

(1) HIGHGATE PLANNING MATTERS

The winter has found us under the burden of fighting three major planning applications so bad that the granting of any would, we believe, justify our seeking a Judicial Review of the decisions.

The first, the application for Listed Building Consent (LBC) for the **Townsend Yard Development** signalled in our last report, we regard as so serious that we used the services of leading Planning Barrister David Altaras, who led us to victory at Athlone House, to write our objection. His 16-page advice is on the website; the main points, in summary, are as follows:

1. The need for LBC encompasses not only the site, but of other historic structures not taken account of, including adjoining garden walls of 17th or 18th century date. Maps we have found show that one of the walls has existed since before 1698.
2. It is unacceptable that the applications for planning permission and LBC were not made together, running the serious risk that, having granted planning permission, Haringey will feel obliged to nod through LBC. The fact that planning permission has been granted is immaterial to the LBC application, which should be refused and the scheme revised. The grant of planning permission cannot, and must not, determine the outcome of the LBC application.
3. The adjoining 24-40 High Street are a Listed group of 18th century buildings, while the endangered Shepherds Cottage is 400 years old and largely original shepherd's cottage, accessed only via a long, narrow passageway off the High Street.
4. Historic England considered the Cottage of sufficient importance to give it a grade II listing, which is exceptionally detailed to reflect its importance. They describe it "*as a rare example in the capital of a surviving modest vernacular building of the period; for uncommon architectural features in a local context...; for its high degree of surviving historic fabric and plan form; ... the last surviving building relating to Townsend Yard... a reminder of the rural and pastoral origins of [Highgate] village.*"
5. Detailed case law is set out to emphasise the importance not only of the cottage and the listed houses, but the ancillary walls, of the same date, which will be affected or demolished by the development, including the ruling that "In considering whether to grant listed building consent for any works, the local authority... shall have special regard to the desirability of preserving the building or its setting...". Construction of the end house would potentially damage the cottage, but the application only briefly touches on the problem, Haringey have not checked the actual structural engineer's report, and the Developer's plans have not addressed how the ancillary listed structures will be accommodated.
6. It is the setting of the Cottage which is most at risk, and while the Cottage cannot be seen from Highgate High Street, it is fully visible from the yard; indeed, in a former Haringey Development Plan, the view of the cottage was specifically protected, though this was conveniently dropped. However, the view remains; yet the case officer's report gave permission in a grossly erroneous statement that the Cottage is "not highly visible... being a building hidden behind others," calling into question whether he even visited the site. The proposed development would completely hide the Cottage from public view, a point also missed in the developer's Heritage Consultant's report; indeed, it would overwhelm it, severely harming the occupant's own amenities. It would also make it no longer be possible to see the rear of the listed properties on the High Street. On 18th June 2021, the head of planning confirmed that the Council would have "regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses."
7. It is clear that the application has been worded to limit its scope of the LBC inquiry, but this would be in error and contrary to the legislation. In our Counsel's view, the impact of the proposal on the setting of the Cottage would be its worst consequence and would alone justify refusal. However, the other matters raised have been ignored, making the application invalid, and must be taken into account.

To add to our concern, Haringey have accepted an application to re-word one of the conditions currently requiring existing and proposed levels to be approved prior to any work commencing. But the approved drawings do not actually give the information the developers seek to nullify and misrepresent the slope of the site as flat. As the Condition was specifically imposed by Haringey to clarify this, for Haringey to agree to it would be a dereliction of duty. The only reason for this application can be to speed up commencement on site. However, the Listed Building Application has not yet been determined and their Construction Management Plan refused (A new one has just been made as we write).

To grant this application would enable the developer to raise the height of the buildings and ground levels, significantly increasing its impact; yet, , incredibly and inexplicably, Haringey have classified it as a “Non-Material Amendment” which, appallingly, rules out public consultation; this is unacceptable. What is going on?

In addition, the Society for the Protection of Ancient Buildings, and Save Britain’s Heritage, two leading National amenity societies, are supporting us. They have sent in extremely strong objection, complaining that although they are statutory consultees, Haringey failed in their obligation to notify them of the application and confirming our counsel’s opinion that it is essential to assess the application against Listed Building legislation, and that Haringey’s apparent intention to only judge it against the demolition of the garages on site would render such protection LBC meaningless and contravene the National Planning Policy Framework. They note that, although the application claims that ‘Any effects on setting of the listed buildings or the conservation area have already been discussed in the Heritage Statement’, they do not, and SPAB feel strongly that the original application should have been refused as a result and that Haringey should insist on a modest reduction in the scheme which would safeguard the listed building while enabling a viable scheme.

Yet, as we write, we learn that Haringey have refused our request that the application should go to Planning Committee, so that we and the many other objectors can put their case for refusal directly to the Councillors. We cannot accept this and have remonstrated, expressing our dismay and incredulity that what is perhaps the most contentious application in Highgate for some time will not come to committee, despite the complexity of the issues, and not least because the case officer has inexplicably left and the matter is to be decided by one with one unfamiliar with it; reminding them that we take this sufficiently serious to have sought the opinion of a leading planning barrister; and that we will have to consider seeking a Judicial Review if it is approved. Appallingly, our renewed request has twice been rejected, despite the application having received some 150 objections; Camden and Barnet automatically consider any application for planning committee if they receive more than *four* objections.

