

PLANNING REPORT DECEMBER 2023

The unsatisfactory situation at **Townsend Yard** continues. The developer is now in the process of building a 1.2m wide passage between two of the new houses in the terrace to enable emergency access to Shepherds Cottage, which in our view is completely inadequate and does not resolve either the issue of escape from Shepherds Cottage or the intractable problem of a turning space for emergency vehicles.

The developer has still not satisfied the London Fire Brigade on fire safety or emergency access aspects and the problem of turning space has still not been addressed as there is no other turning space in the yard. We have consistently maintained that omitting the last house would have provided the turning head for fire engines. In addition, the developer has built over the whole site with no provision for deliveries, refuse collection or fire vehicles to turn.

There are also concerns that the developer may be claiming more of the yard than he actually owns. This is disputed and the Society is collecting evidence to establish that the right does exist. Readers who recollect using the Yard to access the garden centre are urged to contact us to give support statements; we can provide the declaration form.

The Society has been working with **Highgate School on a programme of workshops** to consider the School's planning applications. These will probably take place in the New Year and we hope will be facilitated by the Prince's Foundation and hosted and funded by the school. Each workshop will focus on a separate aspect, including the individual sites, and such wider issues as pupil numbers; sustainability, biodiversity and trees; and environmental impact. The School will explore opportunities for further environmental enhancement for the benefit of Highgate as a whole and to lessen negative impacts, including an estate-wide greening strategy. We have urged them to aim for low carbon buildings, which will not need future retrofitting. We have emphasised the importance of all groups having the opportunity to state their views, and that changes to the plans be part of the outcome. Haringey planners will also be present, though of course the workshops cannot replace the role of Haringey's planners or the constraints of national and local legislation but can only give the local perspective.

We have made additional observations on the proposals for the Mallinson Centre area. An overlay of the 1869 Ordnance Survey map on a modern map shows that, in what is now the area of the Junior School playing fields, were watercress beds, indicating a wet environment. These include part of the "Orchard", where substantial excavations are proposed and also suggest that, in the field now occupied by the "Orchard" there were one, possibly two, natural ponds; though long since filled in, it is likely that the source for the water remains active, and there is indeed an active spring there. Recent nearby basements have caused ground water problems for neighbours, and the proposed works could exacerbate this.

In addition, the hedgerow between the Mallinson Centre and the Orchard is an important ancient one, with important veteran oaks, shown on the 1869 map, and hence of great heritage significance as the last surviving pre-development ancient hedgerow in Highgate, and its future must be a primary consideration. The excavation of a basement to accommodate the Mallinson Centre five courts will divert the downhill flow of water away from it, while the proposed excavation of a playing field "amphitheatre" in the Orchard to act as a storm event "sump" will further reduce the ground water flow, threatening its survival. Ironically, too, in the event that the proposed "amphitheatre" was to fill up with water in a flood event, the resultant waterlogging could also threaten the hedgerow.

Moreover, the excavation could actually cause the spring to be diverted from its current natural flow off site and risk filling the "amphitheatre" semi-permanently with water, turning it into an unplayable semi-permanent lake or marsh. The aim must surely be for an improved drainage system which will carry off surplus surface water.

Nearby residents sought our help over a substantial rear extension, basement and garden building at **45 Cholmeley Crescent**. The proposed basement would be three times the area of the existing one and given the slope upward of the garden would effectively create a sub-basement at the rear which may impact on the hydrology of the area, which is damp and prone to flooding, being within the basin of the former Cholmeley Brook. The Government's Long Term Flood Risk map identifies the risk of surface water flooding here and a large basement will displace ground water to neighbours. The rear extension extends to the neighbours' boundary and will have a negative impact on them. This is yet another case, which we are increasingly encountering, where it seems strange that the purchasers did not simply buy a larger property which would meet their needs rather than trying to expand a modest family home, undermining Conservation Area protection and causing disruption for all around.

In another threat to the character of **Cholmeley Crescent**, there is a proposal to demolish and rebuild no. 24, an original Arts and Crafts house in the Conservation Area which should not be demolished without good reason. The current house design is consistent with the street; the larger scale of its replacement will damage the character of the Conservation Area. The condition of the existing building does not appear to justify demolition, and a pastiche Arts and Crafts copy is unacceptable. We are also increasingly concerned about the loss of embodied energy in the existing structure, the carbon required for a new build and how long it would take to recapture it through energy savings, compared to retrofit and extension of the existing building.

