

To start on a positive note, **keep a look out for Spring flowers**. Haringey Parks Department gave us 2,000 native daffodils, bluebells, fritillaries and snowdrops which were planted on The Muswell Hill Road "Peace Park" and the Park House Passage grassed site (by Maggy Meade-King, Councillors Rachel Allison and Bob Hare, and myself); the Highgate Village Churchyard (by the Islington Ecology Group), and the grass verge along Southwood Lane (by the Southwood House Estate residents). Thames Water have at last replanted the **hedge along the southern end of the West Hill Reservoir land**, accidentally cut down during restoration of the railings.

On February 18th, **Haringey's Environment and Scrutiny Panel** held an evidence gathering session at which several local groups, including the Society, were invited to speak. We were given a fair hearing, and the full text of what we said, covering the problems we have faced over the years, is on the website version of this report. Shortly after, we had a very useful meeting with their new Assistant Director Development, Stephen Kelly, who recognises Haringey's deep-seated problems and sought our views of the situation and solutions.

From a major to a minor key; we were among many who were appalled by the planning appeal decision allowing a four-storey building at **69 Highgate High Street**. At risk of inevitable accusations of "sour grapes", the Inspector's decision was possibly the worst inflicted on Highgate, and will cause lasting damage to its character as a historic village. Both Camden and English Heritage thought it perverse enough to consider a Judicial Review of the decision; but such challenges can only be on legal and procedural grounds, not on the merits of the case, and their advice was that the risk of losing, and incurring costs, was too high.

It was, perhaps, foreshadowed by a scathing Guardian article on 31st August, 2013, about a building in Islington awarded the 2013 "Carbuncle of the Year" Prize, which had been allowed by the same Planning Inspector, Terry Phillimore, and condemning how the Planning Inspectorate is consistently flouting local opinion. "Localism is dead" is the cry nationwide in the face of similarly controversial Appeal decisions, and Richmond MP Zac Goldsmith said of the Planning Inspectorate: "If I were asked to design a body with the specific goal of alienating and enraging communities, I do not think I could do better. Even where local people are absolutely united and backed up by their councillors, they are still routinely overruled... If there is to be any point at all in being a local authority councillor, we have to do away with that organisation."

English Heritage's own objection had said that the applicants had been advised that the proposed development did not preserve or enhance the character and appearance of the Highgate Conservation Area, but chose not to change it. While there may be potential to enhance the site, the proposed scheme would be harmful. Highgate was one of London's best preserved "villages", and the open aspect of the site allows views through to Pond Square. Camden's Highgate Conservation Area Appraisal states that any new development here must respect, complement and enhance the conservation area. The existing structures have some historic value as part of the later 19th century small-scale activities in Highgate's yards, but their real value was as "vernacular buildings that convey a sense of historic activity which rarely survives in such areas." The applicants' aim was to create a "landmark" building, but its bulk and design would damage the Village's character, enclose the narrow Snow Hill, and destroy views into Pond Square.

We believe that the Inspector's decision was gravely flawed on a number of grounds (see our website report for detail):

(1) He made several irrational statements:

- *"The proposal in time could be expected to be assimilated positively in the local townscape rather than be over-dominant."* This is illogical.
- *"Overall [it] would sufficiently preserve and in some ways enhance the character and appearance of the Conservation Area, and preserve the settings of listed buildings in the vicinity."* This can clearly be refuted.
- *"The narrower framing of the view by the new building would be in keeping with the existing strong sense of enclosure provided by the built form around the Square and vistas through alleys around its edge,"* This completely fails to recognise The Gatehouse as a focal point from Pond Square, and is also inaccurate, given Pond Square is open on the southern side.
- His assertion that *"There is nothing in the Council's Appraisal to indicate that a low scale of building in this location is an important intrinsic feature of the village"* is just wrong. Camden's Appraisal refers to *"vistas from the Gatehouse into Pond Square"*, and Haringey's Appraisal specifically refers to a view *"across the low buildings on 69 High Street (Camden) into the tree-filled Pond Square"*. His ignoring of these critical policies is outrageous. He has a duty to make an informed judgement based on all the submitted evidence, not just policies. Much was said by the Society and others about the low scale being a 'critical feature' of the village gateway, which he completely ignored.