Also quite outrageous is the fact that, not only has the developer never engaged with the community on the scheme – though they have clearly discussed in detail with Haringey, whose Conservation Officer seemed full of praise for it – but has refused to respond to our recent request for a meeting and have failed to observe the condition in the Construction Plan refusal to liaise with affected neighbours before resubmitting the Plan.

The next major concern is the proposal to replace the houses at **44-46 Hampstead Lane** with a five-storey care home over a huge basement car park. While the developers, as usual, denigrate the buildings as not being singled out in the Conservation Area Appraisal as “positive contributors”, and naturally describe their 5-storey monstrosity as a shining example of good architecture, the Appraisal confusingly states that “most of the existing buildings contribute to the homogenous character of the sub-area,” while showing no buildings as positive contributors - a gross failing on Haringey’s part and little more than a developer’s charter to demolish anything in this part of the Conservation Area.

The proposal is a gross overdevelopment of the site; the floor area is more than four times that of the two large and already extended houses; a fact ignored in the application. It is far larger than anything else in Hampstead Lane and will do irreparable harm to the Conservation Area. The scale is completely different to anything else along Hampstead Lane; yet, while it will overlook and overshadow neighbouring houses, we were curious to note that those residents’ original objections were subsequently removed from Haringey’s website.

Worse, the site is opposite the Grade 1 listed Kenwood Estate and the Kenwood North Wood, a Site of Special Scientific Interest, and may impact adversely on both from extensive additional lighting adversely affecting wildlife, while the huge basement will affect ground water and possibly endanger the ancient Beech trees. Yet Haringey failed to notify English Heritage; we therefore did so, and they have objected. We also pointed out that the site is within the greatly expanded Highgate Archaeological Priority Area and an archaeological assessment will be necessary.

Yet a third major development has been preoccupying us – the proposal to redevelop the old Mary Feilding Guild at **103-107 North Hill N6 4DP**. Our 18-page objection (which can be seen on our website) to this hugely damaging over-development, which would drive a coach and horses through our Conservation Area protection if permitted, has engaged our planning team for weeks, and was laboriously collated by Elspeth Clements. Here we can only summarise our main concerns.

Despite the purchasers’ commitment, in April 2021, to retain staff and the residents of the Home, the residents were given notice to quit days after the sale, the purchasers claiming that it was unsustainable. This was followed in July 2021 by their “intention of building a new high quality care community on the site,” including “A gym, sauna, physiotherapy spaces... hydrotherapy pool and... ‘Resident Hub’... which will include day rooms, piano lounge, and other communal spaces. These facilities will support c.70 units...”, a significant increase on Mary Feildings 42 beds.

However it was not until 14 July that a Zoom meeting took place between the developers and the Society, by which time it was clear that it had become a short-term post-operative recuperative care facility, the cost in the region of £300 -£400 per night. We expressed doubts that this was what was needed in Highgate and concern at the loss of nursing home accommodation. It was also clear that there had been “numerous pre-application meetings” with extensive negotiation, and, it seems, agreement, on the proposed design with Haringey’s Conservation and Design Officers, in advance of any public consultation, and that the so-called “consultation” meeting was merely to present us with a fait accompli. The developers wrote to us, advising that they had now submitted a planning application which reflected “significant design and other changes in response to feedback from stakeholders and the local community”. Unfortunately there had been no meaningful changes in what we considered an execrable design – both the developers and the planners seeming to gloss over the fact that it had also been criticised by Haringey’s own Design Review Panel. The proposals went to Haringey’s Planning Subcommittee; the Highgate Society was invited to attend, but was not allowed to speak; only the developers were.

They maintained that, as a result of public consultation which showed “a desire for... continued provision of ‘traditional’ residential care on the site... alongside the proposed use as a convalescence centre, our planning application is for a dual use, providing for long-term senior care... alongside a rehabilitation centre” with “up to 70 bedrooms alongside a hydrotherapy pool, steam room, sauna, gym, treatment and medical rooms, as well as other supporting facilities ...” but noting that this might be altered if local demand were insufficient to fill the nursing home places” and giving no undertaking that this will happen.

When the Planning Application was finally submitted on 25 November, it described the proposed development as “proposed care home [including] up to 70 bedrooms, hydrotherapy pool, steam rooms, sauna, gym, treatment/medical rooms, hairdressing and beauty salon, restaurant, café, lounge, bar, well-being shop, general shop”, which to our mind sounds more like a sports injury treatment and rehabilitation facility than a care home for the elderly.

Interestingly, their consultation advisers Forty Shillings state that their research identified a strong demand for nursing and convalescence facilities to assist older people to recuperate from operations, so the facility would “aid the demand for convalescent services in the area.” (p.25). However the prohibitive cost of these services and accommodation will make them unattainable for the majority of those who may need them, while a study in support of the 44-46 Hampstead Lane development concluded that the anticipated rapid increase in those aged 65+ will mean a need for more nursing home places, not less, in Haringey. In addition, the proposals would mean a change in use class; but there is no application for that.

