

My homily on the recommendations of the Barker Report on Land-Use Planning, which took up much of the space in my last report, appears to have opened some eyes. While people have commented on it to me in terms of horror, what I found alarming was that fact that their comments went along the lines of "We had no idea this was happening until we read your article".

Town Planning affects everyone and everything around them. The problem is that, try as we and many other groups like us do, it's not glamorous; it is hugely difficult to get people worked up about Town Planning until it's too late and a block of flats is about to go up in the garden next to them, or a row of trees across the road is cut down, or a familiar historic building is demolished to make way for badly-designed offices, or a road is to go through your area so people outside it can get from outside it can get through it faster, or yet another retail shop is lost and the shopping centre suddenly isn't viable any more – that is, when it's too late.

Then, when people realise what is happening and object, they are branded as "NIMBYS" – an acronym, I always like to remind people, coined by our worst-ever Environment Minister – though, goodness knows, we have a strong challenger just now. At least Nicholas Ridley made no secret of his contempt for conservation and communities; the present Government coats its proposed emasculation of the planning system with a sugary layer of assurances that "the historic environment will be at the heart of planning", that the 'community' will have a greater role than ever in planning and that the new streamlined planning system will be better for everyone, so that we will quietly swallow the medicine before discovering how horrible it really is.

My own definition of a "NIMBY" (for those of you recently arrived from Mars, it stands for "Not In My Back Yard") is someone who, under the present system where people have no third party right of appeal, has no other way of showing their concern about what is happening than by objecting. Yet they are too often shown to be correct, and we need go no further than across the Heath to find a local instance of this, when the Heath and Hampstead Society was obliged to go to the trouble, and risk, of seeking a judicial review of Camden's granting consent for the vastly-extended Garden House in the Vale of Health, against all their local policies for protecting Metropolitan Open Land. (See the article on P.14)

From our own experience, and that of groups like us nationwide, the flaws in the town planning system have been evident for years. However, those flaws are not that it is too restrictive, but that it is already too weighted in favour of development and against community involvement in the planning of their own areas, in which I include the ability of local authorities to control inappropriate development. Another of the reasons for this is because, over the past ten years or so, the Planning Appeals System has changed from a means of seeking redress from a planning refusal which was made on a clear legal technicality to one where it is seen as a way of subverting the planning system and having another go in the hope that an Inspector, who does not know the area and has to assimilate national and

local policies in a couple of days, will take a more lenient line and give permission.

This has, not unexpectedly, resulted in a tripling of Planning Appeals over the past decade. The Government's answer to reducing this backlog is simple – take 30% of all planning applications out of planning control by making them “permitted development”!

I make no apologies for hammering on about this yet again, when you are by now probably longing for a good helping of local news. However, for the present, I have no doubts that it is far more important to alert the population as a whole to the planning time-bomb which faces us.

The promised Planning White Paper, following on from the Barker Report, which I described last time in some detail, was issued in May. To our dismay, it appears to have listened to none of the concerns expressed by a host of organisations, including the Civic Trust as the main representative of the community sector in planning, and embodies all of Barker's recommendations virtually unchanged, with the possible exception of Green Belts – though even that is not certain.

It is accompanied by satellite draft legislation. One is the long-awaited Heritage Protection White Paper, which is a massive curate's egg, good in parts – for example, local authorities will be required to produce historic environment records, and when a building is proposed for Listing, it will have immediate temporary protection to prevent it being demolished before a decision can be made. However, somersaults are made when discussing locally listed buildings; on the one hand these are to be given greater protection against demolition, which will henceforward need planning permission; but on the other, demolition of locally listed buildings is to be made permitted development, which a local authority can address by issuing an Article 4 Direction (I did say the planning system was complex, didn't I?). Article 4 Directions are so complicated to set up that local authorities avoid them; the result will be demolition of locally listed buildings. Space and time are too short to expand on it here; for my full 20-page critique of it, go to www.civictrust.org.uk and look at Responses in the Policy and Campaigns section.

Another potentially damaging piece of draft legislation is the proposals for revising the laws on Permitted development - i.e. what you can do without planning permission. As I mentioned last time, the aim is to reduce the “burden” on local authority planners by taking 30% of all planning applications out of planning control, so that planners can “concentrate on strategic issues. This is applicable inside Conservation Areas, too, so fairly substantial extensions will be permitted in them, without the need for planning consent. This will, of course, be disastrous for the Society's ability to have input into almost any smaller development in Highgate, however badly designed it is.

