

The names of Highgate's well-known historic mansions - Athlone House, Beechwood, Witanhurst, and probably several other large houses in the Bishops' sub-area - are currently familiar for somewhat more unfortunate reasons. We will follow their future with interest.

On a positive note, a report shows that, of 3,495 Enforcement Notices served in England during 2021, one third were in London Boroughs. In No. 1 position nationally was Barnet, with 131, and Haringey, with 62, came a respectable 8th, confirming our experience of their Enforcement section as active and helpful. Camden came out at 37th with 31.

At long last, after several years, Camden have finally refused the much-criticised redevelopment proposed at **55 Fitzroy Park** facing onto Millfield Lane, opposed vigorously by ourselves, the City of London and other local groups. While the reasons cited in the 45-page officer's report include the absence of any affordable housing contribution from this expensive luxury development, due to it involving only 5 houses, and the safety of pedestrian and cyclist Heath users in Millfield Lane from increased traffic, the main reason was that it "would, by reason of its scale, layout, visibility and location on Designated Open Space, fail to protect the open character, amenity and ecological value of the site and the openness and character of Hampstead Heath adjacent, resulting in harm to the amenity value of the Fitzroy Open Space, the character and appearance of the Highgate Conservation Area, and the setting of Hampstead Heath, contrary to policies." An appeal will surely follow.

We retain the most serious doubts about Haringey's proposals for a 4-storey block of flats and two houses on the **Wellington Gyrotory** site at the junction of Archway Road and North Hill. The two Zoom public 'consultations' were highly unsatisfactory, and they have failed to address the concerns raised at the inadequate discussions which were possible, and which breach a wide range of housing policies. Haringey assure us that the proposals are only 'indicative' and will depend on public consultation, but the designs seem to be at an advanced stage and Haringey unquestionably propose to build on this site which is supremely unsuitable for housing. We have set out our concerns in detail:

1. Despite there being two ground floor wheelchair flats are shown, access will be impossible as the tenants would be unable to cross the roads. Haringey indicated that they may have toomit , but this would breach London Plan policy requiring 10% of all new units to be accessible.
2. No work has been done to determine whether it would breach daylighting legislation requirements, since the new building is only between 6m and 12m from the existing 2 storey housing on North Hill. London Plan policies require proposals to *"demonstrate how habitable rooms... are provided with an adequate level of visual...privacy in relation to neighbouring property, the street and other public spaces."*
3. The site is one of the three most polluted sites in Highgate, and would breach the Highgate Neighbourhood Plan and London Plan policy on air pollution which specifies that *"Development should be located and designed to reduce... exposure of residents to air pollution."* This is an island site on an arterial road subject to day-long heavy traffic, and the small rear garden and balconies would clearly be hazardous to use, though omission of external amenity space would also breach Policy. Yet there has been no adequate air quality or, indeed, noise abatement surveys.
4. Children will have difficulty crossing the road to get to school. Haringey say in response that there are no family flats in the block, but they are 2 bedroom, which in planning terms is classified as family accommodation and, in any case, the plans show a children's play area.
5. Access and servicing remain unresolved. There is one parking space for two wheelchair flats; refuse storage and collection is unclear; the site is on a Red Route with double red lines so servicing can only be by a small off-road "lay-by" off the main road, and how construction of the scheme will be possible on this busy island site has not been addressed.
6. Previous proposals, in 2009, for a 12 storey tower block, were withdrawn; we understand that the unresolvable issue of air quality was the main reason. Why would this scheme have any greater chance of success, unless Haringey are determined to tick affordable housing provision boxes regardless of the appalling living conditions?

We have emphasised that we welcome more affordable housing and worked hard to achieve this by designating 27 sites in the Neighbourhood Plan – most of which were rejected. Critically, this site was never identified as having potential for housing as it would provide unacceptable living conditions.

The situation at **Townsend Yard** remains totally unacceptable, and critical, at several levels; in sending her own objection to the current application, our Ward Councillor underscored the seriousness of the position by writing that "In my 8 years as a councillor the approval of that application has to be one of the worst planning decisions that the council

has made in Highgate. There was a total disregard for the significance, heritage and setting of one of Highgate's oldest buildings as well as allowing it to be lost forever”.

