

ENVIRONMENT COMMITTEE REPORT SEPTEMBER 2023

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On June 29, we had our regular **Quarterly Meeting with Haringey Planning Department** to discuss planning issues and to explore how we can work more constructively with them. Inevitably it followed up issues discussed at the March meeting on 30th March 2023, and started with a discussion at the Jacksons Lane Centre on a range of subjects including:

Pre-application Discussions and Community Engagement: Though at the previous meeting we discussed community engagement in the pre-application process and asked Haringey to ensure that they emphasised to applicants the importance of discussing their proposals with neighbours and the Society at an early stage, we have not had any approaches. They explained that, though applicants are advised to contact neighbours and the Society, obtaining evidence is difficult; we suggested that this should be a requirement of their pre-application advice, however developers often regard the process as a 'tick box' exercise to suggest they have 'consulted' the community. Haringey said that they are updating the planning application validation process and will consult with us. We emphasised that meaningful local engagement should be seen as a positive in the application process and gave them a copy of Lewisham's new proposals for community engagement as a model.

Conservation Reports and Quality Review Panel: Our view is that conservation reports should be independent and considered in the same way as other responses when assessing the merits of applications. In our experience, some boroughs treat Conservation Officers as external consultees. Haringey assured us that the Conservation Officers' views are definitely listened to, but we found it difficult to understand the report for 44-46 Hampstead Lane, recommending the demolition of two original Arts and Crafts houses and their replacement with a huge 6 storey modern building in a conservation area.

We also did not understand why the harmful impact of the Mary Feilding Guild proposals on the amenity of the Listed 109 North Hill, did not result in a refusal. Following the launch of a judicial review of the first application, a second identical application was submitted and approved again at Planning Committee. We asked how the Conservation Officer, and also the Design Officer and Quality Review Panel feed into the application process?

The QRP was formerly the Design Panel, comprising local architects, councillors and community representatives, including the Society. It worked well, ensured local views and concerns were voiced, and developers took their comments away and made changes. It was also voluntary; its members were unpaid. The QRP is a paid body of experts. We asked to arrange a walkabout in Highgate with them. As there

are some well-known architects in Highgate we would be happy to put forward some names for future membership.

Haringey Planning Committee: Other boroughs have fixed procedures to send applications to Planning Committee: Barnet and Camden automatically consider whether applications should go to Committee if more than five objections are received. We were told that in Haringey applications are only considered for Planning Committee if they are thought to be major or have been called in by a Local Councillor. We pointed out our lack of confidence in some of the Planning Committee's decisions, for example, in respect of the Mary Feilding Guild applications and the 44-46 Hampstead Lane application, approved on the grounds that this expensive private facility would "relieve pressure on the NHS".

Local Hydrology and Local Plan: Given the growing body of evidence of the impact of basement developments in Highgate, we suggested Haringey should commission a report on their cumulative impact from expert consultants working in the area, to enable more informed decisions as to whether to permit them; detailed maps and statistics are now available. We asked whether the new Local Plan would support refurbishment over demolition and rebuild to help Haringey meet the Zero Carbon target. We were advised that this will be considered and we will be consulted on the proposals. Amongst other things it will consider the cumulative impact of basement developments and embodied energy. We will also be very interested in the housing and design chapters.

As an example, the proposed sunken field and five courts by the Mallinson Sports Centre is very concerning. The line of trees between them is the last surviving ancient hedgerow in Highgate and includes several veteran oaks. Further, there is an active spring close by and may well permanently fill the sunken field while depriving the ancient oaks of water. The Haringey tree officer must be consulted.

We noted that there has, over the years, been a marked *deterioration in Archway Road* and a real effort is needed to restore it. We asked at the March meeting whether any grants are available. We were told that there is now a Town Centre Manager for the west of the borough and Haringey is running "weeks of action" where Council teams concentrate on one area in the borough. It may be possible to apply for one for Highgate.