(2) He failed to take into account material considerations;

- he ignored detailed arguments from objectors;
- he did not mention impact on pedestrian safety of the narrowed pavement;
- His statements that it "*would not lead to a harmful impact on views and settings,*" and then that "*The scheme is not the only potential response to the site, for example a lower building enabling more of the existing views across it to be retained might be successful*" was not only self-contradictory, but outrageous, in accepting that it will damage views. His conclusion should have been that less potentially damaging proposals should be examined before approving a development which has maximum negative impact.

(3) He failed to give adequate reasons for his decision and largely overlooking the many detailed objections.

Afterwards, we carried out a survey of 104 members of the public. 69% opposed the development, 54% strongly. 22% were neutral, and only 3% strongly in favour. Of local people only, 78% were opposed - including Architects! At about the same time, North Norfolk District Council won a High Court challenge against an Appeal Inspector, the Judge agreeing that he failed to give the necessary "special regard" to the importance of preserving heritage assets under the legislation and had disregarded the requirement to have special regard to preserving the setting of listed buildings. If only Camden and English Heritage had shown similar resolve.

Our other preoccupying issue is the new application for **Athlone House**, little different to the previous one. Our objection (on the website) filled 11 pages. Objections from the Heath and Hampstead Society, the City of London, the Victorian Society and Save Britain's Heritage were all strong, while English Heritage's was described as their strongest in years. We were even contacted by a nationally-known conservation architect who wanted to support us and produced a superb report, to accompany our objection, demonstrating that, contrary to the developers' claims, the house is eminently restorable. We are immensely grateful for his help.

The impact of the public campaign, co-ordinated by Catherine Budgett-Meakin, Liz Morris and Richard Webber, was remarkable, Camden receiving a surely unprecedented **3,500 objections**. This, and comments from people we lobbied on Hampstead Heath, reveals universal public outrage at the developers, who are trying to renege on their agreement to restore the house after having profited enormously from building the flats.

The on-line petition to Camden to refuse the application and enforce the restoration agreement, set up by member Jack Boswell, gained 5,000 signatures and was presented to Leader of the Council Sarah Hayward and Lead Member for Planning Phil Jones. It remains active on <http://www.change.org/en-GB/petitions/camden-council-save-athlone-house-from-destruction-2>. Terry Gilliam's Facebook feature on the house has also been a tremendous support.

We now await Camden's decision, which we trust will be to refuse the application, but which will, presumably, mean another gruelling Appeal battle (in which case, let us pray that the Inspector will not be Mr. Phillimore). We have also submitted a new application to have the House Listed; Susan Rose and Gail Waldman have unearthed much new material not taken into account by English Heritage when they refused Listing some years ago.

Basements remain a vexed issue. If you were in the packed audience in the United Reform Church to hear our fascinating lecture by expert Professor Michael De Freitas, you will have been alarmed at what you heard about inadequate engineers' reports, bad workmanship, lack of understanding of ground conditions, and planning authorities' lack of expertise to assess them. Impact on neighbours can take ten years to appear, by which time there is no hope of suing developers for damage unless you have bottomless pockets – and a recent court case established that a local authority cannot be sued even for giving permission negligently.

Even the GLA is now debating basements, and a motion calling for stronger basement policies in the revised London Plan was passed unanimously. A **Basements Bill**, due for a second Parliamentary reading, would limit basements to a maximum of 50% of gardens – of limited value in areas like Highgate, with large gardens – and proposes stricter Construction Management Plans to reduce nuisance to neighbours; but it does not address our concerns and has little chance against a deregulatory government. We also await Camden's long-delayed decision on the new house on the site of **The Water House, Millfield Lane**, which includes a basement which would cut across a known underground stream feeding into the Heath's Bird Sanctuary Pond, to which we have objected.

