

20 February 2015
Highgate NP

Sent by email to:
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Dear Sir/Madam

HARINGEY AND CAMDEN – DRAFT HIGHGATE NEIGHBOURHOOD PLAN – COMMENTS ON BEHALF OF THAMES WATER UTILITIES LTD

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

As you will be aware, Thames Water Utilities Ltd (Thames Water) are the statutory water and sewerage undertaker for the Haringey Borough and Highgate and are hence a “**specific consultation body**” in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the consultation document on behalf of Thames Water:

Policy OS4: Fringes of Highgate's Reservoirs

Thames Water recognise the aspirations of both the Forum and local residents that Highgate's Reservoirs are investigated for community access and are willing to work with the Forum in this respect. However, Thames Water's priority is to ensure the security of water supply. There is currently no public access to these sites for security and health and safety reasons.

When considering any proposals for public access, Thames Water would need to ensure that the structural integrity of the reservoirs and the operational function of the reservoirs are not compromised. As pointed out in the draft Neighbourhood Plan, whilst the reservoirs may appear as open space with grassed areas on top, large man made structures exist underneath which need to be periodically maintained to ensure their integrity.

Key Issue – Omission of Policy Covering Water Supply and Sewerage/Wastewater Infrastructure

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: “**Local planning authorities**

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should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....”

Paragraph 162 of the NPPF relates to infrastructure and states: ***“Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”***

The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that ***“Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).***

Policy 5.14 of The London Plan, July 2011, relates to Water Quality and Wastewater Infrastructure and states: ***“LDF preparation***

E - Within LDFs boroughs should identify wastewater infrastructure requirements and relevant boroughs should in principle support the Thames Tunnel.”

Policy 5.15 relates to Water Use and Supplies.

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network.

It is unclear at this stage what the net increase in demand on Thames Water’s infrastructure will be as a result of the Neighbourhood Plans proposals. It is therefore essential that developers demonstrate that adequate water supply and wastewater infrastructure capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate reports and appraisals to ascertain whether the proposed development will lead to overloading of existing water and sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Thames Water recommends that developers engage with them at the earliest opportunity to establish the following:

- The developments demand for water supply and network infrastructure both on and off site and can it be met;
- The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met

When carrying out the necessary early consultations with Thames Water regarding the capacity of water and wastewater infrastructure, in respect of development proposals, adequate time should be allowed so that an informed response can be formulated. It is not always possible to provide detailed responses within a matter of days. For example, the modelling of water and wastewater infrastructure will be important to many consultation responses and the time requires for responses must not be underestimated. For example, the modelling of sewerage systems can be dependent on waiting for storm periods when the sewers are at peak flows. Therefore, consultation should be undertaken as early as possible with Thames Water regarding the capacity of water and wastewater infrastructure to serve development proposals. Adequate time must be allowed for a high level risk assessment to be undertaken. Should more comprehensive responses be required, it is likely that more detailed modelling work will need to be undertaken. The necessary funding for

this work will need to be identified and secured through Developers and/or partnership working. It can take approximately 3 months to complete modelling work from the point funding has been secured.

Thames Water consider that text along the lines of the following should be added to the Neighbourhood Plan

“Water Supply & Sewerage Infrastructure

It is essential that developers demonstrate that adequate water supply and sewerage infrastructure capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Further information for Developers on water/sewerage infrastructure can be found on Thames Water’s website at:

<http://www.thameswater.co.uk/cps/rde/xchg/corp/hs.xsl/558.htm>

Or contact can be made with Thames Water Developer Services by post at:

Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY;

By telephone on: 0845 850 2777;

Or by email: developer.services@thameswater.co.uk”

We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours faithfully



David Wilson BA (Hons), BTP, MRTPI
Associate Director Planning

Rachel Allison
Chair of Highgate Neighbourhood Forum
By email

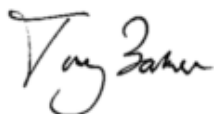
24 March 2015

Dear Rachel,

HIGHGATE NEIGHBOUR HOOD PLAN CONSULTATION DRAFT (JANUARY 2015)

I hope that you will be able to take into account the attached comments from the Harington Scheme. We did not comment before the deadline because we were content with the draft. We have just seen, however, the comments submitted on 20 March by Savills UK on behalf of NHS Property Services. You should know that they have chosen to ignore totally the points that we have made to NHS Property Services in recent discussions: that the "mixed development" proposals that they have discussed with Haringey planners at a pre-planning application meeting are totally unacceptable to us; and that in our view that the upper area of our site is too small to accommodate residential development, especially taking into account our own plans for expansion.

Yours sincerely,



Tony Baker
Chair of Harington Board of Trustees



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PATRON
Joe Swift

Founded in 1980 by
Dame Geraldine Aves, DBE

HARINGTON SCHEME COMMENTS ON NHS PROPERTY SERVICES COMMENTS ON THE HIGHGATE NEIGHBOURHOOD PLAN CONSULTATION DRAFT (JANUARY 2015)

It seems to us that NHS Property Services have submitted these comments with the sole purpose of facilitating the “mixed developments” proposals that they have been discussing with Haringey planners and with ourselves. You may find it helpful in considering the NHS comments to know the background. The Harington Scheme operates under a one-year rolling agricultural lease. We have been negotiating for some years with the NHS, most recently with NHS Property Services Limited, to acquire the freehold at an affordable price related to the market rent that we currently pay. This would give us the demonstrable security of tenure that would enable us to raise funds and proceed with our plans to improve our facilities, increase our intake of learners and so provide greater public benefits.

NHS Property Services has a (narrow) remit to maximise the value that the NHS can realise from unwanted land. They, therefore, decided to employ Savills – no doubt at some considerable expense – to see whether they could establish that there was potential for residential development on the site which would enable them to sell it with a planning permission to a developer.

We understand that in pre-application meetings Haringey planners made it clear that development proposals could only be considered in that part of the upper site where Harington has its main classrooms and offices, and not in the locally listed walled garden and the lower part of the site; and that they had to be acceptable to the Harington Scheme.

We met NHS Property Services on 27 March and told them that their development proposals were totally unacceptable for a number of reasons:

- The current mixed use of the upper part of the site “Plot C” is very well suited to working with young people with learning disabilities/difficulties. It comprises useful horticultural areas that are accessible for people with mobility issues interspersed with educational facilities (classrooms/offices). This creates an ‘open’ feel to the site which many learners find an attractive alternative to dense classroom accommodation as found in colleges. The layout and nature of the outdoor areas also allows several groups to work in relatively close proximity without feeling confined or distracted by others;
- We would lose the walled garden which would be for the exclusive use of the residents. The walled garden is an essential resource for Harington- used to train our horticultural students in how to maintain a formal garden (it provides the only possible area on the site for mowing practice); and for various Harington events (it is the only place where we can erect a marquee and hold our prize-giving);
- We would lose our glasshouse, also a valuable teaching resource, and a particularly valuable asset during wet weather when students cannot work on the plots on the lower site;
- Losing all of the existing courtyard would leave us with severely inadequate external space in the area of the classrooms for social interaction during breaks;
- Residents’ flats would be immediately above classrooms and the access to the flats and to our premise would be very close together. This could make it difficult to safeguard our vulnerable learners.

- The whole upper site would effectively be a building site for a long period. This would deter parents and learners from joining the Harington Scheme. We would then lose funding and have to lay off staff. We are now a significant local employer, employing 40 staff.

We thought that we had persuaded them not only that their current proposal would cause very significant detriment to Harington operations, but that the site was simply too small to accommodate residential development as well as our own expansion plans.

NHS Property Services promised at the 27 February meeting that they would let us have a letter before 11 March telling us what they now proposed to do. Instead they have chosen to ignore everything we said to them and to submit these comments, which are clearly focused on facilitating their development proposals. They have even had the temerity to suggest in paragraph 3.28 that their proposals “could support the improvement and enhancement of a community facility”. You can see from the comments above that they would not. They would cause severe harm to the Harington Scheme.

We probably do not need to tell you about the value of the Harington Scheme. In brief, we have been successfully providing education and training for young adults with learning difficulties for 35 years. We are an established part of the State educational system. We believe that the Neighbourhood Plan could best recognise the public benefit that we provide by making clear that the whole of our site should be reserved for the Harington Scheme and not available for commercial and residential development.

Finally, we not understand why NHS Property Services have included “retail” in Plot A in their map of the site as this is not the current or future planned use of this area.

ATB



The Coal
Authority

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Ms Rachel Allison
Chair, Highgate Neighbourhood Forum

[BY EMAIL ONLY: info@forhighgate.org]

4 March 2015

Dear Ms Allison

Highgate Neighbourhood Plan – Pre-Submission

Thank you for the notification of the 3 February 2015 consulting The Coal Authority on the above

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware the neighbourhood plan area is outside of the defined coalfield and therefore The Coal Authority has no specific comments to make on the Neighbourhood Plan.

In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future drafts or updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.

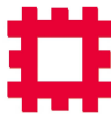
The Coal Authority wishes the plan team every success with the preparation of the Neighbourhood Plan.

Yours sincerely

R. A. Bust

Miss Rachael A. Bust B.Sc.(Hons), MA, M.Sc., LL.M., AMIEnvSci., MInstLM, MCMI, MRTPI

Chief Planner / Principal Manager



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2 March 2015

Dear Ms Allison

Consultation on the pre-submission Highgate Neighbourhood Plan

Thank you for your recent email to English Heritage inviting comments in respect of the pre-submission Highgate Neighbourhood Plan.

The Government through the Localism Act (2011) and Neighbourhood Planning (General) Regulations (2012) has enabled local communities to take a more proactive role in influencing how their neighbourhood is managed. The Regulations require English Heritage, as a statutory agency, be consulted on Neighbourhood Plans where the Neighbourhood Forum or Parish Council consider our interest to be affected by the Plan. As English Heritage's remit is advice on proposals affecting the historic environment our comments relate to the implications of the proposed neighbourhood plan for heritage assets. Accordingly, we have reviewed your document against the *National Planning Policy Framework* (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of this and future generations.

Having reviewed the draft document we can offer the following observations and suggestions for consideration in respect of clarifying compliance with the NPPF and local policy and developing a robust neighbourhood plan.

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General comments

We are pleased to note that the Vision for Highgate recognised the high quality of Highgate's unique character and heritage as a key quality to be protected and enhanced. We do however feel that the draft Plan would benefit from refinement which would strengthen and clarify its overarching objectives and policies. In summary the main aspects of the plan which require further consideration are set out below (these are explained further in our detailed comments):

- As Highgate encompasses more than one local planning authority a major benefit should be to promote greater consistency and transparency in policies and decision making across borough boundaries.
- The Policies do not appear to always fully reflect the wider aims or concerns set out in the text. Consequently a number of the policies could be revised to better reflect or secure those objectives.
- The emphasis on the heritage of Highgate and its role in defining its strong character and attractiveness is not fully reflected in the Heritage and Development section. The policies focus principally on specific aspects of design where there is a perceived lack of efficacy. It would seem beneficial to set out how new policies relate to existing guidance and policy and provide a clearer identification of concerns in respect of heritage and the erosion of character; the broader aspirations for carbon-free and sustainable development, broader design guidance, and a framework for basement and backland development.
- As both Camden and/or Haringey already produce additional heritage, energy efficiency, basement and design guidance. The Plan is therefore an opportunity to clarify best practice in respect of Highgate's unique character as well as identifying the need for additional policy.
- We would suggest that as the proposed policies relate principally to new development or alteration the Plan should introduce greater distinction between the headings of new development, alterations to existing buildings, and energy efficiency. This would relate better to existing guidance.

English Heritage recommends that policies that build on the status of an area as a conservation area should be based on a thorough understanding of the area's historic and architectural character. The residents are well placed to judge this, as they have a deep knowledge of the area and its evolution. This is reflected in the proposed Plan but might benefit from more specific identification of character areas e.g. the wider suburban character and how this relates to the character and role of the economic centres.

We would also recommend a general consideration that the Forum review the existing evidence base (conservation area appraisals, local lists etc.) and consider whether these accurately identify the historic environment and its significance.

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Detailed comments on text.

Section 2: A summary of Highgate

English Heritage welcomes the inclusion of this section which provides the historic context to Highgate and promotes the rich and varied heritage of the area.

Pg. 15. A neighbourhood of varying needs. Para 2 states *This disparity is placing pressure on the social mix of the neighbourhood.* This sentence would benefit from clarification and qualification of the nature of this pressure. It is assumed that this relates to the need to provide a broader range of opportunities in terms of homes and community facilities.

Pg. 16. A place of special character. This section notes the issue with extensions and basements to existing properties. It may be helpful to refer to the supplementary planning guidance produced by the local authorities which acknowledges the sensitive nature of the geology of the Hampstead Highgate Ridge in this section (Camden's basement impact assessment SPD and ARUP's geological and hydrological survey). The concerns raised do not appear to have been developed in terms of specific policy suggestions or related non statutory guidance/action within the neighbourhood plan. It may therefore be appropriate to reference local authority design guidance or conservation area management guidelines, or to refer to relevant councils design reviews.

Highgate has a rich built heritage, and a number of archaeological finds and features have also been recorded in the area. The Plan area incorporates five Archaeological Priority Areas. As such the Plan would benefit from mentioning these in the summary of the heritage of the area, particularly as these have the potential to impact on proposed developments.

Section 3: A Vision for Highgate

Any issues relevant to this section are addressed in our general comments or under the relative Core Objective sections.

Core Objective 2: Economic Activity

P.32. The assessment of the historic character at the beginning of the sections for each key area (High Street, Archway Road and Aylmer Parade area) is a welcome addition as it serves to reiterate the importance of heritage to the Neighbourhood Plan and Highgate's special character.

P. 33 Para 3. We note the intention to address inconsistent approaches to the Village public realm is identified as being outside of the remit of the plan. In our view the Plan is an opportunity to address this, and as such would benefit from a clear policy specifically aimed at consistency across the public realm ensuring high quality workmanship, appropriate materials, and appropriately qualified professionals to oversee such work.

Core Objective 3: Traffic and transport

P.42. Policy TR3: Integrating parking provision. The requirements for off-street parking state that this must preserve the historic character of the area and preserve the setting of the buildings. This policy reflects guidance in the conservation area management plans with regards to front gardens and boundary treatments. It would be worthwhile considering best practice and referencing this policy to the management plans.

Core Objective 4: Open Spaces and Public Realm

P.48. Fringes of Highgate's open space. Highgate is particularly rich in varied open spaces which contribute greatly to its character and the high quality of life it offers. Highgate encompasses three historic landscapes of exceptional historic merit which are included on the Register of Historic Parks and Gardens. These are Highgate Cemetery (Grade I), Waterlow Park (Grade II*) and Kenwood (Grade II*). As designated heritage assets these not only provide valuable open space, habitats etc. but are highly significant as historic assets and should be managed in a way that preserves and enhances their special character.

P.49. Policy OS1: Fringes of Highgate's Open Space. A number of the policies are design policies which do not necessarily relate to open space and public realm and as such we believe that they would benefit from being re-located within the plan. It would also be useful to number the requirements for ease of reference in planning reports etc. To some extent the policies reflect Camden's existing design policies set out in *Planning Guidance document CPG 1*, particularly that set out in *Good Design 2.10*. In our view it would be worth considering how these policies relate to the particular character areas of Highgate and can be appropriately tailored to reflect the local context and can be consistently applied across borough boundaries.

The objective states *that new development shall not project beyond the built line past ground floor level*. The exact meaning of this is not clear and should be clarified i.e. does this mean *not project forward of the existing building line*, if so, how does this relate only to ground floor level.

Core Objective 5: Development and heritage

Pg. 60. In our view the "challenges" identified need greater explanation in terms of their impact and should be reflected in the following policies and guidance. Whilst there is a stated aim of ensuring that development is contextual and sustainable we would suggest that this section would benefit from greater emphasis on the need to preserve and enhance the special character, appearance and "significance" of the historic environment. Whilst the Plan does not need to repeat the NPPF or local plan policies heritage decisions are reached on the basis of the impact of proposals on heritage values and the significance of heritage assets. Where more specific guidance exists in the form of the conservation area appraisals and associated management plans it would be beneficial to sign post these and to consider how cross borough policies are applied. It is important to consider whether the existing evidence base is sufficiently robust, e.g. does it correctly identify the significance of certain aspects of the historic environment?

Highgate contains many heritage assets recognised as of national significance through listing and broad heritage designations in the form of its conservation areas, the variety of buildings within the areas are diverse and often of high architectural quality. If there is a concern over the loss of specific forms of building then their contribution to significance needs to be clarified. This could be done in a similar manner to open space with a brief summary of character areas and the principal elements of significance. This could also inform new design in respect of materials, appearance, and the relationship of development to topography and urban grain. Reference is specifically made to demolition of original (historic?) buildings. If the intention within the Plan is to protect those buildings which make a positive contribution to the character and appearance of the conservation areas, are they appropriately identified? We would recommend that you consider the guidance on Neighbourhood Plan Policies on our website to help with this at www.english-heritage.org.uk (neighbourhood-planning-information).

P.6.1 Policy DH1: Demolition in Highgate's conservation areas. We are concerned that the phrase "make a significant contribution to the setting and character" potentially fails to achieve the stated aim and offers a position less strong than that set out in the NPPF. The NPPF requires heritage assets to make a positive (rather than significant) contribution to significance and as such applies the tests set out in paragraphs 132 or 133 in respect of the extent of harm. We would suggest consideration of amending the proposed policy to "buildings and structures which make a positive contribution to the character and appearance of the conservation area and its setting" to better reflect the wording in the 1990 Town and Country Planning Act and NPPF. The exceptional circumstances referred to could then be related to the public benefits which may contribute to a justification for harm as set out in the NPPF.

The Policy does not address where works which do not comprise demolition but cause harm are proposed or the standards expected in respect of replacement buildings which detract from the local character. It may therefore be useful to consider the aspirations for domestic and retail design guidance and to clarify terms such as "overdevelopment".

The policy mentions the demolition of unlisted buildings, but does not reference locally listed buildings, which whilst not statutorily protected are afforded a higher level of protection by the Borough's than a building not on the local list. Local Lists are maintained by both Haringey and Camden Councils. We would also suggest exploring the possibility of updating local authority local lists to identify those buildings of historic character outside of the existing conservation areas.

Pg.65. Policy DH3: The environmental health of future residents. The wording of this policy requires further thought. We assume that the intention is to ensure that new development seeks to mitigate the environmental impact of the busy road corridors. It may be unreasonable to expect collation of such reports for simple internal sub-division as such works may not require planning permission. This may be therefore be better approached through broader guidance on high quality sustainable design and broader measures to mitigate traffic impacts such as planting.

Pg.67-8. Policy DH5: Basements. This policy needs to take into consideration the context of the building within which a basement is being proposed and we would

value the inclusion of a statement to that effect. English Heritage is of the view that basements within listed buildings should not have a harmful impact on the significance of the building, and where this is the case the proposals will need to be assessed against the criteria for harm set out in NPPF policies 132 to 134 and on a case by case basis.

Pg.71. Policy DH7: Backland development. This policy should include a statement on the preservation of the historic character of the area and how green spaces can contribute to this. This is mentioned in the text before the policies but would benefit from further inclusion in the policy itself.

Related non-statutory 'Development and Heritage' actions

CA 35: Encourage local initiatives to spread the message about environmental changes that can "green" our lives. English Heritage produces extensive guidance on micro-renewable energy, buildings regulations and the historic environment accessible through the Climate Change and your Home website (www.climatechangeandyourhome.org.uk). Camden Council also produces guidance for energy efficiency in conservation areas and area specific guidance for Dartmouth Park which would prove a useful reference point.