The Society and CAAC did a huge amount of work updating *the Local List*, at Haringey's request, in 2017, but nothing has happened since other than a draft several years ago. We asked to be consulted on any new draft before it is finalised, as we would like this and the Conservation Area Appraisal to be strengthened. We have been doing a considerable amount of preparation work for this recently. We were told that a *new Conservation Officer* starts on 10 July and will be working on both documents. We have offered to show the new Officer around the village.

Certificate of Lawfulness applications are approved automatically where a development carried out without permission has been complete for four years. We were told that this applies even in Conservation Areas, unless the building is Listed, though the 4 year rule may be extended under the Levelling-up and Regeneration Bill.

We understand that Haringey is liaising with Camden on policy as anticipated in the Neighbourhood Plan. Particular issues we would like to see addressed are in regard to traffic, parking and Article 4 directions.

Broken Paving Stones outside new developments: this is the responsibility of the Highways Departments. We should take a photograph of pavements before construction starts and forward it to Highways to enable them to take action.

External plant on new developments can be intrusive and disfiguring but is often left as a condition after permission is given. We believe it should be shown on the application drawings. We were told that showing all plant will be a requirement in the updated validation list.

We then took the Planners on a walkabout of sites of particular concern, starting with the poor condition of the Archway Road shopfronts and streetscape. We showed them the deplorable condition of the garden at *2 Jacqueline Creft Terrace, Grange Road*, a Haringey housing department property, which their Enforcement Officer will raise with housing, and several other sites in the road with redevelopment or enforcement issues. We showed them the hydrological and ecological issues linked with the application for the *Mallinson Sports Centre*, and raised the concerns residents have about the impact of the development on local streets. Other aspects of the Highgate School applications discussed on site included the insensitive designs for the new Richards Music Centre and the Dyne House frontage; residents' concerns about the impact of the new block at Dyne House on ground water, and particularly the cofferdam effect of the sheet piling; and the logistics of heavy traffic entering and leaving the site and their impact on local amenity. We also felt that the disruption from the proposed rear extension proposed for the Science Block was disproportionate to the extra space it will provide. We then visited the Townsend Yard site, noting damage to listed railings at 42 High Street at the entrance to the yard; we also met the owners of Omved Gardens, who flagged up the negative impacts the development is having on their property and business; for example, a lorry had backed into and damaged their boundary fence that morning as there is not adequate space for turning, and they raised their concerns about access and safety as the building site appears to have extended into the shared access road, reducing access to their land. They said that their efforts to contact the developer have met with no response. Finally, we advised that the owner of Shepherds Cottage has been told by the developer that the full number of houses will be built; this will cut off her fire escape (see below). We also showed the Planners our photomontage showing the

view down Highgate Hill from the High Street and the impact the proposed tower block at the Holborn Infirmary/ Archway Road site will have on this view.

On the **Townsend Yard** situation, we submitted a freedom of information request to the London Fire Brigade which elicited the reasons why they consider fire safety issues relating to the development have not been satisfactorily addressed. A meeting held with them and other concerned parties highlighted the main issues as lack of adequate turning space for fire appliances in the yard, and inadequate fire safety for Shepherds Cottage; options such as fire sprinklers and/or alarm systems for the cottage and surrounding properties were not considered practical due to the substantial damage to the listed properties. However, little was resolved and it is clear that a further meeting is urgently needed. We have also been trying to clarify the issue of public right of way through the Yard as residents and visitors to businesses have been using it for decades, and we are also seeking clarification of the actual ownership of the Yard itself.

Planters have now been installed in the **former bus stand** to pedestrianise the area while the long-term future of the site is considered. If you have ideas for what could be done with the space in the short term, please contact us or the Neighbourhood Forum.

A welcome return to the High Street is the old Rose and Crown Pub, though now called only **The Crown**, although we did ask that the old name be restored, since local history is important to people here. We were nevertheless invited to the reopening.

There is little new as regards Haringey's proposed residential development at the **Wellington Gyrotory**. We continue to question the poor design as well as what we consider would be the unacceptable health and safety conditions for residents.