Firstly, we wrote in February to Cllr. Sarah Williams, Chair of Haringey Planning Committee, protesting strongly at Haringey’s refusal to allow the current Listed Building Consent application to be brought to Planning Committee for determination, despite having generated nearly 150 objections; Camden and Barnet automatically consider applications for Planning Committee if they receive more than *four* objections. Haringey argue that they cannot consider the damage the development will cause to the setting of Shepherd’s cottage - despite the clear opinion of our Counsel, one of the country's leading planning barristers and of two national heritage bodies, Save Britain’s Heritage and the Society for the Protection of Ancient Buildings - which make it clear that Haringey can and must refuse, since demolition of the garages will enable a development which will destroy the setting of the Listed cottage and severely damage a heritage asset of the Conservation Area. Not allowing local people to put their case to the Planning Committee would be a denial of local democracy. In addition, their Head of Planning confirmed in June 2021 that Haringey *would* have “*regard to the desirability of preserving the building, its setting and any features of special architectural or historic interest which it possesses*” in making its decision. We must be able to rely on the written assurances of Council officers.

That the issue is regarded as serious is shown by the fact that the Society for the Protection of Ancient Buildings have, unusually for a Grade II Listed Building, made an extremely strong objection.

Even worse is the incredible comment from the Chair of Planning Committee “that although the application has caused substantial local interest **the Listed Building works in themselves are not a significant development** [our emphasis] that merits consideration by the planning committee”.

Equally serious is that, for such an important development, both Haringey and the developers have disregarded Para. 132 of the National Planning Policy Framework requiring that “*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”.

We have also written twice to the developer, Sean Meadows, asking to meet him. He has not even had the courtesy to reply.

It is also clear that affected neighbouring businesses with rights over Townsend Yard reject will effectively be cut off during development, and will vigorously contest the Construction Management Plan which ignores the requirement in a previous refusal that the developers must carry out discussions with those neighbours prior to resubmitting. Until the question of a feasible CMP can be resolved, no decision must be made on the Listed Building Consent.

Despite all this, our request that Haringey reconsider their refusal to allow this application to come to Planning Committee has been cavalierly rejected.

As regards the separate application to approve the revised **Construction and Environmental Management Plan**, we learn of a similar case in Camden, at Fitzroy Farm, in 2006, where the application was recommended for approval by

case officers in Camden under delegated powers, referred to Planning Committee after local pressure and refused, and the Appeal dismissed. The Inspector identified two main issues, the relevant one being the impact of construction traffic on the private road, since the servicing of the construction site was only possible by blocking Millfield Lane and surrounding roads. Camden Policy states that they will seek to minimise the impact of demolition and construction phases on local amenity, and the Inspector felt that this could not be achieved and concluded that the CMP conflicted with policy. *“The approved development could not be constructed without causing considerable and prolonged risk to safety, and disturbance to residents and the many visitors to the locality... There would also be material disturbance to users of Millfield Lane and residents of Fitzroy Park... I am not convinced that all reasonably practical means of minimising that harm have been fully explored. The harm... remains a fundamental reason why the CMP should not be approved in its present form.”* This strong precedent shows clearly that, when the only way of servicing a construction site is by fully blocking a private road, denying access to other occupants of the road, the application should be refused. The position at Townsend Yard is identical.

Our previous concerns about the Listed Building Application seemingly having been ignored, we wrote again to Haringey, pointing out that:

1. Haringey have led the applicant to believe that the setting of the listed building is not a consideration and was already dealt with during the planning application, though the objections from ourselves, SAVE and SPAB, and National Policy Guidance, make it very clear that the setting must be a central consideration of this listed building application; it would be a breach of NPPF guidance to do otherwise; and Haringey have already confirmed in writing that they would take the setting into consideration.
2. It is also perfectly clear that the setting of the listed building at 36A Highgate High Street was completely ignored during the planning application, both by Haringey and the applicants. The case officer (who has since left) dismissed it as “not highly visible”, while the conservation officer was full of praise for the design of the new houses but make no mention of the listed building - an unimaginable oversight, since a conservation officer is legally required to give “considerable importance and weight” to the setting of listed buildings. The granting of permission for the development was a clear breach of the Council’s statutory duty.
3. Haringey were equally remiss in failing to require an application for listed building consent. It was only through our pressure that this has now been remedied, and this presents Haringey with the opportunity to correct a disastrous mistake. Yet the application still perpetuates Haringey’s astonishing error in decreeing that “the proposed development will not harm the setting or significance of the listed building,” when it is clear that it will be completely destroyed.
4. The applicants’ Heritage Consultant has tried to minimise the significance of the Listed Cottage by incorrectly claiming that it was merely subservient to the buildings along the High Street, although it is clearly a cottage specifically built for the person supervising the cattle grazing in the Bowl and therefore of major historic importance. He also appears to be unable to grasp that the garages – in fact, early 20th century coach houses – are a part of the Listed structures, and our research in fact shows that one of the walls highlighted is probably shown as a “Cart House” on a 1698 map and its brickwork is clearly of considerable age. It is therefore almost certain that this wall, and the wall of the cottage it abuts, are bonded together, and its demolition could have dire consequences for the stability of the cottage. Our counsel asked for the engineering report which justifies this work to be made available, but this has not been done; clearly the issue of protection of the listed building is not being taken seriously by either the applicant or Haringey.
5. Haringey’s head of planning has asserted that the planning consent was based on the balance between gaining seven mews houses versus the harm to the listed cottage. Given the lengthy pre-application process and the total lack of public consultation, this was not the only choice available, and a smaller number of houses would preserve the setting of the listed building.
6. Given other issues such as the lack of turning facility for construction vehicles, and the lack of access for fire appliances to the cottage, we have tried to engage with the developer on several occasions to discuss a better solution which will still give him a viable scheme. He has declined to respond.

Therefore the application must be refused.

Unacceptably, all our arguments have elicited only silence from Haringey, so on 19th April we therefore submitted a formal complaint to David Joyce, Haringey's Head of Housing, Regeneration and Planning, making all the above points. The full text follows on the website version of this report.

"Dear Mr Joyce,

Complaint regarding Haringey's handling of Planning and Listed Building Consent applications numbered HGY/2020/1326 and HGY/2021/373 relating to the construction of 7 new dwellings at Townsend Yard

I am writing on behalf of the Highgate Society to register a formal complaint about the handling of the above planning and listed building applications. The complaint breaks down into the following headings:

1. Failure to notify client when the Planning Application was made that a Listed Building Consent Application would be required

Listed Building Consent is required for the demolition of the grade II listed garages on the site attached to the grade II Listed Building, 36A High Street, also known as the Shepherd's Cottage. This should have been submitted with the planning application to enable the listed buildings aspects of the application, in particular the setting of the listed buildings, to inform the planning decision and the planning officers should have notified the applicant of this omission, which they failed to do. The Highgate Society and others alerted Haringey of the need for LB Consent in their objections to the planning application but this was ignored by the planning officers who made no reference to it in their report.

This failure resulted in what is arguably an unlawful granting of planning permission which fails to take into account setting and demolition of the listed buildings. This was recognised a year after the original approval and the Listed Building Application is currently being dealt with, but the delay could be argued to invalidate the Planning Approval.

2. Failure to take into consideration the developer's failure to consult with local community in breach of NPPF

It would appear that extensive negotiations took place between Haringey's planning officers and the developer's agents at pre application stage but at no time during this stage did the developer make contact with the local community, contrary to the requirements of Section 132 of the National Planning Policy Framework. Approaches by email were made by said community with the developer to discuss problems with the scheme and ways of working to overcome these. These approaches were not responded to by the developer.

3. Failure to refer controversial and sensitive scheme to committee in spite of numerous objections and high profile in the community.

This scheme has generated an exceptionally high number of objections and press coverage but the original scheme was decided by delegated powers in what one of the local Councillors stated "*.....in my view the council made a serious error granting planning permission for this development. In my 8 years as a councillor the approval of that application has to be one of the worst planning decisions that the council has made in Highgate.*" It is our experience that the norm in other boroughs is to consider applications for Planning Committee if more than four objections are received; to refuse to bring this to committee despite some 140 objections is unacceptable and affectively demonstrates Haringey's contempt for the community.

The current application for Listed Building Consent HGY/2022/3273 is still to be decided. There currently are 141 objections to this application, including extremely strong objections from both SAVE and SPAB and an expert opinion by David Altaras, a prominent planning barrister, all emphasising that on case and planning law, the application should be refused. On this basis, the Chair of the Highgate Society wrote to the Chair of Planning asking that, should Haringey be minded to recommend approval for this scheme, it should be referred to committee. This request has been rejected by the Chair on what we consider is inadequate advice from the planning team.

4. Failure to mention the presence of the listed building, 36A High Street (Shepherd's Cottage) by applicant, conservation officer and others and to address the harm which would be caused to the setting of this building.

