

## THE ENVIRONMENT COMMITTEE REPORT

by Michael Hammerson

### PLANNING: Bad News All Around

The planning situation nationally remains depressing. The Housing and Planning Bill, covered at length in my last report, is now law, little altered despite valiant efforts by the House of Lords to get changes. Together with a complex and disastrous widening of Permitted Development, our task of protecting Highgate from bad development has become significantly more difficult.

Don't just take our word for it. In the *Sunday Times* on June 12, Peter Nixon, Director of Land, Landscape and Nature at the National Trust, wrote: "The government's attempts to boost housebuilding have undermined the planning system, shifted the balance of power away from communities and towards those developers who know how to exploit the loopholes."

Despite the Government's much-vaunted aim of simplifying the planning system, they have in reality made it so complex that planning is rendered almost meaningless. Ominous signs have already appeared in Highgate:

- three vacant shops in the **High Street** could now become Estate Agents without the need for planning permission;
- the community's 50-year battle to protect the **Garden Centre** land, upheld by innumerable Appeal decisions, could be rendered futile by a new permitted development loophole, and we will have to spend more scarce funds on legal advice in an effort to bolster Haringey's resolve to resist it;
- the Government continually tells local authorities to use **Article 4 Directions** as an antidote to permitted development where needed. When Camden attempted to save office space in Highgate from being converted to housing by introducing one, the Government overruled it almost in its entirety.

At the recent Civic Voice open meeting in Parliament on "Is the Planning System Working?", even Lord Porter, Conservative Chair of the Local Government Association, despaired at the Treasury's continued obsession that the housing shortage is "all the fault of the planning system, when it is really a failure of fiscal policy"; further, if the 250,000 houses a year said to be needed were built, prices would crash, so the development industry will ensure that it won't happen, but will still continue to persuade the Government that it is all the fault of the planning system. At the same meeting MP Clive Betts, Chair of the CLG Select Committee, despaired of the new rules trialling the use of "alternative providers" – i.e. private planning consultants" – to be appointed by developers to assess their own planning applications and make recommendations to the local authority. This will raise insuperable conflicts of interest, open the door to massive corruption, and make a mockery of local democracy by having local objections assessed by the developer's own consultants. George Orwell Couldn't make it up. We have sunk this low.

At another meeting (possibly on another planet) Planning Minister Brandon Lewis remained in denial about the damage being done to planning, the community and the environment when he expressed his optimism about growth in the build-to-rent sector, and urged local authorities to invest more in housing – even though they are prohibited from doing this – even though they are prohibited from doing this. He also defended the disputed offices-to-residential permitted development changes, saying that he saw it "as an essential part of housing supply in London". Essential for overseas investors, perhaps, but for few others.

The new Mayor, Siddiq Khan, has announced plans for better protection of offices for small businesses, saying that 1.47million square metres of London offices have already been lost to housing (none of it affordable) under the new permitted development rules. How he can achieve this is difficult to see.

'Localism' is becoming meaningless when the most important decisions – being able to decide the balance of shops, offices and housing in a Neighbourhood – are being taken out of local hands by the vast widening of permitted development. What is the logic of allowing offices and, of all things, launderettes, to be converted to housing without planning permission? The Government are even proposing to allow any pub not designated as an 'Asset of Community Value' to be converted to housing without planning consent, and new 'Expert Committee' is expected shortly to announce new recommendations for 'simplifying' – i.e. weakening – our last defence, Local Plans. What, indeed, is the logic for taking any of this out of planning control? It almost guarantees that the most inappropriate development will happen. This is why we have a planning system – to ensure that development is for the benefit of the community. If a change of use is justified, it will always be allowed. Is the truth that the Government does not trust the community to make decisions and believes that only developers can do so and that, in the face of all the evidence, Planning and our equally culpable Heritage are holding back the economy? The writing was on the wall as far back as 2012 when the Prime Minister stated publicly that "we must get the planners off our backs" – when it is only the planning system which stands between the community and bad development – to which the *Times* published in full our letter of protest.