Likewise, there is little new to report on the **Holborn Infirmary Site**, sold by Peabody Trust to Seven Capital who have produced plans to convert the original Victorian buildings into private flats, 3 new blocks of affordable housing and, controversially, a tower block for student accommodation, at 28 storeys (reduced from 34 storeys!) twice the height of the neighbouring Archway Tower, which we are opposing together with other local groups and residents. You can see our reconstructed views down Highgate Hill from the High Street and elsewhere on our website. At a meeting Seven Capital indicated that they had only wanted to keep the nurses home and build one block with a quadrangle on Highgate Hill, but Islington Planning is insisting on more housing units, which is driving the current scheme, including the tower block. They propose interim use as artists' studios.

On the **Highgate School Development Proposals**, the Society facilitated a public meeting at St Michaels School on 8th June to discuss the proposals, chaired by

Catherine West MP and attended by Headmaster Adam Pettitt and others from the school team, Haringey Planning and some 250 members of the public. Views were clearly expressed, and the outcome was that the School, the Society, Haringey Planners and other local groups will hold a series of workshops to address issues raised and look at possible amendments and mitigations. We are also proposing an initial 'overview' workshop which will deal with the issues that affect all of the sites and the wider village, including impact on the village, Construction Management Plans and pupil numbers. The applications will not now be going to Planning Committee until after the workshops. Please monitor our website and newsletters for updates. Several of the sites were, as reported above, visited during our quarterly meeting with Haringey Planners.

Our hard-working Planning Committee has looked at large numbers of applications in both Camden and Haringey, and comments on individual applications include the following:

We opposed a new application to demolish and rebuild the original **25 Sheldon Avenue** house with basement and new wall, gates and railings. Unfortunately, Haringey had approved a smaller-scale application in 2021, which weakened the grounds for objection. Close by we have opposed another out-of-scale redevelopment at **26 Sheldon Avenue** as completely out of character with the Conservation Area.

In the same sub-area, there is a proposal to demolish **11 View Road** and replace it with something very similar, but supposedly better built and more sustainable. However, the embodied energy involved in the demolition and rebuild would be considerable and a retrofit of the existing house would be preferable. Fortunately, Haringey's pre-application advice is that demolition is not acceptable and a house should only be demolished if the replacement is an enhancement. The application includes a 'whole carbon report' which compares the impact of a total rebuild to retention, but we hope the new Haringey Local Plan will not allow replacement buildings of this nature.

Better news is the refusal of an application at **24 Grange Road** for an already over-large side extension over an existing garage which would have blocked the remaining view of trees behind, a feature of this 'semi-rural' road particularly noted in local policy. In the same road, at **No. 10**, we have opposed a Certificate of Lawfulness for an additional single storey outbuilding in the rear garden for use as storage space, since the application form calls it a 'recreational garden dwelling', putting it outside permitted development rules.

We are also considering proposals to upgrade the informal BMX trail **Shepherds Hill by Shepherds Hill Library** into a permanent, hard-engineered trail. This would seem to take a considerable portion of the wild area originally leased by Haringey from Transport for London to manage as an ecological area, and to urbanise what is currently a semi-rural visual amenity.

Further afield, we have expressed major concerns at a proposal by **St James's Church Primary School, Woodside Avenue** to put the school's name in illuminated letters high up on the building's tower, partly because of the precedent it could set, and partly because it seems to serve no useful purpose whatever. In particular it could have a harmful impact on night-time wildlife using Highgate Wood, as well as being visible from residential properties and the wider area, including the adjoining Conservation Area, at night.

We have also opposed an application by telecoms operators for masts and cabinets on the pavement at **Shepherds Hill Gardens**, as an intrusive feature which will create visual and physical obstruction to the street scene and surrounding views and detract from the Conservation area, against Haringey's own policy which requires that there should be no significant adverse impact on neighbours' visual amenity; no adverse effect on the street scene, or spaces in which they are located; and must be located discreetly and not detract from the special character and appearance of the Conservation Area.