When granting planning approval under HGY/2020/1326, the council totally disregarded the significance, heritage and setting of one of Highgate's oldest buildings, the Grade II Listed 36A High Street, also known as Shepherd's Cottage, dating to around 1720, thus permitting it to be surrounded by 2-3 storey new development and lost forever from public

view. The Shepherd's Cottage was originally listed as part of a group of buildings on Highgate High Street but was separately listed following an application by the Highgate Society. It was already an error by the applicant and planners to fail to take into account Shepherd's Cottage when it was listed as part of the group, but it was a gross error for the planners and conservation officers to continue to ignore the Cottage when it was separately listed as the listing was unusually detailed, reflecting the historic importance of the house.

The heritage report submitted with the application at Appendix 2 repeats Haringey's astonishing error in Section 5 paras 5.9, 4.28 and 4.29 that "*the proposed development will not harm the setting or significance of the listed building.*" It is perfectly clear to everyone that has looked at the planning case file that the setting of the listed building at 36A Highgate High Street was completely ignored during the planning application. The application drawings fail to show the building despite its close proximity. The case officer dismissed the close proximity of the building, describing it as "*not highly visible*", suggesting to us they cannot have visited the site, or they would not have made such an egregious error. The internal notes from the conservation officer to the case officer were full of praise for the design of the proposed mews houses but make no mention of this particular listed building or the destructive effect the development would have on it. This is an unimaginable oversight by a conservation officer, who is required by statute and case law to give "*considerable importance and weight*" to the setting of listed buildings.

Although an application for Listed Building Consent has now been submitted (approximately 1 year after approval of planning) this is limited to adjoining work and does not include demolition of the listed garages nor the setting of the listed house, Shepherd's Cottage. The objections, on behalf of the Highgate Society made by David Altaras, a leading planning barrister, and those from SAVE and SPAB make it very clear that the setting of the listed building must be a central consideration of this listed building application and that it would be a breach of NPPF guidance to do otherwise. Robbie McNaugher, Head of Development Control, has also confirmed in writing that the setting of the listed building will be considered as part of this application.

Related to this is the status of the adjoining garages to be demolished. These are shown, on Haringey's own map, to be within the curtilage of the group listing for 24-40 Highgate High Street. They are attached to the listed building at 36A Highgate High Street and they are also attached to the rear garden wall of 40 Highgate High Street, a wall that is clearly curtilage listed with the house. We submit that the evidence clearly points to the garages being listed and given the age and former use of garages 1 and 2, that serious consideration should be given to their protection, the same as any other listed building.

The garages are also built onto the rear garden wall of 40 Highgate High Street. We have mapped evidence that this wall has almost certainly been in existence since before Christ's Hospital commissioned a survey of their lands in 1698. Indeed the section of wall which it is proposed to demolish in this application is immediately below a structure labelled "Cart House" on the 1698 plan. We believe this wall is of considerable historic interest and should not be demolished. Unfortunately, all the current indications are leading us to believe that Haringey will be minded to approve this application on the very limited basis of abutting works and that this decision could be imminent and will be done under delegated powers without reference to the Planning Committee.

5. Failure to examine information presented with application on servicing and access in an adequate manner

Currently a Construction Management and Logistics Plan (CMLP), reference HGY/2022/0166 has been submitted for discharge of Condition 11 of the original approval and is pending a decision. This has revealed information which indicates that the servicing and access arrangements as submitted by the applicant and approved under application HGY/202/1326 are deeply flawed and that the scheme as currently approved is not feasible and thus, planning should never have been granted. It appears that the case officers, in their enthusiasm for the scheme, did not rigorously assess this element of the design at planning stage. The areas where the scheme fails are:

- a. The applicant has submitted swept path analysis for turning of larger vehicles at the end of the yard. These are incorrect and subsequently it has been proved by both the Fire Brigade and an independent swept path analysis that vehicles are unable to turn in this location and the only way of exiting the site is by reversing the length of the Yard into Highgate High Street. It would appear that the case officers did not adequately question the information submitted by the developer.
- b. The turning at the end of the Yard as submitted relies on trespass on private land. The applicant and planning committee should have established whether the land was in fact in the public domain and not owned by others. This should have been indicated on the site plan as a "blue line"
- c. The servicing of the site during construction and of the houses post construction is dependent on vehicles parking in the Yard. This is a narrow carriageway, only 2.4m wide in places, and any parking in this road will effectively block off access for other users further down the road as well as causing risk for pedestrians. The original CMLP was refused and

this refusal was supported by the Transport's concern about this and their recommendation that a pull in service bay should be provided. This suggestion has not been adopted by the developer

d. The construction of the houses adjacent to Shepherd's Cottage removes existing access to the house for Fire Brigade vehicles. Due to the historic limited access, there is no other access for the Brigade to reach the house thus in theory rendering it uninhabitable. Although essentially a Building Control matter, this should have been taken into consideration at planning stage.