We were approached by residents of the **Hillcrest Estate**, told by Haringey that they are assessing the potential of all their properties for additional housing and were considering 50 new units on the estate. Residents are unanimous in opposing a scheme of this scale, but are willing to talk to Haringey about some low-rise housing on the site which is sensitive to the location. The site includes the Southwood Lane Wood Site of Importance for Nature Conservation, and any plans for development must consider the site's ecology. We have asked Haringey to ensure that the Society and the Neighbourhood Forum are involved in future discussions.

The workload of the **Planning and Development Group**, Chaired by Elspeth Clements, remains as heavy as ever, with 50 or more planning cases on every agenda; a small selection of the major items follows.

The nearest example of the Government's new policy allowing offices to be converted to housing

without planning permission is the **Archway Tower**, which should be demolished but has been bought by developers for conversion into small residential units for the private market. Under the legislation, they need not adhere to normal housing standards, or make any contributions towards infrastructure (drainage, sewage, schools, etc) or affordable housing.

Highgate School are also proposing alterations and new building at **22, 22A and 24 Broadlands Road**. Some of the proposals are welcome - they will be restoring **no. 22, the fine Gwendolyn Sim** building, though the proposed side entrance mimicking the main entrance is very awkward - but we have reservations about the design of the new houses, which would be tall, narrow and out of keeping with the existing houses, while a new building proposed for **13 Denewood Road** is too close to its boundaries and too high for its narrow site.

The fine Victorian **Holborn Infirmary Buildings** between Archway Road and Highgate Hill, formerly part of the Whittington Hospital complex but now owned by Middlesex University, is the subject of proposals for an intensive development of large blocks of flats surrounding the historic buildings. We have supported Islington's conservation appraisal arguing that any new schemes must focus on working with the existing Listed Buildings.

The **Highgate Garden Centre** situation remains obscure. Following Haringey's refusal of luxury housing, we await any indication of an appeal. The developers contacted us to ask for a meeting, but are now not responding. In contrast, following the objections of local groups, the developers of the sensitive **Listowel site**, at the junction of West Hill and Swains Lane, have withdrawn their application pending new discussions with the community.

In the west of Highgate, pressure continues for major extensions and rebuilds. An extension at **10 Sheldon Avenue** was refused by Haringey but has been appealed. At **Bracken Knoll, Courtenay Avenue**, we objected to an application for a new house with basement behind the original façade as excessively large and a dangerous precedent. At **Derwen, Compton Avenue**, we have objected to the replacement of one of the few remaining original Charles Quennell Arts and Crafts-style houses with yet another large basemented house.

Heavy Lorries in Highgate – Alarmed residents reported notices from Haringey that the 5-ton lorry restriction through Highgate is to be increased to 7.5 tons. However, this is not a plot to allow heavier lorries through Highgate. Weight limit signs are wildly inconsistent, some limiting weight to 5 tons, others to 17.5 tons, and conflict with the 2002 Regulations that 7.5 tons is the only weight limit which can be enforced. Haringey assure us that, once the signs are changed, they will be able to take enforcement action against heavy vehicles entering the zone illegally.

Haringey's consultation on a **Borough-wide 20mph zone** showed 42% in favour and 46% against, although more supported a limit in residential areas only.

The **Winchester Public House** in Archway Road has been sold to developers, who propose a wine bar downstairs and converting the upper floors to residential. The fine Victorian pub interior should be protected, and we will be urging Haringey to ensure this in any proposed works.

My appeal for help with **tree applications** was answered by local Landscape Architect John Evans, which has improved our capacity to cover them. Poor validation of planning applications by Haringey, which fail to provide sufficient information to enable them to be assessed, has been a major problem, and tree applications are often very carelessly drafted.

