffic Neighbourhood” legislation, has been widely condemned as illogical, pointless and achieving only traffic chaos, rat-running through Pond Square, and increased pollution for residents on West Hill. Repeated appeals to Camden to undertake full consultation have been evaded. The only crumb of comfort is that this is a cross-London problem, with similar schemes introduced randomly without any public consultation and causing confusion everywhere; one borough, Harrow, has already announced its intention to remove all its LTNs.

An application for a single storey extension at the back of the listed **5 North Hill** was unexceptionable in principle, but poorly designed for a Listed building. Nevertheless, despite our calls for a more sympathetic redesign, Haringey approved it without recommending any improvements.

We are supporting neighbours, and the City of London, in objecting to the demolition and rebuild of a house at **37 Lanchester Road**, next to Highgate wood. The new gated house would be oversized, of discordant design, and alien and damaging to the consistent domestic scale and character of the road. The existing house sits comfortably in a green plot. There are four important protected mature oak trees at the front, which we are worried may not survive development and new parking bays over their root systems, contrary to policy. At the rear it abuts Highgate Wood. It would be more than twice the footprint

of the current house and would eliminate views of Highgate Wood from the street by filling the gaps between it and neighbours. We have reminded Haringey of the recent dismissal at appeal of a smaller development which they refused at 2 Lanchester Road. The Inspector ruled that “the proposal would be... an incongruous dwelling that would not be a sympathetic addition to the street scene. It would not harmonise with the character and appearance of the area and... would erode the area’s defining characteristics, and thus be harmful to the character and appearance of the area” and described the character of the area as “residential in nature with the dwellings on Lanchester Road and Woodside Avenue mostly semi-detached and of similar 1920’s design and scale... The houses all have a unifying element of generously sized dwellings set within spacious plots.”

We have supported Haringey’s enforcement action on an unauthorized extension to a summerhouse, and its change of use to a dwelling, at **10 Grange Road**, ordering the owner to remove it, which has been appealed. The appellant also sought a Certificate of Lawful Development, which we consider invalid as the development was in breach of Conservation Areas rules against the loss of garden land.

Some rear extensions are designed to be sensitive to neighbours and back gardens. We objected to a single-storey one at **31 Talbot Road**. Local policy requires rear extensions to be “subordinate in scale to the original dwelling, complement its character in terms of design, proportion, materials and detail [and] respect and preserve existing architectural features where these contribute to local character and appearance” and that “full width rear extensions are not normally considered acceptable”. This does not meet these standards.

Given the widespread opposition to the Government’s proposals to widen Permitted Development yet further, which it is widely believed will destroy High Streets, we responded to the **call for evidence on Permitted Development from the House of Commons Select Committee inquiry** into it, encouraged by our being called to give evidence in January to the Select Committee on the Planning White Paper. Our submission is as follows:

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**“Introductory**

The Highgate Society is the Civic Amenity Society for the wider Highgate area, with some 1,400 members. We were established in 1966 to oppose proposals for a motorway through north London and the heart of our village, which attracted national attention and was successful. Our remit is To Make Highgate a Better Place to Live and Work. We were members of the Civic Trust and are now members of its successor body, Civic Voice. We are active on the London Forum of Amenity and Civic Societies, an umbrella group for over 100 amenity groups in Greater London; the Chair of its planning committee is a former senior planner at CLG. For our 50th anniversary in 1966 we published a history of the Society and its achievements in the town planning and other fields. We examine several hundred planning applications a year, make detailed comments about 10% of them, which our local authorities tell us are of significant value to them, and have given evidence at numerous Public Inquiries, including that over the development at Athlone House, Highgate, which took 18 years to conclude and was successfully resolved only after two public inquiries and a High Court case, the outcome setting an important precedent for S.106 Agreements. We are also represented on such bodies as the City of London’s statutory Hampstead Heath Consultative Committee. In normal times we run a weekly Town planning advice surgery for members, to which outside members of the public also often come to seek our help, and we maintain a substantial file of messages of thanks from them; this underscores the value of strong community representation to local people, an element of local democracy which will be irretrievably lost if the Government’s current proposals on PDR and the anticipated Planning Bill come to pass.