CA36: Discourage external shop shutters. The issue associated with this action is not addressed in the text. The perceived problems with external shutters should be addressed and a link to shopfront design guidelines could be made. Camden Council currently have a detailed shopfront design guide available at <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/before-you-apply/residential-and-business-projects/shop-front-alterations/> and Haringey has area specific design guidance. There are numerous forms of shutters available, both internal and external, as such it may be worth considering in what circumstances and locations would shutters be acceptable and whether there is an acceptable form.

Pg. 72. Key Area Policies. In our view these might be more accurately identified as key sites. We do not wish to comment in detail on the included sites, and we would do so in response to any consultation on the local authorities' site allocation documents. However, this section could usefully highlight the advantages of consulting neighbourhood groups as part of the pre-application process for development so that concerns and aspirations can be raised prior to any formal application

Our comments are intended to encourage a more beneficial Plan and we would hope that you find the comments and observations useful. We would of course be happy to provide further advice in respect of any of the above, or other, issues, if this is helpful.

Finally, it must be noted that this advice is based on the information provided by you and for the avoidance of doubt does not reflect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently relate to this or later versions of the Guidance, Appraisals and Management Plans, and which may have adverse effects on the environment.

Yours sincerely



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19 March 2015

The Savills logo consists of the word "savills" in a red, lowercase, sans-serif font, positioned on a bright yellow rectangular background.

Rachel Allison
Chair
Highgate Neighbourhood Forum

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Dear Ms Allison

Representations to Highgate Neighbourhood Plan Draft for Consultation (January 2015)

We write on behalf of our client, Archway Apartments Ltd, to provide representations on the Highgate Neighbourhood Forum's draft Highgate Neighbourhood Plan document.

Our client's interest is focused on 191-201 Archway Road, which is located on the western side of the A1 Archway Road, at the junction with Causton Road. They are the new owner of the site.

The site and interior of all buildings is in a very poor state of repair and had been under the ownership of the same family for a number of years prior to its recent sale. Archway Apartments Ltd are in the initial stages of developing draft development proposals for this important site.

Aside from participating in this formal public consultation, the site owner and their advisors will welcome the opportunity to present our ideas to the Highgate Neighbourhood Forum in the near future.

This letter serves to provide a brief overview of our client's initial development proposals, sets out our client's comments on the draft Neighbourhood Plan, and makes suggestions for future drafts of the Plan. We look forward to engaging with the Highgate Neighbourhood Forum as both the Highgate Neighbourhood Plan and our client's development proposals for the 191-201 Archway Road site progress.

Development Proposals

The development proposals for the site are at an early stage. We have yet to engage in consultation with key local stakeholders but can confirm our commitment to do so.

The initial proposals include the retention of the existing building facade fronting Archway Road, the reinstatement of A1 retail use on the ground floor of the site, and the replacement of the existing low quality bedsit type HMO accommodation with high quality residential flats. There may also be the potential to include a variety of other complementary uses on the site.

It is expected that the redevelopment of the site could deliver a number of key planning benefits for the site and wider surrounding area, including:

- *Development based upon the retention of the key street facades, and the maintenance of a viable Class A1 retail unit along the street frontage to Archway Road.*
- *Opportunity to convert under-used, run-down buildings into a new high quality mixed use development.*
- *Sensitively designed enhancements to the existing building on Archway Road which will respect and preserve the Highgate Conservation Area.*

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- *Provision of a scheme of appropriate scale and density.*
- *Provision of a good mix of homes on the site that provide a high quality of amenity for residents in an efficient and sustainable building.*
- *The site owner is mindful of the Council's affordable housing policies and how these apply to future residential development at this site.*

We provide these representations to set out our comments to the Highgate Neighbourhood Plan in the context of our client's emerging development proposals.

Highgate Neighbourhood Plan Policies

We are supportive of the key aims which seek to encourage Highgate to grow and prosper as a united community. We comment on specific policies as follows, and would like to reserve the right to comment on other draft policies contained in further iterations of the plan.

Policy SC1: Highgate's Housing Needs

Draft Policy SC1 states that *"new residential development will be required to demonstrate how they are contributing towards a range of housing types and formats to meet the identified needs of the Plan area."*

We support the delivery of an appropriate mix of dwelling types and sizes but consider that it should be made clearer within the policy that this should be informed by individual site characteristics and constraints. Scheme viability is also a key determining factor in formulating housing mix, and consideration of this should be referenced in the next draft of the policy.

Policy SC2: Community Facilities

We acknowledge the requirement for additional community infrastructure as part of new development proposals. We do, however, consider it important for policy to be worded in such a way that it incorporates sufficient flexibility to reflect the viability of individual schemes.

Policies should not seek to unduly burden schemes beyond which they can viably afford. This could otherwise frustrate the delivery of much needed new development, and the other social and environmental benefits associated to new development

Proposed Highgate Neighbourhood Plan Core Objective 2: Economic Activity

We support Core Objective 2, which seeks to *"attract, maintain and enhance employment, particularly where it can enrich and enliven the public realm."*

The objectives of draft Core Objective 2 do, however, need to be consistent with those in paragraph 22 of the NPPF, which seeks to avoid the long term protection of sites for employment use where there is no reasonable prospect of a site being used for that purpose.

Paragraph 5.1.4 of the Local Plan also states that the Council will take a more flexible approach where local employment areas are no longer suitable for industrial or other employment generating uses, and a progressive release of surplus industrial land will be carried out, in order to facilitate urban regeneration.

Draft sub-objective 2.1 seeks *"the implementation of a new vision for the High Street, Aylmer Parade and the business premises in the Archway Road that is forward-looking, entrepreneurial, sustainable and attractive."* We support this vision but believe this can be achieved through providing a mix of non-residential uses, rather than solely B Class 'typical' employment-generating uses.

Retail, leisure and community uses can also provide active and attractive street frontages and significant employment benefits. Such uses should be encouraged as part of the promotion of economic activity sought by draft Core Objective 2.

The next draft of the Highgate Neighbourhood Plan should state that while employment uses can be important to a mix of land uses, outdated and low quality floorspace should not be forced to be retained where comprehensive redevelopment of a site to include a variety of non-residential uses could provide a better mix.

Where appropriate, these opportunities for comprehensive redevelopment, should be supported, and focused on the uplift in number of jobs, and increasing the quality of floorspace, rather than on replacing or increasing the quantum of B Class employment floorspace.

The draft Core Objective 2 seeks to be “*forward looking*”. We suggest that there should be written clarification of this in the next draft of the Plan, and that sub-objective 2.1 should state more clearly that employment opportunities should not be limited to only B Class uses, and traditional employment generating uses, but should support all uses which create employment opportunities, including land uses such as D1, D2, A1 and A3.

Proposed Highgate Neighbourhood Plan Policy EA2: Archway Road

We note that draft Policy EA2 seeks to introduce a presumption in favour of retention of Class A1 and A3 uses along Archway Road.

As set out in response to draft Core Objective 2, we consider that draft policies coming forward should support other complementary land uses in the area where they can also provide attractive and active street frontages. The policy should not preclude the inclusion of other land uses (such as those within Use Class D1 and D2) within street frontages on Archway Road. Any such policies would be in conflict with the Council's Local Plan and therefore resisted.

Core Objective 5: Development and Heritage

Draft Core Objective 5 aims to “*conserve and enhance the essential and unique character of Highgate*”. We support the principle of Core Objective 5. This needs to be consistent with section 12 of the NPPF where bullet point 1 of paragraph 126 states that local planning authorities should take into account “*the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*”.

We believe that new, modern and complementary materials should not be unduly restricted where they do not cause material or demonstrable harm or undermine the character of the area. Reference to paragraphs 126-141 of the NPPF is essential as these are the fundamental tests relating to heritage assets.

Policy DH1: Demolition in Highgate's Conservation Areas

Draft Policy DH1 states that proposals to demolish unlisted buildings that make a significant contribution to the setting and character of any of Highgate's conservation areas will only be supported if exceptional circumstances can be demonstrated that outweigh the case for retention. The supporting text to this policy states that insensitive development has on occasion undermined the coherence of the conservation areas, their buildings and their settings. One cause of this has been the total demolition of buildings and replacement with unsuitable modern or pastiche designs.

We propose the insertion of clarification on this matter which states that where demolition or partial demolition can significantly improve the appearance of the site or allow the development potential of the site to be optimised, this should be considered favourably.

Policy TR2: Parking Levels in Highgate

Draft Policy TR2 states that “*new development must provide the minimum necessary car parking provision. Where practical, development will be expected to be car free in areas that are easily accessible by public transport and/or within any area designated as a Controlled Parking Zone.*”

We suggest that parking provision should be reviewed carefully in light of site specific constraints. Where provision can be supported by evidence which demonstrates no adverse impacts on the surrounding network, this should be



considered favourably; the absence of harm is a fundamental planning principle and should be reflected within the Plan.

Summary and Future Participation

We are supportive of the Forum's aspirations as set out in the draft Neighbourhood Plan. Our proposed recommendations and amendments seek to maintain flexibility for sites to come forward in a positive way which best respond to individual site constraints and characteristics.

Our representations have been prepared in the context of initial emerging development proposals for the 191-201 Archway Road site. We request the right to comment on further draft policies as appropriate.

Our representations to the draft Highgate Neighbourhood Plan have been sent to the Highgate Neighbourhood Forum, and the London Borough of Haringey Council.

We would welcome the opportunity to present our initial proposals to the Highgate Neighbourhood Forum at the earliest opportunity. We hope to continue to engage with the Highgate Neighbourhood Forum as the Highgate Neighbourhood Plan progresses.

We look forward to receiving confirmation that our client's representations have been received, and will be given due consideration during the preparation of the Highgate Neighbourhood Plan. Please feel free to contact David Whittington (dwhittington@savills.com) or Diana Thomson (dthomson@savills.com) if you have any queries or would like to discuss.

Yours sincerely

David Whittington
Director

cc. Aaron Lau, London Borough of Haringey

Camden Council and Haringey Council response on Highgate Neighbourhood Plan - Pre-Submission consultation version (January 2015)

The comments below are intended to help guide the Forum in the preparation of a plan that will be: in conformity with national policy and the strategic policies of the Councils' adopted and emerging Local Plans; appropriately positioned to provide additional local policies which are robustly evidenced; and judged to provide a sound basis, for use by the Councils', in planning decisions and coordinating area investment. The response includes input from relevant council departments. These comments have been made by Officers and provided as information to Members in accordance with Council protocols. Haringey's comments are sent on behalf of Stephen Kelly (Assistant Director – Planning), who has delegated authority for this.

The overall structure of the document works well in terms of setting the context, vision and objectives. With respect to the individual plan-wide and key area policies, it is recommended that the structure is slightly revised to ensure ease of reading and understanding for both the public and planning officers. We suggest setting out the planning policy first, followed by the reasoned justification and supporting text. This would bring the plan in line with the format used in Camden and Haringey's strategic planning documents. Chapter or section introductions are, however, fine.

Overall, the HNP could benefit from a more explicit focus on plan and project delivery. For example, several of the draft policies are not sufficiently detailed in terms of the locations where policy interventions are needed to address identified local issues. This level of detail is needed to set clear expectations for future development and to inform planning decisions. We have indicated below instances of where this would add value.

Ref	Comment
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General	<p>Some of the policies appear to be quite restrictive or require many criteria to be met. Government policy in the National Planning Policy Framework (NPPF) requires neighbourhood plans to “plan positively” and support local development. The Fortune Green / West Hampstead examiner recommended that, where policies were worded to require all matters listed to be met by new development, the phrase “where appropriate” be added to qualify the policy, as it is for the decision-maker to decide which elements should to be applied in particular cases. We suggest relevant policies should be reworded to reflect this.</p> <p>Any significant differences to the NPPF or borough policy need to be based upon evidence to show why local circumstances require different approach.</p> <p>Some policy wording does not give sufficient clarity to enable the policy to do the job in assessing planning applications that it is intended to do and is therefore not consistent with NPPF para 42: “A policy in a neighbourhood plan should be clear and unambiguous. It should be drafted with sufficient clarity that a decision maker can apply it consistently and with confidence when determining planning applications. It should be concise, precise and supported by appropriate evidence. It should be distinct to reflect and respond to the unique characteristics and planning context of the specific neighbourhood area for which it has been prepared.”</p>
Numbering	We suggest using paragraph numbering throughout the plan to make referencing and navigating the plan easier. In policies with criteria, we suggest using roman numerals, rather than unnumbered bullets.
‘Conformity’ references	In some cases there are conformity references to Camden Development Policies but not the relevant Core Strategy policies, e.g. in the transport section. Policies EA2 and EA3 reference Camden policy but the policies relate to areas in Haringey.
Policy duplication	There are a number of instances where the draft plan repeats Haringey and Camden’s strategic policies. There is no need for a neighbourhood plan to repeat strategic policies.
Community Infrastructure Levy	We encourage the Forum to set out a framework for the local spending of Community Infrastructure Levy (CIL) receipts. This could identify funding priorities linked to the delivery of the plan’s objectives and assist the Councils’ identify opportunities for local area investment.
Camden Planning Guidance	This provides valuable detail regarding the implementation of Camden’s planning policy. It would be helpful if the plan makes a brief references to relevant parts of Camden Planning Guidance to guide applicants in preparing planning applications.
Maps	Some of the maps are not easy to interpret because of the scale and resolution of the base map. We suggest the maps show the borough boundary, where appropriate. All maps should have legends to aid understanding of symbols, colour and shading.
Format	Suggest that the policies come before the supporting text. This is the usual format of borough plans and was the approach preferred by the examiner of the Fortune Green and West Hampstead neighbourhood plan.
Section 3: A Vision for Highgate	
Core Objective 4	The objective doesn’t refer to visitors as part of the “whole community”. There may be potential for businesses gaining “maximum benefits” from open spaces to be interpreted as allowing for development.

4.3	The word “linking” is ambiguous.
5.3	The phrase “in every respect” is ambiguous. It could refer to development being sustainable in every respect - which may not be achievable or viable and could therefore be seen as contrary to the NPPF requirement to plan positively. Or it could be read as referring to every respect of the context of Highgate.
P.22	“throughout the entirety of Highgate” – for clarity this could refer to the neighbourhood area as there are small parts of Highgate not covered by the plan.
Social and Community Needs policies	
P.26 – Policy SC1	‘Housing for older people’ is usually used in planning policy rather than “elder” which can have different meanings.
Policy SC1	<p>The wording “above and beyond the wider housing requirements” suggests that the needs identified are more acute in Highgate than elsewhere in the boroughs – is there evidence at the neighbourhood scale to justify the approach? Is it necessary to include this phrase in the policy?</p> <p>We recommend further discussion with the councils on the detail behind specialist housing need. It is important that the Plan makes clear that the policy’s implementation should not compromise the ability of the Councils to meet more conventional housing needs as required by the NPPF. Conventional housing (including affordable housing) will ultimately take primacy over specialist housing in terms of delivering on Local Plan objectives. Haringey consider the policy can be implemented through the adopted Strategic Policy SP2 (Housing) and emerging Local Plan documents.</p>
Policy SC2	<p>Improvements to specific community facilities could potentially be identified as a funding priority for the neighbourhood portion of the Community Infrastructure Levy (CIL). As currently worded, the policy is vague in what it seeks to achieve and deliver locally. The Forum is encouraged to refocus the policy approach by referring to relevant Local Plan policies and establishing clear links to the neighbourhood’s proportion of Community Infrastructure Levy funding, referring to facility types and locations.</p> <p>The second paragraph of the policy may be better set in the reasoned justification. Needs for community infrastructure may change over the plan period.</p>
SC2	“provide a new facility on-site available to the whole of the population of the plan area...” There may be circumstances when it is more practicable to provide a facility off-site or provide facilities that would be available to part of the population.
SC2	The second paragraph refers to community uses “that are particularly needed in Highgate”. Is there evidence to support this?
Policy SC3	<p>It would be helpful if the policy was more explicit about locations where this would be supported.</p> <p>The first paragraph of the HNP policy should be included in the reasoned justification rather than the policy itself.</p> <p>The terms ‘semi-private communal open space’ and ‘semi-private open space’ appear in policy and text but without definition, which would be needed to assist policy implementation. In addition, it is not clear whether the terms are distinct or intended to be used interchangeably.</p>
Economic activity policies	

P.33	The relocation of the bus stand is dependent on the agreement of Transport for London. It is unclear whether they are supportive of this proposal or to where the bus stand might be relocated.
Policy EA1	“a change of use from A1 to any other use within class A will be acceptable provided the proposal would result in a positive impact on the vitality and viability of the Village...” - to allow effective implementation of this policy the supporting text should provide detail on what would be considered to be a positive impact.
EA1	The policy should include a map or schedule defining where the policy will be applied. The first paragraph should move to the reasoned justification.
EA1	The policy is not consistent with Haringey’s emerging borough wide policies on local centres, e.g. minimum thresholds for A1 uses. However, the Council considers that there is scope for a more locally specific policy on managing town centre uses in the Highgate area. The policy will need to be supported by more detailed local evidence, e.g. town centre vacancy rates. The Forum is encouraged by Haringey to establish a clear vision and objectives for the centre, which would help frame the planning policy and further link with the non-statutory Action Plan.
EA1	Third para. “assess the impact”: this implies an assessment would need to be submitted to the relevant council. This could be unduly onerous for some proposals – suggest rewording to <i>‘have regard to...’</i> .
EA2 and EA3	The policies should include a map or schedule defining the locations where these policies will be applied. Otherwise, comments on the principle of managing town centre uses are the same as for EA1.
Traffic and transport policies	
P.38	“additional development should be resisted until pollution and safety improvements have been made” - this implies an embargo on development which would be contrary to the NPPF.
P.38	Suggest that the supporting text should acknowledge the strategic role of the boroughs Local Implementation Plans in managing the impacts of traffic.
P.39	“ensuring...that off-street parking is provided” - please note that Camden’s emerging draft Local Plan proposes to extend the requirement for new development to be car free to the whole of the borough and limit business parking to loading and unloading. Haringey uses London Plan standards for assessing car and cycle parking provision in the assessment of development proposals. Emerging policy DM43 (Parking) supports proposals for new developments with limited or no on-site parking in particular circumstances.
P.39	“Transport assessments and travel plans will be required for all significant developments that increase the movement of people and goods.” How is “significant development” defined? Camden Planning Guidance (CPG7) provides detail on when Camden Council seeks transport assessments and travel plans so you may wish to refer to this. This statement would more properly sit in a policy than supporting text.