The proposals for the **Holborn Infirmary / Archway Campus site** remain a major concern for local groups, since they still include the approximately 30-storey tower block which would destroy views and the local environment over a wide distance and be against Islington's own policy. Proposals to use the buildings temporarily as an arts and performance space are, unaccountably, being opposed by Islington, while discussions go on, seemingly interminably, between Islington and the developers, Seven Capital, on two proposed alternative schemes:

Scheme A proposes 209 residential units - 102 for sale and 107 affordable, plus accommodation for 250 students in the controversial tower block. The scheme meets Islington's key aspiration for 50% affordable housing.

Scheme B, an older scheme reintroduced following strong local opposition to A, omits the tower block and retains more of the historic buildings. While there are still some concerns, it is significantly preferable to scheme A. It omits the public square at the south end of site, but this is easily addressed by improvements to Navigator Square adjacent. The historic nurses wing would be retained and students would be accommodated in a refurbished Furnival block. The scheme would provide 184 new homes – 102 for sale, 82 affordable, giving a 45% affordable housing element - and 187 student flats. Both schemes would retain all mature trees.

Dismayingly, we understand from the developer that Islington appear to support Scheme A with the tower block, though it seems there is a wide divergence of views even there. We are told that the developers have no preference for one scheme over the other, and that the returns on Scheme A may not be better than B as it has higher build costs. We pointed out

that Islington's own new local plan is against tall buildings. The worry is that Islington's 50% affordable housing requirement will only be attainable in Scheme A, and that once permission is given, the number will be reduced on grounds of viability. It is unclear why the developer would want to go to the expense of making applications for two different schemes; do they in fact still prefer Plan A? Islington is fixated with housing numbers, particularly "affordable" housing units, regardless of quality and despite non-compliance with planning policies, and there is a high risk that social housing will be the only factor they will consider, and that they will override other policies in pursuit of social housing and will approve Scheme A; yet if developers did not provide social housing in good times, they are not going to now. The site has been vacant for too long and needs to be developed; housing is certainly needed but it must be good quality and well-designed and follow local policy.

In the meantime, we await Historic England's response to our urgent request that the Victorian Holborn Infirmary buildings should be Listed. The site was designated a Conservation Area several years ago, because of the presence of these buildings, yet Historic England have constantly prevaricated.

We objected to an application to replace the ugly security cabin at the junction of **Compton Avenue and Hampstead Lane** with an even larger one. The cabin, which can be seen from many points in Hampstead Lane, is in a very sensitive location immediately opposite the approach to the Grade II Listed Kenwood East Lodge and the Grade II* Kenwood Estate. The current cabin should never have been permitted without proper screening and is made worse by the brightly coloured security barrier. The proposed cabin would be six times as large as the existing, making it even more intrusive and completely inappropriate for its historic setting and against policies for the Conservation Area.

As a result of our objection, revised proposals were submitted, which unfortunately miss the point. There is little or no reduction in the footprint and the flat roof is replaced with an even more obtrusive pitched roof increasing its visible bulk. Worse, the drawing labelled "existing view from the East Lodge to Kenwood House" signally misunderstands the actual issue of visibility from the public realm, suggesting that (a) the most important view towards the cabin is from the Kenwood Lodge, and that (b) planting a creeper on the southern face of the cabin will somehow make it invisible from that one narrow viewpoint and thereby satisfy the issue of visibility. The main view of the cabin will be from a wide range of locations as pedestrians walk along Hampstead Lane. The revised proposals not only signally fail to address any of this, but possibly make it worse. If such a large cabin is needed, it should be built further down Compton Avenue to minimise its visibility from the public realm.