Of course, the legislation proposes, there will be safeguards. Neighbours will be notified of any such development (though how will they know if it's permitted development?) and will still have an opportunity to object if they consider that it will affect them.

Running through the whole, too, is an alarming anti-Conservation Area thread, and there are fears that pressure from the development lobby to make development easier in Conservation Areas is shifting the focus of ‘protection’ from them to individual listed buildings, and that the

Government is embracing this philosophy. In this day and age, it is depressing that there seems so little understanding that the whole point and character of a Conservation Area stems not from the individual buildings in it, but from the overall environment and appearance. We appear to be in the grip of a Government who truly know the price of everything and the value of nothing.

The fight, then, is on, to retain a planning system which has overall vision and some purpose, takes an holistic approach to the whole living and working environment, and which will not become a facilitator for any type of development. The coalition of national bodies, which I mentioned last time, has now taken on a full-time campaigner and will be launching a national publicity campaign and fortnight of action during the first half of July. Whether or not you read this before this occurs, you can still add your voice to the national concerns, by contacting our website, www.highgatesociety.com

(1) Visiting the Civic Trust website, www.civictrust.org.uk, for an update on what is happening under Policy and Campaigns;

(2) Checking the progress of the national campaign under www.planningdisaster.org.uk, and seeing what else people are being asked to do, including writing letters or signing petitions;

(3) Express your concerns to your local councillors, MPs, MEPs and GLA members –you can find out who they are through <http://www.writetothem.com>

(4) asking friends, relatives, etc. everywhere to participate. This is a national campaign and Ministers have already made clear to Coalition members that unless it is evident, from public reaction, that the proposals are unpopular, they will be bulldozed through without change.

(5) *Come to 10a on our Saturday morning "Members' Surgeries" between now and the end of July and sign our petition urging the Government to rethink. We got some 120 signatures during the Highgate Festival despite the rain. If we were petitioning to save whales, or polar bears, or woodlands, there would not be much to explain. Here, visitors were divided between people who had read about the White Paper and thought it disastrous, and the majority who had never heard of it. Explaining it to nearly 100 people takes time and taxes the vocal chords badly. Therefore we need to collect more signatures over the next few weeks – 500 would be an ideal. *If you would like to help us by taking copies of the form to fill up, please contact me.**

Of course, a petition from the Highgate Society is hardly likely to shake the foundations of Government. However, if every one of the Civic Trust's 700 member society could collect 500, this would make 350,000 signatures, and I will suggest that the Civic Trust pursue this.

All the above has sounded very anti-development. Of course, it is not. We and groups like us have had good relations with most developers and architects, and, in turn, the success of most development schemes – particularly large ones – depends on the broad expertise of the development

profession. Where historic buildings are saved and refurbished, or archaeological excavations undertaken, it is normally the developer who pays. The law requires them to do so, in the interests of the wider community, and most do so willingly. Towns and cities suffering from decline welcome regeneration projects, the most successful of which incorporate the local historic environment and preserve the character of the area, which is what local communities want.

The danger is that the Government has been convinced by a narrow lobby, which includes economists, that the planning system is a threat to our economic well-being, and has refused to listen to any other arguments. It is vital to be able to demonstrate to them that

It is therefore essential that everyone participates in what is a nationwide protest. I have once again devoted a considerable amount of space to this because I, and many others, believe that this is more important than any local issues with which we are dealing, and perhaps the greatest threat to good planning in our lifetimes.

Meanwhile, Back in our Own Back Yard...

As you will see from the contacts page, The Environment Committee has undergone a consolidation. Several years ago, we split into five sub-groups, both to spread the ever-growing workload and in the hope that it would encourage people from the wider membership to join a specialist committee of interest to them. Although several new members have joined us over the past two or three years whose contribution is proving invaluable, we have not succeeded in attracting enough people to work on separate sub-committees or specialist working parties. and so for the time being all work will come back under the aegis of a single Environment Committee.