It is, finally, our view, that the granting of Listed Building Consent would be sufficiently in breach of National Policy to merit our seeking advice as to whether the decision should be challenged through the process of a Judicial Review. We await your urgent comments, and trust that no decision on the current application will be made until this matter can be fully debated.

Yours sincerely, William Britain Chair, The Highgate Society"

Our Ward Councillors have been active in supporting and pressing our concerns, and in addition, all these points were made in a letter to the Editor of the Hampstead and Highgate Express on 7 February 2022 under the heading "Laissez-Faire in Haringey Planning Department". The battle continues and, in the event that Haringey nevertheless grant the Construction Management Plan and the Listed Building Consent, the Society will have to take the serious step of considering whether we should seek a judicial review of the decisions, which will involve the largest fundraising project in which the Society has ever had to engage.

Similar difficulties persist with the application to demolish the former **Mary Feilding Home** on North Hill and replace it with a gross overdevelopment which will set a disastrous precedent for the Conservation Area and severely damage the adjacent Listed Georgian Terrace.

Our first concern is that the Basement Impact Assessment fails to address the possible adverse effects of the proposed basement excavation, based merely on a visual inspection of the property, a desk top study, and "borehole" evidence consisting of British Geological Survey records from 1967, and borehole records from sites at 14 View Road and 66 Sheldon Avenue, both completely irrelevant to this site – though the report helpfully notes that since the River Thames is at some distance from the site flooding will not be an issue. The promised site investigation report has not yet been made available and statements about water table and watercourses are not based on scientific data but are only speculative, though detailed investigation is essential as the hydrology of the area is notoriously complex, with abundant evidence of underground springs and rivers. Investigations carried out elsewhere in the area by ground survey experts show this to be absolutely essential, and Extensive borehole evidence is essential and it is incomprehensible that this has not been done.

Even more worrying is that immediately to the north of the site is a Listed Georgian Terrace buildings at 109-119 North Hill. The buildings have rudimentary foundations, typical of the time, and the huge basement excavation will almost certainly affect their stability.

We have also supported the widespread concerns voiced about the proposed development at **Murphy's Yard**, off Mansfield Road and opposite Hampstead Heath for 850 homes and 118,000 sq.m. of office and industrial floor space. As one of the largest redevelopment sites in the region, this former railway and builders' yard presents a major opportunity for a model regeneration scheme, which the current application fails to achieve.

1. 88% of the housing will be 1- and 2-bedroom flats, whereas Camden's own Housing Assessment is that 54.5% of new homes should be being for family housing of 3+ bedrooms.

2. Under the 2021 London Plan, 50% of all new housing should be "Affordable". Camden's policy stipulates 35%, but the developers claim that the scheme would not be viable even at that level. This contravenes policy and is unacceptable.

3. As members of the Hampstead Heath Consultative Committee, we work with the City of London to ensure that development on the fringes of Hampstead Heath does not harm its amenities, either by urbanising views from it or obstructing views towards it. The current proposals, consisting of six 11-19 storey tower blocks, will have a severe impact on the openness of the Heath, and particularly on the view from the summit of Parliament Hill, effectively eliminating half of the current view from its summit of the City of London. Further, the popular view of Hampstead Heath from Kentish Town Station will be entirely lost. The development would therefore contravene policies on impact on a nationally important open space, and London and Local plans stipulating that development near the Heath must not harm its openness or the views from it.

5. An original proposal to include an ecological green corridor through the site, linking it to Hampstead Heath, has been discarded, meaning that there will be no amenity space for residents, even though national policy requires development to “optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space)” and that “Planning... decisions should contribute to and enhance the natural and local environment by... protecting and enhancing valued landscapes, sites of biodiversity... (and) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks....”

6. The applicants assert that the plan is “design-led, sensitively responding to its wider context... .” But Camden’s own Design Review Panel commented that that “the bulk, height and massing of 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, potentially through reduction of other uses on the site” National policy states that “planning authorities should have regard to... any recommendations made by design review panels”.