Policy TR1	<p>Camden's policy on this cross-refers to Policy DP21 in order to describe what may be meant by "appropriate connections to highways and street spaces". There is no equivalent reference in the neighbourhood plan. Further guidance on the interpretation of this phrase should be provided.</p> <p>The policy could usefully reference Haringey Policy SP7 and may need to be amended to provide for more flexibility in decision making. Haringey consider that the policy is too prescriptive, i.e. "new development must be..." whereas the Camden policy is "will seek to ensure", which is acceptable as some developments are unlikely to have a noticeable impact on the need for adequate walking, cycling and public transport links.</p>
Policy TR2	<p>The policy would extend car free development to any controlled parking zone whereas Camden Policy DP18 currently makes this conditional on the controlled parking zone having easy access by public transport. Further, HNP policy TR2 is weaker in some respects as it can allow on-site parking for "any operational or servicing needs". There is no indication of how this would be defined.</p> <p>Haringey wish to point out there are conformity issues in respect of Haringey's draft DM policies on car free/capped development (Camden's DM policies are more rigorous) and the parking standards differ from those used in the London Plan. Haringey draft policy DM43 specifies that proposals for family dwellings (3 or more beds) would require parking provision in line with Council standards.</p>
TR2	<p>How is the 'minimum necessary car parking' to be assessed?</p> <p>Both Camden and Haringey are reviewing their draft parking policies. Camden's emerging Local Plan proposes to extend the requirement for new development to be car free to the whole of the borough and limit business parking to loading and unloading. Haringey's draft policy DM43 (Parking) states development proposals will be assessed against the car parking standards set out in the London Plan. However, Haringey will support proposals for new development with limited or no on-site parking in particular circumstances.</p> <p>Haringey draft Policy DM43 supports car free developments where accessibility to public transport is good (PTAL 4 or more) and there is a CPZ (or will be a CPZ when the development is completed). DM43 specifies that proposals for family dwellings (3 or more beds) would require provision in line with Council standards (paragraph 4.150).</p> <p>Car clubs – LBC only supports car club and pool car schemes in areas which are not easily accessible by public transport. Parking provided for low emission vehicles, pool cars and car clubs is deducted from the maximum parking standard. In draft policy DM43, Haringey strongly supports contributions to car club schemes or the provision of car club bays as an alternative to on-site parking. Both LBC and LBH apply the electrical charging point requirements used in the London Plan – this should be cross-referenced.</p>
Policy TR3	<p>As written this policy provides no flexibility to take account of particular circumstances- e.g. accommodating parking for disabled people. "must not have any impact" is a higher standard than Camden's will "seek to ensure". It is likely to be hard to achieve in all circumstances and could hinder the delivery of sustainable development and is therefore, a conformity issue. The policy also states "the removal of surplus existing car parking spaces within new development sites will be encouraged". As the Councils have no powers to remove existing car parking spaces once planning permission has been granted it is not clear how this will be "encouraged".</p>

Policy TR5	Some developments may need to be located away from TfL roads or major roads, and inevitably some movements of goods and materials would take place if development is approved.
Policy TR6	<p>The policy introduces a degree of confusion by referring to “all areas ” when the title of the policy only refers to areas of on-street parking stress.</p> <p>When would development be considered to have a “beneficial impact on local parking provision through the supply of off-street parking”? This appears to be encouraging more off-street parking which is inconsistent with TR2 which states that “New development must provide the minimum necessary car parking provision.”</p> <p>How is “sufficient” off-street parking defined? Ideally, requirements relating to parking provision should be addressed through a single policy.</p> <p>“areas of on-street parking stress”: we recommend further discussion with officers to establish how these areas will be identified; a map or schedule should be provided delineating these areas. Haringey does not currently identify areas of “on-street car parking stress” for the purpose of managing development. It would be a unique element of planning control in the borough. Collecting additional evidence to support the policy and greater clarity will help to manage public expectations and ensure the effective implementation of planning decisions.</p>
Policy TR7	This policy would only be able to address circumstances where planning permission is required. It can’t influence prescribed types of development which have permitted development rights. The neighbourhood plan is not able to remove these rights.
TR7	<p>There is a conformity reference to DP22, however this policy relates to sustainable design and construction. We think you mean DP23.</p> <p>Overlap with, and potential repetition of, Haringey’s emerging policies DM44 (Crossovers and vehicular access) and DM45 (Driveways and front gardens), the policy may not be needed.</p>
Open space and public realm policies	
P.47	It would assist the reader if it was briefly explained what the ‘Great Outdoors’ programme is seeking to achieve.

Policy OS1	<p>This is an example of a policy worded to require all matters listed to be met by new development, where the phrase “where appropriate” should be added to qualify, as it is for the decision-maker to decide which elements should to be applied in particular cases.</p> <p>Parts of the policy are quite rigid, e.g. would <i>any</i> increase in the sense of enclosure be damaging in all cases?</p> <p>The requirement for buildings to be the same height as “existing adjacent buildings” is considered unduly restrictive as it does not allow for circumstances where a building with a roof height higher than surrounding properties can be constructed which does not impact on adjacent open space.</p> <p>The reference to “healthy mature trees” potentially introduces a presumption for protecting all healthy trees. This is a stricter test than the NPPF which says planning permission should be refused for development resulting in the...loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.” Is there evidence to show local circumstances which require a stronger approach?</p> <p>The plan should provide clarification on how a build form should be “subservient the existing natural features” .</p> <p>“It does not obscure protected views identified on the proposals map” - the plan should recognise that more than one proposals map applies to the neighbourhood area.</p> <p>Haringey suggest there could be scope for a more explicit focus on local character and design quality, with design principles that are specific to identified locations. It is considered that the policy criteria are slightly generic (e.g. not ‘place specific’) and do not offer sufficient detail for the public or planning officers to assist in delivering key objectives. The Forum is encouraged to review Haringey’s published Urban Characterisation Study and Conservation Area appraisals, which would provide useful evidence to assist in the development of such design principles.</p>
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Policy OS2	<p>The policy requirement seeking locally indigenous species in new or replacement landscaping is supported.</p> <p>The NPPF says planning permission should be refused for development resulting in the “...loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss.” The policy is also more restrictive than existing Camden policy which seeks to protect trees which make a <i>significant</i> contribution to the character and amenity of the area, rather than all mature trees and vegetation of townscape or amenity value. Is there evidence to show local circumstances which require a stronger approach, potential NPPF consistency issues as the policy could prevent development from coming forward? A Conservation Area notice can provide additional consideration for tree preservation, but does not necessarily prohibit works to trees.</p> <p>Permission to undertake works to trees is generally not required unless a Tree Preservation Order (TPO) is in place.</p> <p>Haringey wish to draw the Forum’s attention to Haringey’s ‘Validation Checklist’ for planning applications, which sets out the Council’s requirement for an arboriculture impact assessment to be submitted where tree works are involved. The Council suggests the Forum consider identifying and mapping a local green grid, building on the All London Green Grid and Haringey’s Biodiversity Action Plan, to set a basis for the active management of green infrastructure, including trees, in the local area.</p>
Policy OS3	<p>We understand these spaces have been identified for the purpose of being designated as a ‘local green space’. They should therefore be labelled as such and considered as a part of the site allocations in Section 5 of the Plan.</p> <p>The policy seeks to protect open land at Hillcrest Housing estate, which is not in conformity with Haringey’s draft Site Allocation SA47. Haringey officers will continue to work with the Forum regarding planning for this site.</p> <p>Some of the elements of the policy identified in the introductory text (open land between houses) may be more usefully set in the proposed HNP policy on garden / back garden (backland) development.</p>
Policy OS4	<p>While the aspirations of the policy are appreciated, it concerns a matter (the appearance and amenity/ecological value of the reservoirs) that does not require planning permission. It is therefore more appropriately included in the community action plan rather than as a plan policy.</p> <p>The approach will need to be progressed in consultation with relevant infrastructure bodies. In line with London Plan policy, the HNP should not compromise the ability of water companies to develop sustainable water supply and wastewater infrastructure for London.</p>
Development and heritage	
P.59	<p>“‘Development’ in this context means anything from new buildings to the enhancement of existing sites, from scheme to detail.” There is a specific meaning of ‘development’ in the (S.55 of the Town and Country Planning Act 1990). An alternative definition could lead to confusion when the plan’s policies are applied.</p>
P.59	<p>Development needs to respect the conservation areas, listed buildings and heritage assets <u>themselves</u>, not just their setting.</p>

Policy DH1	<p>Within conservation areas, planning permission is required for the substantial demolition of any building. It is considered that the Planning (Listed Buildings and Conservation Areas) Act (as amended) 1990 along with the NPPF and local plan policies provide sufficient scope for the HNP policy objective. A judgement would be made on a case-by-case basis whether a building's demolition in a conservation area represents "substantial harm" or "less than substantial harm". This involves assessing the impact of the loss on the conservation area as a whole.</p> <p>The HNP policy is not entirely clear on defining the "exceptional circumstances" which would provide that demolition is acceptable in conservation areas. This creates a risk of decisions being open to legal challenge. Haringey's draft policy DM12 is clear on the presumption in favour of heritage assets and explains where harm or loss of an asset might be acceptable; similarly, Camden's emerging policies are considered to be as strong on this issue as the NPPF allows.</p> <p>Outside conservation areas, the demolition of a building is not subject to planning control, although we can consider what goes back in its place.</p> <p>Recognising the concern that the Forum has with the impact of demolition, we suggest the draft policy is revised to focus on requirements for new development on particular sites, e.g. "where demolition is considered acceptable in principle, proposals for new development will be expected to: maintain and enhance the historic character of the area, incorporate design features which...etc."</p>
P.61	<p>The storage of bins and containers in areas away from the allocated space for waste disposal is not a planning or land use matter and should be addressed through the community action plan.</p>
Policy DH2	<p>It will not always be possible to provide the storage on-site and therefore the policy could be considered to restrict development contrary to the provisions of the NPPF.</p> <p>Haringey's emerging Policy DM10 (waste management for all development) along with the adopted Sustainable Design and Construction Guidance SPD are considered to provide sufficient scope on this matter. The HNF could follow this policy and guidance, drawing on locally specific considerations such as the obscuring of lightwells or basement windows.</p>
Policy DH3	<p>Camden only requires air quality assessments for certain types of development set out in CPG6: Amenity (page 9), rather than in all developments. Haringey's 'Validation Checklist' similarly specifies where the Council will require air and noise impact assessments.</p> <p>There are sensitive uses other than housing, e.g. school buildings, which would not be covered in this policy.</p> <p>Suggest the policy could focus on design-based criteria for new dwellings and sensitive uses along the identified transport corridors (e.g. use of site screening, internal layout considerations, insulation).</p> <p>Haringey consider that multiple London Plan policies along with Haringey's draft policy DM34 sufficiently address environmental health and protection issues. The Council's 'Validation Checklist' for new planning applications sets out the types of applications for which evidence and reports on air quality and noise impact should be included. By stating all new residential applications include this information would be too onerous.</p>
DH3	<p>It would be preferable if the air quality map was displayed as a link as it is updated annually - this will help 'future proof' the plan. The terms amenity and environmental health are broader than is suggested by the policy which focusses in on air quality and noise matters.</p>

Policy DH4	It is not clear how it would be possible to assess whether an application for a wall or gate reduced “the local sense of community cohesion” or “heightened perceptions of crime and exclusion.”
DH4	There are areas of Highgate where boundary wall treatments contribute to the character of the local area (as identified in the Highgate Conservation Area Appraisal, e.g. Southwood Lane). The policy is unlikely to be applicable across the whole area. London Plan Policy 3.5 and Mayor’s new Housing SPG could be included in the conformity references (they address socially inclusive design).
DH4	The policy and justification could benefit from further clarification on boundary walls that require planning permission and other fences, gates and garden walls that fall under permitted development. This will help to manage public expectations on circumstances where the policy is relevant.
DH4	It is recommended that the policy is supported by a map which identifies streets or localised areas where boundary enclosures and walls are a particular issue, or where they contribute to local character. This will provide a clear mechanism for policy implementation.
DH4	Haringey note that draft policy DM2 also addresses gated communities.
Policy DH5	As agreed, Camden and Haringey will provide separate comments on a revised draft of the basements policy.
Policy DH6	<p>A number of issues arise from treating the refurbished and new build case in the same way:-</p> <ul style="list-style-type: none"> (i) The Code for Sustainable Homes doesn’t apply to refurbished buildings; (ii) The Code levels relate to a wide range of criteria, not just CO2 (ecology, water use, health and well-being); (iii) The TER calculation under Part L does not apply to refurbished buildings, only new build. <p>Camden currently asks that new buildings to <i>exceed</i> the TER, i.e. have lower carbon emissions.</p> <p>London Plan 5.2C only relates to operational CO2 emissions. The software cannot be used for the calculation of embodied carbon.</p> <p>Although the situation is improving, councils do not have a sufficient dataset of embodied carbon materials to definitively say which products have the ‘least’ embodied carbon.</p> <p>Notwithstanding legislation and policy covering the historic environment, planning permission is not normally needed to demolish a building. The policy is inconsistent with this by setting out a presumption against demolition.</p>
DH6	Haringey comment that the policy would require applicants to provide sustainability statements for multiple development proposals (for demolition/ redevelopment AND for building retention). This is not consistent with NPPF paragraph 193 which sets out that local planning authorities should only request supporting information that is relevant, necessary and material to the application in question.
DH6	Haringey note that these matters are being addressed by Local Plan Policy SP4 and emerging Development Management Policies on sustainable design and construction. These requirements are in addition to those set out by (or which ultimately may be absorbed into) Building Regulations.

Policy DH7	<p>Suggest this policy is reworded to increase its clarity - some of the detail (e.g. in the first paragraph) would be more helpfully located in the supporting text.</p> <p>The policy as drafted is quite onerous (e.g. “no loss of tree cover” and “development on garden ground...will not be compromised”) and therefore can be considered to conflict with the NPPF’s aim that neighbourhoods should plan positively to support local development.</p> <p>Camden’s policies seek to resist proposals which would occupy an excessive part of a garden or where there is a loss of garden space which contributes to the character of the townscape.</p> <p>“Privacy and outlook from existing houses and gardens will not be compromised” – the plan should explain how this will be interpreted / applied.</p> <p>How is “integral part of the streetscape” defined?</p> <p>The third paragraph refers to a life cycle table but this is not included in the plan.</p>
DH7	<p>The London Plan provides scope for local authorities to set back garden policies where they can be justified by local evidence. We suggest that further information on housing delivery is included to justify the approach, e.g. it has been demonstrated in adopted and emerging Local Plan documents that there is sufficient site capacity to deliver current and future housing delivery targets, and is not therefore reliant on back gardens for strategic housing supply.</p>
DH7	<p>The London Plan provides a useful definition of garden land (including back gardens) which the Forum may wish to consider using. Haringey comment that the plan should define what is meant by ‘backland development’ and what types of proposals the policy is seeking to control. This will provide greater certainty for planning officers and the public when the policy is implemented.</p>
Section 6	<p>The inclusion of a separate community action plan containing non-planning matters is welcomed. Suggest that it is included as an appendix to the plan to further emphasise the distinction between planning and non-planning elements.</p>

Please see comments below from Haringey Council on the Key Area Policies

General comments

It is confusing whether these ‘key areas’ are intended to be Site Allocations. The term ‘area’ doesn’t seem appropriate, as these are effectively sites as set out in the Council’s emerging Site Allocations Local Plan. The terminology should be addressed in the document to eliminate confusion between the plans.

While the principle that the policies may offer certainty on sites which are in the process of being allocated in the Local Plan is sound, the Forum should be aware that as and when a Local Plan Site Allocation is adopted, it will have precedence both as the higher tier Plan, and as it (using current plan delivery expectations) is more recently adopted. The Neighbourhood level policy would then have little or no planning weight in determining applications, and this should be borne in mind when moving forward with the plan.

The Council notes, and welcomes the input that the Forum has made into the Local Plan to-date, and expects this to continue to ensure that the area’s Site Allocations meet borough-wide and neighbourhood-level ambitions and objectives.

The Council would support, through the Neighbourhood Plan, consideration of sites that are not included in the Site Allocations document, which may have a particular importance to the neighbourhood area, but may not necessarily be of borough-wide importance.

In all sites, it is recommended that the Forum consider the Council's published Urban Characterisation Study (2015) for evidence guiding urban form and building heights for specific sites.

For the most part the sites are identified in the Highgate Neighbourhood Plan as being identified in the Call for Sites 2013. This is correct, but it would also be worth noting that they were identified by the Forum and submitted in the Call for Sites process.

KA1: Underground rail sidings / 460-500 Archway Rd

While it is agreed that there is potential for redevelopment on the "builder's yards" part of this site fronting Archway Rd, we would recommend that the name of the site is amended to reflect the red line boundary, and create certainty for local residents. We would recommend the following amendments on this section of the site:

- The DIY yards only account for 460-470 Archway Rd, with 472-500 being residential buildings which the Council does not consider to have redevelopment potential. We would recommend a modification of the address to reflect this.
- The wording *commercial and residential led mixed use development* is ambiguous and confusing. The Council would advise, in light of the lack of specific evidence regarding deliverability of commercial floorspace on this site, that the lead use would be residential. If the Forum considers that commercial development is viable, possibly through cross-subsidy from the residential element, the Council would advise that a preferred location, for example, at ground floor and/or fronting Archway Rd, should be identified, along with a target established to give a baseline for a developer to work with when considering a planning application. The allocation, for example, could use the existing floorspace as a baseline, the re-provision of which could create a local job uplift due to the current low job density on the site. This may be justifiable in this area due to the generally high local residential land values creating viability headroom, although the need to provide affordable housing should be born in mind when considering this approach. This approach would be a local variation to the current draft policy DM50 which seeks to re-provide employment floorspace through mixed use development in high PTAL (4+) locations. To complement this, it would be appropriate to direct the commercial element of the site to the part of the site with the highest PTAL.
- The railway sidings may offer a significant and strategic long-term redevelopment opportunity, but at present there is no indication that the existing strategic transport infrastructure use will be removed to allow any development to take place. At the

present time, the Council has been advised that this site is not deliverable by TfL on operational grounds. While further clarity on the potential for redevelopment on this part of the site will be sought from TfL, taking account of both their commercial and operational requirements, the Council would support a circumspect tone on this part of the site to avoid raising expectation. Reliance on this site to meet housing and employment targets would not be appropriate. The draft Site Allocation (SA 42) for this site in the 2015 Site Allocations document contains the phrase *“in the future, if the Northern Line Depot becomes available for redevelopment, the potential through this site (the builder’s yard), the potential for a link through this site and the depot site to Woodside Avenue should be considered.”* A statement that the design of the builder’s yard site that would allow a connection through to the depot site would be supported.

In the policy box:

- Although a large site, it is unrealistic to suggest that one site can make a contribution to remedying all types of housing need. Additionally, if this is set out elsewhere in the plan as a thematic policy addressing housing type, this section is a repetition, and as such is not required.
- The Council would assume that by screening from future uses, this is a reference to the new potential vehicular link. As any link would likely be a small, residential route, it might be a better design principle for new development to address the street instead of being hidden away. A certain amount of screening from the railway line/ yards and Archway Road is appropriate.
- It is unclear what specific uses are acceptable on the site. As set out above, there may be a method in which an element of commercial development can be incorporated into a design, but a developer would prefer a clear indication of whether or not a community facility is required to be included in any design of the site. It should be noted that this would have an adverse effect on development viability, and may therefore affect deliverability.
- The recognition that Woodside Avenue is the access to this part of the site needs to be reconciled with the earlier assertion that there appears to be little scope for the creation of enhanced access from Woodside Avenue. If this part of the site is to be included, access through the site, including how it links to Archway Rd and Woodside Avenue/Lanchester Rd should be considered.
- The creation of a cycling/pedestrian through route linking Archway Rd and Lanchester Road would be a positive aspiration in this policy.
- While the principle of managing the impact of any future development on the adjacent Woods is supported, the clarification that *(by being visible)* is potentially

overly restrictive, and could be used to stymie development on the site, which is in conflict with the objective of the policy to *maximise capacity on the site*. Wording such that development in close proximity to the Wood should be designed to complement the Woods, and not have an adverse effect on views of, and from the Woods might enable a more nuanced application of policy in the future.

KA2: Former Highgate Railway Station

In the Introductory section, the document suggests that the Underground station provides direct access to places including Hampstead Heath, Highgate Cemetery and Kenwood. Presumably this is reference to Highgate station being an interchange location for bus services.

The Council is aware of a significant tension between biodiversity interests regarding bats roosting in the tunnels, and the potential for improving access by opening up one of the tunnels. While we share the aspiration for improved access, gauging the level of public support for such a proposal is something that both the Council and Forum consultations will provide evidence on, and we would like to work with you in finalising a final position, once all submissions have been received.