The huge basement will also threaten the line of mature trees screening the site from houses in Yeatman Road which it will overwhelm, and will reduce the garden by two-thirds of its existing area, breaching a raft of Haringey and Neighbourhood Plan policies stating a presumption against loss of Garden land and the importance of gardens, particularly in the Bishops Sub-Area, in amenity terms and for the local ecological corridor linking Highgate Wood and Hampstead Heath. The developer has tried to justify the loss of 66% of the gardens on grounds that there would not be the same requirement for external amenity space – even though they now say that there will be 62 Care Home spaces. HNP Policy DH7 requires Impact Assessments to show that development will not impact on the character and biodiversity of gardens; applications for basements will be supported only where they meet this requirement; it is clear that it cannot.

The development fails to meet local policies on Design Quality. Comparison of existing and proposed drawings shows a huge increase in built form, totally out of character with the rest of View Road and North Hill. The new block proposed for the North Hill frontage will loom two storeys above the Listed Georgian Terrace of 109-117 North Hill, seriously harm its setting, and plunge the rear garden of No. 109 into semi-permanent shade. In addition, the drawings of the new block in View Road are misleading, because, though dramatically higher, they do not show the impact on the Yeatman Road properties, over which it will loom not by its three storeys, but by five storeys as the land slopes down from the site to Yeatman Road. The impact on neighbours’ daylighting and sunlighting will be unacceptable, as will be the severe harm it will cause to the setting of the Listed Terrace. Having seemingly agreed this execrable design and scale with the developers, we can only hope that Haringey will acknowledge this.

What is also not clear from the application drawings is that there will be massed air source heat pumps, other air handling plant, boiler flues, basement ventilation, kitchen extract and other plant on the roof in addition to the increased building height, not to mention the noise they will create. Despite our raising this with the developer, the application gives no accurate or detailed information on the plant to be installed and we have demanded that this be provided. The equipment required to service a building of this size can be up to 3m high, which would effectively increase it by another storey and affect neighbours even more severely.

Although Haringey’s guidance requires applications for developments with significant basements to submit a Basement Impact Assessment as part of their planning application, the basement documentation is only, as it states, a “Planning Construction Method Statement in support of Basement Impact Assessment”, and does not address the possible adverse effects of the proposed basement on local ground stability and water table. It is based only on a visual

inspection of the property, a desk top study and Geological Survey records from 1967. A promised Geotechnical Site Investigation has not yet appeared.

The superficial basement report surmises that any ground water will only occur at the lowest level of the basement excavations, and that “it is safe to conclude there should be no adverse effects by the development to the local hydrology of the area”, and the more detailed hydrological report has not appeared. These opinions are not based on scientific data, and are in fact speculative, are the comment that “There are no ponds, streams or other surface water features on or immediately adjacent to the site” – which a cursory look at the 1869 OS Map will show to be incorrect – but also the surprising news that “the Thames is a significant distance from the site and... is not expected to interfere with the works” (Report, 7.1, p. 6).

As we know, the hydrology of this area is notoriously complex, with abundant evidence of underground springs and rivers; yet no borehole evidence from the site has been collected over the various seasons, which is essential. Investigations by Alan Baxter and Associates on several sites in the area, show this to be dangerously simplistic. Further, while the report states that the proposed basement level is “about 3m” deep, to allow for construction of the piled foundations excavation would be necessary to some 7 metres.; yet there is no assessment of what water table problems excavation at that depth could encounter, while the report dismisses any concerns about ground stability and the possible effects of this huge excavation on neighbouring properties, particularly the Listed Georgian terrace which, many of the owners have stated in their objections, have rudimentary foundations, not unusual at the time they were constructed which the huge and deep excavation will almost certainly effect adversely. All this alone is grounds for refusal.

We also consider the CGI illustrations inaccurate. Two significantly exaggerate the openness of the View Road streetscape to minimise the harmful impact of the huge new building, while one, if we interpret correctly, appears to show the new buildings in a different position, well beyond the actual site. The North Hill reconstructions not only seriously misrepresent the sensitive architectural character of the Listed Georgian Terrace, but also minimises the damaging impact the new building will have on its character.

The development site is located in an important position within the Highgate Archaeological Priority Area, where the boundary Pale of the mediaeval Haringey Great Park is likely to be located. An archaeological impact assessment and mitigation strategy is therefore required, but has not been submitted.

Finally, we dispute the assertions in the “Statement of Community Involvement: that there has been meaningful community consultation, and that “feedback from the meetings with local amenity groups informed the scheme’s evolution.” The applicants had numerous pre-application meetings with Haringey between August 2020 and November 2021. The first meeting with the Highgate Society on 14th July 2021, at a stage when, it is clear, the proposals had already undergone long discussion and, it seems, agreement, with Haringey’s Conservation and Design Officers, and despite our airing all the above concerns at this “consultation” meeting it was made clear to us that no meaningful change would be made. It was presented to us as a *fait accompli*.

Yet it quotes the Localism Act’s exhortation to developers to consult local communities before submitting planning applications and parrots the National Planning Policy Framework’s (NPPF) recommending “early discussion between applicants, the Local Planning Authority and the local community about design and style of emerging schemes... Applicants should work closely with those affected... to evolve designs that take account of the views of the community.” This simply did not happen. The Local Authority at no time engaged with the Society, and, far from any “early discussion” taking place, the proposals were presented to the Society and the wider community as a *fait accompli*. Their subsequent letter to us stating that “your engagement with our proposals... has been invaluable in helping to shape our final proposals” is a mockery of what happened, and we have urged Haringey to remember the NPPF’s caution that “Applications that can demonstrate early, proactive and effective engagement should be looked on more favourably than those that cannot.” Ambrose Bierce, in his 1911 *Devil’s Dictionary*, all too truly defined “Consult” as “To seek approval of a decision which has already been made.”