Over this period, we have engaged actively in the town planning system, making constructive comments on local, regional and, where appropriate, national town planning issues. Our remit covers parts of four London Boroughs – Haringey, Camden, Islington and Barnet. We were instrumental in securing an amendment to the Localism Act 2011 to ensure that Neighbourhood Forums could be cross-boundary, which the original draft precluded. We were responsible for the establishment of our local Neighbourhood Forum and for producing its Neighbourhood Plan – the first, we believe, in London.

Our Town Planning Group covers planning, development, heritage, environment, traffic and transport, open spaces and ecology issues. Until his death, our planning group included one of the world’s leading Urban Planners, Walter Bor, and still benefits from the input and experience of a range of practitioners with relevant professional skills.

In 2020, we made a 19-page submission to the Government’s Planning White Paper Consultation. We also made a submission to the Select Committee’s call for evidence on the Planning White Paper, and were honoured to be one of 50 groups and individuals called to give oral evidence.

**What role should permitted development rights (PDR) play in the planning system?**

The original intention of PDR was to relieve local authorities of the burden of devoting scarce resources to minor works which would clearly have no appreciable impact. This was eminently sensible, and enabled people and businesses to carry out minor improvements without unnecessary bureaucracy. The ability to impose Article 4 directions in special cases, or in sensitive areas such as Conservation Areas (of which Highgate is one) was an extra safeguard against damage being caused, either unwittingly or intentionally. At its most basic, this enabled the “Planning” system to perform its function - of *Planning*.

**What is the impact of PDR on the quality and quantity of new housing, including affordable and social housing?**

There is a desperate need for affordable housing in Highgate, which is a very high-value area. When formulating our Neighbourhood Plan, the Highgate Society proposed 27 sites for affordable and social housing. The examiner allowed only five of these.

In Highgate, where there is immense pressure for luxury housing, and little land available for affordable and social housing, permitted development is contributing nothing to the real need other than to inflate prices even further. Conversions of houses and shops to flats, notably in the Archway Road, under permitted development or prior notification has resulted only in substandard units.

It is our understanding that the provision of affordable housing nationally under PDR has been negligible, and it is our opinion that it will continue to do so. This is particularly regrettable since the main shortage of, and need is not for market housing, but for social and affordable housing.

**What is the impact of PDR on local planning authorities, developer contributions and the provision of infrastructure and services?**

The Planning system exists, in theory, to enable local authorities and their communities to Plan for the appropriate development of their areas. Since PDR precludes the provision of infrastructure or the requirement for developer contributions, it is self-evident that its impact will be to make it impossible to plan holistically for those needs not supplied by the market, but which underpin the whole liveability of a community.

**Is the government’s approach to PDR consistent with its vision in the Planning White Paper?**

It is entirely consistent. From their relentless piecemeal assault on the planning system, which is making it progressively more complex, it is clear that the Government’s intention is to emasculate the ability of local authorities and communities to have meaningful involvement in the planning system.

The Planning White Paper (PWP) and other announced policy intentions (e.g. the virtual removal of the ability to impose Article 4 Directions) makes it clear that the power of local authorities, and of their communities, to have any meaningful input into the future of their areas is to be severely curtailed and left almost entirely to the vagaries of market forces.

**What is the impact of PDR on the ability of local authorities to plan development and shape their local communities?**

It is self-evident that the widening of PDR on the scale proposed will effectively make it impossible for local authorities to do so. The worst impact will be on areas of low land and property values, which are also those of greatest deprivation, where no housing will be built – affordable or market – because prices will not be high enough to prompt developers to build private housing, and without the contributions which appear to currently be the main source of funding for affordable and social housing, none of the latter will be built, in the areas where they are most needed. In the face of these economic forces, merely designating them “Regeneration Zones” will be little more than a sticking-plaster

**Is the government right to argue that PDR supports business and economic growth?**

No: they are grievously mistaken. *Planning* supports business and growth, by fostering a holistic approach to local and national needs. PDR will ensure only that the highest bidder wins, regardless of its appropriateness.