In the policy box:

- The use of “any allocation” could be tightened up. Although the bullet points constrain the potential uses significantly, stating at the outset that a positive, community use for the site will be sought, then adding detail below may be more suitable.

Key Area 3: Highgate Bowl

The Council notes that discussions are ongoing between the Council, the Forum and the Friends of Highgate Wood, given the complex nature of the site. The general principles are supported, and for completeness, the Council has included below some draft potential objectives for the Bowl site for consideration.

- Education: Harrington Scheme & Highgate School both have interests, and the Bowl provides land for both uses. What wider social objectives could be fostered here?
- Improved Public Access: Through the site, from Chomeley Park to Kingsly Place (including the potential for improvements to the slope down from Southwood Lane, and linking to the Bowl from the High Street
- Creating a designated Open Space on the Bowl, which in the most part is publically accessible.
- Leisure: Both on the bowl, and by enabling some restaurant/café use behind the High Street to make use of the pleasant vista into the Bowl and draw people towards the Bowl, and complement the High Street
- New homes, to help meet housing need, and to help enable access improvements
- Safeguarding existing employment, and improving skills through expansion of the Harrington Scheme

In the policy box:

- We would suggest that the term *Subservient to the High Street* should be replaced with a more nuanced statement referring to the Conservation Area Management Plan, which will offer guidance on this issue.
- Care for use of wording should be taken with regards protecting the SINC designation, particularly with the aim of increasing access. Management and enhancement may be more suitable aims, and may complement the other objectives of the policy.

Key Area 4: 40 Muswell Hill Road / Summersby Road

The Council wishes to make the Forum aware of the inclusion of the Homes for Haringey-owned residential properties on Summersby Rd in the Site Allocation for this area as part of the Council's estate renewal and investment process. The ability for the builder's merchant to make a contribution to increase the range of options on this site should therefore be considered in this policy.

The Council is concerned that the re-provision of spaces for all of the existing commercial occupants of the site may not be possible while creating a viable development scheme, particularly one that increases affordable housing stock. The current wording, due to the land-intensive builder's merchant, is not considered to be sound.

If the Forum wish to retain some of the smaller commercial units, this should be along the same principles for a sequential approach as set out in the comments made on KA1.

KA5: Goldsmith Court

Please see KA2 for comments regarding use of the tunnels linking the two sites.

In the Council's draft Site Allocations document it is noted that there is potential to connect the Parkland Walk to the Highgate Station site by going over the top of the tunnel, as well as potentially through it. This increasingly looks like the preferred option as it sidesteps the issue regarding bats roosting in the tunnels.

The Council is unsure how the figure of 22 new flats has been arrived at, and whether it is a net or gross figure. If this is a figure required to support viability, it should be negotiated at the design stage, with the principles for development set out in the plan policy.

Date: 20 March 2015
Our ref: 144006



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BY EMAIL ONLY

Dear Ms Allison,

Planning consultation: A Draft of the Highgate Neighbourhood Plan.

Location: London Boroughs of Haringey and Camden.

Thank you for your consultation on the above dated 03 February 2015.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Wildlife And Countryside Act 1981 (As amended)

Highgate Neighbourhood Plan:

Broadly the sections of this plan which relate to the environment do show a good level of consideration for the natural environment and seek to promote the benefits of maintaining and improving the open spaces that are present throughout the plan area. However the one main designation that hasn't been mentioned in the plan is Hampstead Heath Woods Site of Special Scientific Interest (SSSI) which sits mainly within the plan area and will need consideration in planning for development in its surrounds.

Given that this plan area does span two local authority boundaries it would be prudent to ensure it complies with paragraphs 117 and 118 of the National Planning Policy Framework (NPPF) which in part states that "Planning policies should plan for biodiversity at a landscape-scale across local authority boundaries". The SSSI mentioned above does have some areas which are in unfavourable condition so continuing their recovery to favourable where possible through complementary decision making relating to the use of the site and development around it would be the best way forward.

The advice above should be incorporated in some way into "Core Objective 4: Open Spaces and Public Realm" as this would be the natural place for these protections to sit and be promoted as part of looking after and enjoying the open spaces on offer in the Highgate plan area. Sub objective 4.4 is the best placed to accommodate this given it relates to the "protection of the area's natural features" the most key of which is the nationally designated SSSI site at Hampstead Heath Woods.

A number of the sub objectives of Core Objective 4 are to be welcomed as well in as much as they will positively protect and seek to enhance the existing open space within the plan area, accounting for the fact development will have to occur but making it as friendly to the environment as possible. The use of Green Infrastructure (GI) as part of any new development or indeed redevelopment should be encouraged too as this can form green walls and green roofs and helps biodiversity as

well as issues of heavy rainfall attenuation for example if and when such events occur.

Measures which the plan proposes that seek to encourage walking, cycling and public transport use is welcomed and where better links are possible to make these options more enticing to the public they should be sought. The encouragement for including additional open space in new development and resisting its loss is positive and helps the plan to link up with the NPPF paragraph 17 which states these exact aims, of encouraging walking and cycling options.

We would be happy to comment further should the need arise but if in the meantime you have any queries please do not hesitate to contact us.

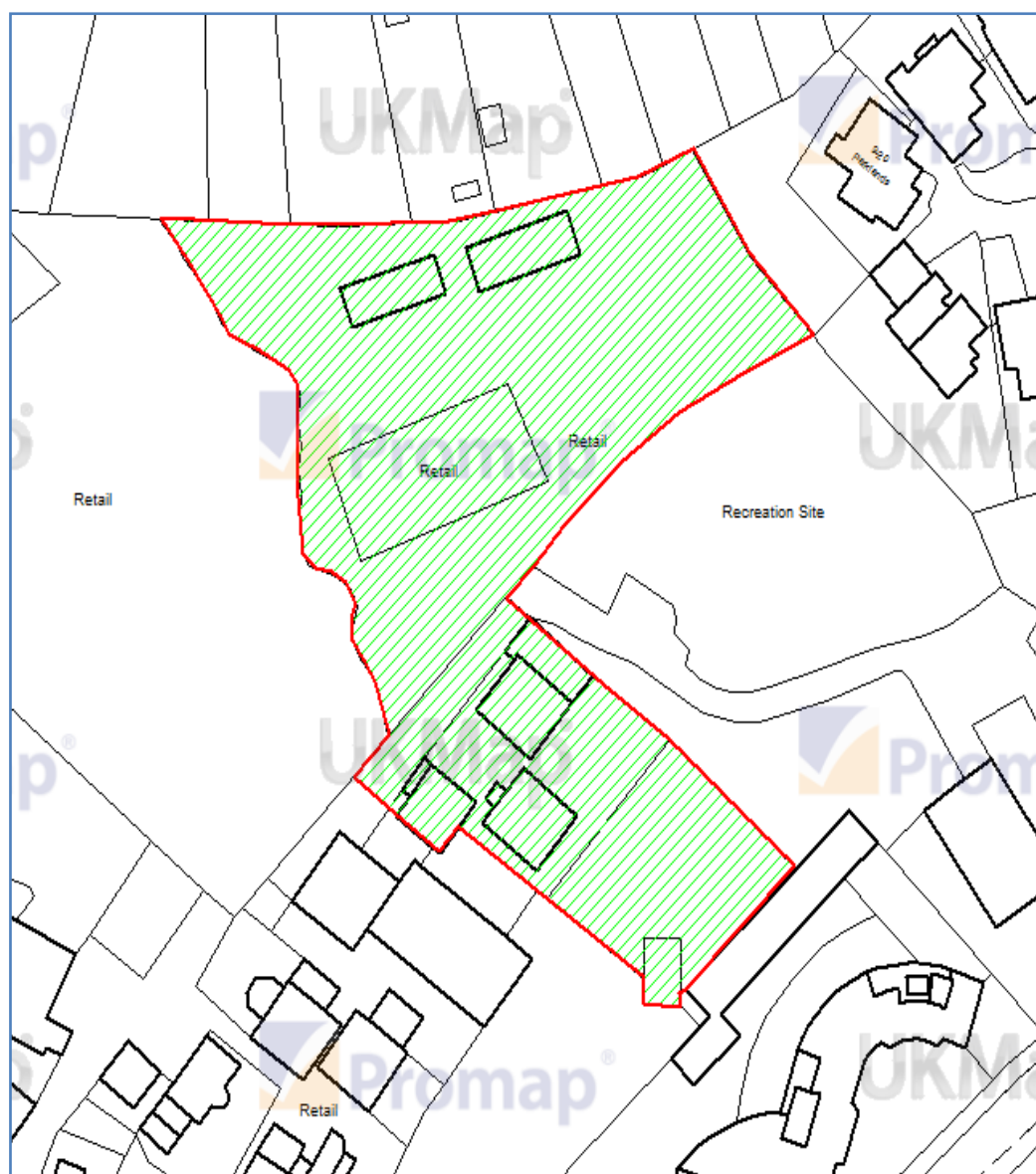
For any queries relating to the specific advice in this letter only please contact Piotr Behnke on 0300 060 1963. For any new consultations, or to provide further information on this consultation please send your correspondences to consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

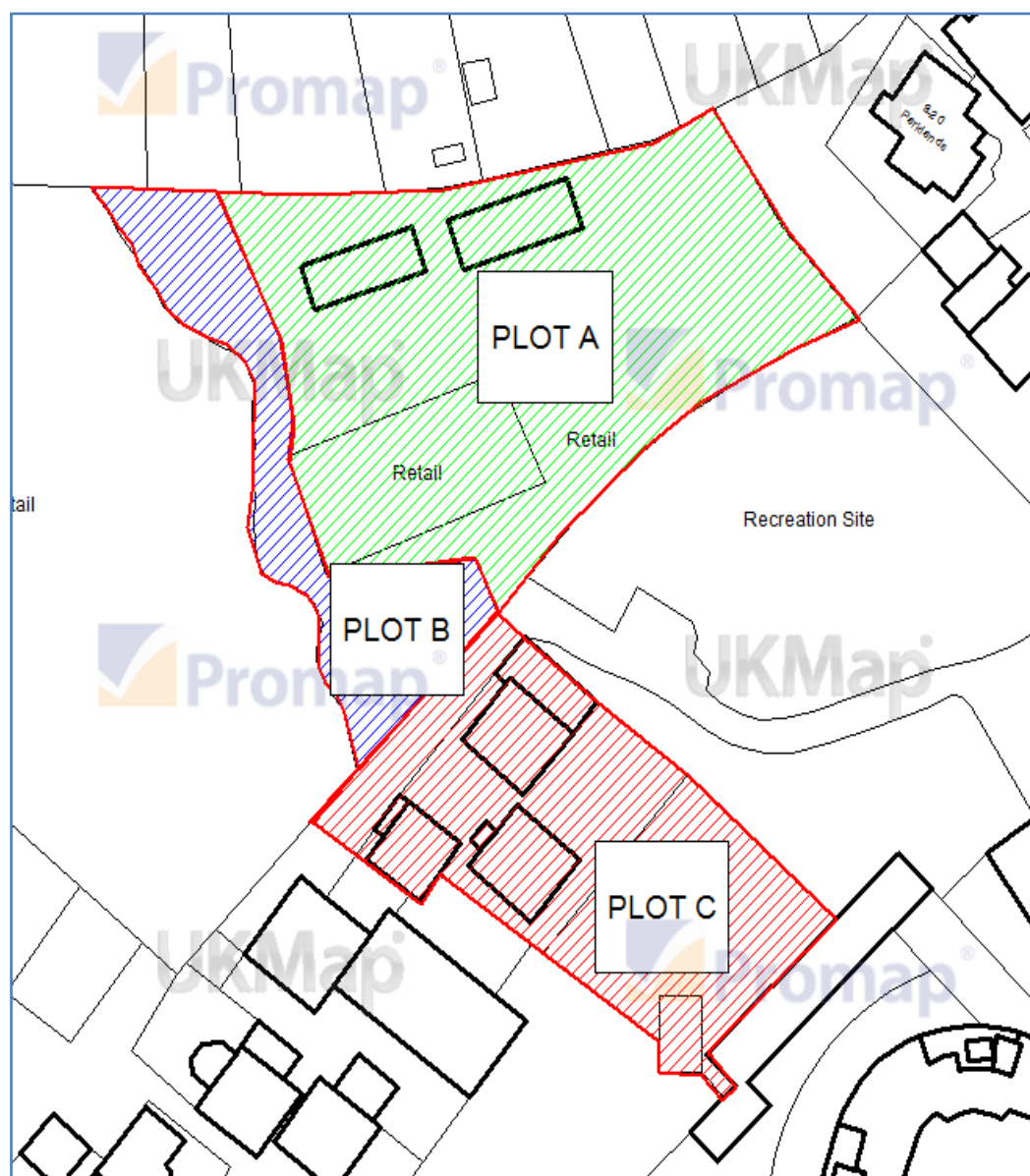
Yours sincerely,

Piotr Behnke
Sustainable Development and Regulation
Thames Valley Team

Appendix 1:
Site Plan



Appendix 2:
Plot Map



March 2015

Highgate Neighbourhood Plan Consultation Draft (January 2015)

**Formal Planning Representations
On behalf of the NHS Property Services**

Prepared by Savills UK

Savills UK

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London

W1G 0JD



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Appendices:

- A. Site Plan
- B. Plot Map within Site

1. Introduction

- 1.1 Savills has been instructed by NHS Property Services Ltd (NHSPS) to prepare and submit the following representations in response to the emerging draft Highgate Neighbourhood Plan (HNP), which was published for public consultation in January 2015, by the Highgate Neighbourhood Form (HNF).
- 1.2 NHSPS manages and maintains about 3,700 holdings across England.
- 1.3 NHSPS are the freehold owners of property and land known as 55a Cholmeley Park (the site), as shown at **Appendix A**, which is currently leased to The Harrington Scheme (THS). The site is located within the emerging HNP's Key Area 3: Highgate Bowl and is entirely within the administrative boundaries of the London Borough of Haringey (LBH).
- 1.4 NHSPS is currently reviewing whether part of the site (Plot C as shown at **Appendix B**) could be developed to deliver a mixed use scheme including the provision of new facilities for THS and some residential development. We think that modifications are required prior to submission and Examination to ensure that the emerging Plan is sound and satisfies all of the "basic conditions" set out by Schedule 4B of the Town and Country Planning Act (1990) (as amended). The proposed modifications are intended to support NHSPS' site's potential. Although the proposed modifications would not fundamentally affect the spatial strategy within the emerging HNP (indeed we feel that they strengthen the approach as set out by the HNF towards residential development and community facilities in particular), they do require changes to be made throughout the document.
- 1.5 A number of modifications are proposed to maximise the efficiency and sustainability of land allocations in accordance with the principles of the National Planning Policy Framework (NPPF) (March 2012) and LBH's Local Plan Strategic Policies (March 2013).

Summary of Proposed Modifications

- 1.6 The proposed modifications are:
 - To make more efficient use of part of the THS site as previously developed land at the fringe of the Highgate Bowl area and identify it for small scale mixed use development including the potential for some residential development and community facilities.
 - To add into draft Policy KA3 in relation to the Highgate Bowl area, an additional clause to reflect the above change.
 - To remove reference within draft Policy KA3 to pre-agreed design codes or a wider masterplan (for the reasons explained later in the statement).
 - To amend draft Policy SC2 in relation to community facilities to reflect the role that development proposals could have in supporting the improvement and enhancement of existing community, education and training facilities identified within the emerging Neighbourhood Plan.
- 1.7 With the above modifications, the HNF (and ultimately the Examiner) can ensure that the proposal for the order proceeds to a referendum without delay given that it would accord with the basic conditions set out in the Act. The extent of the modifications do not alter the overall

spatial strategic of the draft HNP but allows it to meet the basic conditions as it is required to do so.

2. Highgate Neighbourhood Planning Process and Background to the Site

- 2.1 To date, NHSPS has not been actively involved in the drafting and development of the emerging HNP, however as a landowner within Key Area 3: Highgate Bowl, they are keen to be engaged in the development of the emerging HNP.
- 2.2 The site owned by NHSPS is leased to The Harington Scheme, who operate as a charity to provide horticultural, farming and teaching therapy and training for youths and young adults with learning difficulties and disabilities. The lower part of the site (labelled as Plot A and B at **Appendix B**) accommodate land used for the growing of plants and includes a number of polytunnels associated to this use. Plot C (also identified at **Appendix B**) currently accommodates the main teaching facilities, including a number of single and two storey buildings, including sheds, glasshouses and administrative accommodation. There is also a walled garden. Access into the site for vehicles and pedestrians is from a private drive off Cholmeley Park.
- 2.3 Within adopted LBH policy, the whole site is within the Highgate Conservation Area and parts of Plots A and B, but not C, are designated as a Local Site of Importance for Nature Conservation (SINC).
- 2.4 LBH's Local Plan: Strategic Policies (March 2013) is the key development plan document for the location of the site within the HNP area. The adopted Local Plan does not identify the site or the wider Highgate Bowl area specifically.
- 2.5 LBH's draft Site Allocations (SA) DPD (January 2014) included Plot A and Plot B, but excluded the whole of Plot C within draft Allocation HG4 which relates to the Highgate Bowl area. However LBH's latest draft iteration of the SA DPD (February 2015) includes the whole site within draft Site Allocation SA45 where the principle of limited residential development around the fringes of the Bowl area namely at Duke's Yard and Townsend Yard are referenced. Plots A, B and part of Plot C (but excluding the existing built form and including the walled garden only) are also currently identified within the draft SA document as Significant Local Open Land. NHSPS will be submitting separate representations in response to the current consultation on this document.
- 2.6 NHSPS is currently reviewing whether some small scale mixed use development, including residential and community uses, could be accommodated on Plot C.

3. Compliance with the Basic Conditions

The “Basic Conditions”

- 3.1 The emerging HNP, as with all neighbourhood plans, is required to meet the “basic conditions” in order to allow it to be put to a referendum, as set out in paragraph (8)2 of Schedule 4B to the Town and Country Planning Act (1990) (as amended). Moreover, paragraph 8(1) of the Schedule confirms that;

“1) The examiner must consider the following:

- a) Whether the draft neighbourhood development plan meets the basic conditions (see sub-paragraph (2)).”*

- 3.2 Sub-paragraph (2) states that a draft neighbourhood plan “*meets the basic conditions if:*

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order,*
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order,*
- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order,*
- d) The making of the order contributes to the achievement of sustainable development,*
- e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),*
- f) The making of the order does not breach, and is otherwise compatible with, EU obligations, and*
- g) Prescribed conditions are met in relation to the order and prescribed matters have been complied with in connection with the proposal for the order.”*

- 3.3 From the above, it is clear that the basic conditions test is not an either or situation; the emerging HNP must meet all of the above mandatory criteria if it is to fulfil the basic conditions. Paragraph 10(4) of Schedule 4B of the Act states that the Examiner’s Report can not recommend that a draft plan is submitted to a referendum if the Examiner considers that the report does not “*meet the basic conditions mentioned at paragraph 8(2)*” as set out above.

- 3.4 With the aim of working with HNF to ensure that a sustainable and sound HNP can be adopted and without seeking to make fundamental changes to the overall strategy, these representations note that the document, in its current form, fails to meet the basic conditions as it is required to do.

- 3.5 As discussed in more detail below, the draft HNP:

- does not effectively meet basic condition (a), as it does not have adequate regard to national planning policy in relation to a presumption in favour of sustainable development and considerations towards development viability;
- in turn, based on the above test not being met, the draft Plan does not effectively contribute towards the achievement of sustainable development and therefore does not comply with basic condition (d); and
- does not effectively meet basic condition (e) in consistently complying with LBH's adopted Local Plan: Strategic Policies concerning sustainable development and enhancing existing community facilities.