Better news from Islington, who have refused the residential development proposed for **88-90 Highgate Hill**, on the Old Crown car park. While on this occasion the developers tried to work closely with us, and took on board many of our suggestions, it is a difficult site, and Islington refused it on grounds of a poor standard of residential accommodation; a likely detrimental impact on the public house; and the current design would be an “overdominant and discordant addition to the streetscene and setting of the adjacent heritage assets which is not outweighed by sufficient public benefits” and therefore unacceptable in design terms. We do not, however, oppose a suitable development on this site, which is currently an eyesore.

Although on the very edge of our area, Haringey’s granting themselves permission for a significant overdevelopment at **Cranwood, 100 Woodside Avenue** had been vigorously by over 100 local residents and groups, and the Society supported them, both for its poor and overbearing design and its possible impact on Highgate Wood. At a major public

“consultation” over a year ago, a large attendance made clear that, while a redevelopment with a high proportion of affordable housing was welcomed, the designs shown were rejected clumsy and completely inappropriate for the Muswell Hill Conservation Area, which it directly abutted. The meeting ended with attendees being assured that their comments would be taken on board. They were not. Ambrose Bierce (see above) was probably grinning wryly in his grave.

Neither were local people reassured by the multi-page eulogy of the development delivered in support of it by Haringey’s on Design Officer. Though conceding “its substantial scale and 4 to 6 storey height, although unprecedented on this site and within this heritage context”, he unconvincingly stated that these drawbacks “are largely outweighed by the exceptionally high design quality of the proposed buildings and related landscape design... in a lushly landscaped setting” while “the proposed height represents a gentle increase over some of the immediate surroundings” and “it would add a beautiful addition to a pleasant and highly desirable community,” while the following pages seemed to have more in common with an estate agent’s sales brochure than an objective town planner’s assessment. The further comment that “the council has taken a corporate decision not to include the existing houses in this redevelopment, primarily to accommodate the wishes of those not willing to move, but the presence of a large, shallow buried water main running across the site just north of the houses made it impossible to have a single block across the whole of the Muswell Hill Road frontage.” However recent reportage in the Hampstead and Highgate Express suggest that this may not be the only reason.

From the Society’s perspective, we were shocked that the lengthy report made no mention whatever of Highgate Wood except to mention that it was nearby, even though the site actually abuts it. Equally shocking is that no approach was made by Haringey at any time to the City of London to discuss how the development could be maximised without impacting on the Wood. In addition, although the site immediately abuts the nationally important Highgate Wood Roman Pottery kilns site, and archaeological remains could be expected on the site and would need excavation before their destruction, no reference whatever was made to this essential aspect of the development, and it is only because the Society flagged this up with Historic England that their supportive local Archaeological Advise, Adam Single, contacted Haringey to ensure that the consent included an adequate archaeological condition.

Though at some distance from Highgate, the **Murphy’s Yard Development**, off Mansfield Road, Gospel Oak, proposes 118,000 sq.m. of commercial space and 825 homes in six tower 11-19 storey blocks. will have an overwhelming adverse impact on the openness of the Heath, as shown in the accompanying views.

This currently disused 6-acre builder’s yard site presents a major opportunity for affordable housing which must be supported in principle - though we understand the developers are currently contesting Camden’s requirement of a 435% affordable element, well below the London Plan requirements. However the current tower block proposals will have a highly damaging impact on views from Hampstead Heath, significantly blocking the view from Parliament Hill across London. As members of the Hampstead Heath Consultative Committee, we are supporting efforts by Heath & Hampstead Society, the City of London and other local groups to secure a lower-rise redesign of the scheme, which an imaginative architect can surely produce. On our website you can see reconstructions showing the damage it will cause to views from Parliament Hill and the Lido field. Camden’s own Design Panel concluded that “the bulk, height and massing of the residential blocks is excessive and... have a significant and unacceptable impact on important views from Parliament Hill. The amount of accommodation should be reduced or redistributed...” Yet the submitted scheme is almost unchanged.

While the Heath is of course for the public, there are also concerns that the 2,000+ extra residents will impose serious extra pressure on a Heath still recovering from heavy erosion from intensive use during the pandemic. It was originally proposed to include a “green” amenity pace and ecological corridor from Kentish Town Station to the entrance to the Heath; but this has now been abandoned to increase the built density and will merely be an access route to the Heath. The development must include its own amenity green space for the residents.

The development will set a terrible precedent for high-rise building on the edge of the Heath and all local people are being urged to write to planning@camden.gov.uk to urge a redesign, citing the application number. The application can be seen on www.planningrecords.camden.gov.uk - Application Number 2021/3225/P. Don’t be daunted by its 5,000 pages! Simply look for the “Design and Access Statement”, which will give all the information needed.

