

THE ENVIRONMENT COMMITTEE REPORT

by **Michael Hammerson**

Another eventful year draws to a close, made even busier by the reorganization of the Committee into sub-groups to enable us to handle an ever-growing workload. This has been as successful as hoped, and the committee has been taking on a huge range of tasks and projects. Although I have been prevailed upon to continue writing these reports, it is now difficult to give a comprehensive overview without input from all those involved. As ever, there is much more to report than space allows.

The Localism Act

This Act, about you will have read much in previous issues of *Buzz*, is now law. For the official summary of what it covers, go to the government website at <http://www.communities.gov.uk/news/newsroom/2030130>. Our Localism Group, headed by Maggy Meade-King, has been liaising with Councillors from both Camden and Haringey about how to initiate the process. One of our lobbying achievements has been to secure a change in the original Government ruling that Forums could not be cross-boundary, which would have rendered it useless for Highgate and many other areas in London. Maggy writes:

“The Localism Group has now moved on to the early stages of setting up a Highgate Neighbourhood Forum. The Forum will eventually be independent of the Highgate Society, though we will of course be represented on it, but we believed it essential that we took the lead in making sure that our community takes full advantage of the legislation. It will be good to have a forum where people from across Highgate, from both Boroughs, can come together to discuss issues which affect the area. Most importantly, it offers a democratic way for local residents to put together a plan – via the Forum and a referendum - for the way in which the area should develop in the future. Once adopted, the local authorities will be legally bound to put it into action. The Plan can:

- Establish a vision for an area – what kind of community do we want Highgate to be?
- Protect Highgate’s historic heritage and distinct character;
- Protect Highgate’s green spaces and play areas;
- Set planning guidelines on what kind of residential or business development should go where and what new buildings should look like;
- Specify what kind and size of retail unit would work in a given location and designate specific units, e.g. a post office, that new developments must include;
- In cases of change of use, specify what retail classes we want our shops to be;
- Grant planning permission (through Neighbourhood Development and Community Right to Build Orders) for developments we would like to see;
- Include the “community and environmental needs” of the area.

“If we can establish a forum truly representative of the area, we can take it further than its statutory responsibilities and apply it to sustainability and transport issues, too.

“We held a meeting in early October with our Ward Councillors from both sides of the Borough divide; the Camden Chair of Planning, Cllr Thomas Neumark, also attended. Camden has already set up a pre-registration process for prospective neighbourhood forums and we have registered our interest. Our Haringey councillors undertook to chase Haringey on setting up their own process and Cllr Neumark said he would look at how the two Boroughs could work together.

“For our part, we have been putting together, with the help of the councillors, a contact list of all voluntary organisations, business representatives and residents’ groups in the community, with a view to inviting them to an inaugural meeting for the Forum early in the New Year, where we would hope to put together a steering group to take the process forward, and elect a Chair and Secretary, and make a start on the Neighbourhood Plan.”

Draft National Planning Policy Framework

This threatens to demolish planning control for no good reasons. There has been much on it in the national press, and a special feature on it was run for us by the *Ham and High* for October 20 (pp.18-19), but much of the debate has focused on its damaging impact on the countryside. Its impact on cities and towns, and the historic environment, has not figured so much in the media coverage but will be as serious. This has been addressed in detail by the responses of the London Forum and many other amenity societies as well as in our own 24-page response to the consultation. This is published in full on the Society’s website and will give you a much clearer idea of how damaging we and many others think it will be. We lobbied local MP Lynne Featherstone, and she has sent a strong letter on our behalf to Minister Eric Pickles, emphasising our concerns. We are also arranging to see our other MP, Frank Dobson, and have received support and advice on lobbying from our local member of the House of Lords, Lord Rodgers of Quarrybank.