We supported residents concerned about an application for extended early morning hours to a takeaway at **172 Archway Road**, observing that it was inappropriate in an area where there is little other night-time activity, and could cause disturbance to residents from noise from delivery mopeds, ventilation equipment and cooking odours. We suggested that Haringey's Licensing Section notify all residents within 50 metres and give them the opportunity to comment. If there were then no objections, we would be less concerned. In return, we received a message stating that, though objections were being received, the time for making them had passed and Haringey were obliged by law to reject any late objections made outside the consultation period. Clearly a major injustice of the licensing system is that there is no requirement to notify neighbours of applications, however badly they may be affected. Haringey then advised that they had given the address as 172, on the opposite side of the road, rather than 171, though the owners were the same; did our concerns remain? Yes, we replied, since there may be two shops, suggesting greater potential for disturbance to residents, and we suggested that the consultation period should be extended from the time the error was noted. The response was that, since the error was Haringey's, a statutory notice was posted in a newspaper (we understand that Haringey's notices are published in an Enfield newspaper) and they cannot penalise the applicant.

We responded that the Licensing Committee should find a better way of informing local residents of licensing applications, rather than leave them to find out about applications too late, but were simply advised that the legislation is clear that only objections made during the consultation period can be considered, adding that objections made in this way often contain issues that are not relevant and then problems occur because objectors must give their address, but are often reluctant. "Had the residents seen the notice up at the premises for themselves and read the

information therein they would have been able to make an early judgement call as to whether they wished to submit a representation.”

Concerned residents sought our help and advice in respect of two proposed new 3-storey semi-detached houses at **Alford Mews, 50, 52 and 54 Stanhope Road**, which we have supported them in opposing. The site has already been extensively redeveloped by the freeholder with the sale of land to the rear and the construction of 4 penthouse apartments on both blocks. An earlier application for a 2 storey housing on the site was refused and then dismissed at Appeal. In addition, permission for the penthouses was conditional on building a bin and cycle store, which remains incomplete and unusable after 3 years. A short while ago a similar application was withdrawn following opposition from residents. In addition, building on the open “square,” will severely damage the open character of the streetscape and harm the amenity of existing residents, who will be overlooked by the new houses. There are also issues with parking, including a statement by the developer that the existing car park is underused and there would be no noticeable impact on existing residents’ ability to park close to their properties, which is strongly contested by the residents, as is the developers’ suggestion that there is spare capacity on the streets. The development will also reduce the number of parking spaces from 19 to 16.

A ghastly, and seemingly completely excessive, double thickness green mesh **security fence**, some 4m high and topped by barbed wire, suddenly appeared down the path from Wood Lane to **Highgate Station**; see our photos. We have registered a complaint with Haringey Enforcement Department and urged them to take action to have it removed.

The first part of an application at **17 Denewood Road**, for minor alterations to a permission currently being constructed, is uncontentious. However, the second part, for “some additional front wall alterations to improve security and safety of the applicants” is more so. Conservation Area policy states that new boundary walls will not be permitted if they have a detrimental impact on the open character of the street-scene; cause unnecessary removal of mature hedges; or would result in a loss of visual permeability where this contributes to local character. This is a critical element of the character of the streets within the Bishops Sub-Area, with important gaps between houses and traditionally low front boundary walls, preserving the green character of the streets. The proposed new boundary treatment shows brick piers, “new vehicular bifold solid horizontal panelled gates,” black in colour, and the height of the wall increased to be similar to neighbours “in order to improve security.” Though it asserts that the new boundary treatment will be similar to the neighbours, the current visual permeability from the street will be lost, and it also indicates that the new front wall will have an *artificial* hedge behind. Another concern is the proposed extra street frontage lighting on each of six piers, which would cause unnecessary light pollution. All in all, there seems little point in the slight increase in height sought, since it would have little effect on security of the

dwelling, and the overall treatment would give a fortress-like appearance, at variance with the open character and views into gardens characteristic of the Conservation Area. It is far from a “minor alteration.”