This will be most evident in nearly all town and village centres, where, from August, any shop of less than 1,500 sq.m. can be turned into residential without planning permission.

Outside major shopping centres, there will be few, if any retail premises larger than 1,500 sq.m. potentially, therefore, every shop in a high percentage of high streets could be turned over to much more valuable residential space.

It is difficult to imagine a more misguided policy. As Sir Simon Jenkins worded it in his letter to *The Times*, it “beggars belief”, while such bodies as the RIBA, the National Trust and the Town and Country Planning Association have condemned it. Even the British Property Federation and 28 other professional and community groups wrote to Minister Robert Jenrick urging him to abandon the proposals which would exacerbate the decline of high streets. The letter remains unanswered.

#### **What is the impact of PDR on the involvement of local communities in the planning process?**

As covered in the previous section, local communities would be powerless to prevent the destruction of their high streets.

The historic right of communities to be closely involved at all stages of the planning system is a critical one, and has been shown on innumerable occasions to be essential not only for harnessing the detailed skills and local knowledge which these groups possess, but for averting bad developments and for optimising local strategic planning. On not a few occasions, the Highgate Society has persuaded local authority Planning Committees (which the Government appear to want to abolish) to reject bad applications – sometimes over officer recommendations of approval – and these refusals have been upheld on appeal.

These vital democratic safeguards for the local community and for good planning will be lost, since the PWP proposes to withdraw this historic, and critically important, right of communities, local groups and individuals, to comment on individual planning applications, replacing it with a meaningless “best in class” right to be involved in preparing local plans – a task which would be a huge burden for all communities, even those experienced in engagement with the planning system, and which would still leave the final interpretation of whether an individual development was in accordance with local and national policy – and, dismayingly, whether it was “beautiful” – to the local authority and the developer. The local community would have no power to look at the actual detail of individual applications and decide whether they were acceptable, appropriate or necessary.

The outcomes would, we are convinced, be disastrous; yet the Government makes the Orwellian assertion that they are giving local authorities and local communities greater powers than ever to determine the future of their areas.

#### **Should the government reform PDR? If so, how?**

Yes. It should abandon the current proposals, suspend their coming into operation on August 19th, and enter into a meaningful national consultation with local authorities, professional organisations and communities as to the future of PDR. Indeed, it is unacceptable that these far-reaching and damaging changes should have been introduced by statutory instrument, without full Parliamentary debate. As opined earlier, permitted development should revert to its original intention; as the heavy-handed Planning Tool which the Government envisage, its impact, we believe, will be adverse, and irreversible.

In our view this should apply with equal force and justification to the Planning Bill, given the damage it is widely believed will result from its introduction without significant changes from the White Paper. We believe that our fears reflect those of the wider community sector, and urge the Select Committee to make every effort to persuade the Government to reconsider, and to actually listen.

#### **In addition, written submissions may touch on any other matter relevant to the government’s approach towards these kinds of permitted development.**

In summary, we consider the government’s proposals to be not only as damaging as they could possibly be, but completely illogical. The uncontrolled development of anything, anywhere which it will unleash is the antithesis of “Planning”, and the ending of community rights to involvement in the planning of their local areas which will accompany it will not be readily forgiven.

We think that we have sufficiently articulated our extreme doubts about the Government's destruction of our planning system, and the damage we believe it will do. If any of the terminology we have used appears to be overstated, it is only a reflection of our belief – based on our decades of close involvement in the planning system on “the front line”, shared, we know, by many others – that the impact on communities, housing and planning nationwide will be incalculable.

You may recall that, during 2019, well before the Planning White Paper and the latest announcements on PDR, Civic Voice published a survey, in partnership with no less a body than the Grosvenor Estates. This *inter alia*, revealed that, while 83% of the public had no confidence in their local authorities, **97%** had no confidence in developers. Yet the current PDR and other proposals will effectively place the entire future of our communities in the hands of developers.