It was encouraging to see the attack on it by Lord Rogers of Riverside, author of the Urban Task Force report, (*The Times* November 14). He emphasised the huge damage it will do to the urban environment. The House of Commons Environmental Audit Committee have written to the Prime Minister expressing their concern about the unsatisfactory wording of the NPPF, and urging a second consultation on a revised draft.

There appears to have been a record response to the Government’s consultation, and it seems that there is very little support for the NPPF beyond those organizations with an interest in the development industry. However, as it was the result of lobbying from that industry to make it easier to develop, we can only

wait to see whether the Government has any intention of listening. In the meantime, the Society is continuing to lobby at the highest possible level and to add our voice to the mounting calls for a complete rewrite of this deeply flawed policy.

It does not help that the Prime Minister's first reaction to the Summer urban riots is that "all unnecessary restrictions on shops putting shutters on their windows should be removed"; this would only make town centres and communities even more forbidding and hostile to local people outside trading hours, and probably make out-of-town centres more attractive to them.

Local Authority Budget Cuts

These cuts are having a noticeable impact on Planning Departments and Conservation sections, particularly in Haringey, where the cuts and the upheaval of moving offices after the Tottenham riots have put staff under great pressure. Camden has one strategic and two planning-oriented Conservation officers, the latter placed with the Planning teams. This could work well as the cuts have found different departments working together more closely and holistically. Haringey are down from five to one Conservation Officer, plus a Design officer. We work closely with them, but the pressure of covering a whole borough with so many Conservation Areas is huge, resulting in a major increase in our own workload, as it is clear that Conservation-related issues could slip through unless the Highgate Society is there to flag them up to planners. Most of Islington is a Conservation Area, but its Conservation officers are down from eleven to four.

It is alarming that Barnet propose to outsource all their services to the private sector. What are the implications of this for Planning, and particularly for input from local groups such as ourselves and the Finchley Society? Will private service providers be obliged to liaise with community groups, or will consultation be dropped? If they are based outside the Borough, how will they know of the planning history and the character of the area? Will they be little more than box-tickers to show whether or not an application conforms to national and local policy?

Planning Enforcement

This is currently a Tale of Two Boroughs. Camden's Head of Enforcement recently asked to meet us to explain their new arrangements, and we were greatly encouraged by the positive attitude, and the determination to tackle enforcement. Complaints can be entered on their Website (Planning Homepage>Enforcement>Enter Comments). Their enforcement officer will advise community groups on how to represent themselves at appeals. Monitoring whether new developments are being built in accordance with the planning consent relies largely on public vigilance. We learned that Section 215 of the 1990 Legislation allows Councils to issue a "Wasteland" notice for derelict or neglected buildings or sites. These can only be appealed to a Magistrate, and the Council can prosecute for non-compliance, or can do the work

and register the cost as a charge against the property. Progress reports were given to us on outstanding Enforcement matters, including at The Elms, in Fitzroy Park, where Camden are taking action against a range of breaches of Listed Building Consent.

Enforcement in Haringey remains a matter for concern. Major issues raised with their Head of Enforcement three years ago at a site meeting remain unaddressed. One involved destruction of a Listed Building, a criminal offence, outstanding from 2000. At Tile Kiln Lane (reported in the Autumn Buzz), Haringey now say that "the ridge has been lowered", but not by how much, and it is still noticeably higher than either the permitted scheme or the height which the developers said it would be; if it was possible to lower it, why not by the full amount? In 2007, a block of flats in Wigan which had been built less than a metre higher than permitted was ordered at appeal to be demolished. In Haringey, the signal going out to developers is that planning consents may be ignored with impunity.