Several nearby residents have expressed concern about possible disturbance from proposals by the **Gate House** for new Licensing permission in respect of the Italian restaurant premises adjoining, which they have taken over and intend to use as a restaurant annexed to the pub, opening hours to be those of the pub. While we would not wish to discourage one of Highgate’s businesses which have been so badly affected by the pandemic, we have asked Camden to ensure that the hours approved and any necessary conditions regarding neighbours amenities should be incorporated into any permission. The application was granted, with condition requiring monthly liaison meetings with residents for the next

6 months. Residents also required conditions that no music should be played in the garden, and table service only in the garden, but this was precluded for legal reasons. This application has also highlighted the fact that licensing applications are only required to be notified to the owners and tenants of the property concerned, which has always been an obstacle for us in assessing licensing applications.

In 2019, we objected to an application to demolish and rebuild **Guildens**, an original Quennell house in Courtenay Avenue. This was refused, and the subsequent appeal dismissed. Alarmingly, the developers appealed the decision to the High Court and obtained a judgment that the appeal must be re-heard by a new Inspector. We deprecate such exploitation of the planning system in defiance of heritage protection, and can only hope that the new Inspector will uphold their predecessor's decision.

We have joined a number of local groups and individuals to oppose Haringey's proposals for remodelling the **bridge over Stanhope Road** along the Parkland Walk, which Haringey's planners approved despite hundreds of objections and representations at Haringey's Planning Committee. All agree that the bridge needs improvement and repair, but the new design - by a company with no specialism in working with nature reserves - including a wastefully expensive zigzag ramp up the bank, already duplicated by other disabled accesses, and unnecessary tree felling including a large oak, is not acceptable. Local residents intend, however, to maintain their pressure and are organising a petition, which we understand should be accessible on Haringey's petition portal.

While Haringey rightly refused the application for more flats at **Jameson Lodge 58 Shepherds Hill**, their reasons did not include the felling of 20 mature trees with an important amenity and screening function. The developer have appealed the refusal, and we have written to the Planning Inspectorate supporting the refusal but asking the Inspector, should the appeal be allowed, to make their retention a condition of any permission.

We objected to yet another application to add another floor and basement to the backland development at **7 Church Road**, in the face of similar applications previously refused and dismissed on appeal. Fortunately Haringey agreed that it would harm trees, impair local surface drainage, almost eliminate any remaining garden, provide inadequate sunlight to basement bedroom windows, and would generally be overdevelopment and out of character with the rest of the area. Not unexpectedly the refusal has been appealed.

We objected to the application for change of use of **7 Wembury Mews** from commercial to residential, previously refused in 2020, because the accommodation proposed would be sub-standard. While the London plan minimum for a 3-bed 2-storey unit is 70 sq.m., this proposes 63sqm, including the stair area. The guest bedroom appears to have no windows; the main bedroom does not meet Access Standards; the turn-in space to the entrance door does not meet accessibility standards; and the external amenity space is directly outside a window of a different property. Haringey ignored all this and still granted permission.

We have written to support Haringey's refusal of mansard roof extensions at **4 and 5 Willowdene, 18 View Road**, which have been appealed. Originally an application by no. 4 alone, it joined with no. 5 in the mistaken belief that it evening up the two properties would overcome previous refusals on design grounds, but Haringey considered that the two mansard roof extensions side by side would be an even more jarring element in the estate, and refused them as they would "compromise the original form, appearance and simplicity of this original dwelling, its relationship with No.2 and the coherence and character of this small estate, overall failing either to enhance or preserve the character and appearance [of] this part of the conservation area". An added concern is that this part of Highgate contains relatively few small houses, but many of the planning applications seek to enlarge what are already large houses, often threatening the architectural distinction of the original building. What is needed is more small houses, to enable owners of large houses in the area seeking to downsize to do so, and continue to reside in Highgate.; and also to ensure a supply of smaller starter homes for young families less able to afford more substantial properties. These small developments are a valuable element of the housing stock and should be preserved.

The same considerations apply to a current application for a two-storey front bay extension at 4 View Close. View Close is another group of small houses, built in 1962 and even commended by Pevsner. Originally 10 houses, Haringey unwisely (and against our strong objections) allowed the two houses at the entrance to the close, nos. 14 and 16, to be demolished and rebuilt substantially larger. However, the remaining houses form a coherent whole.

Our lengthy analysis and objection concludes that, if this application is granted, the visual integrity of the Close will destroy the design coherence of the Close, which has otherwise had only minor extensions, and set a precedent for future similar unsympathetic enlargements.

(2) Other Highgate matters

One of our major problems has been that Haringey engage in detailed discussions with developers on the design and scale of major schemes, and, unfortunately, come to a provisional agreement with them as to what they will permit, long before the application goes out for public consultation, thus committing themselves to giving permission. As a result if we may be forgiven for using the phrase, we feel we are stitched up in advance. Further, Haringey refuse to allow communities' requests to bring even the most important applications to Planning Committee, however many objections they generate – Townsend Yard, for example, has drawn over 140 – unless it is what they consider a “major” development.

By contrast, Barnet and Camden both consider any application for being heard by Planning Committee if they receive more than six objections, and we learn that Westminster are now taking the issue of community engagement very seriously. They propose that community groups should have input into planning proposals *before* any pre-application discussions have taken place between the local authority and the developer, to ensure that the community have a real say and are not stitched up before the public consultation starts.

One aspect of this problem is that, when we make objections to an application, the developers submit revised documents but objectors are not informed of this, with the result that, if we cannot learn of them, they are treated as amendments and given permission. A recent case has been at Tree Tops, Compton Avenue, where additional documents were lodged after the end of the consultation period, but the Society, though consultees received no notice of them. This is seriously wrong.