Social and affordable housing will now be replaced by ‘Starter Homes’, for which a London family will need an income of £70,000 and a mortgage deposit of £90,000. If the government wishes to address the housing issue, why is it silent on the 700,000 vacant housing units across England – many vacant because VAT on repair and restoration is 20% while on new build it is zero – and the 470,000 unimplemented permissions for housing (57% in London) not being built because prices are not *high* enough? In the meantime, 70% of new housing in inner London is being built for the overseas investment market, and 60% in some outer areas.

Haringey’s Assistant Director of Development, Stephen Kelly has, sadly, left to become Head of Planning at Cambridge. He had a difficult balancing act, reconciling conflicting pressures (including ours!) and trying to infuse a new team spirit into what, when he arrived, was a Planning Department in some disarray. However he always found time to liaise with us, and a constructive working relationship developed, which we can only hope can continue with his successor. In the meantime, our hard-working Councillors in both Boroughs continue to give us immense support and to ensure that we get access to the right departments and officers – which, in the case of Camden, remains difficult, as many others besides ourselves are finding.

### **PLANNING: Major Local Concerns/Action Groups**

We have raised major concerns with Haringey on decisions being made in **Archway Road**, which is trying hard to regenerate itself despite problems including loss of retail to housing; a flood of applications to convert shops and single dwellings to multiple dwellings; traffic and parking difficulties; and damage to historic shopfronts. Some of the housing applications, sometimes for work done without permission, ignore basic housing standards and are of a shockingly poor standard, or often inaccurate and threaten to be the slums of tomorrow. One included a flat of 9.5 sq.m., including a shower room. The planners often fail to study the applications in sufficient detail and give permissions which should patently not have been granted, despite their flaws being pointed out in our detailed objections (and you may be sure that it is very demoralising to put so much work into our responses, only to see them disregarded). There is continual pressure to reduce the size of the **Winchester Tavern** and increase the number of flats already permitted. We are in the process of setting up an action group with local residents associations, traders, the CAAC and the Neighbourhood Forum. Some local residents have also approached us with regard to setting up a similar group for the **High Street**.

### **DEMOLITION AND NEW-BUILD**

#### **The Bishops Area**

The pressure for demolition and massive new build, and for high gates and fences, remains heavy in the “Bishops” area, notable Sheldon Avenue and Stormont Road which, because of some inexplicable weak decisions by Haringey – and sometimes by the Planning Inspectorate - allowing good Arts and Crafts houses to be replaced by “Mac Mansions” are being relentlessly eroded in character, as streets like View and Denewood Roads have already been done, to the point where it is not inconceivable that their Conservation Area status could be threatened, with significance for both the area’s historic character and property values.

#### **3 Francis Place**

Despite many objections, and despite Haringey’s own covenant against excavation on the site, they have approved a Construction Management plan necessitating access for heavy lorries to **3 Francis Place** from the Parkland Walk. However, permission has not yet been given to use the Parkland Walk, and we will join the Friends in fighting to ensure that this does not happen.

#### **11 North Hill,**

We have sent a long and detailed objection to a new development proposal for 11 North Hill which is little changed from the previous withdrawn application, to which we also objected. It will require the underpinning of the Listed Bull pub, and the Listed 7 North Hill, both of which it adjoins. This could have a major impact on the pub’s structure, and on its business for 18 months. It is argued that development is justified because it would be a replacement for a house which was there, long ago; but this ignores the fact that there is a replacement already, the important 1960s Walter Segal house, No. 9, which will be only 2m away from the basement, which comprises some 50% of the house and occupies 85 of the site, including over 50% of the front garden. We also consider that the design is not good enough for the Conservation Area, and that construction on this site is not feasible without causing damage to adjoining buildings and the wider Conservation Area.

### **CONSTRUCTION MANAGEMENT PLANS**

Given the relentless pressure for development in the area, co-ordination of Construction Management Plans (numbers of lorries, pavement closures, working hours, etc) is vital if the lives of other residents are not to be a continual misery, as development succeeds development in the same street; but there is great inconsistency in how Camden and Haringey require them as a condition. Two approvals for large basements (**Greenview Court, Winchester Place, and Fleur-deLys, Grange Road**) do not require CMPs, yet in each road access is poor and in the former, two further basement excavations are likely to go on at the same time; yet no co-ordination of the schemes is required.