The Changeover from Analogue to Digital TV in April 2012

This has implications for the wider environment. It has generated a rash of applications for satellite installations, and Gail Waldman, of our new Sustainability Group (ask us for more details), writes that Haringey appears to have let a large roll-out contract for its estates and smaller housing schemes. While their contractor undertakes that the redundant existing dishes will be removed, many have not in fact been, so there are likely to be more rather than fewer dishes unless Haringey enforce removal of the old ones. Some have been installed ahead of the applications and, contrary to planning policy, on the street facades. We are working with local CAACs and Councillors to ensure that existing dishes are removed and new ones appropriately sited, but our comments on enforcement do not make us optimistic. Residents are now getting letters from BT offering to upgrade their TVs to digital with either a Freeview box or a satellite dish, and asking if they live in a Conservation Area and/or Listed Building. If you do, it may well be that planning permission is needed, to give the local authority an opportunity to advise on the best location, and you can also discuss it with us at our Saturday morning surgery at 10a.

Basements

Basements are a cause for increasing concern, not only locally but across London. The issue is now being discussed by cross-party MPs in the House and in letters to The Times. The geology and hydrology of the area is much more complex than previously thought, with numerous underground springs running through it, and several developments have caused ground water problems for neighbours, the most recent being at 5 Grange Road, where we understand that a major underground stream has been hit during basement digging. The problem is exacerbated as more and more basements cumulatively create a cofferdam effect which will make ground water problems even worse, diverting ground water, undermining foundations and

waterlogging gardens over a much wider area. It is therefore in your interest to look carefully at any applications near you. Camden now have a strong policy on basements, but lack the expertise to assess the hydrological reports accompanying applications, which invariably state that there will be no problems. We are seeking a meeting with Haringey to discuss their approach. As I write, three new applications for basements in Sheldon Avenue have come in.

Our Planning Sub-Group

The group meets monthly under the active and enthusiastic chairmanship of architect Elspeth Clements. Their last agenda had 92 items. The group now has many active members, some of them professionals giving a lot of their own work time, and it is regrettable that only a few of the cases they are dealing with can be covered here:

Highgate Garden Centre: The public inquiry into the appeal against refusal of change of use to housing will be on February 7th; the venue is not yet known. Gordon Forbes' 80-page submission to the Inspector for the Society, supporting the refusal, is a magnificent piece of work, and makes clear in its summing-up that, if the Appeal is dismissed, the Society will set up a charitable trust to seek to acquire this critically important site from the owner for a use which will reflect the public interest. We were surprised by a further application to Haringey, from the site owner, seeking a Certificate of Lawfulness for the Landscape contracting business being carried on in the fenced-off part of the site which, it appears, has never been given planning permission. We have submitted an objection to this, arguing that, as a light industrial use, it is incompatible with the Open Land/Nursery designation of the site.

Athlone House: The battle may have been won, but the war is far from over, and it was made clear to us at a meeting with the owners that they have no intention of implementing the S.106 agreement to restore the house, in return for the lucrative permission they received for the new blocks of flats, but are determined to demolish it. A new application will be submitted shortly, seemingly little different from the one against which we fought so hard and which aroused such massive local, and wider, indignation. A new campaign will therefore be necessary to save the house. Please ensure that we have your e-mail details so that we can alert you to any future campaigns and actions or volunteers needed.

St. Joseph's Church, Highgate Hill: The proposals to develop the fine old garden of the church have prompted significant protest among residents and parishioners, many of whom have come to discuss them with us. The debate can be followed on the project architects' website, <http://www.stjosephsconsultation.com>, and on the residents' website, <http://www.savestjosephs.com>. Our current assessment is that the proposals constitute significant overdevelopment of a large garden, in a Conservation Area, attached to a Grade II* Listed Building and that, while significant sums are clearly

needed to carry out restoration to the main church, our discussions with English Heritage indicate that insufficient effort has been made to find alternative sources of grant funding which would reduce the need to effectively build over the entire garden with housing. We hope to have a meeting with them soon to explore the proposals in more detail.