There will still be a Traffic and Transport subgroup, hopefully about to have a new Chairman, which will report to the main Committee and meet separately to study complex traffic and transport issues in detail. For example the special group established to take forward our proposals for the 271 bus will be led by Robin Fairlie. A small sub-group under Richard Webber has recently carried out an extremely valuable and revealing survey of traffic flows and route usage in the Village. That will be reported on in the next issue of Buzz. Keep Highgate Tidy will continue as an entirely separate group.

There has been another change, in the departure of Haringey Lead Planner Frixos Kyriacou for private practice. Over his years as lead planner for Highgate, the Society developed an excellent working relationship with him, and his knowledge of, and affection for, Highgate – he was a pupil at Highgate School! – ensured a sensitive hand on the tiller. His departure leaves a gap which will be difficult to fill.

I was dismayed when I saw Haringey installing pink tactile paving at all four corners of the North Hill / Church Road / View Road junction. This is a very visible part of the Conservation Area, where local authorities have discretion to use more sensitive methods. I wrote asking that the work be

stopped and that grey paving be used instead, and to my surprise received an immediate reply from their Highways Department advising that grey pavements had been ordered and would be installed when they arrived – which they duly were, within a few days.

Camden are working on a new Conservation Area Statement for Highgate, and held a public meeting recently to present the Consultation Draft and explain what it was all about. Basically, it is a supplementary document to help developers and others understand the character and distinctiveness of Highgate, why it is important, and the approach which should be taken to any works within it, and Boroughs are legally obliged to update them every five years. Highgate has been without one for too long and this is therefore timely. Only 5 members of the public were present – four from the Environment Committee. However, we were able as a result to have a more detailed discussion than would have been possible with a large audience, and we took away copies of the draft to submit our views. As we have made clear in the past, we consider that the artificial division of Highgate between Camden and Haringey (and Islington) is unfortunate – it has, for example, even led developers in one Borough to believe that there is no Conservation Area in the other, so lax was their background work. We have asked for a single Statement to be produced for the whole of Highgate, but Haringey are significantly behind with their own Statement, and Camden are reluctant to hold theirs up. We have however asked both that the historical introduction makes adequate reference to the fact that half of the Highgate Conservation Area is in Haringey, and that the two boroughs look at producing a common introduction when Haringey's is eventually published.

In this connection, I recently found that the Salisbury Civic Society had published an excellent survey of street furniture and proposals for measures to reduce clutter and signage in their city, which can also be studied on www.salisburycivicsociety.org.uk. The Society has had such a survey on its agenda for a long time, but been unable to progress it for pressure of other work and too few people to take it forward. Perhaps one, or more, of our readers might take a look at the Salisbury document and be inspired to come and talk to us about helping us to produce one for Highgate?

A good place to start might be with the Extension of the Haringey CPZ, being implemented in North Hill and adjacent roads as I write. Although the earlier works were done reasonably well, North Hill is a particularly sensitive area as there is very little street furniture or signage in it, and an absolute minimum of restriction signs and poles is essential, and those placed on walls wherever possible. We have asked to meet their Highways people to discuss the location of the new signage, and await hearing as I write.

The first phase of the Hampstead Heath Management Plan consultation has ended. On the whole it seems a good document but we have made a number of comments and await the next phase, later in the summer. The vexed subject of Cycling on the Heath is still with us, with passionate arguments for and against. In an effort to progress the debate,

the City of London have commissioned consultants to monitor current cycling activity and how cyclists and pedestrians relate, to form a basis on which to discuss whether there should be any extension of cycling there. To date, the Society has supported the view of the Hampstead Heath Consultative Committee that there should be no extension, and what feedback I have had from members certainly suggests that that is the view of the majority.

On Hampstead Heath, you will perhaps have noticed that four prominent and tall new telecom masts, with their accompanying large control boxes, have been erected at the far end of Spaniards Road and on the pavement by the Whitestone Pond overlooking the Vale of Health. It is surely unacceptable that such eyesores, which have seriously compromised the amenity of the highest part of the Heath, should be permitted – but there they are, and local authorities seem powerless to stop them, or to require the operators to give even the most basic regard to design, context or visibility. How much worse will things be if the Planning White Paper goes through unchanged?