We hasten to add that our intention is not to indulge in “developer-bashing”. On the contrary; they are an integral part of the system, many are entirely responsible, we have had good working relations with many, and we endeavour to engage in pre-application discussions with them locally, usually very positively. We still cherish a letter from one developer thanking us for our input and expressing the view that his development was a better one as a result.

However, a strong, well-regulated **and, essentially, democratic** planning system is essential to achieve the best outcomes both for business and the community, and to ensure that local communities' futures are planned on a holistic basis. The government's proposals will achieve the complete opposite.”

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**The Select Committee's report into the Planning White Paper** was published at last in June. The report is an excellent piece of work, highly critical of the Government' proposals, and gratifyingly, some of our evidence is quoted in it. The report can be seen on <https://committees.parliament.uk/publications/6180/documents/68915/default/>

We were awaiting a final consultation on **Haringey's revised Local List** of significant unlisted local buildings. With the Highgate CAAC, we did the main work for this back in 2017, and had pressed since then for its early introduction, given the threats to so many unlisted buildings. When a draft appeared in 2019, we were surprised that a number of important buildings we proposed were omitted, and that some buildings previously on the list had been removed. We were assured that we would have an opportunity to make further comments before the list was finalised, and that buildings removed from the List would be re-designated as “Positive Contributors”, which we are assured provides equal protection, though we are not convinced. It was therefore with some shock that we were recently told that the list had been finalised in 2019. We have sought an explanation why so many of our suggestions for inclusion were rejected, asked for confirmation that they will be included on the list of “positive contributors”, asked to see a copy of that List, and asked for the consultation period to be extended so we can make further comments. There has as yet been no reply, nor any explanation of why we were misled into believing that we would have further opportunity to comment on the final List.

The announcement by Haringey and Highgate School that a scheme to **ban traffic from Bishopswood Road during “School Run” hours** would be implemented alarmed residents that the inevitable result would be an increase in traffic and parking problems on the streets into which the school traffic will be displaced, exacerbating what is already a bad situation. There is therefore considerable relief that it has been agreed to reconsider the proposal.

There has been no let-up in the number of **tree applications**, and our tree experts look at several hundred a year. We would be more than happy for help in addressing this workload from anyone with tree expertise.

Despite the importance of our **Open Spaces** to Highgate and a much wider area of London, we receive little feedback from members on them. Perhaps you feel, as we do, that on the whole they are well managed, but if you have any thoughts or comments, remember that the Society is a long-standing member of the City of London's statutory Consultative Committees for Hampstead Heath and Highgate wood, and liaises with the Friends of Waterlow Park and of Queens Wood (of which many of you may be members). The huge intensification of use of these spaces during the pandemic has presented great management challenges; many of you will have noticed the extensive areas of erosion, particularly in more ecologically sensitive areas where the public did not venture during normal times. Muswell Hill Road is regularly congested with cars of visitors to Highgate Wood, and the number of visitors to the Wood (up 50%, from 800,000 to well over a million) and the Heath has increased, possibly to the point where the Wood may now have too many visitors. Litter has also become a real problem; during 2020, volunteers for the Friends of Alexandra Park removed **107 tons** of litter. On the positive side, it has

resulted in campaigns for more open spaces in London. However, the successful steering of both open spaces through the pandemic is shown by the award, yet again, of Green Flag and Green Heritage Flag status – awards which Highgate Wood have won every year since it was instituted.

We share the widespread alarm at Haringey's proposals for **extensive drainage works in Queens Wood**, to prevent run-off of rainwater said to be causing "flooding" problems to gardens at the bottom of the Wood. This involves building 20 dams along the stream in the wood, and we have joined the many objections to what appear to be poorly-considered proposals which will cause extensive ecological and archaeological damage; for the latter, we alerted Historic England, who are now in contact with Haringey.