Channing School's proposals for a new Sports Hall and a Performing Arts Buildings: These proposals have raised major concerns with nearby residents, partly because of the new buildings which will affect the gardens and amenities of the important Listed Buildings on The Bank, and may create significant undermining and ground water problems, as the substantial basements proposed are only 1m away from the garden wall of the adjoining house. Following a series of meetings with the Bursar and their architects, the School have certainly improved the design and landscaping of the buildings, particularly in views from Highgate Hill, but roof height and basements are still a concern for residents, to whom the school will be presenting revised proposals at a Development Control Forum in November. A further unresolved problem is that of the actual construction. The Bank (a Grade II Listed Structure) is unstable and has been cut off to through traffic for some time, and the constant passage of heavy construction traffic could well destabilise it and cause a collapse. This needs to be carefully looked at by the architects and Haringey's Highways department.



Five estate agents' boards on one property: lack of streetscape design awareness, or just novel Christmas decorations....?

The Water House, Millfield Lane: A new application revives concerns about the excessive size of developments on designated open land around Hampstead Heath, and also of basements. In this case, they are to be built across an underground stream feeding into the Bird Sanctuary Pond, with likely problems for pollution during construction (as experienced further up Millfield Lane, at Fitzroy Farm) and diversion of water flow after.

Furnival House, Cholmeley Park: Basement concerns figure too in new proposals for this Listed building where an existing permission for a basement and an extra storey has been superseded by new proposals for a double basement and two extra roof storeys. No hydrology report has as yet been produced, though an underground stream appears to run through the site, and the threat to houses downhill may be significant. Two more storeys would be destructive to the Listed building, and we have objected strongly. Fortunately, English Heritage have made a strong objection.

Morven House, 6 North Hill: New proposals to convert the important Listed house into three separate housing units are a significant improvement on the previous crass proposals for twelve bed-sits, though the owners' past record on the house does not instil confidence that they will do a sensitive job of it.

12 The Grove: An application to demolish this unattractive block of flats at was recommended for approval by Camden's planners, but we considered the proposed Victorian pastiche so banal that our presentation to their Planning Committee, by Claudio Novello, resulted in its being refused. We were immediately asked to meet the developer, who conceded that he did not really like the original design, and the outcome is a greatly improved design, in classical style but with modern undertones, which we believe is much more appropriate for one of London's most architecturally significant residential roads.

225 Archway Road: No sooner was an acceptable planning permission for a revised scheme here produced than an appeal was submitted against refusal of the previous scheme, heavily opposed by neighbours and the Society, which was a major overdevelopment of the back garden.

Our Transport Group

In the absence of Richard Webber, Nicolas Forsans reports that representatives of the Society met senior transport planners at TfL through Caroline Pidgeon, Chair of the GLA Transport Committee. TfL has agreed to a public meeting in Highgate in February 2012, involving local organisations and residents in Highgate and neighbouring areas (Crouch End, Muswell Hill, Hampstead) and our Councillors. The meeting aims to give TfL the opportunity to explain the rationale behind the current configuration of the bus network, and to give local people the opportunity to raise the inadequacies of the current bus network and possibly to create a shortlist of proposals to be developed further once financial constraints have eased. In a separate

development, TfL launched on 4th November a consultation on proposals for increasing night-time frequencies on bus routes 4 and 214. The membership of the Society is being consulted with the aim to submit a draft response by the deadline of 9th December.

Open Spaces

The 30% Local Authority cuts have major implications for **Waterlow Park**. **Hampstead Heath and Highgate Wood** face a lower 10% reduction in funding, but the new **Highgate Wood staff hut** has been postponed, the staff being moved into the keepers' house next to the café. This seems to work well. The **decline of the oaks** is being taken seriously by the City. A combination of Oak Canker spreading across the UK, decades of root compaction from millions of visitors, and the fact that oaks were deliberately planted in the 18th and 19th centuries for timber, at a far higher density than would occur in nature, has meant that 50% of 327 oaks surveyed show moderate to marked decline. This will be a major aspect of the new Management Plan, currently being produced and in which the Society, and other local groups on the City's Consultative Committee, will be a partner. The 2011 Heritage Day started well but was eventually rained off. It was surprising that not one of the many visitors to the Society's table there was actually a member.