7. Finally, the applicants have disregarded the requirements in the NPPF for local consultation. Though an exceptionally large scheme, there has been no Development Management Forum at which the community’s views could be sought. Worse, the applicants have not approached the City of London to discuss the impact of their scheme on Hampstead Heath, which demonstrates a disregard both for community engagement and the requirements of para. 40 of the NPPF: “Local planning authorities have a key role to play in encouraging other parties to take maximum advantage of the pre-application stage... They should also... encourage... applicants... to engage with the local community and, where relevant, with statutory and non-statutory consultees, before submitting their applications.” Para. 132 adds that “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... 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”. Further, para. 133 stipulates that “Local planning authorities should... make appropriate use of tools and processes for assessing and improving the design of development. These include workshops to engage the local community... These are of most benefit if used as early as possible in the evolution of schemes, and are particularly important for significant projects such as large scale housing and mixed use developments. In assessing applications, local planning authorities should have regard to the outcome from these processes, including any recommendations made by design review panels.” None of this has happened. The development fails to meet a raft of planning policies, is poorly designed, has completely disregarded the public consultation process and would cause substantial harm both to the Heath. Competent architects could surely produce a high-density, lower-rise development and the application should be refused.

Closer to home, the licence for **the Duke’s Head in the High Street** has lapsed and a new owner applied for a licence for the same hours. The old licence ran to 1am, which is later than the usual hours Haringey sets down, stating that “generally it will not grant permission for licensable activities beyond 2330 hours on Sundays to Thursdays and Midnight on Fridays and Saturdays in respect of public houses situated in areas having denser residential accommodation. The Council would expect good reasons to be given to support any application for extensions beyond these hours.” While we wish to see the Duke’s Head flourish, we asked Haringey to ensure that any new licence accords with their Policy. The proposed licensee is clearly anxious to ensure that his operation is acceptable to the local community, and has offered an arrangement where live music ends at 10pm on weekdays and 8pm on Sundays, and the licence runs to 12 midnight on Sundays to Wednesdays and 1am on Thursdays to Saturdays. These are both shorter than the previous hours and the Society considers that this arrangement is acceptable.

In another example of Haringey appearing to operate from another planet, you may recall that we recently persuaded English Heritage to greatly expand the Highgate Archaeological Priority Area to include more of the Village area and the Medieval Park. In a recent application in Compton Avenue, we asked for an archaeological condition, which was supported by Historic England, stating that “The application lies in an... Archaeological Priority Area identified for the Local Plan: Hornsey Park” be incorporated into the consent. We were, however, puzzled by the case officer’s report, which states that “The site is not located within an Archaeological Priority Area as designated by the local

plan.”Bizarrely, it appears that Haringey have determined to continue to recognise only the old smaller APA until the new Local Plan is adopted, possibly not until 2023.

We supported Haringey in the appeal against their refusal of three further flats at **58 Shepherds Hill**. The appeal was dismissed by the Inspector in an important decision for Conservation Areas. He noted that, although Haringey housing delivery rate was substantially below the required level, and the development would provide acceptable living conditions, it would harm the character and appearance of the surrounding area and would not preserve or enhance the character or appearance of the Conservation Area; as a result, the benefits of the extra housing would not outweigh the harm. Although the relevant Haringey policies were out of date due to the lack of a 5-year housing land supply, he noted that weight may still be given to local policies depending on their consistency with National Planning Policy Framework aims of achieving well-designed places and conserving and enhancing the historic environment. There is nothing in national policy to suggest that those requirements should be lessened because of the lack of a five-year supply if they conflict with national policies protecting heritage assets. This development would contravene para. 202 of national policy protecting designated heritage assets, even negating the presumption in favour of sustainable development.

We continue to press Haringey to take action over the relentless deterioration of **37 North Road**, which is Grade II Listed and now on Historic England’s register of buildings at risk; last year, pieces actually fell off it into the neighbouring property. Unfortunately, the law prohibits a local authority from taking action, even in such a case and even when a repairs notice has been served, while the owner is still living there, and it appears that we can do nothing but watch this house, part of an important mid-19th century terrace, fall into ruin.

New 5G Masts appear to have been installed in Hampstead Lane, by Athlone House, despite no prior notice of intention being given before their installation. Since the range of 5G masts is short, a considerable number are needed and their location needs to be carefully considered in Conservation Areas. WE have asked Haringey’s Enforcement section to investigate.