A side extension proposed for **Flat A, 87 Southwood Lane** would block the openness and the view through to the rear gardens and large tree beyond and almost completely fill the gap between it and its neighbour. Policy states that “gaps between buildings, often providing views of mature rear gardens, are an important feature of many residential streets of Highgate and contribute positively to the Conservation Area.”

We have commented on an application to alter and extend an original arts and crafts house at **8 Southwood Lawn Road**. Because of the sloping site, it will affect neighbours’ daylight and appear more overbearing, so the height should be reduced. We also feel that the design of proposed extra windows is out of character with the building itself and the conservation area.

Though on the very fringe of our area and outside the Conservation Area, Bancroft Avenue is within the Highgate Neighbourhood Forum area, and we submitted an objection to proposals for a new house at **40 Bancroft Avenue** which was worrying nearby residents as creating a dangerous precedent for backland and infill development, contrary to Neighbourhood Plan policy, and would be an incongruous overdevelopment which would erode the area’s character and appearance. Approval was originally given for an extension, on condition that it should be ancillary to the dwelling house and not used as a separate dwelling, to protect the amenity of neighbouring residents and to prevent overdevelopment, a reason which remains valid.

Our **open spaces** are an integral part of Highgate’s character and value, and it heartening to learn that both **Hampstead Heath and Highgate Wood** have again been awarded **Green Flags and Green Heritage Flags**, Highgate having won the latter every year since the Award’s inception.

At Hampstead Heath, we are sorry to be losing the Superintendent, Stefania Horne, who is leaving after 18 months to take a senior post in Hertfordshire. Her role will be filled by Head of Conservation Jonathan Meares until the post is filled. The **Parliament Hill Masterplan consultation**, deadline 3 August, somehow failed to reach us, and we have asked for a further period to respond. **Dogs swimming in the Ponds** have raised new concerns following the realisation that the chemicals from their flea treatment are polluting the ponds and affecting aquatic life. Water samples are being analysed, and dog walkers are being asked to use anti-flea treatments only when a dog has fleas. Another urgent project is to improve aeration in the ponds.

Sheep will once again be on the Heath this year, from September 11-18 September. There will be five rare breed sheep: Norfolk Horn and Oxford

Downs ewes. The aim is to trial grazing to help make parts of the Heath more biodiverse; the London Natural History Society will survey the vegetation at the site before and after the session. The site, which will be fenced off, will be the ant hill site on the Heath Extension, chosen because keeping the anthills clear is not easily done with machinery, and ants need air circulating around their nests. It will be visitable from 8 a.m. to 7 p.m. At night they will be kept in a shelter in the Heath Extension Yard. Volunteers will be present to explain the project and engage with dog walkers to ensure they understand the need to keep dogs under control.

Works to enclose the new conservation area at **Highgate Wood** were completed during the autumn and monitoring of how the ground flora is improving will commence this year. Increased bird activity has already been noted, including species not previously sighted, and there is annual inspection of bat boxes, six species having been found in the Wood. We have flagged up that there may be specialist skills and knowledge held by local people which can offer opportunities if funding was available. The Roman Kiln project has been successful in obtaining funding from the National Heritage Lottery Fund; the pieces of the kiln, long in storage, will be reassembled by Conservation specialists and displayed in the Information Hut, and the City will undertake repairs to the building. The Highgate Wood Conservation Management Plan will be renewed for 2023-2033 and climate change will be embedded in the new Strategy; a draft plan will be produced and put to the Consultative Committee (on which the Society sits) for consultation. New tree management software (Tree Plotter) has been launched and will be used for inspections. Funding has been received to install an artificial cricket strip on the playing field; members of the Consultative Committee did not consider this a good idea. In answer to a question from a Haringey Councillor, it was explained that it was part of a wider sport strategy for the City's open spaces, but hopefully it will be consulted on further. The wildflower Meadow has been a great success, attracting a range of new insect species, and in response to concerns, the number of Forest Schools allowed to use the Wood and the Heath will be strictly limited.

The Extreme Weather protocol for Hampstead Heath, Highgate Wood, Queen's Park and West Ham Park is being reviewed to consider closing the woods when winds are above 35mph.