Hampstead Heath: The leading issue here is the work which may be necessary to reinforce the dams consequent upon new Reservoir safety legislation, and the Consultative Committee, helped by the Heath and Hampstead Society's detailed analysis of the issues, will be arguing for the absolute minimum work necessary – although it goes without saying that the City have no wish to spend the £14 million set aside for works if they do not have to. Proposals by the City's consultant Engineers have been subject to peer review, and the detailed design team will be looking at all options with a stakeholder group from a wide representation of local people, and consultation within and beyond the Consultative Committee. The immensely complex issues are well described in an excellent article in the Heath Society's September Newsletter, which you can see on the notice boards in 10a. They will focus around the legal framework within which the work is being considered, including the requirement to observe the provisions of the original 1871 Heath Act, which is not invalidated by the 1975 and 2010 Reservoir legislation; the validity of the technical calculations for rainfall prediction and the runoff from unusually heavy storms, and the likelihood of dam failures as a result; and, if they are questionable, whether they can be legally challenged or, failing that, how local groups can influence the designs for the individual ponds.

The Affordable Art Fair: This event on the Heath was generally felt to have been a great success, and the income generated has enabled one member of staff to be saved from the cuts. The annual work programme for ecological management and wider maintenance has been produced and a programme of meadow flora restoration is proposed for the South Meadow, which is rapidly being taken over by saplings and bramble. Ask us if you wish to see a copy of this, or of the reports and minutes of the Consultative Committee on which the Society sits.

The Toll Gate: the restoration of the small building opposite the Spaniards – some of you may not realize that it is actually an 18th century Toll Gate of great local historical interest, as well as a wonderful piece of traffic calming – is greatly welcomed. We now want to get together with the Heath and Hampstead Society, the City of London, English Heritage and Camden to find a use for it. An information centre, perhaps? or a small museum? Any other suggestions?

The Latest News on Kenwood House: Roy Fletcher reports that major work to Kenwood House, partly funded by the Heritage Lottery Fund, will start next spring. This will require its closure from 31st March until October 2013. English Heritage hope to be able to carry out restoration of the Dairy also, to turn it into a centre for volunteers.

Space has once again run out, and again much has had to be omitted, which I feel is a real injustice to all the work being done by the Committee and its sub-groups, not to mention assistant editor Ulysses' dismay at having his slot dropped yet again. Keep an eye on our website for appeals for volunteers for the many new projects in the pipeline from our new Policy and Projects Group, including a project to manage the Highgate School Churchyard in a more ecologically-friendly way and encourage wildflower growth there;

volunteers are needed, please, to help with this. Watch our website, too, for an impending advice section from our new Sustainability Group, which we hope members will find very useful when planning insulation, solar heating, and a wide range of other home improvements.

And finally

"It being the time for Halloween, Ghosts of Christmas past, etc., it seemed rather appropriately seasonal to mention a news cutting from the Littleton (Massachusetts) Independent, found by our editor, and suggesting a possible new tactic for our Environment Committee. It appears that, of five developments proposed for a site there over the past 30 years, none had ever been completed. It was discovered that, according to local legend, back in the 1670s the Colonists refused the promised payment to a Native American who had been negotiating the release of hostages for them; as a result, he cursed the land. Is this a method the Committee could employ to prevent unwelcome developments? Ulysses says that, if there are any Witches with Planning skills out there who would be willing to place spells on schemes the Society is fighting - deep basements, perhaps, or Oligarchical Palaces endeavouring to upgrade from the Bishop's Avenue to a prominent spot overlooking Hampstead Heath - he would be willing to offer his services as Accessory Black Cat."



The 18th-century Toll Gate at the Spaniards: its restoration by Camden, after years of decay, is a welcome enhancement of our historic environment.