Indeed, Haringey's cavalier disregard for public consultation is actually in breach of National Planning Policy. Paragraph 13e2 of the National Planning Policy Framework actually says: “Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.” In the three most important recent planning applications, public consultation has been derisory and the local authority has effectively agreed the proposals with the developer before the proposals even go out for public consultation, cutting the ground from under the community's feet.

Transport for London launched a consultation about proposed changes to bus routes in Highgate. The main ones are that the 271 route will cease, other than as a night bus; the 143 will be routed via Archway Road instead of Highgate Village; and the 263 will travel via Highgate Village instead of Archway Road. The reason given is reduced bus usage during the pandemic. We have responded that we consider this unacceptable, particularly for uphill travel from Archway. We do support the proposed removal of the bus turnaround at South Grove, though have emphasised that a bus stop there, or at the Prince of Wales, must be retained. However the consultation does not raise all the questions that we think should have been asked. [Since writing this, Transport for London have issued their decision; please see our website for an analysis]

We are likewise extremely concerned about the impact on local people and communications from **Haringey's Walking and Cycling Action Plan**, which is seriously deficient and ill-advised by is, we fear, being rushed through before the May elections. The high approval rate appears to come from a well-organised cycling lobby, although the significantly greater proportion of people who are not cyclists opposed the Plan and gave well-argued reasons why. It is particularly worrying that the Bounds Green Traffic-Free Neighbourhood was imposed despite a 65% vote against it.

We have raised this with the Muswell Hill and Fortis Green Residents Association, who advise that the Crouch End Low Traffic Neighbourhood was, they believe, a disaster, £4.8m of public money being spent on a speculative scheme which proved hugely unpopular, and caused traffic chaos and pollution in Crouch End and surrounding areas, and led to huge traffic delays and disruption to bus services and emergency services in Muswell Hill. They too agree that the process seems to be dominated by cyclists who are oblivious of the impact on Highgate, one of the steepest and hilliest parts of London with a high proportion of elderly residents dependent on public transport and cars. There must be more balance for motorists and households.

Our own response confirms our support for reductions in pollution and the management of road space road space to encourage public transport, but also to ensure that refuse collection vehicles, deliveries and emergency vehicles can operate efficiently. While cycling must be made safe, the steep and hilly Highgate area and the lack of good east-west public transport means cycling is not possible for many people. There must be a balance between the needs of residents and businesses and safe streets. Transport interchanges also need to be significantly improved, and any changes must not result in more congestion and diversion through residential streets.

It must also be remembered that almost everyone is a pedestrian, while only 3% of journeys are by cycle. The Plan uses casualties per kilometre as its measure of danger on roads; but there will always be more accidents on busier roads; a

quiet street may be dangerous for children but there may have been only two or three accidents, so it would not feature as dangerous by a casualties per kilometre measure. By contrast, a busy main road may be much safer for the average user but still feature as dangerous on this measure. The measure should be casualties per trip, which gives a true picture of the level of danger.

The plan does nothing to make pedestrian use of public transport more convenient. It should also include an action to review signage generally. Highgate is a Conservation Area and the Society has long campaigned for decluttering the streets; for example, most of the 20mph speed limit signs could be removed as the limit is clearly marked at the entry to the Zone, while Haringey has repeatedly failed to follow its own guidelines for painting yellow lines in a Conservation Area Appraisal, with abysmally poor standards of workmanship.

A disappointing part of the report is its failure to develop any actions in relation to air quality, which is proposed to be merely monitored.

Some 45% of the proposed budget (£11.9m) is to improve provision for cycling; but cyclists currently only account for 3% of trips; yet the bulk of the Plan is about cycling and asserts that better provision will encourage more cycling journeys and that new cycle routes are to “fulfil future demand for cycling”. But the evidence comes from other countries and city centres; it gives no evidence that cycling is likely to increase in a suburban borough such as Haringey as a result, yet the plan makes no effort to identify what future demand may be. The evidence is that cycle lanes, particularly when under-used (like the one through east Finchley) cause delays to traffic and buses; but the Draft Plan does not consider the effect on bus and other traffic journey times of its cycling proposals. More oddly, Highgate is identified as a “cycle network gap” and it proposes four cycle corridors, two east-west and two north-south.

Problems specific to Highgate which the plan does not address include:

- poor east-west connectivity both in public transport and roads, recognised in the Highgate Neighbourhood Plan but ignored here;
- Steep topography, meaning that increased cycle use will probably be minimal;
- an older age profile, so a smaller proportion of the population will take up cycling;
- the High Street split between Camden and Haringey, with a history of poor communication between the boroughs, the driving reason behind the Highgate Neighbourhood Forum.
- large green spaces (Hampstead Heath, Highgate Golf Club, Highgate and Queen’s Woods, Alexandra Park and the Parkland Walk) severely restrict road space and creates bottlenecks;
- the A1, a major national artery, runs through the middle of the area;
- where cycle lanes are proposed for shopping streets, the shops have no rear access and depend on deliveries and collections from the road; servicing bays in the road must remain if they are to survive.

The **Highgate to Muswell Hill** cycle route following Southwood Lane and Muswell Hill Road, was clearly proposed without any proper analysis. Southwood Lane is a single-lane road with a very narrow pavement with no room for a cycle lane.