The first phase of public consultation on the revised Hampstead Heath ten-year management plan ended in May. This was given much publicity, and I hope that some of you visited the Public Open Days held by the City to sound out preliminary public views on the Heath and how it is managed, and filled in the short forms provided. People must be reasonably happy with the way it is run as none of our members lobbied us to take any particular position on any issue. I went through the detailed plan and sent several pages of comments to the Environment Council, who are managing the consultation.

On an unseasonably cool day in May, I attended the City of London's reception to mark the handing over of a hectare of former Athlone House land to Hampstead Heath. This was the culmination of three years of negotiation over the site, and I certainly feel that the achievement, by the Society, the CAAC, and our colleagues in the Heath Society, of securing the first significant addition of land to the Heath in 50 years, is one of the most rewarding in which I have been involved. It is certainly our hope that it will be used to persuade other landowners adjoining the Heath, and particularly those who want to carry out large (and very high value) developments, that the example is one which ought to be followed.

English Heritage have now held two public meetings to discuss the future of the Kenwood Concerts. An update of the current position by Roy Fletcher will be found elsewhere in Buzz.

Since the Society now has a general idea of the range of proposals which English Heritage can be expected to produce as a template for future concerts, the Society will over the next few months be finalising its line on what we consider acceptable. *That must include a realistic plan to reduce noise pollution to more acceptable levels.*

It is important to know members' views, so please let us know your own thoughts on the matter by writing to us at 10A, or via our website www.highgatesociety.com

As for the 271 Bus Stand, I will only mention our exasperation when, against our advice and urgings, Transport for London insisted on installing anti-pedestrian paving by the bus stand, about which many people have complained to us. This, they said, was in order to prevent injury to people standing on the corner where the buses mount the pavement when turning – despite the fact that there had never been any incidents before. However, within a month of installation, two pedestrians had tripped on the paving and injured themselves badly. TfL's reaction was to put up a line of bollards, to be linked by metal bars, to prevent people walking over (and thus rendering superfluous) the antipedestrian paving. Our immediate protests at least obtained a halt in the work before the bars could be put in, and we are awaiting a response from Camden to our request for a site meeting to sort out this visual and logistical mess. In the meantime, I am told that buses continue to project over the pavement when turning - though not where the anti-pedestrian paving was installed.

Though Haringey's On-Line Planning Applications system, we now submit most of our comments electronically, which saves both time, postage and paper. However, I recently noticed that a few of our comments on particularly important applications had not figured either on the website – which shows all comments submitted on an application – or in the case officers' reports recommending permission or refusal. Wondering whether this was an isolated case, I checked a random handful of our case files where we had sent in comments and found, to my dismay, that *none* of them had been taken account of, though they were certainly not bounced back and, hence, presumably received. I have taken this up urgently and await a response.

Individual planning issues continue to demand attention. A regular enquiry is in regard to the former butcher's shop at 359 Archway Road. The building has now been demolished; unfortunately, the planning consent was only for building two further upper stories, and Haringey's Enforcement section are investigating. In design terms, it could be argued that the loss of the building was no bad thing – except for the fine Art Nouveau tile panels, the best of which was torn out before we could take any steps to have it protected – and it may be Haringey will conclude that, had they been asked for permission to demolish, they would not have refused as long as it was replaced with a well-designed replacement of benefit to the Conservation Area.

This raises the major dilemma which we, and local authorities, face as to what sanctions should be placed on people who flout planning control and go ahead with their projects without any consent. A similar situation has arisen recently at 1a Cholmeley Park, where a house was erected, without permission, on a derelict site. When the owner's retrospective application for planning permission was refused by Haringey, he appealed to the Government against their decision. However - and perhaps a little surprisingly given the current favourable Government climate as regards development - the Inspector upheld Haringey's decision and ordered that the building must be demolished.

In principle, this approach must be taken if the planning system is to not to be systematically flouted and inappropriate development carried out with impunity, setting an example which others will be encouraged to follow, to the disadvantage of the local community and the unfair financial benefit of the builder. Certainly, I was quoted in the Ham and High as approving the outcome. However, there can be collateral damage – the tenants of 1a Cholmeley Park who rented the property in good faith and now find that they have to move out, and the adjoining owner, who will find herself once more living next to a derelict site.