The 2023 Highgate Wood Heritage day will be held on Sunday 3rd September 2023. Staff led walks can be booked via Eventbrite, and the Society will once again have a table there.

We are also responding to Haringey's consultation on improving the accessibility and inclusivity of entrances and footpaths along the **Parkland Walk**, which is not only a major local amenity but a vital part of our ecological corridor. Past experience of similar highly engineered works at the **Stanhope Road** bridge, widely opposed at the time but public concerns were ignored, suggests that the work may involve considerable tree felling.

We continue to monitor numerous applications for **works to trees** – and would welcome help with this from local people. We objected to proposals for the removal of several trees at **1 North Road**, a corner site highly visible from a wide area whose trees make a significant contribution to the local streetscape. Fortunately, Haringey's tree officer agreed and has recommended refusal.

We have also flagged up reservations about an application for works to two protected Oaks at **7 Sheldon Avenue**. Though the application form clearly states that "a sketch plan clearly showing the position of trees...and description of works MUST be provided", the detail of what works were proposed was inadequate and we don't believe Haringey should have validated it, and we have asked that Haringey's tree officer must specify what will be permitted.

In the outside planning world, two new issues could have a major impact on us and other communities.

From Spring 2024, **Biodiversity Net Gain** (BNG) will become mandatory from next spring, with the exception of very small sites. It will require a developer to leave a site with at least 10% more biodiversity than when they found it. The process must start early; an ecologist will make an appraisal to establish what biodiversity exists and how to achieve the gain. BDG is not about landscaping, but about habitat, ecologists need to be involved at all stages, the developer also needs to think about the short and long term maintenance of the habitat, and expertise is in short supply. The local community can help because they may have expertise there and volunteers can be used to maintain the habitat.

The legislation and guidance are still being developed. Adding BNG to a development will be expensive because it has to take priority over economy and will require a different approach to building. It will also have a cost for the Local Authorities because they have to monitor the works and will also be doing it for their own building projects. They can use some of their own land to offset lack of gain in smaller projects, but offsetting is to be discouraged as natural space contributes to wellbeing in built-up areas. While site owners have to meet the cost, they can claim additional funding on the basis of environmental and social value. The danger is that many developers will argue that it will make their schemes unviable and that elements such as affordable housing may be adversely affected.

The other issue is that the government are looking at **further widening of permitted development**, though the measures already forced on us in 2021, permitting the conversion of commercial, business and service uses to residential without the need for planning permission, have already been widely condemned as damaging the viability of our town centres without providing the housing which is actually needed - i.e. affordable and social housing – and benefitting no-one but developers.

Its introduction prompted considerable opposition from bodies in the planning sector and MPs concerned about the quality of housing it would produce and the impact on town centres. Yet the ridiculously named Department for Levelling Up, Housing and Communities (DLUHC) published proposals to expand considerably the right, including doubling the maximum size of premises which can be converted to residential without permission from 1,500 square metres to 3,000 square metres, which could include even department stores. The requirement for shops to be vacant for three months continuously could also be lifted and the Government are even considering lifting the ban in areas of outstanding natural beauty (AONBs) and national parks.

The government justifies the changes to deliver more housing, the aim being “to provide greater flexibility for owners, enable more premises to change use, and therefore to deliver additional homes.” But the changes could further undermine local authorities’ ability to manage their town centres and local economies, while producing no extra homes. Planning consultants and public sector planners fear that the result would be longer dead frontages on the high street and are urging that conversion schemes should be required to retain an active frontage. They also point out that it could also mean a serious loss of footfall in the town centre which would not be compensated for by the new residents. There may now be too many shops in some centres, but communities must be able to manage the change, which this will prevent. In addition, the fees paid by developers to local authorities when applying to use the right are lower than for normal planning applications and do not cover the cost of processing the application.

It has been estimated that the conversion of a 3,000 square metre building could create 80 flats, but the developer will not even be required to make any contribution to infrastructure or affordable housing, and it is widely feared that the change is unlikely to produce many additional homes, not least because larger stores are more difficult to convert to housing.