Basic Condition (a) – The HNP Does Not Have Adequate Regard to National Policies and Advice Contained in Guidance Issued by the Secretary of State

- 3.6 In accordance with basic condition (a), the HNP must have regard to the policies contained within the NPPF and the National Planning Practice Guidance (NPPG).
- 3.7 Whilst the emerging HNP correctly acknowledges some of the key principles of the NPPF for which these representations are in general support, such as the three dimensions of sustainable development (economic, social and environmental) (paragraph 6 and 7), the need to provide housing (paragraph 50), promoting social interaction within inclusive communities (paragraphs 69 and 70), promoting sustainable transport (paragraphs 29 to 41) and the provision of high quality open space and opportunities for sport (paragraph 73), there are two key parts of the NPPF that have not been given adequate consideration.
- 3.8 The first omission is a “*presumption in favour of sustainable development*” (paragraph 14) which should be seen as a golden thread running through plan-making, with authorities being required to positively seek opportunities to meet the development needs of their area.
- 3.9 With regard to the need for residential development, although the emerging HNP acknowledges the requirement for such new development, the document and its draft Policies do not set a positive framework for residential development to a level capable of significantly increasing housing land supply, as set out in the NPPF (paragraph 47). The NPPF also indicates that one of the core planning principles is to deliver sufficient community and cultural facilities and services to meet local needs (paragraph 17) and goes on to state that to deliver the social, recreational and cultural facilities and services the community needs planning policies should ensure an integrated approach to considering the location of housing, economic uses and community facilities and services (paragraph 70).
- 3.10 The most practical way to viably achieve these NPPF objectives and indeed the objectives of the draft HNP itself, which is broadly in accordance with the strategy already set out for draft Policy KA3, would be for the emerging Plan to support the principle of a small scale mixed use scheme incorporating residential and community uses on the fringe of the Bowl area (on the already developed Plot C).
- 3.11 The draft Policy already supports “*moderate scale residential development*” on the fringes of the Bowl, and the wording should be amended, as suggested within Section 4 of these representations, to offer more clarity on the issue of where residential accommodation would be acceptable, particularly where it might enable the ongoing use and enhancement of other objectives for the Highgate Bowl area.

- 3.12 This approach would be in accordance with LBH Strategic Policy SP16: Community Facilities, which seeks appropriate improvement and enhancement of Haringey's community facilities as well as emerging HNP draft Policy SC2: Community Facilities. This is discussed further in connection to basic condition (e) below.
- 3.13 With regard to draft Policy KA3: Highgate Bowl, the requirement for a "*pre-agreed set of design codes for the whole area or an overarching master plan*" for any development proposals in or on the fringes of the Bowl does not accord with the presumption in favour of sustainable development. Given the large number of separate ownerships that exist within and around the Bowl as well as the likely small scale of any development proposals that do come forward in this area, this draft policy wording would effectively stall any development coming forward until such a time as there is a comprehensive design code or wider masterplan in place. Furthermore, there is no guidance within the draft HNP as to who would be responsible for producing the design code or masterplan, nor a timescale for doing so.
- 3.14 This approach is too prescriptive and not in compliance with the NPPF's presumption in favour of sustainable development. Further, the NPPF (paragraph 47, footnote 11) states that "*to be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable*" (author's emphasis).
- 3.15 All planning applications will be subject to the standard development management controls when determined and the HNF will be consulted on the development schemes at that time. The requirement for design codes and a wider masterplan first before applications are determined could significantly delay development coming forward which is therefore contrary to the NPPF, adopted Strategic Policies and basic conditions (a) and (e).
- 3.16 On the basis of the above, suggested amendments to draft Policy KA3 are included within Section 4.
- 3.17 The second omission from the draft Plan is references to viability connected to the bringing forward of development schemes. There is no consideration given to viability and costs more generally (as per NPPF paragraphs 173 to 177). In particular, the emerging HNP does not consider how costs and viability and the need to "*provide competitive returns to a willing land owner and willing developer*" (paragraph 173) could affect the deliverability of development coming forward and in turn some of the aspirations set out by the HNF within the draft Plan.
- 3.18 Focussing this issue towards the aspirations within Key Area 3: Highgate Bowl and the associated draft Policy KA3, these representations are in general support of the retention of a community use (The Harington Scheme) on the NHSPS site. However, any proposals for the site's future development need to be viable.
- 3.19 Notwithstanding the above and subject to considerations of viability, these representations wish to note general support for the approach as set out within the emerging HNP towards community facilities, open space and sustainable travel, and that these areas are broadly in accordance with national policy, as per the requirement of basic condition (a).

Basic Condition (d) – The HNP Does Not Effectively Contribute to the Achievement of Sustainable Development

- 3.20 As explained above in connection to basic condition a, the emerging HNP does not effectively contribute towards the achievement of sustainable development.

- 3.21 Omissions within the emerging HNP in relation to 1) a presumption in favour of sustainable development and 2) the impact that viability and costs could have on the deliverability of development will in turn affect meeting some of the draft Plan's key housing and economic objectives. For the reasons set out above, this could have a significant effect on the ability of the Plan to deliver a balanced approach towards economic, social and environmental sustainability and therefore modifications are required to the emerging HNP to enable it to comply with basic condition (d).

Basic Condition (e) - The HNP Could do More to Ensure General Conformity with the LBH's Local Plan: Strategic Policies

- 3.22 As noted above, LBH's Local Plan: Strategic Policies is the key development plan document for the location of the site within the HNP area. The Strategic Policies were adopted in March 2013, and are therefore up to date and in accordance with the National Planning Policy Framework (NPPF). The Strategic Policies document does not make specific reference to the Highgate Bowl or this site.
- 3.23 Whilst the draft HNP has been prepared against the backdrop of the adopted Strategic Policies, in line with the comments made above in connection with basic conditions (a) and (d), the draft HNP should be modified to ensure greater consistency with LBH's Strategic Policies.

Policy SP0: Presumption in Favour of Sustainable Development

- 3.24 Policy SP0 correctly carries through the golden thread of the NPPF, the presumption in favour of sustainable development, into LBH's Strategic Policies. As noted above, more could be done within the draft HNP to accurately reflect the NPPF and SP0 and the key messages that they promote; most notably working proactively with applicants to find solutions to problems, approving proposals wherever possible and approving applications without delay, unless material considerations indicate otherwise.
- 3.25 On this basis, these representations contend that a new policy should be inserted into the draft HNP to reflect the NPPF's presumption in favour of sustainable development, and its incorporation into local planning policy via Strategic Policy SP0. Other modifications may also be required throughout the draft HNP to reflect this change, however no specific wording or amendments are suggested as part of Section 4.

Policy SP16: Community Facilities

- 3.26 Strategic Policy SP16 States that the Council will work with its partners to ensure that *"appropriate improvement and enhancements... of community facilities and services are provided for Haringey's communities"* and it goes on to state that the Council will promote the *"efficient use of community facilities"*.
- 3.27 As noted above, these representations are in general support for the draft HNP's aspiration for the continued operation of a community facility within the Highgate Bowl area. However no consideration has been given within the draft HNP as to how the improvement, enhancement and continued operation of a community facility, in line with Policy SP16, is to be viably achieved,.
- 3.28 In order to improve and enhance the community facility and bring the draft HNP in line with LBH's Strategic Policy SP16, draft Policy KA3 should be amended to provide certainty and deliverability for the wider aims of the plan. It should allow for a small scale mixed use scheme on the land currently occupied by the buildings of THS, which could support the improvement

and enhancement of a community facility. The delivery of housing on unallocated windfall sites in this part of the Borough would be in accordance with the Strategic Policies, in particular paragraph 3.2.6, where it contributes towards meeting housing need in Haringey and where it does not impact on the surrounding environment. A carefully designed scheme could mitigate any development impact as part of a future planning application.

- 3.29 Accordingly, suggested changes are proposed in Section 4 to bring the aspirations of the draft HNP in line with the adopted Strategic Policy SP16 in connection with draft Policy KA3 and draft Policy SC2, to accord with basic condition (e).

Other Basic Conditions not Discussed Above

- 3.30 Although these representations do not wish to comment on basic conditions b, c, f and g in detail, the changes suggested in Section 4 as a result of the comments above would not have any negative impact on any of these conditions.

Other Comments

- 3.31 Whilst these representations raise no objection to the fifth bullet point within draft Policy KA3, relating to the enhanced opportunities for the public to access the centre of the Bowl both by foot and by bicycle and acknowledging the benefits that this could provide to the wider area, the aspirations and operational requirements of THS at this part of the Bowl area will need to be taken into account.
- 3.32 A permanent pedestrian and cycle through-route could have a significant effect on the character and security of the site for the continuation of the existing community use (the THS scheme), if it were to run through the site.
- 3.33 No changes are suggested with regard to access for draft Policy KA3 at this stage, however it would be useful to explore these issues further with HNF and THS.

4. Modifications Required to Meet Basic Conditions

Areas to be Modified

- 4.1 On the basis of the comments set out above, modifications are required to the emerging HNP, albeit not fundamentally affecting the existing spatial strategy, prior to the submission of the document for Examination in order to ensure that the document is sound and that it meets the basic conditions set out within Schedule 4B of the Town and Country Planning Act 1990 (as amended).
- 4.2 In relation to the issues identified within these representations, modifications are required to:
- Have adequate regard to national planning policy contained within the NPPF, in order to meet basic condition (a);
 - Make an adequate contribution towards the achievement of sustainable development, in order to meet basic condition (d);
 - Have adequate regard to LBH's adopted Strategic Policies in order to meet basic condition (e).
- 4.3 Although fundamental change is not required to the overall strategy of the emerging HNP, the nature of the issues identified mean that alterations will be required throughout the draft HNP in order to ensure it is sound and meets the basic conditions. These representations do not suggest amended text for the whole document, however on the basis of the comments above, and given that it is of greatest relevance to the site in question, revised text is included below for draft Policy SC2: Community Facilities and draft Policy KA3: Highgate Bowl.

Recommended Revisions to Draft Policy SC2: Community Facilities

- 4.4 As explained above, the following text offers a suggested rewording to draft Policy SC2 in order to help ensure the plan is sound, consistent and in accordance with the basic conditions of Schedule 4B.
- 4.5 Original policy text is in *italics*, with ~~strikethrough~~ used to indicate deletions and **bold** used to indicate additions.

*"All new development that is likely to create an additional demand on community facilities in the Plan area should contribute towards supporting existing facilities or towards the provision of new facilities. ~~The ability of any New development~~ **will be supported where it enables the provision of to provide** a new **or enhanced** community facility (to include education and training facilities) on-site ~~available to the whole of the population of the plan area will be treated as a benefit of significant weight~~ **which meets specific operator demand and is subject to viability.***

The community facilities that are particularly needed in Highgate include those catering for children and young people, older people and those providing flexible space for regular classes, community events and faith community gatherings."

Recommended Revisions to Draft Policy KA3: Highgate Bowl

- 4.6 Similarly, the following extract offers a suggested rewording of draft Policy KA3, in order to help ensure that the plan is sound, consistent and in accordance with the basic conditions of Schedule 4B.

“Policy KA3: Highgate Bowl

Any allocation or development of the fringes of the Highgate Bowl, to the rear of Highgate High Street with a moderate scale residential development, retaining where possible existing employment use, will be supported provided any proposal is in line with the following principles:

- *The development contributes towards ~~all types of~~ **meeting** local housing need, in line with policies elsewhere in this Plan;*
- ~~*Any proposal seeking to deliver new development on the Bowl and its fringes must be led by a pre-agreed set of design codes for the whole area or an overarching master plan that continues to ensure that the open character of the Bowl is maintained and that access to and from the core of the site is improved for the public;*~~
- *Any development must be of a scale and height that ensures it is visually subservient to the streetscene of Highgate High Street and the wider conservation area and does not create a dominant feature adjacent to the southern slopes of the Bowl;*
- *The layout of any development must additionally respect the local built form and vistas leading into and out of the Bowl;*
- *Any development must create enhanced opportunities for the public to access the centre of the Bowl both by foot and by bicycle and wherever possible should provide east-west corridors through the site to provide additional linkages between the various other plots of publically accessible land along the southern fringe of the Bowl;*
- *Proposed uses must protect the local SINC designation and wherever possible enhance the quality of the local landscape and habitats; ~~and~~*
- *Any development must take account of and mitigate against any flood risk posed by local drainage issues; ~~and~~*
- ***Small scale mixed use development (including residential and community uses) at The Harington Scheme site, as a previously developed site on a fringe location of the Bowl, at this unique location to contribute towards the character and function of the Bowl itself.”***

5. Conclusions

- 5.1 NHSPS supports the neighbourhood planning process and does not wish to discourage HNF's progression of the emerging HNP. However, unfortunately, for the reasons set out in this document, the HNP in its current form does not meet the basic conditions required to progress to submission, examination and adoption.
- 5.2 These representations set out that HNP modifications are required to:
- have adequate regard to national planning policy contained within the NPPF, in order to meet basic condition (a);
 - make an adequate contribution towards the achievement of sustainable development, in order to meet basic condition (d); and
 - have adequate regard to LBH's adopted Strategic Policies in order to meet basic condition (e).
- 5.3 It is of the view that these modifications will help to consistently enhance the strategy that has already been set out by the HNF particularly towards residential and community facilities.
- 5.4 Suggested revisions to the wording of draft Policy SC2 and draft Policy KA3 are set out in Section 4 of this statement, which also indicates that further changes will need to be made throughout the Plan. These recommended changes in summary relate to:
- making more efficient use of part of the THS site as previously developed land at the fringe of the Highgate Bowl area and identify it for small scale mixed use development including residential and community uses.
 - adding into draft Policy KA3 in relation to the Highgate Bowl area, an additional clause which reflects the above change.
 - removing reference within draft Policy KA3 to pre agreed design codes or a wider masterplan (for the reasons explained in the statement).
 - amending draft Policy SC2 in relation to community facilities to reflect the role that development could have in supporting the improvement and enhancement of existing facilities, particularly where such facilities are specifically identified for retention within the emerging Neighbourhood Plan.
- 5.5 As a landowner within Key Area KA3: Highgate Bowl, NHSPS would wish to be engaged in the production of the emerging Plan further and ensure that all basic conditions, as set out within Schedule 4B, are met.
- 5.6 Should HNF choose to reject the comments within these representations and not alter the draft HNP prior to submission, NHSPS would respectfully request that the future Examination of the HNP involve a hearing session to offer an adequate opportunity for verbal representations to be made.

*Ms Rachel Allison
Chair, Highgate Neighbourhood Forum
1a Montenotte Road
London N8 8RL*

11 February 2015

Dear Rachel

Neighbourhood Plan

I trust that you are well. My colleagues and I have enjoyed reading through the draft Neighbourhood Plan following its launch in January. We agree that this is both a practical and visionary document that thoughtfully sets out how the built environment in Highgate could be managed and future development and infrastructure sensibly controlled to the greater benefit of the whole community.

The School obviously values highly its place within this community: we very much feel we are integral to the identity of Highgate given the scale of our presence, our historical lineage and the economic impact resulting from the employment we create and the local businesses we, our parents and our pupils support. Now in our 450th year celebrations, these factors take on a particular resonance.

We therefore welcome the opportunity to provide feedback on the draft document and to be part of the development of the area. As you are aware from our meeting last September, the School is taking a more strategic and longer-term view as to how we manage the Estate's property and grounds. To this end we have engaged the services of property consultants CBRE and, given CBRE's involvement with our master planning strategy, we asked them to comment on the plan with a view to incorporating their expertise on planning matters. In doing so, we hope their contribution may not only be helpful in inputting the School's thoughts on the plan but also add an additional depth and value to the plan.

Enclosed with this letter therefore are the comments CBRE have recommended we put forward for your consideration. I will apologise in advance for what may be perceived as rather procedural language used in the accompanying commentary from CBRE: this is not the spirit in which our comments are intended but, as you will appreciate, it is important we endeavour to adopt 'planning speak' and present our thoughts clearly.

We do of course welcome the opportunity to discuss the plan further with you if that would help and look forward to continuing to strengthen our relationships within the community. We should be grateful, please, if you would keep the School informed regarding the progress of this draft document.

With kind regards.

Yours sincerely

CBRE COMMENTARY ON THE DRAFT HIGHGATE NEIGHBOURHOOD PLAN FEBRUARY 2015

We write on behalf of Highgate School in relation to the above consultation document.

Highgate School is in general terms supportive of the document and welcomes the plan and Forum as an opportunity to continue to strengthen its relationships within its community, a relationship it values warmly; we do however wish to submit representations regarding the flexibility of some of the proposed wording to ensure the policies are able to be implemented, can facilitate appropriate development in accordance with the School's master planning strategy and are in conformity with higher tier planning policies.

The following section sets out each policy and area of supporting text which we make representation on.

Policy SC1 – Highgate's Housing Needs

Policy SC1 requires proposals for new residential development to demonstrate how they contribute to a range of housing types and formats. The National Planning Policy Framework (NPPF) states that '*policies should be sufficiently flexible to take account of changing market conditions over time*'. Accordingly, we consider that policy SC1 should incorporate an element of flexibility to allow for varying circumstances and to ensure policies aren't too restrictive to the point of restricting housing development being brought forward, and therefore should read as follows:

*'Planning applications for new residential development (including conversions) will be required to demonstrate how they are contributing towards a range of housing types and formats, **where possible**, to meet the identified needs of the Plan area.'*

SC3 – Allotments and Communal Open Space

Policy SC3 seeks to protect allotments and community garden space which is supported in principle, however, we request that additional information is provided in the supporting text as to what is meant by 'semi-private communal open space'.

Transportation Policies

The proposed policies in relation to Transport and improving safety in the village are fully supported.

OS1 Fringes of Highgate's Open Spaces

Policy OS1 seeks to ensure development on the fringes of Highgate's areas of important open space respects its setting and is not visually intrusive. Whilst we have no comments on the principle of the policy, we have a few comments on the wording and supporting text.

One of the criteria for new development being supported on open space fringes is that it does not project beyond the built line past ground floor level. This policy has no flexibility to allow for site specific solutions where it may be necessary to project further than the existing built line, for example to make significant improvements to a building and street frontage. We therefore consider that the policy should read:

'New development on the fringes of Highgate's open space will be supported provided that:

- It reflects the height of the built line and does not provide a built form with a roof height that is higher than the existing adjacent buildings, **except where it is considered appropriate;***
- It does not project beyond the built line past ground floor level, **except in exceptional circumstances where it is demonstrated as appropriate;***
- It does not result in the removal of healthy mature trees, **unless robustly justified and supported by an Arboricultural Report and includes appropriate mitigation/replacement measures.***

As a general comment, this policy should be less prescribed and introduce flexibility to allow individual sites to be assessed on a site by site basis taking into account the site specific circumstances.

DH1 – Demolition in Highgate’s Conservation Areas

Policy DH1 seeks to resist demolition of buildings that make a significant contribution to Highgate’s conservation areas, unless in exceptional circumstances. The policy also includes a reference to buildings within a conservation area even if they are not seen. This does not accord with NPPF paragraphs 135 and 138 but could be addressed if a requirement is included that such proposals address heritage values as set out in the relevant conservation area appraisal; where no specific heritage value is attributed to an unlisted building, it would be unreasonable to resist its demolition. This provides both the controls sought plus the flexibility to consider appropriate proposals if they come forward.

We request that additional information is provided within the supporting text that sets out what is meant by ‘significant’ and how this will be measured. Will there be criteria against which demolition proposals will be measured?