The Kenwood Dairy Landscape Project, which generated considerable local debate, aims to restore the long-lost view of the Kenwood Lake and Sham Bridge from the Model Dairy at the top of the West Meadow. Many were opposed to felling the three copper beeches on the Dairy Field; we did not oppose restoration of the view, but suggested leaving one of the beeches to grow into a major specimen tree. In the event, English Heritage agreed to leave all three, as there was little support for removing them; the view from the dairy to the lake will still be enjoyed by standing a little to one side of the dairy. The old farm pond, just to the west of the Rhododendron garden, recorded in early 19th century views but long since silted up, is being restored and a wildlife meadow created. The scene currently looks rather Passchendale-like, but should restore quickly.

Two further appeals for help:

Firstly, Richard Webber having stepped down as Chairman of our Traffic and Transport Group, the group is now dormant and a new Chair is needed.

Secondly, the popular annual Heritage Open Days will be on September 11th-14th this year, enabling Londoners to visit a wide range of properties, ancient and modern, to which they do not normally have access. The Highgate Society has not participated for many years, but this is an ideal opportunity to enable the whole

community to see and visit Highgate's varied heritage. If anyone is keen to manage this really exciting, high-profile and worthwhile project, please contact us!

Meanwhile, in the wider world...

There is so much happening in Highgate that there is little room in this issue for my usual long round-up of issues in the wider planning world which impact on us. The following is a brief summary of our much longer website report about the continued assault on our planning system.

Griff Rhys Jones, President of Civic Voice, has attacked the ambiguity of the National Planning Policy Framework, and emphasised what we have long said, that there is no evidence that planning is a constraint on economic development, as the Government Claim; yet Planning Minister Boles proposes to weaken Planning even further.

A primary reason for the housing shortage, as everyone but the Government seems to realize, is the differential between VAT on new build (0%) and repair and restoration (20%), resulting in 700,000 currently empty residential units across England. Another is the 400,000 unimplemented planning permissions for housing nationwide, not being built because prices are not yet high enough. The "**Cut the VAT Coalition**" is calling for a reduction in VAT from 20% to 5% on the labour element of renovation and repairs which, they maintain, could boost the economy by more than £15 billion over the lifetime of the next parliament.

The Government's allowing **offices to be changed to residential without planning permission** was attacked in the House of Lords on 9th January by Lord True, Leader of Richmond Council, which has been heavily hit by the change and is now having to look at building offices for small businesses on sites earmarked for housing to make up the loss. Yet Environment Minister Eric Pickles told the select Committee Inquiry into how the National Planning Policy Framework is operating after its first year: "I believe that owners know best what they want to do with their property", while Planning Minister's Boles has attacked local authorities for "trying to thwart his aims" for converting offices into flats. Another new Bill proposes removing the requirement for local authorities to have regard for energy or microgeneration targets, and abolishing Noise Abatement Zones.

The Government has recently consulted on splitting **English Heritage**, proposing a new charitable arm, retaining the name English Heritage, to be responsible for managing historic properties, while a new organization, to be called "Historic England", will carry out the advisory service. A wicked rumour suggests that, to reflect the Government's real attitude towards our Heritage, it should be called "Past Caring"...

The **HS2** debate rages, amid fears that parts of Camden will be badly affected by the works. The impact on the Highgate area is unclear; construction traffic may be diverted through the area, and other traffic diverted by road closures for works which will last for years. We need a volunteer to monitor this for us and investigate the possible impact on the Highgate area, to enable us, if necessary, to engage in the debate. The Heath and Hampstead Society have set up an on-line website and petition against the works.

A record number of London skyscrapers is in the pipeline, with more than 200 towers of 20 storeys or over, three-quarters of which are residential. It has already been shown that no less than 70% of new residential property in central London is being bought by overseas investors, and much of it being left vacant. English Heritage is calling on the Mayor of London to tighten the rules on permitted numbers of towers, and even Peter Rees, chief planner for the City of London, criticised them, referring to "this rambling rubbish of residential towers across London."

And, just in case you thought there was already enough damage to the planning system, we hear that the same Government which promised us a Third Party Right of Appeal before the last elections, and failed to deliver, now intend to severely limit people's rights to seek Judicial Reviews of bad planning or appeal decisions.