Muswell Hill Road is also at capacity in the rush hour, with traffic backing up almost to Muswell Hill. It is a vital bus link for Muswell Hill and the underground, and a cycle lane will exacerbate an already an unacceptable situation.

Though a dedicated cycle lane up Archway Road to East Finchley is proposed, this is a TfLRoad and out of Haringey’s jurisdiction. As the main trunk route to the North, it is heavily congested with heavy vehicles and cycle lanes will only increase this congestion. It is lined with shops for much of its length, which rely on kerbside deliveries, which will conflict with cycle lanes. The junctions with Archway Road and two other proposed cycle routes (Muswell Hill Road and Shepherd’s Hill) are heavily congested and to prioritise cyclists over buses and other transport will result in gridlock.

Shepherd’s Hill is the only significant road connecting Highgate to Crouch End. The Archway Road junction is heavily congested junction with long traffic tailbacks at both ends; again, cycle lane will simply exacerbate this. There is no public transport link between Crouch End and Highgate other than the W5 on part of the route. The assumption that more people will cycle if a cycle route is provided ignores the steep topography of the area.

North Hill is already heavily congested and, under TfL’s proposed bus schedule changes, this is likely to increase. A recent scheme for cycle priority at the foot of north hill was removed after it resulted in tail backs from the Wellington roundabout to Highgate Village.

In general, the Plan needs major reconsideration.

The Draft Plan also shows the whole of the residential area of Haringey covered by three **Local Traffic Neighbourhoods (LTNs)** – Highgate East, Highgate West, and Crouch End West. It is evident that no serious consideration has gone in to this proposal. Traffic will be displaced onto major roads with high residential populations,

so this will merely create privileged LTN communities at the expense of residents on main roads. The roads proposed for LTN's already have low traffic and the forcing of all traffic onto the one alternative route will exacerbate an already unacceptable situation. Yet the Plan dismisses this impact, stating that "traffic problems caused by LTNs almost always fail to materialise and significant reductions in overall traffic levels across an area can happen as a result of people making different choices about their mode of travel and the journeys they make".

No evidence to support this statement is given, and the evidence is that congestion does increase, a recent report that listing London as "*the most congested city in the world*". LTNs do not cause traffic problems when through routes are of sufficient to carry traffic for essential journeys, but when they are not, LTNs cause congestion.

The Plan also says: "less than half the population of Haringey owns a car. This means the majority of traffic on our residential roads is from vehicles which have not originated or are not destined for the borough". That doesn't follow at all. It fails to take into account that traffic on residential roads includes service, trade and delivery vehicles of all sorts, visitors to residents and local bus services. The majority of traffic on residential roads is in fact for the benefit of residents. LTNs can be contentious even when carefully considered; this Draft Plan has been far from well-considered.

The only measure proposed for these three LTNs is to make it illegal to drive across the areas. For example, there would be no route between Archway Road and Highgate High Street anywhere between Archway Bridge and Southwood Lane, nor any route linking Crouch End and Highgate. Shepherds Hill would be closed to through traffic although, surprisingly, the very narrow Wood Lane remains open.

The congestion from traffic having to use the remaining through routes would be disastrous. The bland statement 'LTNs should lead to traffic reduction' is untenable.

(3) *Trees and Open Space*

We continue to monitor and, where necessary, comment on, large numbers of **Tree Applications**. Members with some knowledge of trees who would like to help us with this task are encouraged to contact us.

It is worth noting, in passing that accountant Robert Page, who deliberately poisoned a protected 65' Monterey Pine which overshadowed his property at Poole Harbour in order to secure an increase in the value his property, has been fined £80,000 to reflect the rise in the value of his property as a result!

The new **Superintendent of Hampstead Heath**, Stefania Horne, took up the post in January. She has specialised in ecological issues and wrote the heathland management plan for the New Forest. There are other changes. Anne Fairweather, Chair of the Management Committee, steps down in March due to work commitments; her deputy William Upton will take her place from April. There is also a new Superintendent of City Open Spaces, Beth West, following the retirement of Colin Buttery. As always, a huge range of activities and actions have taken place on the Heath

The application for grant funding to resurface the Parliament Hill running track has been approved. This was urgently needed; though a well-used local track, it was in danger of losing its accreditation as a national and international sports venue due to the deteriorating condition of the track.

The Camden Safer Streets Team are pressing the City to allow a single route "cycle burst" pilot for schools, probably on the path running from the Lido car park to the Broadwalk close to the Bandstand. There is considerable unease at City and Consultative Committee level at allowing any more formal cycle routes on the predominantly pedestrian Heath, not least because past experience suggests it is inevitable that the track will not be adhered to.

The new licencing regime for Professional dog walkers will come into effect on 1 April 2022. A zoned approach has been adopted and the number of licences issued per zone will be capped, and for environmental reasons there may also be restrictions as to where dogs can be walked within each zone.

The City will soon be announcing its climate action and carbon offsetting strategy for the Heath. This may include leaving more grassland areas unmown for longer periods, since it is no coming to be appreciated that grassland has the same, or even greater, potential for carbon capture as woodland.

A bid has been submitted to Rewilding London to make the peninsula on the Model Boating Pond a true wildlife refuge island. Decision by the end of March. A bid has also been made for a hedgehog preservation initiative.