DH5- Basements

Policy DH5 sets out a number of requirements for basement developments to conform to, if they are to be considered acceptable. We acknowledge the need to ensure that proposals for basement development are fully supported by accompanying structural justification, but the proposed policy is overly prescribed.

We also question the evidence base from which this policy has derived. In the absence of any such similar policy in Haringey or Camden’s local development framework, we consider the detail included, particularly in relation to size of basement footprints to be unfounded. We consider that the evidence base should be examined, the prescriptive thresholds removed and the policy should be made more flexible to take into account site specific circumstances. Consideration might also be given to the use of the policy framework for basements included within Camden’s statutory Development Plan and Supplementary Guidance. This has been tested and adopted through the examination process and in practical terms provides a robust assessment process.

DH7 – Backland Development

Policy DH7 states that development in back gardens will not normally be permitted. In addition, other backland development is subject to a number of conditions.

We request that a definition of ‘backland’ and the difference between ‘back garden’ and ‘backland’ is consulted on and included within the supporting text. The Haringey UDP and Core Strategy include a definition of backland development, and the Neighbourhood Plan definition should be the same:

“land-locked sites, such as rear gardens, private open space or old lock up garages, usually within predominantly residential areas”

We consider that a clear explanation of the difference between backland and 'back garden' is required to ensure appropriate development sites are not unnecessarily constrained. The Government has identified a great need for additional housing and encourages the creation of housing, particularly on brownfield sites and sites in sustainable locations close to existing transport and services. The NPPF establishes an overarching presumption in favour of sustainable development and policies should not seek to prevent this. Additionally the Further Alterations to the London Plan requires even greater delivery of new homes for Londoners.

Policy DH7 proposes a number of restrictions on 'backland' development, however, there are a significant number of areas of land which would be suitable to provide much needed housing that under this policy would be prevented.

Paragraph 53 of the NPPF notes that local authorities should consider the case for setting out policies to resist inappropriate development specifically of residential gardens, for example where development would cause harm to the local area.

Whilst the NPPF makes reference to resisting *inappropriate* development of residential gardens, there are no specific restrictions which prevent any development within gardens.

We consider that the policy could be reworded as follows:

"Inappropriate development in back gardens will not normally be permitted where it causes harm to the local area. Other backland development will be subject to the following conditions:

- There will be no loss of tree cover and mature trees will be retained, particularly in the case of vintage trees, unless robustly justified and supported by an Arboricultural Report;*
- Development on garden ground or land valued as an amenity will not be permitted, if it causes harm to the local area."*

We consider that the following part of the policy should be deleted:

"The backland development must be previously developed brownfield land and not open or green land"

Key Area 3: Highgate Bowl

It would appear that the area identified on location maps as the Highgate Bowl has incorrectly included some of the School's buildings and land to the rear of Dyne House (for example page 5 and page 81). The School highlighted this to Haringey Council as part of its response to the recent *Highgate Conservation Area Character Appraisal*. The boundary should be redrawn at the edge of the Parade Ground which would accord with Supplementary Planning Guidance 3.5: Highgate Bowl Area – in *Highgate Conservation Area* (June 1999), which only includes the Parade Ground as part of the Highgate Bowl. This would also ensure the location maps are consistent with the written description of the Bowl in the penultimate paragraph on page 82.

We request that the above comments and suggested amendments are taken into consideration by the Highgate Neighbourhood Forum and Haringey Council in preparing the final version of this Neighbourhood Plan. The School and its advisers would, if it would be of assistance, be willing to meet with you to discuss these comments further and to discuss how their concerns might be addressed.

**CELINE BIRD
PLANNER CBRE**



19 March 2015

Sent by Email:

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Dear Ms Allison

RE: HIGHGATE NEIGHBOURHOOD PLAN DRAFT FOR CONSULTATION JANUARY 2015

The Respondent

1. This is a representation on behalf of Omved International Ltd who own the Southwood Nursery site within the Highgate Neighbourhood Plan's (HNP) **Policy Area KA3: Highgate Bowl**.



2. In the discussion below, for ease of reference specific objections to HNP's proposals are in **red** and specific areas of support in **blue**.

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Procedural Issues

3. **NPPF Para 184** requires the HNP to be in general conformity with Haringey's Local Plan's (HLP) strategic policies - *neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan... Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.*
4. **We object that HNP is not in conformity with the strategic policies contained in Haringey's Local Plan.**
5. This is of particular relevance to the fact there is no policy in the RUDP 2006 or the Local Plan 2013 that unequivocally constrains development in the Bowl to particular uses (as set out in HNP's Site Assessment requirements – see below).
6. It is also relevant to **HNP policy SC1** - *Planning applications for new residential development (including conversions) will be required to demonstrate how they are contributing towards a range of housing types and formats to meet the identified needs of the Plan area. The ability of a new development to deliver an appropriate mix of homes that meet any of the following needs, above and beyond the wider housing requirements of the Borough, will be treated as a benefit of significant weight: Elder-friendly housing, particularly supported housing that may include space for live-in carers; One and two bedroom market properties designed to provide accommodation for first time buyers and those down-sizing from larger properties; Innovative ways of providing access to suitable residential accommodation to residents not eligible for inclusion on the housing register including managed HMOs or studio apartments of an adequate size; and Opportunities for self-build units.*
7. This seeks to apply a restrictive policy requirement designed to constrain the type of housing permitted in the Plan area. It is inconsistent with **HLP Policy SP2, criterion 3** of which simply aims to maximise housing for people whose circumstances makes them vulnerable and/or people with specific needs but does not constrain other housing development.
8. **HNP Policy SC1 must be aligned with the overarching HLP policy. It should probably be omitted as unnecessary.**
9. The objection site is identified in HLP as being within the Highgate Conservation Area. **HLP policy SP12 (Conservation)** says the Council shall ensure the conservation of the historic significance of Haringey's heritage assets, their setting, and that the wider historic environment should be used as the basis for heritage-led regeneration and as the basis for good design and positive change. Where possible, development should help increase accessibility to the historic environment.

10. The Council has accepted for almost 20 years that the Bowl has no strategic or local open space significance. Its evidence to the 2005 RUDP inquiry that explains the reasons for this is at **Annexe 1**. It does not identify any need for further public open space in this area (**Annexe 2**).
11. It is not surprising in this context that the HLP does not say anywhere that the site should be treated as Local Green Space. As **NPPF para 76** indicates, this should only be designated when a Plan is prepared or reviewed. The Local Plan was adopted in March 2013 (two years after the NPPF issued in draft) and so there was ample time to include a policy to this effect that would have a spatial expression on the Proposals Map.
12. Consistent with this, the HNP does not identify any of **Policy Area KA3** as Open Space or Public Realm. [The respondent supports this conclusion, which has important implications for the HNP's treatment of Policy Area KA3.](#)
13. **London Plan Policy 7.9** is part of the Development Plan for this area. It says the significance of heritage assets should be assessed when development is proposed and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration. Wherever possible heritage assets (including buildings at risk) should be repaired, restored and put to a suitable and viable use that is consistent with their conservation and the establishment and maintenance of sustainable communities and economic vitality. **NPPF paras 132 and 134** have similar requirements.
14. All the above factors must be considered within the statutory test for development in Conservation Areas – the decision on any development proposal affecting **Policy Area KA3** must pay special regard to considering whether it harms (following South Lakeland) the Conservation Area's character or appearance and the other factors identified above – in summary:
 - i. No local or strategic need for public open space on it;
 - ii. Policy support for heritage-led regeneration;
 - iii. Policy support for increased accessibility to the historic environment;
 - iv. Policy support for restoration of heritage assets in a way that puts them in a suitable viable use;
 - v. Policy support for the establishment and maintenance of sustainable communities and economic viability.
15. For planning reasons set out below, HNP's proposals for this allocation fail to adequately reflect any of these matters. It follows that it fails to meet the requirements of Schedule 4B of the Town and Country Planning Act 1990 (applied to Neighbourhood Plans by section 38A of the Planning and Compulsory Purchase Act 2004) and so cannot be lawfully put to a referendum and made.
16. [We object to HNP's general failure in the ways identified below to properly reflect these key conservation factors in its proposals for Policy Area KA3.](#)

17. In particular HNP does not satisfy criteria d and f of the Schedule - *the making of the order contributes to the achievement of sustainable development and the making of the order does not breach, and is otherwise compatible with, EU obligations.*
18. As far as (d) is concerned, there is no sustainability appraisal and so the plan fails to demonstrate how it will contribute to achieving sustainable development.
19. Turning to (f) one of the basic conditions that will be tested by the independent examiner is whether the making of the neighborhood plan is compatible with European Union obligations (including the Strategic Environmental Assessment Directive).
20. There is no evidence that HNP has been assessed to determine whether it is likely to have significant environmental effects. There is no screening assessment along the lines required by Regulation 9 of the Environmental Assessment of Plans and Programmes Regulations 2004. This is important because, if likely significant environmental effects are identified, an environmental report must be prepared in accordance with paragraphs (2) and (3) of Regulation 12. Obviously this should be undertaken early in the plan-making process so that the results can be incorporated in the Plan – retrospective consideration would simply be a cosmetic exercise.
21. We object to HNP's failure to undertake or provide a Sustainability Appraisal and an EIA/SEA screening assessment, which is a fundamental objection that probably requires work on the HNP to recommence from the start.
22. A Proposals Map is referred to twice in Policy OS1. It is not clear what this is – is it like a Local Plan Proposal Map that shows all the HNP proposals or something else? If the former, it is not on the HNP web site and this is a fundamental deficiency that does not allow HNP to be fully understood; if the latter then an explanation is needed. **Either way we object to the lack of clarity this involves.**
23. Finally **HNP section 7 - Delivery and Monitoring** says it *identifies the timescales, partnerships with stakeholders and potential sources of funding which will be involved in delivering the objectives and policies of the Plan.* The entry for the **Policy KA3** site says: *Work with LBH to encourage potential developers to liaise closely with HNF and local stakeholders. HNF to form site working group.*
24. It should be particularly noted than no source of funds is identified for the major acquisition that HNP requires to achieve its policy aims for the KA3 site. Policy KA3 can only be regarded as aspirational in these circumstances. **We object to HNP's failure to provide any information on the way its aspirations for Policy Area KA3 can be funded and request that a fully worked up financial appraisal of this project should be included in the Plan.**
25. We make a more practical proposal that fulfils the most reasonable of the HNP aims below.

The Respondent's Site

26. Southwood Nursery is an area of 0.9has north of Highgate High Street in the western part of the 3.35ha area of the **KA3 Policy Area** in the Highgate Conservation Area.
27. The CACA says it *has ... a notable tree cover around its boundaries and in clusters within the site. This screens the sheds and other structures within the site. Much of the site also contains raised beds to display plants which also reduce the amount of ground covered by hard standing as conventionally understood. This is an important factor in the contribution of the Nursery site to the Bowl as a whole. The largest building now present is the greenhouse, and although the development covers a significant amount of the site, it is not sufficiently dominant or visually intrusive to undermine the contribution the site makes to the apparent open tree-covered character of the Bowl.* This can easily be seen on the aerial photo below.



28. Its last full use was as a Garden Centre (that closed in 2014 but the planning use has not been abandoned) and a landscaping contractor's business. Both of these are commercial uses.
29. In March 2014 the Council refused a community nomination to include it in the Council's list of Assets of Community Value because the land did not constituted land of community value for the purposes of Section 88 - access to it was only possible when the Garden Centre was open and not otherwise and the main use

of the land was retail and so its actual use was in fact an ancillary use (reliant on the Garden Centre being open and ancillary to it) that did not meet the criteria for nomination.

30. There has never been public access to the landscape contractor's part of the site. The Garden Centre had a shop but no coffee shop and so was not a facility where customers lingered socially. Public access was restricted to commercial activities and its gates were locked at nights. They are now locked day and night.
31. The Garden Centre had 30-40 unmarked parking spaces and large open storage areas serviced by vans, small lorries and large articulated lorries through the narrow and tortuous Townsend Yard. The car park and open storage area are mainly in the eastern part of the site adjoining Chomeley Crescent and are still used as storage by the landscape contractor.
32. About 10% of the site is occupied by buildings and a further 54% consists of hard standing used for open sales and storage and car parking.

The Remainder of the Allocation

33. The allocation is all in private ownership with a disparate land use character. There is no access to the general public and it is remarkably inconspicuous in public views – only its boundary planting can be glimpsed from Chomeley Crescent to north, Kingsley Place to the west and at the end of Townsend Yard to the south. It is lost in long views against the wooded skyline of the Hampstead/Highgate Ridge.
34. Six distinct areas can be identified (including the subdivided respondent's site).
35. To the east is the Harington Project that provides horticultural and other training for young adults with learning disabilities and difficulties. Its character is of allotments and buildings.
36. The respondent's site is separated from the Harington Project by the area of dense self-sown woodland visible on the aerial photo. The woodland is a privately owned SINCE.
37. To the south of the respondent's site the allocation is an area of unkempt yards and garages behind the historic buildings in Highgate High Street. The objector's site is separated from this area by a wall and dense vegetation.
38. To the southwest of the respondent's site are gardens containing two swimming pools behind houses in Southwood Lane.
39. To the west of the respondent's site is the Highgate School former Parade Ground and gymnasium building that separates it from the post-war housing at Kingsley Place.
40. It is clear from this that there is no visual or functional relationship between the respondent's site and the other areas of **Policy Area KA3** – the woodland separates it from the Harington Project, the wall and dense

woodland from the yards and a dense tree-line and embankment from the former Parade Ground and the gardens.

41. The site appears to be in more than six ownerships or sub-leases that have no obvious community of interest.

The HNP Vision

42. HNP's vision is set out in its **Policy KA3** for the allocation as a whole. It has nine identifiable components:
- a. The open character of the Bowl should be maintained and public access to and from the core of the site improved;
 - b. Wherever possible east-west corridors should be provided through the site to provide additional linkages between the various other plots of publically accessible land along the southern fringe of the Bowl (a requirement that also appears in the K3 Site Appraisal);
 - c. Moderate scale residential development is possible on the fringes of the allocation to the rear of Highgate High Street retaining where possible existing employment use;
 - d. This should not create a dominant feature adjacent to the southern slopes of the Bowl but be of a scale and height that ensures it is visually subservient to Highgate High Street and the wider conservation area;
 - e. It must be led by a pre-agreed set of design codes for the whole area or an overarching master plan;
 - f. Its layout must respect the local built form and vistas leading into and out of the Bowl and must create enhanced opportunities for the public to access the centre of the Bowl both by foot and by bicycle;
 - g. It should contribute towards meeting all types of local housing need;
 - h. Proposed uses must protect the local SINC designation and wherever possible enhance the quality of the local landscape and habitats;
 - i. Development must take account of and mitigate against any flood risk posed by local drainage issues.

43. Our comments on these components are as follows:

- a. We agree the open character of the Bowl should be maintained. Consistent with the CACA this principally involves ensuring that the tree cover that establishes its open appearance in public views is retained and that no greater footprint of buildings is permitted on it.

We disagree that public access to and from the core of the site should be improved. There is no functional justification for this because there is an abundance of public open space in this area; the HLP does not identify this as an area of open space deficiency; and the Council's position for the past 15 years has been that it should not be identified as MOL or SLOL.

It is also impossible to see what the purpose of public access would be in the absence of any public destination on the site – as the policy is drafted it would simply be an isolated cul de sac footpath that would inevitably become a focus for anti-social behaviour.

In this context, a fundamental issue raised by the HNP's approach to this allocation is whether there is a compelling public interest reason why private land ownership rights should be disturbed in the way sought in the HNP. We are unable to identify a single cogent reason advanced by it – the requirement seems to be a whim rather than based on sound planning analysis.

- b. We disagree with the proposed east-west corridors, the purpose of which is obscure. They are not shown on any map, which is essential for establishing their purpose.

The area of yards and garages on the southern boundary of the site already provides a publically accessible east-west corridor. If it is intended to extend this to the west it involves crossing the Highgate School land and the private gardens – raising different but fundamentally unacceptable security issues.

There is no identifiable desire line for any new east-west corridors further north on the allocation and these would inevitably run parallel to the existing corridor. They would both duplicate the existing route and fail to provide the linkage to it sought by the HNP.

New east-west routes would actually be very hard to create across the steep topography of the site. It follows that the HNP manifestly fails to identify any compelling reason for interfering with private property rights in this respect as well.

- c. We agree that moderate residential development is possible on the fringes of the allocation to the rear of Highgate High Street, retaining where possible existing employment use.

We disagree that there is sufficient clarity in the description of the appropriate location for development as this should make it clear that it includes the southern fringe of the Southwood Nursery site.

- d. We agree that new development in the allocation generally should not create a dominant feature but be of a scale and height that ensures it is visually subservient to Highgate High Street and the wider conservation area.

We object that the description of new development in the area should be augmented to make it clear that existing tree cover should be retained or replaced if redevelopment takes place and no more than the existing built footprint should be replaced on any site.

- e. We disagree that there should be any additional pre-agreed set of design codes for the whole area or an overarching master plan.

The allocation is in a Conservation Area where the up to date Character Appraisal identifies it as a separate character area and its distinctive conservation characteristics. There have been a number of appeals in various parts of it. Together these appropriately constrain development.

The HNP does not put forward any design guidelines itself and the implication is that it expects the Council to produce these, probably as an SPD. This will inevitably be controversial, time consuming and (given the planning history of the area) it is highly questionable whether it will produce anything new. It is questionable whether this would be an appropriate use of public funds.

- f. We agree the layout of any new development must respect the local built form and vistas leading into and out of the Bowl.

We disagree that new development must create enhanced opportunities for the public to access the centre of the Bowl both by foot and by bicycle.

This is private land. Before the rights of the owners are eroded, an overwhelming justification must be provided – but HNP does not put forward any justification at all for the ‘network of footpaths’ referred to in the Site Appraisal.

It is far from clear what purpose access to the centre of the Bowl will achieve – there is no route through it and no suggestion in the policy that a destination should be created within it. There are no access and egress points in public ownership.

- j. We agree that new housing should contribute towards meeting all types of housing need – but object that this should only be as far as required by the Council’s housing mix policies. HNP does not advance any reason for imposing constraints on new housing in this area in addition to the general policy for the Borough as a whole and the policy is inconsistent with the NPPF in this respect.

- k. We agree that proposed uses must protect the local SINC designation and wherever possible enhance the quality of the local landscape and habitats.

- l. We agree that new development must take account of and mitigate against any flood risk posed by local drainage issues.

44. However, we are particularly concerned that there is a disturbing disconnect between HNP’s Policy KA3 and its Site Analysis for KA3. The latter says: *Notably, the Bowl comprises an area of land with potentially significant community value. The strong wish locally is to ensure that any redevelopment develops the community use of the central area of the Bowl, with particular importance placed on the retention of the Harington Scheme and improved public access to the Garden Centre site. Further horticultural or aboricultural development will be encouraged in the centre of the Bowl. Any enhancement of the community use of the Bowl should also make best use of the site’s natural topography. Ideally, the site should be joined to neighbouring roads by a network of public footpaths, allowing increased permeability across this part of Highgate and public access throughout.*

45. The purpose of Plans is give land owners certainty about the planned future of their land. Obviously it is wholly unsatisfactory the site analysis expresses a different vision for KA3 to the policy – it says that there should be horticultural or agricultural community use of the centre of the Bowl. This would plainly involve a change from the existing commercial uses.

46. HNP does not provide a shred of evidence justifying the change of land use that it seeks. Without this, and as the Harington Project is the only ‘horticultural or agricultural development’ in the immediate vicinity, HNP

has opened itself to the possibility that it is being using to secure a commercial advantage for a local interest group. This would be wholly unconscionable and would fundamentally undermine the objectivity and credibility of the Plan.