The owners of the new Grocery Post bakery and coffee shop in **Highgate Avenue** seek to replace a parking bay with a small area of seating and planters for customers. Nearby residents seem supportive and the proposals would seem to be an improvement of the local streetscape.

We have objected strongly to proposals to replace the two original Arts and Crafts houses at **44-6 Hampstead Lane** with an 85-bedroom dementia nursing home. This is not only hugely out of scale with the residential character of the area, but would set a disastrous precedent for the Bishops sub-area of the Conservation Area. It also has a vast double-depth basement which, being opposite the Kenwood North Wood (a site of Special Scientific Interest) and the Highgate School Playing Field, could have a highly damaging impact on both, while the extensive internal and external lighting necessary will impact damagingly on the Kenwood wildlife. Yet Kenwood have not even been consulted on the proposals, though following our warning they have made an objection. Haringey have confirmed that, because of the size of the development, it will go to Planning Committee. A date is awaited.

We supported local residents in their objections to Haringey’s own out-of-scale and badly-designed development on the site of the former **Cranwood home at 100 Woodside Avenue**. Though next to Highgate Wood and the important archaeological site there, Haringey did not even consult the City of London on mitigating its impact on the wood, the public “consultation” event we attended was a charade, the assessment of the development’s merits by Haringey’s Design Officer resembled an estate agent’s sales brochure rather than an objective assessment, and the proposal was passed by Planning Committee despite well over 100 objections. Subsequently, in the wake of allegations of corruption relating to the price paid for one of the houses on site and an alleged subsequent cover up, a full investigation is currently in process and the future of the scheme is unclear.

The former Rose & Crown, lately Le Pain Quotidien, is the subject of an application by a pub chain with a reputation for the liveliness of its establishments and we have supported neighbour’s concerns with our own detailed objection. Haringey’s decision is awaited.

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A recent spate of **Licensing applications** has highlighted a serious flaw in the notification process for Licensing applications, despite the major impact they can have. They are only required to be advertised by a notice outside the premises and in a local newspaper, meaning that neighbours hear of them only by accident. We have therefore appointed someone to monitor all licensing applications for the society and, since this is a problem in both Boroughs, are working with the Heath and Hampstead Society in making a submission to Camden Licensing Committee asking them to amend their procedures to notify neighbours of applications sufficiently significant to concern neighbours. We hope that it will be considered by Camden on 6th July.

The Haringey walking and cycling action plan has been approved despite significant objections, including the Highgate Society's. Our concerns include:

- the Society's response was not mentioned and it was not even included in the long list of organisations consulted;
- none of the points made in our careful submission were addressed; we wonder if it was even read;
- air pollution receives little mention other than a recognition, under the air quality action plan, that transport is the primary source of harmful air pollution;
- there is no recognition of the relevance of Highgate's hilly topography to modes of transport such as casual cycling;
- our point about the importance of transport interchanges receives no mention
- the weakness of casualties per kilometre as a safety measure on roads;
- no reference to our criticism of 45% of the expenditure proposed in the Plan being on cycling when it is only 3% of journeys;
- no reference to TfL's acknowledgement that Highgate is unsuitable for Low Traffic Neighbourhoods;
- Highgate is not recognised as a shopping centre;
- there is no reference to the need for co-ordination with Camden - only Barnet;

This is dismally incompetent.

- (1) Traffic policies must take into account the fact that Highgate is a cross-borough community;
- (2) Highgate is hilly with narrow streets, making it unattractive for casual cyclists;
- (3) public transport must have higher priority than cycling, being used by so many more people than cycling;
- (4) strategies for walking, cycling, goods and car and motorcycle strategies must be coordinated to minimise congestion;
- (5) Air Quality Strategy do not refer to the principal source of unhealthy air for travellers in London, the London Underground.
- (6) transport initiatives must have clear and measurable objectives and should include a cost/benefit analysis on factors such as impact on congestion, air pollution, travelling times.

A strategy must include the following:

A: Highgate village and Swains Lane should be recognised as shopping centres requiring integrated transport planning;

B: Highgate is not suited to LTNs.

C: Air quality monitoring and improvement must cover the whole of the High Street, not just the Camden side, and also the Archway Road; also the Underground, since levels on the Northern Line are many times the levels of pollution at street level;

D: electrification of council and public transport vehicles is endorsed;

E: The Society and the Neighbourhood Forum must be consulted on all transport proposals in Highgate.