We objected to a poorly designed new building for the site at **29 Milton Park**, which was refused by Haringey and the refusal upheld in a good Appeal decision. This makes clear that the significance of the Conservation Area is mainly derived from the architectural quality of the historic streets and buildings and their physical relationship with each other, and that while not every property is identical, architectural consistency is a feature. The proposed house would conceal the historic design of the adjoining property and be inconsistent with the other semi-detached dwellings. Architectural consistency and uniformity are distinguishing features of the Conservation Area, and the proposed house would be taller and wider than the existing single storey extension of the adjoining house it would replace and would fill most of the open space between the properties, giving the appearance of a continuous line of development which would undermine the prevailing

pattern of development in Milton Park where pairs of semi-detached dwellings are separated from the terraced housing.

In addition, glazed elements of its design would contrast sharply with the older style properties and draw undue attention to it on a prominent corner site, distracting from the architectural qualities of the street scene. Although the Conservation Area Appraisal supports contemporary buildings, this is only where they are sympathetic to their surroundings; this would neither preserve nor enhance the character of the Conservation Area. Though it would be energy efficient and provide a new home, these benefits would be relatively modest given its small scale and do not outweigh the harm to the Conservation Area. The Inspector emphasised the National Planning Policy Framework's requirement that, when considering the impact of development on the significance of a designated heritage asset, 'great weight' should be given to the asset's conservation.

We opposed an application for a licence for **171 Archway Road** for the sale of takeaway hot food until 3am Sunday-Thursday and 5.00am Fridays and Saturdays. This would risk noisy delivery mopeds through the night, disturbing residents in nearby Cromwell Avenue and causing continual cooking smells and noise from ventilation equipment. As a result, Haringey limited the operating hours until 2am Sunday-Thursday and 3am Friday-Saturday, with earlier closing times for counter service and a condition regarding noise disturbance.

We supported neighbours concerned about possible noise disturbance from Air Source Heat Pumps in the rear garden of **15 Broadlands Road**. There was no acoustic report showing how noise from the proposed air pumps may affect neighbours; the proposed enclosure is a timber structure which would offer little acoustic mitigation. No details were given on the units' efficiency, given they would be some distance from the house, resulting in heat loss from the pipework, causing it to have to operate for a longer period, and there was no assessment of damage to nearby tree roots. Our objection was upheld, and the application refused.

We objected to an application for alterations which we believed would badly affect the original design integrity of the fine unspoilt Arts and Crafts house at **Sunbury, Fitzroy Park**. Camden policy requires development in conservation areas to complement the architectural style and appearance of the conservation area and its setting.

We objected to proposals to build a new flat at **1A Hampstead Lane**, part of the Gate House complex. Sharing a party wall with the Gatehouse Theatre, it could cause significant noise disturbance to the Theatre. Its habitable area would be 30sqm, but the London Plan requires 50 sqm+ for a 1-bed flat; it therefore provides substandard accommodation. The proposed bedroom window directly faces a window in the neighbouring building only 2.4m away, creating privacy issues, it faces across the escape path from the theatre, presenting a fire risk, and the bedroom is off the living room / kitchen, presenting a risk to means of escape. Since the Society successfully applied for the listing of the Gatehouse Theatre as an Asset of Community Value, we are also concerned at an application for a license to turn the Theatre's "green Room" into a bar, with no proposals to prevent it interfering with the operation of the theatre.

Another nail has been driven into the coffin of the Bishops' Sub-Area of the Conservation Area by the granting of another permission for demolition and rebuild of an original house at **26 Sheldon Avenue**, to which we had objected, and despite the comments of Haringey's Climate Change Officer that "The sustainability section... does not include the energy assessment required to report on the carbon reduction. Energy and Sustainability reports

were not submitted with the application. We therefore object to this application. The development does not meet [London Plan or local plan policies] to achieve a zero-carbon development.....” It proposes an air source heat pump for heating and hot water, but this would still require a gas boiler to supply sufficient heating and a more expensive ground source heat pump would be more efficient.

To justify demolition, the applicant stated: “Considering the technical and financial effort to retain the existing house was not something our client was willing to support, especially as they would have to structurally redo most of the existing elements to simulate a ‘retaining approach’ that comes with layout limitations for their needs and additional cost just to objectively keep a really small part of the existing appearance.” We consider this an inadequate justification. The new house would have twice the floor area of the existing. Why did the new owner buy a smaller house in a Conservation Area purely to demolish it and build a larger one? This has established another dangerous precedent for justifying demolition in protected areas on grounds of cost.