47. It follows we object to this attempt to make policy surreptitiously through the Site Analysis and seek that the paragraph quoted above should be deleted from HNP.

An Alternative Approach to the Southwood Nursery Site

48. HNP policy does not seek to identify the site as public open space or for community use. The starting point for considering its appropriate future must be HLP conservation policy. This seeks the conservation of the historic significance of Haringey's heritage assets, their setting, and the wider historic environment. This should be used as the basis for heritage-led regeneration and good design and positive change. Where possible, development should help increase accessibility to the historic environment.
49. What is its significance as a heritage asset? There had been a nursery on the site for more than 100 years. Before and after the Second World War it had the extensive area of glasshouses shown on the 1937 OS map below on the land that is now the SINC. Townsend Yard is visible entering the nursery and running to a house now demolished about where the glasshouse visible on the aerial photo above now stands.



50. **CACA para 1.3.8** explains the significance of the Bowl to the Conservation Area *The setting of the conservation area is enhanced by a wealth of open spaces and green surroundings such as Highgate Wood , Queen's Wood, Hampstead Heath and Highgate Cemetery. Within Haringey's side of the designated area, Highgate Bowl and Highgate Golf Course are major open spaces that provide a marked contrast to the fine grained development of the Village, maintaining the connection to the agricultural past.*
51. Plainly the reference to agricultural past refers to openness rather than present use and as long as development retains apparent openness this would be consistent with the Bowl's significance in the

Conservation Area. As the OS map shows, even agricultural use does not ensure openness and (as the CACA indicates), the sense of openness of the Southwood Nursery site derives from its tree cover rather than the established development on it.

52. In this context the following points the Site Appraisal might have relevantly identified the following points as relevant to its planned future:
- The site's commercial use is unsightly;
 - The landscape contractor's business is in operation and generates considerable activity;
 - There is no reason why the garden centre use should not resume;
 - There is no public access to the site at present;
 - There are no access points to the site other than Townsend Yard and from the yard to the west of it;
 - Public access would inevitably be inconsistent with continued commercial use;
 - About 10% of the site is occupied by buildings and a further 54% is hard standing used for open sales and storage and car parking;
 - Commercial use of the site is historic and inconsistent with the poor access along Townsend Yard;
 - There is no intention of disposing of the site or allowing public access across it.
53. As far as policy is concerned, the points identified above are relevant:
- Policy support for heritage-led regeneration;
 - Policy support for increased accessibility to the historic environment;
 - Policy support for restoration of heritage assets in a way that puts them in a suitable viable use;
 - Policy support for the establishment and maintenance of sustainable communities and economic viability.
54. In this context (as well as the lack of any identified funds to undertake the extensive acquisition and construction work the proposals entail) the proposals in the HNP Site Assessment are plainly pie in the sky that will have the effect of securing an advantage for an adjacent occupier.
55. Only new residential development will secure a remedy for the manifest disadvantages of the use of the site at present and we object (as a basis for discussion) that the following has not been included in HNP as a development brief for the Southwood Nursery site.
- A strip 30m wide along the eastern boundary of the site running adjacent to the SINC from the Townsend Yard gate to the rear of the Chomeley Road houses shall be made available for public use;
 - No more than three houses shall be permitted on the remainder of the site;
 - The houses shall be accessed from Townsend Yard;
 - One house shall be on the site of Whistler's Cottage and the other two on the lower western part of the site;
 - Their total footprint shall not exceed the footprint of the existing buildings on the site;

- Their scale, materials and height shall ensure they are visually subservient to Highgate High Street and the wider conservation area;
- New development must respect the local built form and vistas leading into the site;
- The existing tree cover on the site shall be maintained and enhanced;
- Proposed development shall protect the local SINC designation and wherever possible enhance the quality of the local landscape and habitats;
- New development shall mitigate against any flood risk posed by local drainage issues.

56. This will secure all the HLP policy objectives set out above – it will create heritage-led regeneration; will increase public accessibility to the historic environment and it will support restoration of heritage assets in a way that puts them in a suitable viable use.

Annex 1

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Proof of Evidence

London Borough of Haringey Revised Unitary Development Plan Public Local Inquiry

Topic/Site: Open Space and the Highgate Bowl
Development and Urban Design – Road
Hierarchy

**Objectors Name
and Numbers** Kingsley Place Residents Association
0019/00047 and 00048

Objector's Proof Nos: Not supplied.

Date of Inquiry: Thursday the 14th April 2005

Contact: Eveleen Riordan, Policy Officer
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eveleen.riordan@haringey.gov.uk

1 MAR - SUB PROOF
14 APR - REBUTTAL
7 MAY - RESPONSE BY KPRA.

SLOL1 - CHANNING PLAYING FIELDS 5.88 ha
SLOL6 - FORTIS GREEN RESERVOIR 7.51 ha

SLOL RANGE 0.21 - 6.98 ha

14 7

Contents of Proof

- 1. Introduction**
- 2. Description of Site**
- 3. Planning History**
- 4. Council's Response to Objections and Proof of Evidence**
- 5. Other issues Raised by Objector but not in Proof**
- 6. Conclusion**
- 7. References**

Appendices

- A. Objections by Kingsley Place Residents Association and Council's Response**
- B. Inspector's Report into the Objections to the existing Haringey Unitary Development Plan – Extract on the Highgate Bowl and proposed MOL designation, pages 121 – 124.**

1. Introduction

- 1.1 My name is Eveleen Riordan and I am employed by Haringey as a Principal Policy Officer (Policy and Projects), a position I have held since August 1999 working mainly on the review of the UDP. Prior to that I spent twelve years working in the Development Control section of the Council dealing with planning applications and appeals. I have an honours degree in Geography from Manchester University and a Diploma in Town Planning from London South Bank University.
- 1.2 The document sets out the Council's response to the Kingsley Place Residents Association (KPRA) objections to the First Deposit 2003 of Haringey Council's Unitary Development Plan 2004.
- 1.3 Objections to the First Deposit related to:
 - Open space, OS2, (ID No. 0019 Comment No. 00047
 - Development and Urban Design, UD7, paragraph 2.21 (Id. No.0019 Comment No.00048)

2. Description of the site

- 2.1 The site is located within the historic village of Highgate which has a hill top setting.
- 2.2 The designation of Highgate Bowl is centred on the Highgate Nursery, but also includes backland behind the Highgate High Street and also open land used by the Harrington Scheme, and a large frontage plot on Cholmeley Park. The Highgate School Parade Ground was still in active use at the time of the designation and so was excluded from the designation. A full site description is included in SPG 3.5 at Appendix A.

3. Planning History

- 3.1 There have been a number of planning applications submitted in respect of the Highgate Bowl, including an application for residential development of the Parade Ground, as well as the dismissal of two appeals. Details of the planning history appear in SPG 3.5 Highgate Bowl Area (see also para. 4.2.11 below) within the **Core Document Library** and so I do not intend to include it as an appendix here.

4. Council's Response to Objections and Proofs of Evidence

- 4.1 Kingsley Place Residents Association made objections to the First Deposit Draft of the UDP in relation to two areas: 1) Policy OS2 Significant Local Open Land (SLOL), and 2) Policy UD7 Road Hierarchy. These two policy areas are discussed below.

4.2 Open Space

4.2.1 **OS2 SLOL** – The objection made can be summarised as an objection to the failure to designate any part of the Highgate Bowl and the Highgate Parade ground as SLOL. It was requested that a change be made to designate the area as SLOL on the proposals map and the schedule in the written statement. The Council responded that a review of existing SLOL boundaries was undertaken as part of an Open Space Study in order to identify whether any amendments were required to the boundaries of the existing designated sites, or whether any new sites should be identified. Highgate Bowl and the Highgate School Parade Ground were not identified for SLOL designation.

4.2.2 In their proof Kingsley Place Residents Association (KPRA) have started by looking back to the designation of the area as the “Highgate Bowl” in 1963 and described it as “anomalous” as it included various pieces of land including land fronting Cholmeley Park which was in the ownership of the Area Health Authority and has subsequently been developed for housing. As the Highgate School Parade Ground was in active use at the time it was subsequently excluded from the designation. The Proof discusses the issue of the Public Inquiry leading up to the adoption of the Haringey Unitary Development Plan 1998 (erroneously dated 1992 in the Proof). At that time the Council argued that the area should be designated as MOL. KPRA disagreed with this proposed designation as “MOL designation is effectively in-town “Green Belt” in status and only worthy of such designation if the land in question contributes to the overall structure of Greater London” which they felt the land did not. At the time of the Inquiry into the last UDP the Inspector concluded that the land should not be designated as MOL because of, among other things:

- Limited public access to the land;
- The site is almost entirely enclosed by buildings;
- There are no historic features on the land, and the site is not a landscape of historic importance;
- It is not strategic open land providing an attractive and strategic break in the built up area in its own right;
- It is not part of any extensive chain of open land;
- Over a third is covered by artificial surfaces;

A full copy of the Inspector’s comments in relation to this site are included at **Appendix B**.

4.2.3 At the time of the last Inquiry the Inspector was asked that, if he did not consider that the land should be designated as MOL, that he should consider a SLOL designation. He duly did this and concluded that;

“As for its local importance, I find that in its own right it is clearly not a public open space as access is extremely limited to places such as the private garden centre and private school, and it does not meet any local recreational needs and has no recognised nature conservation value. It does not therefore easily meet the advice in paragraph 62 of RPG3 or

the LPAC's 1994 ASPGL. Instead its value is said to come almost entirely from its relationship to the historic Highgate Village. I consider that this specific value is more appropriately protected by relevant policies dealing with Highgate Village as a conservation area, than with policies designed to protect open space. It seems wrong to me to try to force open space policies on a piece of land, of which about half comprises an artificially raised tarmac parade ground, a garden centre with substantial areas of hard surfaces and structures and rear gardens. For those reasons I do not find that a SLOL designation is justified".

- 4.2.4 KPRA have argued that they find it hard to accept the previous Inspector's reasoning or conclusions on the inclusion of the land as SLOL. They argue that the conclusion is at odds with the extant RPG3 advice and with the LPAC 1994 Strategic Planning Guidance for London. They further argue that Haringey have been remiss in not having applied the structure plan (i.e. GLDP) broad brush 1976 definition of the Highgate Ridge ASC to the local area, and if Haringey had done so it would have been abundantly clear that the Highgate Bowl in its entirety was the only area of SLOL indicated within the GLDP defined ASC. KPRA also put forward in some detail attempts to develop parts of the Highgate Bowl area (and more specifically the Parade Ground area) as a reason why the area should be afforded SLOL status. It is argued that the Parade Ground is in an area of local open space deficiency as defined first in the 1982 Haringey District Plan and also relative to PPG17 (400m) accessibility standards.
- 4.2.5 RPG3 (para. 7.16) discusses "other open land" beyond Green Belt and Metropolitan Open Land. It describes some land outside the said designations as being "nevertheless valuable in providing breaks in the built-up area, providing space for recreation for residents and assisting nature conservation". Paragraph 7.16 and the following paragraphs 7.17 and 7.18 makes it clear that these spaces are open to the public and indeed goes on to define open space as "public parks, commons, heaths and woodland and other open spaces with established and unrestricted public access and capable of being classified according to an open space hierarchy, though not necessarily publicly owned. Clearly parts of the Highgate Bowl and the Parade Ground do not fulfil these criteria as they are not open with unrestricted access to the public.
- 4.2.6 The Open Space Study of the UDP was carried out with a view to informing the UDP process and to provide a qualitative and quantitative assessment audit and analysis of the supply of and demand for open space within the borough. It looked at, among other things, i) existing designated open space to identify where the function and character of all/part of the site had changed since the 1996 review of designations; and ii) sites which were considered to fulfil a structural, amenity, conservation, landscape, ecological, townscape or cultural role but which were not currently designated as MOL or SLOL. The Highgate

Bowl was not recommended for SLOL designation as part of this survey.

4.2.7 Following on from the Open Space Study, the Recreation Department of Environmental Services has begun drafting a Haringey Open Space Strategy (HOSS). This Strategy is produced in line with the advice given in the London Plan at policy 3D.11 Open Space Strategies which states that: "Boroughs should...produce open space strategies to protect, create and enhance all types of open space in their area". The HOSS aims to provide "an integrated, Borough wide, long-term strategic approach to open space planning, provision, improvement and management". It will set "out a Vision, Outcomes Sought, Guiding Principles and Action Plans and a guide for their implementation for the consistent and integrated management of the Haringey Open Space network". The vision of the HOSS is to "provide a conceptual framework to achieve a "Better, safer, cleaner" open space network (encompassing both publicly and privately owned land) through developing a robust understanding of the open space needs and demands, issues, problems and solutions". The HOSS is available as part of the **Council's Core Documents** at LPA105. The HOSS covers all types of open space and not just open space that has a specific designation. The aims of the HOSS can help to ensure that there is not inappropriate development on the Highgate Bowl area.

4.2.8 In addition to policies on Green Belt, MOL and SLOL within the UDP, there is also a policy at OS9 entitled "Other Open Space". This policy states that:

"Development will not be permitted on open spaces that are not MOL or SLOL except in exceptional circumstances including:

- a) Improving the appearance of the open space;
- b) Activities associated with the open space use;
- c) If replacement open space of an equivalent size and quality has been secured within the immediate locality for similar use;
- d) If the development would not result in the loss of play space or any other facility for children unless replacement is possible in a nearby and suitable location;
- e) If the development will not result in the deterioration of the open space, or where the quality of the open space can be safeguarded by the use of conditions and;
- f) Developing and improving the ecological quality of the site for the benefit of wildlife and biodiversity".

4.2.9 The above policy will, in addition to the conservation policies contained within the Conservation Chapter, and the previous appeal decision on the site(s), will all help to protect the site from inappropriate development.

4.2.10 Policy CSV1A of the Plan is concerned with development in conservation areas and states that proposals will be required to:

“preserve or enhance the historic character and qualities of the buildings and/or the Conservation area” and “recognise and respect the character and appearance of conservation areas”. This policy will provide further protection to any inappropriate development proposals in the said area.

- 4.2.11 In May 2000 Haringey produced SPG 3.5 entitled “Highgate Bowl Area – in Highgate Conservation Area. Character Assessment and Policy Statement”. The SPG very firmly sets out an assessment and policy statement in relation to the Bowl itself and also to the land around it. I do not intend to repeat the contents of the SPG here but it makes reference to the inclusion of the Bowl and of the Parade Ground as being within the Highgate Area of Special Character (page 2, Summary), and also sets out Conservation Area Policies for Managing Highgate Bowl (page 3 – 9). With regard to the Parade Ground, it recognises the key role that the land plays in “softening and greening views from a variety of directions towards the high part of Highgate Ridge” and also that it is a “visual closure of undeveloped land below the ridge marking its termination, defining the skyline character of the ridge and protecting and underpinning distant views of the ridge”. The preservation and enhancement policies for the land are to: “retain as open space as part of Highgate School, retain School open air recreational uses. Retain surrounding tree cover” and “restrict construction of new buildings on the site. Limit access to site from Dyne House, save for occasional service access from Kingsley Place”. This SPG provides further protection to this area from inappropriate development.

4.3 Road Hierarchy

- 4.3.1 The objector considers a 5-tier road hierarchy should be identified and tiers 1-4 displayed on the Proposals Map. KPRA rejects the Council’s assertion that only a 3-tier road hierarchy is a requirement of RPG3 and does not preclude a finer grain system being developed at individual London borough discretion.
- 4.3.2 The Council rejects this assertion. RPG3 states in paragraph 6.23 that “in consultation with neighbouring authorities and traffic agencies, allocate roads within their Borough to one of the three tiers of the London Road Hierarchy described in 6.24 – 6.31 below and in the annex to this chapter”. The three tiers are 1) Strategic Routes, 2) London distributor roads and 3) local distributor and access roads.

5. Other Issues Raised by Objectors but not in Proof

- 5.1 Please refer to **Appendix A** for the full list of Objector submissions and Council responses.

5. Conclusion

6.1 The Council does not believe there is a need to overcome KPRA's concerns designating the said area as SLOL.

- The land does not meet the criteria for SLOL set out in RPG3.
- Policies OS9 and CSV1A offer protection to open space that is not designated Green Belt, MOL and SLOL.
- An in-depth open space study was carried out on open space within Haringey as part of the process to inform the review of the UDP. That study did not conclude that the land in question should be designated as SLOL.
- SPG 3.5 Highgate Bowl Area provides further justification for the retention of this area as open land.
- The "armoury" of planning appeals that have protected the site from inappropriate development will continue to be a material consideration.

6.2 The Council does not consider there is a need to amend the Plan to overcome KPRA's concerns relating to road hierarchy because:

- The proposed road classification complies with the 3-tier classification specified by RPG 3.

Annex 2

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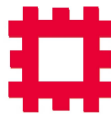
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Annexe 2

Public Open Space

- a. It is noteworthy that HNP does not indicate that the main body of the Highgate Bowl should be public open space but requires public access to it. This is the main issue raised by the HNP and there is a well trodden path that leads away from preserving the site as public open land of one sort or another.
- b. The site is not within an area of Local Open Space Deficiency as shown on **Local Plan figure 6.4** and the area actually has an exceptional quantity of public open space for London (the CACA calls it a wealth of open space and green surroundings).
- c. Within about a kilometre of the appeal site there is access to about 400ha of major open space – the main areas being Hampstead Heath (320ha), Waterlow Park (11ha), Highgate Woods (28ha), Queens Wood (21ha) and Highgate Cemetery (15ha). These areas include ancient woodland and open heath as well as more conventional urban open space and the High Street entrance to Waterlow Park is about 100m from Townsend Yard. There are many cycling and walking routes through these areas.
- d. The site is actually in an area that has the greatest accessibility to many different types of open space in inner London.
- e. Metropolitan Open Land was first identified in the draft GLDP of 1969. The Council sought in the draft Haringey UDP 1998 to designate the site and its surroundings as MOL. The UDP Inspector concluded it should not be MOL because of limited public access to the land; the fact the site was almost entirely enclosed by buildings; there are no historic features on the land and the site is not a landscape of historic importance; it is not strategic open land providing an attractive and strategic break in the built up area in its own right; it is not part of any extensive chain of open land; and over a third is covered by artificial surfaces;
- f. He was also asked to consider whether it should be designated Significant Local Open Land (SLOL) and concluded that it was clearly not a public open space as access to it is extremely limited to places such as the private garden centre and private school and it does not meet any local recreational needs and has no recognised nature conservation value.
- g. As its value was said to come almost entirely from its relationship to the historic Highgate Village, this specific value was more appropriately protected by relevant policies dealing with Highgate village as a conservation area than policies designed to protect open space. It seemed wrong to the Inspector to try to force open space policies on a piece of land, about half of which comprises an artificially raised tarmac parade ground, a garden centre with substantial areas of hard surfaces and structures and rear gardens.



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2 March 2015

Dear Ms Allison

Consultation on the pre-submission Highgate Neighbourhood Plan

Thank you for your recent email to English Heritage inviting comments in respect of the pre-submission Highgate Neighbourhood Plan.

The Government through the Localism Act (2011) and Neighbourhood Planning (General) Regulations (2012) has enabled local communities to take a more proactive role in influencing how their neighbourhood is managed. The Regulations require English Heritage, as a statutory agency, be consulted on Neighbourhood Plans where the Neighbourhood Forum or Parish Council consider our interest to be affected by the Plan. As English Heritage's remit is advice on proposals affecting the historic environment our comments relate to the implications of the proposed neighbourhood plan for heritage assets. Accordingly, we have reviewed your document against the *National Planning Policy Framework* (NPPF) and its core principle that heritage assets be conserved in a manner appropriate to their significance so they can be enjoyed for their contribution to the quality of life of this and future generations.