No evidence has been given that the problem originates in the wood, which we think actually absorbs excess rainwater; the main source must surely be the built-up areas of housing, roads, paved gardens and other hard surfaces which cover a much greater area and must be responsible for much of the run-off, as well as blocked drainage systems. The heavy plant and equipment and vehicles needed would cause damage far beyond the actual area of works, and the dams will transform the wood from an ancient oak and hornbeam woodland to a partly swampy environment which may kill extensive areas of trees. This will itself result in an increase in run-off. We agree with the Friends of Queens Wood that the scheme is being rushed through without adequate justification or scientific study of its impact, and have joined the widespread calls to suspend the works until the real cause of the problem can be ascertained through hydrological survey of the whole area, using proper expertise in hydrology, ecology and archaeology.

Some people have, not unreasonably, questioned why we have objected so vociferously to the **Japanese Mini-Forest** planted in the **West Hill Reservoir Land**, when more tree planting is surely needed and it has planted no less than 1,200 trees in an area of less than 2,000 sq.m. It is necessary to answer this in considerable detail. Our reasons are many:

(1) TW say that it was the result of an approach by "an enthusiastic and knowledgeable local group." No-one to whom we have spoken has any knowledge of them, despite their claim of widespread community support. They have since contacted us, conscious that we are angry about what has happened; but their statement that they "contacted the Highgate Society from the start and received a positive response" is simply untrue. Indeed, in describing the project to Camden, TW omitted to mention any previous discussions with the Society.

(2) The Society had actually been in discussion with TW over an ecological management project on the land since mid-2019, and we believed that we had agreed a scheme with their ecologist at a site meeting in October of that year. We considered that the site, as a relic of the old Highgate Green and an important stepping-stone on the local ecological corridor, needed to be managed appropriately as meadowland with a native hedgerow. At that meeting, their ecologist seemed keen on the idea, and proposed to experiment in 2020 by leaving the area unmown to identify what native flora was already there – we had noted a good range of species - and then mow it rotationally at the end of each year to ensure the survival of hibernating insects. Once a scheme was under way, they would put up an information board informing people that it is "a project between the HS and TW." We did not, however, press them during the pandemic in 2020, naively relying on their good faith to proceed as soon as possible with what they had verbally agreed with us.

(3) A prior ecological assessment of the meadow flora which had already grown naturally on the site was essential, as was a survey of the local hydrology and geology. Being on Bagshot Sands, the site would, we feared, be quite unsuitable for mass tree-planting. Nor did they, as we recommended, speak to anyone with expertise in local ecology. Far from being good ecological management responding to local ecology, it has probably destroyed an existing meadow flora.

(4) Of particular concern is that on November 11, 2020, TW's ecologist emailed us, in response to our concerns when we first heard of the mini-forest proposals, saying "*I do take your point that this may be the wrong habitat creation focus for the site and it warrants further discussion and planning*" [our italics], and promising "further discussions so that all parties with an interest... can contribute". In his last email to us, of 19th January, 2021, he assured us that "I will keep you, the Highgate Society and all cc'd informed as the project develops." Nothing further was heard, and the next we knew was that the mini-forest planting had been quickly implemented, our first intimation being an urgent call from a concerned local resident.

(5) TW have failed to answer our question asking whether they informed Camden or the mini-forest group of their previous arrangement with the Highgate Society. Camden's tree officer maintains that our involvement was at no time mentioned at any of their meetings. They have also failed to explain why the Society was excluded from these alternative discussions, since one of the principles of mini-forest work is that it should be carried out in co-operation with the local community.

(6) We have reminded them of our long-term involvement in ecological protection and tree planting and protection, and our active involvement with Hampstead Heath and Highgate Wood, including carrying out ecological survey work for the City of London and providing informal archaeological advice.

(7) We questioned TW's claim that they "have seen evidence that the project has the support of the Highgate Community Neighbourhood Forum (HNF) as well as local Councillors, residents and schools", but they have not provided this evidence. The Highgate Neighbourhood Forum's tree expert appears to have been unaware of the mini-forest proposals until we told them, or of the Highgate Society's prior involvement. We also thought it curious that, given that the Society is the largest local community group, and TW were well aware of its existence through our previous discussions, they didn't seek our support.