Plans

There is severe and widespread disappointment at Camden's decision to keep the current one-way northbound on **Millfield Lane** for vehicles and two-way for cycles. While they try to justify this by saying that a majority of respondents were in favour, a significant majority of people living locally and actually affected by the proposals were against it, and that this "majority" seem to have come from elsewhere - presumably, the cycling lobby.

Transport for London have also published their decision on the future of buses in the area – a mixture of the acceptable and the poorly-considered. The points of main interest are:

1. The 271 route will stop running.
2. The 143 will remain on its current route, so travellers from Archway to Highgate Village will still be able to board two routes (143, 263) from the same bus stop at Archway.
3. Routes 43, 234 and 263 will serve Archway Road, but all accessed from different stops at Archway. We will continue to press for a single bus stop.
4. Despite our objections, TfL consider that North Hill and North Road are suitable for double-deck buses.

The full report can be read at <https://haveyoursay.tfl.gov.uk/routes-21-143-263-271>

Following a burglary at Brooksby's Newsagents on March 18, in which the owner was injured while confronting the burglars, the Society has written to the police, asking to be kept informed of progress in the search for those responsible, but also to point out our long-held concerns that Highgate High Street lies on the border not only between two Boroughs, but between two Police Borough Crime Units, means that it receives inadequate attention in both respects and, for that reason, is not even designated as a shopping centre. There is at the very least a demonstrable need for better CCTV coverage, and a clear responsibility for dealing with the safety of the Highgate High Street shopping centre, and we have asked to be provided with a single contact point for matters relating to safety in Highgate.

According to an article in the Times for March 14th, Islington Council has apologised for wrongly claiming that levels of nitrogen dioxide air pollution had fallen as a result of the creating of low traffic neighbourhoods. The data actually showed that levels had risen 26% in the first four months of 2021 after the creating of the schemes, because they displaced vehicles from more affluent areas on to main roads, where poorer people live.

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We continue to monitor all applications for works to trees and comment where necessary. In a difficult recent case

causing widespread concern locally, an application has been made to fell a fine mature Copper Beech at 27 Southwood Lawn Road, on the basis of a report by reputable local tree surgeons that it is affected by major rot and is therefore dangerous. The problem with this type of rot is that it is not visible until the fruiting season, when large fungal bodies appear around the base of the trunk. The only approach we can suggest is to wait until the fruiting season, late June to September, and see whether the fungus appears. If it does, the tree will probably have to be felled; if not, possibly relieved.

In an interesting appeal decision, the Inspector pointed out that an appeal against Haringey's decision to place a Tree Preservation Order on a tree at a property in **Hampstead Lane** was dismissed because there is no right of appeal against a Tree Preservation Order.

The present licence from Camden for the **Concert programme at Kenwood** permits a maximum of eight "entertainments" annually. Condition 32 requires the Concert Production Team to hold a minimum of two meetings a year with local residents and the Licensing Authority. A recent meeting was the second such meeting, before the following concert season, "to discuss remedial measures."

No representative of the Licensing Authority was present; there were three representatives of English Heritage, one of whom revealed that English Heritage intended to apply to vary the concerts licence, on grounds of administrative convenience. It was unclear whether the variation would alter the number of concerts permitted, though there was some suggestion that more smaller events were being considered. There was no handout provided, and no minutes of the meeting appear on the English Heritage site online.

The present concert schedule is for six large events this summer, and a repeat of the new Christmas Lights installation in December. There is no dispute about the necessity to raise funds for the maintenance of Kenwood; however the concert programme has resulted in serious damage to the grounds. Although efforts have been made to effect repairs the damage is so severe that this year it is unlikely it will be made good before the new series of concerts begins, and starts the damage all over again.

The Highgate Society will monitor any application by English Heritage to increase the number of concerts/entertainments to ensure that Kenwood and its grounds are adequately safeguarded, and the terms of the Iveagh bequest respected.

It is regrettable that, as a result of a misinformation campaign concerning the proposals for a Nature Education Area at Waterlow Park by the Friends of Waterlow Park and Camden Green Spaces, maintaining that it was intended to "privatise" part of the park, the Friends have reluctantly decided to abandon the proposals, which would have made a good contribution to increasing the Park's biodiversity and its educational value for local schools.