It is hoped that heavy horses could again be brought in to restore any ground damage following the January Cross Country Race.

Following the unfortunate appeal decision allowing new development on the Jack Straw's Car Park abutting Heath land, vigorously but unsuccessfully fought by the City and the Heath Society, the City will forbid any access to Heath land to enable the construction..

Thames Water and the GLA have proposed a fountain opposite the Hampstead Heath Overground station on Heath land. While the principle is acceptable, the City and the Consultative Committee agree that the design, in Thames Water's bright blue plastic house style, is not.

The longstanding Golders Hill café' tenant has retired. It is now on a temporary tenancy, until all café licenses are re-advertised, the new leases to come in to effect in January 2023

The successful Heath and Hampstead Society's Biodiversity Boards, at four entrance points to the Heath, will be updated during 2022, to focus on the Heath's mosaic of habitats and their wildlife, their vulnerability to visitor pressure and the part everyone can play in their protection and conservation.

The London School of Mosaic has applied to instal a Mosaic Map of Hampstead Heath. About 5 x 4 m, it would focus on the historical and cultural significance of the Heath, and would be installed at an appropriate agreed location on the Heath, possibly near the Parliament Hill café. The consultative Committee very much support the proposal in principle.

(4) Other Planning issues

Following the un mourned demise of the Planning White Paper (in which we entertain a spark of hope that the Society's submissions to the Consultation and the Select committee Inquiry might have played a small part), the Government are trying again, with their Levelling-Up White Paper. An early press article identifies some key points:-

- Local communities will continue to have "a meaningful say on individual planning applications, confirming that the government has scrapped its controversial proposals to remove people's rights to object to individual planning applications. What it means by saying that it will be "improved through new digital technologies" remains to be seen.
- Local plans "will be made simpler and shorter". Only 20% of councils have up to date local plans, making it difficult for communities to comment on applications. A simplified plan, it says, will be more "transparent, understandable and take into account the environment..., with communities having more of a say and more councils agreeing local plans." But will simple plans be strong enough to defend against poor development?
- It promises "greater empowerment of communities to shape regeneration and development plans" and to "widen the accessibility of neighbourhood planning".
- It promises plans for improving, protecting and "further greening the green belt" and improve access for communities who lack it. However, there is no mention of Metropolitan Open Land, the Urban equivalent of Green Belt. It is essential that this is included.
- As an outcome of Covid, hybrid planning committee meetings, in person and online, will be encouraged.
- Local authorities ill be given increased compulsory purchase powers to support town centre regeneration and to re-use brownfield land.
- Some form of land value capture will be devised, through an infrastructure levy, so that developers cannot benefit disproportionately and unfairly from the land they develop and contribute more towards affordable housing and infrastructure.
- The government will trial 20 regeneration programmes to support disadvantaged communities. These_ will pioneer design and better architecture – ironically, something societies like ours have been trying to promote for years, but been legally barred from doing.
- Funding for housing will be focused on brownfield sites and away from London and the wider south east, and directed to transforming brownfield sites in the North and Midlands.
- Devolution for every part of England which wants it will be available by 2030

The renowned architect **Ben Derbyshire, the new President of the London Forum of Amenity and Civic Societies**, writes, in an article in *Housing Today*, about the need for more community involvement in planning and the important role civic societies can play. Rightly or wrongly so often associated with opposition to new homes in their neighbourhoods [wrongly, of course – MH], he makes clear that, in accepting the invitation, his is far from a pro-development poacher turned anti-development gamekeeper. For his entire career he has advocated a meaningful relationship between planners, developers and the community, and points out that the London Forum exists to demand better from the planning system and for outcomes of development, especially homes that Londoners can genuinely afford, close to transport infrastructure in holistic neighbourhoods with green space.

Government now seems to recognise that the voice of the public must be heard in the planning system and, as President of London Forum he sees himself at the nexus between plan makers, developers and the community and will continue to campaign for the democratic accountability of the planning process, more opportunities for community-based plan making, and improving the opportunities for community engagement at local plan level and in the development

management process. This includes the need for local plans to have clarity, definition and respect for neighbourhood context and character, and early community engagement in the shaping of policies and individual schemes and policies. The complete volte face over the Planning White Paper is therefore welcomed. Civic and amenity societies have a very important role in all this, to inform local engagement and channel appropriate contributions to the delivery of housing supply that meets local needs and aspirations.

The consultation process for what should be in **the next London Plan** has commenced. But not only was the current one approved only last year, but the guidance accompanying it has only just been published.

In a recent report, London has been declared the **world's most congested city**, up from 16th in 2020, with the ill-considered introduction of cycle lanes as a reaction to the pandemic blamed. On the positive side, it shows that the UK, and particularly London, has rebounded most quickly from the effects of the pandemic, but the efficient use of road space is a problem. Several councils reversed the schemes following complaints, but others remain in place. Cambridge is the UK's second most congested city, followed by Bristol, Exeter and Cheltenham. **However**, road user charging is seen as a simpler and fairer method of rationing road space, and the Mayor proposes a public consultation, with the chosen measure implemented by May 2024. The RAC pointed out that cleaner vehicles were too expensive for most people and such charges would impact carers, tradespeople and night-time economy staff, and research suggests fewer than a third of drivers in London expect to switch to an electric vehicle within the next five years. increasing population densities.