Having reviewed the draft document we can offer the following observations and suggestions for consideration in respect of clarifying compliance with the NPPF and local policy and developing a robust neighbourhood plan.

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General comments

We are pleased to note that the Vision for Highgate recognised the high quality of Highgate's unique character and heritage as a key quality to be protected and enhanced. We do however feel that the draft Plan would benefit from refinement which would strengthen and clarify its overarching objectives and policies. In summary the main aspects of the plan which require further consideration are set out below (these are explained further in our detailed comments):

- As Highgate encompasses more than one local planning authority a major benefit should be to promote greater consistency and transparency in policies and decision making across borough boundaries.
- The Policies do not appear to always fully reflect the wider aims or concerns set out in the text. Consequently a number of the policies could be revised to better reflect or secure those objectives.
- The emphasis on the heritage of Highgate and its role in defining its strong character and attractiveness is not fully reflected in the Heritage and Development section. The policies focus principally on specific aspects of design where there is a perceived lack of efficacy. It would seem beneficial to set out how new policies relate to existing guidance and policy and provide a clearer identification of concerns in respect of heritage and the erosion of character; the broader aspirations for carbon-free and sustainable development, broader design guidance, and a framework for basement and backland development.
- As both Camden and/or Haringey already produce additional heritage, energy efficiency, basement and design guidance. The Plan is therefore an opportunity to clarify best practice in respect of Highgate's unique character as well as identifying the need for additional policy.
- We would suggest that as the proposed policies relate principally to new development or alteration the Plan should introduce greater distinction between the headings of new development, alterations to existing buildings, and energy efficiency. This would relate better to existing guidance.

English Heritage recommends that policies that build on the status of an area as a conservation area should be based on a thorough understanding of the area's historic and architectural character. The residents are well placed to judge this, as they have a deep knowledge of the area and its evolution. This is reflected in the proposed Plan but might benefit from more specific identification of character areas e.g. the wider suburban character and how this relates to the character and role of the economic centres.

We would also recommend a general consideration that the Forum review the existing evidence base (conservation area appraisals, local lists etc.) and consider whether these accurately identify the historic environment and its significance.

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Detailed comments on text.

Section 2: A summary of Highgate

English Heritage welcomes the inclusion of this section which provides the historic context to Highgate and promotes the rich and varied heritage of the area.

Pg. 15. A neighbourhood of varying needs. Para 2 states *This disparity is placing pressure on the social mix of the neighbourhood.* This sentence would benefit from clarification and qualification of the nature of this pressure. It is assumed that this relates to the need to provide a broader range of opportunities in terms of homes and community facilities.

Pg. 16. A place of special character. This section notes the issue with extensions and basements to existing properties. It may be helpful to refer to the supplementary planning guidance produced by the local authorities which acknowledges the sensitive nature of the geology of the Hampstead Highgate Ridge in this section (Camden's basement impact assessment SPD and ARUP's geological and hydrological survey). The concerns raised do not appear to have been developed in terms of specific policy suggestions or related non statutory guidance/action within the neighbourhood plan. It may therefore be appropriate to reference local authority design guidance or conservation area management guidelines, or to refer to relevant councils design reviews.

Highgate has a rich built heritage, and a number of archaeological finds and features have also been recorded in the area. The Plan area incorporates five Archaeological Priority Areas. As such the Plan would benefit from mentioning these in the summary of the heritage of the area, particularly as these have the potential to impact on proposed developments.

Section 3: A Vision for Highgate

Any issues relevant to this section are addressed in our general comments or under the relative Core Objective sections.

Core Objective 2: Economic Activity

P.32. The assessment of the historic character at the beginning of the sections for each key area (High Street, Archway Road and Aylmer Parade area) is a welcome addition as it serves to reiterate the importance of heritage to the Neighbourhood Plan and Highgate's special character.

P. 33 Para 3. We note the intention to address inconsistent approaches to the Village public realm is identified as being outside of the remit of the plan. In our view the Plan is an opportunity to address this, and as such would benefit from a clear policy specifically aimed at consistency across the public realm ensuring high quality workmanship, appropriate materials, and appropriately qualified professionals to oversee such work.

Core Objective 3: Traffic and transport

P.42. Policy TR3: Integrating parking provision. The requirements for off-street parking state that this must preserve the historic character of the area and preserve the setting of the buildings. This policy reflects guidance in the conservation area management plans with regards to front gardens and boundary treatments. It would be worthwhile considering best practice and referencing this policy to the management plans.

Core Objective 4: Open Spaces and Public Realm

P.48. Fringes of Highgate's open space. Highgate is particularly rich in varied open spaces which contribute greatly to its character and the high quality of life it offers. Highgate encompasses three historic landscapes of exceptional historic merit which are included on the Register of Historic Parks and Gardens. These are Highgate Cemetery (Grade I), Waterlow Park (Grade II*) and Kenwood (Grade II*). As designated heritage assets these not only provide valuable open space, habitats etc. but are highly significant as historic assets and should be managed in a way that preserves and enhances their special character.

P.49. Policy OS1: Fringes of Highgate's Open Space. A number of the policies are design policies which do not necessarily relate to open space and public realm and as such we believe that they would benefit from being re-located within the plan. It would also be useful to number the requirements for ease of reference in planning reports etc. To some extent the policies reflect Camden's existing design policies set out in *Planning Guidance document CPG 1*, particularly that set out in *Good Design 2.10*. In our view it would be worth considering how these policies relate to the particular character areas of Highgate and can be appropriately tailored to reflect the local context and can be consistently applied across borough boundaries.

The objective states *that new development shall not project beyond the built line past ground floor level*. The exact meaning of this is not clear and should be clarified i.e. does this mean *not project forward of the existing building line*, if so, how does this relate only to ground floor level.

Core Objective 5: Development and heritage

Pg. 60. In our view the "challenges" identified need greater explanation in terms of their impact and should be reflected in the following policies and guidance. Whilst there is a stated aim of ensuring that development is contextual and sustainable we would suggest that this section would benefit from greater emphasis on the need to preserve and enhance the special character, appearance and "significance" of the historic environment. Whilst the Plan does not need to repeat the NPPF or local plan policies heritage decisions are reached on the basis of the impact of proposals on heritage values and the significance of heritage assets. Where more specific guidance exists in the form of the conservation area appraisals and associated management plans it would be beneficial to sign post these and to consider how cross borough policies are applied. It is important to consider whether the existing evidence base is sufficiently robust, e.g. does it correctly identify the significance of certain aspects of the historic environment?

Highgate contains many heritage assets recognised as of national significance through listing and broad heritage designations in the form of its conservation areas, the variety of buildings within the areas are diverse and often of high architectural quality. If there is a concern over the loss of specific forms of building then their contribution to significance needs to be clarified. This could be done in a similar manner to open space with a brief summary of character areas and the principal elements of significance. This could also inform new design in respect of materials, appearance, and the relationship of development to topography and urban grain. Reference is specifically made to demolition of original (historic?) buildings. If the intention within the Plan is to protect those buildings which make a positive contribution to the character and appearance of the conservation areas, are they appropriately identified? We would recommend that you consider the guidance on Neighbourhood Plan Policies on our website to help with this at www.english-heritage.org.uk (neighbourhood-planning-information).

P.6.1 Policy DH1: Demolition in Highgate's conservation areas. We are concerned that the phrase "make a significant contribution to the setting and character" potentially fails to achieve the stated aim and offers a position less strong than that set out in the NPPF. The NPPF requires heritage assets to make a positive (rather than significant) contribution to significance and as such applies the tests set out in paragraphs 132 or 133 in respect of the extent of harm. We would suggest consideration of amending the proposed policy to "buildings and structures which make a positive contribution to the character and appearance of the conservation area and its setting" to better reflect the wording in the 1990 Town and Country Planning Act and NPPF. The exceptional circumstances referred to could then be related to the public benefits which may contribute to a justification for harm as set out in the NPPF.

The Policy does not address where works which do not comprise demolition but cause harm are proposed or the standards expected in respect of replacement buildings which detract from the local character. It may therefore be useful to consider the aspirations for domestic and retail design guidance and to clarify terms such as "overdevelopment".

The policy mentions the demolition of unlisted buildings, but does not reference locally listed buildings, which whilst not statutorily protected are afforded a higher level of protection by the Borough's than a building not on the local list. Local Lists are maintained by both Haringey and Camden Councils. We would also suggest exploring the possibility of updating local authority local lists to identify those buildings of historic character outside of the existing conservation areas.

Pg.65. Policy DH3: The environmental health of future residents. The wording of this policy requires further thought. We assume that the intention is to ensure that new development seeks to mitigate the environmental impact of the busy road corridors. It may be unreasonable to expect collation of such reports for simple internal sub-division as such works may not require planning permission. This may be therefore be better approached through broader guidance on high quality sustainable design and broader measures to mitigate traffic impacts such as planting.

Pg.67-8. Policy DH5: Basements. This policy needs to take into consideration the context of the building within which a basement is being proposed and we would

value the inclusion of a statement to that effect. English Heritage is of the view that basements within listed buildings should not have a harmful impact on the significance of the building, and where this is the case the proposals will need to be assessed against the criteria for harm set out in NPPF policies 132 to 134 and on a case by case basis.

Pg.71. Policy DH7: Backland development. This policy should include a statement on the preservation of the historic character of the area and how green spaces can contribute to this. This is mentioned in the text before the policies but would benefit from further inclusion in the policy itself.

Related non-statutory 'Development and Heritage' actions

CA 35: Encourage local initiatives to spread the message about environmental changes that can "green" our lives. English Heritage produces extensive guidance on micro-renewable energy, buildings regulations and the historic environment accessible through the Climate Change and your Home website (www.climatechangeandyourhome.org.uk). Camden Council also produces guidance for energy efficiency in conservation areas and area specific guidance for Dartmouth Park which would prove a useful reference point.

CA36: Discourage external shop shutters. The issue associated with this action is not addressed in the text. The perceived problems with external shutters should be addressed and a link to shopfront design guidelines could be made. Camden Council currently have a detailed shopfront design guide available at <http://www.camden.gov.uk/ccm/content/environment/planning-and-built-environment/two/planning-applications/before-you-apply/residential-and-business-projects/shop-front-alterations/> and Haringey has area specific design guidance. There are numerous forms of shutters available, both internal and external, as such it may be worth considering in what circumstances and locations would shutters be acceptable and whether there is an acceptable form.

Pg. 72. Key Area Policies. In our view these might be more accurately identified as key sites. We do not wish to comment in detail on the included sites, and we would do so in response to any consultation on the local authorities' site allocation documents. However, this section could usefully highlight the advantages of consulting neighbourhood groups as part of the pre-application process for development so that concerns and aspirations can be raised prior to any formal application

Our comments are intended to encourage a more beneficial Plan and we would hope that you find the comments and observations useful. We would of course be happy to provide further advice in respect of any of the above, or other, issues, if this is helpful.

Finally, it must be noted that this advice is based on the information provided by you and for the avoidance of doubt does not reflect our obligation to advise you on, and potentially object to, any specific development proposal which may subsequently relate to this or later versions of the Guidance, Appraisals and Management Plans, and which may have adverse effects on the environment.

Yours sincerely



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*Please note that English Heritage operates an access to information policy.
Correspondence or information which you send us may therefore become publicly
available*



20 February 2015
Highgate NP

The Savills logo consists of the word "savills" in a red, lowercase, sans-serif font, positioned on a yellow rectangular background.

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Dear Sir/Madam

HARINGEY AND CAMDEN – DRAFT HIGHGATE NEIGHBOURHOOD PLAN – COMMENTS ON BEHALF OF THAMES WATER UTILITIES LTD

Thames Water Utilities Ltd (Thames Water) Property Services function is now being delivered by Savills (UK) Limited as Thames Water's appointed supplier. Savills are therefore pleased to respond to the above consultation on behalf of Thames Water.

As you will be aware, Thames Water Utilities Ltd (Thames Water) are the statutory water and sewerage undertaker for the Haringey Borough and Highgate and are hence a **“specific consultation body”** in accordance with the Town & Country Planning (Local Planning) Regulations 2012. We have the following comments on the consultation document on behalf of Thames Water:

Policy OS4: Fringes of Highgate's Reservoirs

Thames Water recognise the aspirations of both the Forum and local residents that Highgate's Reservoirs are investigated for community access and are willing to work with the Forum in this respect. However, Thames Water's priority is to ensure the security of water supply. There is currently no public access to these sites for security and health and safety reasons.

When considering any proposals for public access, Thames Water would need to ensure that the structural integrity of the reservoirs and the operational function of the reservoirs are not compromised. As pointed out in the draft Neighbourhood Plan, whilst the reservoirs may appear as open space with grassed areas on top, large man made structures exist underneath which need to be periodically maintained to ensure their integrity.

Key Issue – Omission of Policy Covering Water Supply and Sewerage/Wastewater Infrastructure

A key sustainability objective for the preparation of Local Plans and Neighbourhood Plans should be for new development to be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. New development should be co-ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure. Paragraph 156 of the National Planning Policy Framework (NPPF), March 2012, states: **“Local planning authorities should set out strategic policies for the area in the Local Plan. This should include strategic policies to deliver:.....the provision of infrastructure for water supply and wastewater....”**

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Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Registered office: 33 Margaret Street, London, W1G 0JD

Paragraph 162 of the NPPF relates to infrastructure and states: ***“Local planning authorities should work with other authorities to: assess the quality and capacity of infrastructure for water supply and wastewater and its treatment.....take account of the need for strategic infrastructure including nationally significant infrastructure within their areas.”***

The web based National Planning Practice Guidance (NPPG) published in March 2014 includes a section on ‘water supply, wastewater and water quality’ and sets out that Local Plans should be the focus for ensuring that investment plans of water and sewerage/wastewater companies align with development needs. The introduction to this section also sets out that ***“Adequate water and wastewater infrastructure is needed to support sustainable development” (Paragraph: 001, Reference ID: 34-001-20140306).***

Policy 5.14 of The London Plan, July 2011, relates to Water Quality and Wastewater Infrastructure and states: ***“LDF preparation***

E - Within LDFs boroughs should identify wastewater infrastructure requirements and relevant boroughs should in principle support the Thames Tunnel.”

Policy 5.15 relates to Water Use and Supplies.

It is important to consider the net increase in water and wastewater demand to serve the development and also any impact that developments may have off site, further down the network.

It is unclear at this stage what the net increase in demand on Thames Water’s infrastructure will be as a result of the Neighbourhood Plans proposals. It is therefore essential that developers demonstrate that adequate water supply and wastewater infrastructure capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate reports and appraisals to ascertain whether the proposed development will lead to overloading of existing water and sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Thames Water recommends that developers engage with them at the earliest opportunity to establish the following:

- The developments demand for water supply and network infrastructure both on and off site and can it be met;
- The developments demand for Sewage Treatment and network infrastructure both on and off site and can it be met; and
- The surface water drainage requirements and flood risk of the development both on and off site and can it be met

When carrying out the necessary early consultations with Thames Water regarding the capacity of water and wastewater infrastructure, in respect of development proposals, adequate time should be allowed so that an informed response can be formulated. It is not always possible to provide detailed responses within a matter of days. For example, the modelling of water and wastewater infrastructure will be important to many consultation responses and the time requires for responses must not be underestimated. For example, the modelling of sewerage systems can be dependent on waiting for storm periods when the sewers are at peak flows. Therefore, consultation should be undertaken as early as possible with Thames Water regarding the capacity of water and wastewater infrastructure to serve development proposals. Adequate time must be allowed for a high level risk assessment to be undertaken. Should more comprehensive responses be required, it is likely that more detailed modelling work will need to be undertaken. The necessary funding for

this work will need to be identified and secured through Developers and/or partnership working. It can take approximately 3 months to complete modelling work from the point funding has been secured.

Thames Water consider that text along the lines of the following should be added to the Neighbourhood Plan

“Water Supply & Sewerage Infrastructure

It is essential that developers demonstrate that adequate water supply and sewerage infrastructure capacity exists both on and off the site to serve the development and that it would not lead to problems for existing users. In some circumstances this may make it necessary for developers to carry out appropriate studies to ascertain whether the proposed development will lead to overloading of existing water & sewerage infrastructure. Where there is a capacity problem and no improvements are programmed by the water company, then the developer needs to contact the water company to agree what improvements are required and how they will be funded prior to any occupation of the development.

Further information for Developers on water/sewerage infrastructure can be found on Thames Water’s website at:

<http://www.thameswater.co.uk/cps/rde/xchg/corp/hs.xsl/558.htm>

Or contact can be made with Thames Water Developer Services by post at:

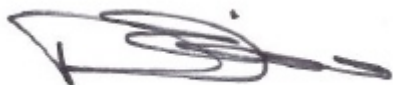
Thames Water Developer Services, Reading Mailroom, Rose Kiln Court, Rose Kiln Lane, Reading RG2 0BY;

By telephone on: 0845 850 2777;

Or by email: developer.services@thameswater.co.uk”

We trust the above is satisfactory, but please do not hesitate to contact me if you have any queries.

Yours faithfully



David Wilson BA (Hons), BTP, MRTPI
Associate Director Planning

FAO: Highgate Neighbourhood Forum

Dear Sir or Madam

Thank you for consulting the Environment Agency on the Pre-submission Neighbourhood Plan for Highgate.

We aim to reduce flood risk, while protecting and enhancing the water environment. We have had to focus our detailed engagement to those areas where the environmental risks are greatest.

There are no areas of fluvial flood risk, main rivers or sensitive areas for groundwater within your Neighbourhood Plan area and therefore we have no detailed comments to make in relation to your Plan.

London Boroughs of Camden and Haringey as Lead Local Flood Authorities will be able to advise if there are areas at risk from surface water flood risk (including groundwater and sewerage flood risk) in your neighbourhood plan area. The Surface Water Management Plan and any Local Flood Risk Management Strategies will contain recommendations and actions about how development can help reduce the risk of surface water flooding. This may be useful when developing policies or guidance for particular sites.

Together with Natural England, English Heritage and Forestry Commission we have published joint advice on neighbourhood planning. This sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

<http://publications.environment-agency.gov.uk/PDF/GEHO0212BWAZ-E-E.pdf>.

Should you have any further queries please contact us at northlondonplanning@environment-agency.gov.uk.

Kind regards

Keira Murphy (on behalf of)

Jane Wilkin

Planning Advisor

Sustainable Places Team

Environment Agency | Hertfordshire & North London

☎ 0203 263 8052 | ✉ northlondonplanning@environment-agency.gov.uk

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Dear HNF I put some personal reactions on the web site but this is
**Response to the Draft Highgate Neighbourhood Plan from the
Highgate CAAC**

1. Much of it is very timely and well expressed and we support it.
2. WE have some reservations re the prominence or rather lack of prominence of conservation issues. The two appraisals are valuable documents and it would be good if there was a way of incorporating their management plans in the HNP i.e. in Haringey appraisal para 12.3.4 re new development and the whole extensions and alterations section pp.165-179.
3. The Camden appraisal is older but even so its section on new development and work to existing buildings has much to recommend it. It is part 2 of the appraisal which unfortunately is not paginated.
4. I am not sure how this could be done but I think there should be some prominence given to the fact that these policies exist and if properly followed would be greatly to the benefit of the CA (which covers the majority of the Forum area.
5. The same obviously applies to Holly Lodge appraisal.

Susan Rose, Heath Winds , Merton lane, Highgate, London N6 6NA.
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