(8) Particularly worrying is that we advised Thames Water that the site was within the designated Highgate Archaeological Priority Area and that, since digging pits across it, and allowing tree roots to penetrate the soil, would damage or destroy unrecorded archaeological deposits fundamental to the understanding of Highgate's heritage, there should be a prior archaeological assessment, followed, if necessary, by excavation to record any deposits likely to be damaged. We also recommended them to consult Historic England's Archaeological Adviser for the area, whom we forewarned, and who told us that they had approached TW but could not obtain a response. This also revealed a disastrous loophole in the law. Since tree-planting is "Permitted Development", they were under no obligation to carry out archaeological work; had it required planning consent, an archaeological condition would have been imposed. It is ludicrous that, however important the archaeology, whether or not it is saved depends on whether it is "permitted development", even if the site is part of an Archaeological Priority Area. Irreparable archaeological damage may have been done as a result.

(9) We have also drawn Thames Water's attention to a flyer from the Council for the Protection of Rural England, emphasising the importance for UK ecology of planting hedgerows, which was the basis of our own proposal; and a recent article from The Times, reporting considerable doubts flagged up by experts about the appropriateness in many locations of the mini-forest concept.

We are therefore dismayed by the way in which Thames Water have proceeded throughout in this misguided project. We entered into discussions with them in good faith and expected it to be reciprocated, but our request for an apology to the Society and the community has, inevitably, not been answered. At the time of writing, the planting appears to be anything but thriving. We will keep a close eye on it, and will unhesitatingly go back to Thames Water at the end of the year if things do not improve.

At **Hampstead Heath**, 2021 marks 150 years since the 1871 Hampstead Heath Act, and the City of London are planning a number of events to commemorate it in the summer, subject to Covid restrictions. For details, keep a look out in the local press and on the City's and the Society's websites. The Heath and Hampstead Society have marked it with a series of Biodiversity Notice Boards on four locations at the entrance to the Heath, which will change with the seasons.

The Heath and Highgate Wood staff have made huge efforts over the pandemic in the face of great challenges. It is hoped that sports activities can be reopened from 29 March and other events from June 21, but the wear and tear will continue as people are being encouraged not to holiday abroad. Again, announcements in the press and on the Hampstead Heath website should be consulted to ascertain what is happening.

The City, the Heath Society and the Highgate Society co-operate to fight damaging developments on the fringes of the Heath. Examples are a housing development on land next to Jack Straw's Castle, refused and now gone to appeal; attempts to build housing on the Vale of Health Fairground, also dismissed at appeal; and large new telecommunications installations on Spaniards Road, which were refused and the appeal dismissed in a very important appeal decision. The main issue was impact on the character and appearance of the area, the Inspector ruling that it would be "highly visible from long range views along Spaniards Road and from within Hampstead Heath and would represent an incongruous and dominant addition adversely affecting the character and appearance of the area and causing significant harm to the character and appearance of the area."

Another issue of concern on the Heath, and Highgate and Queens Woods, are **Forest Schools**. These commercial operations, aimed at giving children experience of the outdoors and nature, are now creating major problems of erosion from sheer numbers, and the City will introduce new licensing procedures to better regulate their activities and cap numbers.

However, the project to return the Roman Pottery Kiln to Highgate Wood, on hold due to Covid, has restarted. **The Friends of Highgate Roman Kiln (FOHRK)** have set up a website to raise awareness of and support for the project, and in July will be launching an appeal for funding to allow the kiln to be restored and placed on permanent display in the wood with an interpretive facility. The project has the full support of the City.

WE also continue to participate as a member of the **Kenwood Landscape Forum**, which normally meets twice a year to keep local groups advised of work on the Kenwood Estate (but not the House itself) and to

seek views on the works proposed. There will be a programme of events during the summer, though inevitably reduced, which may not be a bad thing this year in order to enable the estate to recover from the heavy erosion it has experienced, together with Hampstead Heath, as a result of exceptionally intense use by people during lockdown.