When **St. James’ Church of England Primary School** in Woodside Avenue sought consent for an illuminated sign advertising the school on its tower adjoining Highgate Wood, we had great concerns that such a high illuminated sign could adversely affect wildlife in Highgate Wood. The next we knew was that permission had been given for a non-illuminated sign.

We objected to an application from **10 Grange Road** for a certificate of lawfulness (i.e. confirmation that a proposed new building can be legally built without planning permission) for an additional rear garden outbuilding for use as storage space. Drawings subsequently added to Haringey’s website however showed that the proposed new outbuilding was not intended for storage, as originally claimed, but as a bedroom / gym, while the application form has throughout showed the application to be for a “recreational garden *dwelling*.” Dwellings are outside the scope of building which can take place without planning permission. There are also inconsistencies relating to a claimed last use as a “dwellinghouse”, when this is a new building, and the application drawings include discrepancies in the size of the buildings. We have asked Haringey to ascertain which details are correct. If built, the two structures in this location would together be the size of the 2-room summerhouse which was refused in 2006 as being overlarge and visually intrusive. Neither do the drawings adequately show the impact on the mature Copper Beech close by, which must be protected. We are also worried that the proposed bedroom/gym could end up being used as a separate dwelling or part of a dwelling, which would be unacceptable in this location.

We responded to neighbours’ concerns about proposals for a large, glazed garden room with rooflights at **4 Highgate Avenue** which would affect them badly, though the full impact was not made clear on the application drawings, which do not clearly show the significant change in ground level. The room would be at a higher level than neighbours’ ground floors and cause light pollution not only to their upper storey rooms but to their gardens. It will also be only a metre from the rear window of no 6, a fire risk.

We make every effort to ensure that new development in the Gaskell Estate, a fine and unspoilt Edwardian Estate at the bottom of North Hill, does not affect it. We have had to make a second objection to a revised application for alterations and extensions at **48 Yeatman Road**. Previous applications were refused by Haringey and on appeal, and a further application withdrawn in 2021; our objections to this new application are equally applicable. The claimed improvement in the standard of accommodation involves alterations and extensions which would detract from the character of the existing house

and from the wider street scene and harm the estate, described in the Highgate Conservation Area Character Appraisal as “a very well preserved group of streets with a unified design... the homogeneous nature of this estate has been successfully maintained and this is an integral feature of its character... This area is a very good example of a successful and well-designed estate.” Yet the site’s past planning history is not noted on Haringey’s pre-application advice to the applicant; we have pointed this out and noted that the applicant seems not to have understood the clear reasons set out in the Appeal dismissal and has ignored the Inspector’s comments.

The long-running saga of the deteriorating condition of the Listed **37 North Road** has culminated with the sad death of its owner.

A welcome new appointment at Haringey is a second Conservation Officer, Ruth Mitchell, previously at St. Albans, who will be working on our long-delayed Local List Update. We hope to meet her soon.

After a successful trial period, Haringey will make the **school street outside Highgate Junior School** permanent. This will close that part of Bishopswood Road term time, Monday to Friday, 8.00 to 9.15am and 3.00 to 4.30pm). Emergency vehicles etc. will still be able to access the road.

In response to a questionnaire from local councillors about priority highway works needed in Highgate, we have suggested the following:

- Repairs to the retaining wall at the Bank on Highgate Hill have not yet commenced, though we understood they would start at Easter 2023.
- Traffic calming is needed on parts of Highgate Hill, particularly downhill where excessive speeds can be seen.
- a Bus buildout for the stop on the narrow pavement outside Channing Senior School. This could be associated with the introduction of “herringbone” style parking to narrow the carriageway, achieving the traffic calming objective while avoiding loss of parking on Highgate Hill.
- Safety improvements are needed to improve visibility for vehicles entering and emerging from Cholmeley Park.
- We identified areas of damaged paving which need replacement.
- More frequent street drain clearance is needed in the light of the heavy rainfall we are now getting and we identified several persistent problem areas where there are frequently blocked surface water drains.
- We pointed out that non-compliant bright yellow paint is still being used for repainting yellow lines, despite recommendations for a paler yellow in Conservation Area.
- Rubbish is frequently left on the Archway Road pavement for collection, resulting in blocking and making the local environment very untidy.