Unless demolition is essential in the interests of the local environment or of good planning – and that will often, of course, be the case – perhaps some appropriate, and substantial, financial penalty might be levied on the offender, to be spent on local improvements and compensation for affected neighbours? That might sometimes be a compromise between the current extremes available as solutions, of either granting permission, so that future breaches of planning control are encouraged, and demolition, which might cause as many problems as it solves. However, I do not wish to be thought of as seeking to soften the Society's approach to wrongdoers, and a strong approach is often the only one appropriate – as, for example, in a recent case in Wigan, where a developer who built a block of flats 1.5 metres higher than his permission provided, was refused consent for the unapproved design and the refusal again upheld on appeal, necessitating demolition. When we are faced with new legislation which will effectively encourage developers to bribe local communities with offers of money payments to accept developments which would otherwise be considered inappropriate or damaging, a firm stance has to be taken.

Local conflict has arisen in the form of a proposal to build a second storey onto the side extension of 58 Southwood Lane; this even hit the Ham and High headlines, with warnings of ruin to a “stunning view”, and an unusually high number of letters to Haringey both condemning and supporting the proposals. Certainly, the view eastwards from the top of Kingsley place is a stunning one, which I and probably most of you always stop to admire, and the Society would not hesitate to fight the proposals if we thought there was any threat to the local environment. However, both we and the Conservation Area Advisory Committee have looked very carefully at the plans, on site, from all possible public locations (it would certainly be visible from the loft window of the neighbour opposite), and have concluded that it will make no difference to the view from street level, and that we should make no comment. However, at the request of those opposing it, we suggested to Haringey that a compromise between neighbours could be sought by building the extension behind, rather than on top of, the existing extension.

The future of our two “stately homes” remains uncertain. I learn informally that Witanhurst has been sold, but accounts differ as to whether the purchaser – a wealthy individual – intends to use it for his own occupation, or to realise its development value. If it is to be the latter, then those of you who remember the battle to prevent the development of Witanhurst's lower gardens in the 1970s-80s – a battle lost, I believe, on a

mere technicality, and resulting in one of the ugliest developments in the area – will have an ominous sense of déjà vu, as the battle will start all over again, this time against the background of a main house which has been deteriorating badly over the years through lack of maintenance. We have tried hard to persuade Camden to issue a planning brief for the future of this critical site, and been rejected repeatedly, being assured that Camden's planning policies are strong enough to resist any application to redevelop the site. We shall see; they did not seem strong enough to prevent vast and unwelcome heathside development at Fitzroy Farm, Heathfield Park or the Elms, and the original planning brief for Athlone House was so bad that it took pressure from the Society to get it scrapped and rewritten.

And, talking of Athlone House, the half with the 1870s house has now been sold off from the flats development site. A recent article in the Ham and High suggests that the new owners will want to redevelop it. The planning consent for the whole site was predicated on the house, the last example of its kind in Highgate, being restored, and the original developers certainly accepted this as an element of the scheme. We therefore see no reason whatever why this obligation should not be honoured by the new owners, and if redevelopment is indeed to be pursued, then unless the replacement is of a design so outstanding, sympathetic and excellent that it is generally agreed to be better than the present house, which is an integral element of Highgate's history – I believe that we will have no alternative but to oppose it. Past experience, unfortunately, leads us to anticipate that we will be faced with a ghastly and vulgar pastiche more at home in Las Vegas, or at least the Bishop's Avenue, than the slopes overlooking Hampstead Heath.

With space again about to run out, and half the story still untold, the last item, just arrived, concerns the Mayor of London's proposed new guidelines on Strategic Views – vistas from well-known or sensitive viewpoints which should be protected from obtrusive development. With his well-known – and, in the view of many, unfortunate – passionate advocacy of tall buildings, to remind those of us somehow unaware of the fact that London is a "world city", one of the proposals is that the corridor width of the protected views from Parliament Hill and Kenwood towards St. Paul's should be reduced. Such is the concern at this that the City of London, managers of the Heath, have taken the unusual step of passing an urgent resolution in Common Council, strongly objecting to the proposals, due to take effect from July 13; deploring the fact that their original letter of objection about it has been ignored by the Mayor; pointing out widespread local concern and urging the Mayor to leave the arrangements with respect to those views as they were before. Our colleagues in the Heath and Hampstead Society are acting vigorously on this and working with other bodies, such as Westminster Council and concerned figures within the GLA.