### **SOME STORIES OF (QUALIFIED) SUCCESS**

**The Miltons** We were dismayed when Homes for Haringey submitted proposals for mass replacement for fine original Victorian doors and windows with modern glazed units – and further dismayed when Haringey

inexplicably permitted it. This would have caused huge damage to the area. We raised it with Haringey through our Councillors, and as a result HfH have agreed to review their proposals and carry out improvements only where needed, at the rear of the houses, leaving the fine Victorian doors and windows, which are in good condition, untouched.

### **Telecommunications mast**

Haringey has refused an application for a 12m mast and equipment boxes right outside the Archway Road Entrance to Highgate Wood. This brought over 100 objections, including from the City of London.

### **Pond Square Toilets**

The campaign to keep the toilets open is moving forward positively, under the watchful eyes of Andrew Sulston and Angela Routley. Camden will shortly be inviting tenders from commercial providers to run all their public toilets, including the three threatened with closure (Highgate, South End Green and West Hampstead). Consultation with all three areas showed that a pay-to-use basis was the most realistic option and, at a meeting with Camden, our views on the specification were fed in. If all goes well, the new arrangements will start in October, and the toilets will remain open in the meantime. See elsewhere in this issue for Andrew's full update. The issue, which is a problem nationally, was even highlighted in June in an editorial in the *Times*.

### **The Water House, Millfield Lane**

The contentious redevelopment of The Water House, opposite the entrance to the Kenwood Ladies Pond, which threatened to obstruct or even close public access to a part of Hampstead Heath, was refused by Camden. However, despite the urging of the campaign group, led by local resident Karen Beare and including the Society, and of the City of London, which had major concerns about the impact of heavy construction lorries in public access to Millfield Lane and about damage to the water flow into the Bird sanctuary Pond by the new large basement, and despite the complexity of the issues which needed flagging up to Committee, Camden rejected it on only one ground - impact on trees - and refused to allow objectors more than the usual three minutes between them to speak at Committee. We expect an appeal, but Athlone House made clear that objectors can fight appeals on all the grounds originally cited, not just those on which the application was refused.

### **Waterlow Park**

In May, Camden announced that was to be part of an experiment in cutting management costs by leaving certain Parks permanently unlocked for a trial period. We expressed our major concerns, not just about inevitable vandalism, but about the serious security implications for Lauderdale House and Highgate Cemetery, and we are glad to report that Camden have now dropped the Park from the trial. However, this highlights the increased threat to parks London-wide from Government funding cuts, exacerbated by the fact that maintenance of parks (and public toilets) is not a statutory duty.

### **HAMPSTEAD HEATH CAFES**

The furore over the renewal of the contracts for the Hampstead Heath cafes will hopefully be resolved. On this occasion, the City managed to overlook the fact that the Consultative Committee (on which the Society is represented) must first be consulted over any such proposals, and that its recommendations to the Management Committee - which are, as a rule accepted - must be taken into account when decisions are made. Following strong protests from the Consultative Committee, and particularly from the Heath and Hampstead Society, the City has conceded that the procedures failed on this occasion, that the process will start again, and that the Consultative Committee's views and recommendations will then be taken forward. To her credit, the Chair of the Consultative Committee, Alderman Virginia Rounding, did object to the way in which the contracts process had been handled, and has been supportive of the HHCC's aims of starting the process again. In addition, as a result of this failure in statutory procedures, ensuring that the HHCC's statutory remit is clarified will be high on the agenda for its next meeting.

This has been particularly unfortunate, and has highlighted what we and others on the HHCC have repeatedly urged on the City: that its exemplary management of the Heath is being overshadowed, in the public mind, by such decisions, and the perception is that these major financial decisions are increasingly being made centrally rather than at Heath Management level, but it is the latter which unfairly "gets the flak" from the public. It is essential that the City's central Public relations section, which clearly does not understand the need for open and sensitive handling of such issues, liaises more closely with the HHCC in future. **Let us have your views. Are you happy with how the Heath and Highgate Wood cafes are currently run?**