The **Highgate Wood Heritage Day** on 3 September was successful and enjoyable, with good weather and considerable interest shown in our displays. It was, disappointing, though, how few people came from Highgate, with most coming from Crouch End, Muswell Hill, Finchley and beyond. Since the introduction of professional dog walkers' licences on Hampstead Heath, there has been a noticeable increase in dog walkers using the much smaller Highgate Wood. We have raised this with the City of London, who seem aware of the problem.

We met Haringey’s Ecology Officer to discuss their proposals to upgrade the **BMX track by Shepherds Hill Library**. We were reassured that the area, currently badly damaged by rogue BMX gangs from outside the area, would be improved, no trees would be lost, and

the area below would see better ecological management. Following our complaint about the high security fencing erected by Transport for London around the adjoining station land, a designated Site of Metropolitan Importance for Nature Conservation, we are seeking to meet TfL's Heritage Officer to discuss a more holistic approach to managing the area for biodiversity.

Haringey's proposals to upgrade the surface of the **Parkland Walk** for cyclists has caused great concern for many, including the Friends of the Parkland Walk, who believe it should be first and foremost a pedestrian environment and 'linear park'. We have offered our support in urging that the surface should be a multi-purpose one, as at present, suitable for all users.

Hampstead Heath now has a new Assistant Director, Bill LoSasso, who will also lead the management of the City's other North London open spaces. Formerly Director at New York City Department of Parks & Recreation, he was most recently Chief Executive at Crystal Palace Park. We have already met him, and he seems keen to work closely with the community groups on the Consultative Committees of the Heath and Highgate Wood. The City also has a new head of Operations and Parks for North London, Charlotte Williams.

Among other Hampstead Heath issues, a new head gardener has been appointed for Golders Hill and the City are working on a job specification for the new Head of Business Development for their North London Open Spaces. In the new structure for the Heath Constabulary, there will be a sergeant and six constables, and people calling their number will be transferred to an officer on duty. The owner of the controversial South Fairground site near the Vale of Health has declared the road a private road and blocked it with bollards; as it is an access road for the City and emergency vehicles, Camden are being asked to take enforcement action. An MSC student has found that flea treatments cause serious pollution in the ponds where dogs swim, while there are no chemical residues in the ponds where they do not swim; the aim is to produce guidelines for dog walkers. After long delays, the renewal of the Parliament Hill running track is now complete; it will provide a track of international standard which will host major events. Mowing on the hillside meadows above the ponds has been reduced to benefit wildlife and increase carbon capture, biodiversity and flood control. A new line of oaks has been planted along the top of the Tumulus field as part of the Queens Green Canopy programme, restoring an ancient hedgerow which used to exist there.

The City produced a draft Masterplan for the future management of the Parliament Hill Area, between the Hill and the Lido. We responded to the preliminary consultation and await a full consultation on the detail. This will include a wetland area to contain the current waterlogged area by the Lido; widening and improvement of the hedgerow habitat adjoining the path by Parliament Hill School; and to generally improve the area's value as part of a green corridor down into Camden through the Murphy's Yard development. The Children's Playground next to the Bowling Green will be improved.

We also met the Heath and Hampstead Society to support their proposals for better protection of the area around the Heath – the "Heath Fringes" - from Permitted Development which damages the Heath's rural atmosphere. It is proposed to ask Camden – and, subsequently, Haringey and Barnet - to issue an Article 4 Direction for the large gardens round the Heath, where planning rules currently allow potentially up to 50% of such gardens to be covered with building without the need for permission. The aim would also be to specify maximum heights for new building around the Heath. This would be particularly important for the Murphy's Yard development, where the aim is to include an ecological corridor in the scheme, leading from the Heath into central Camden.

We continue to monitor the large number of **applications for works to trees**, and recently achieved a success in the case of an application to fell a Monkey Puzzle tree in Southwood Avenue at the insistence of Insurers worried that it might in the future cause subsidence problems. Haringey agreed that this is not a valid reason for felling and placed a Tree Preservation Order on it; as a result, a more sensitive pruning proposal has been submitted. Sadly, though, a magnificent Purple Beech tree at 22 Hampstead Lane, a major landscape feature, has had to be felled as it was clearly dying rapidly and had become a major public hazard.