



FOR HIGHGATE  
HIGHGATE NEIGHBOURHOOD FORUM

## Highgate Neighbourhood Forum responses to comments from Camden and Haringey + those from TfL and Thames Water Utilities Ltd

Firstly, we would like to emphasise that over the last three years, we have met both Boroughs together on a number of occasions, in order to agree policy wordings acceptable to both, and in conformity with both Local Plans. With the exception of these most recent comments, the Boroughs have responded collaboratively to our drafts, so it's most disheartening to receive both the number of comments (some of which seem pedantic at best, and most of which could have helpfully been made at an earlier stage) and – in some sections – to read the disparity between the Boroughs' comments. This underlines why we need a Neighbourhood Plan in Highgate as we badly need planning policies that apply across the Area. We are hoping to see much more effective collaboration between Borough officials in the future.

There also seems to be a difference of interpretation between officers (past and present) in both Councils on the scope and remit of neighbourhood plans. We have been advised differently, by different officers, at different times. For example, in the course of the planning process, we were encouraged by officers to enhance our Vision and make it more tailored to our neighbourhood, whereas this latest set of comments seem to undermine our attempts to do this.

As the first cross-Borough Forum moving towards Referendum, we have encountered particular difficulties where the Boroughs don't agree or have different priorities. It would be helpful if the Examiner could give us some clarification on the relationship between neighbourhood plans and local plans, both generally, and in such circumstances – we know this would be great assistance to the many London cross-borough forums which are carefully watching our progress.

### **Responses to Camden Council's comments:**

**General:** we were advised by AECOM that our numbering system would be sufficient (and we believe clearer, given the complicated policy numbering system) – it is also the method used by several neighbourhood plans which have successfully passed Examination and Referendum.

**SO5.1 and CO 5:** we would be happy to receive further advice on how this should be reworded

**SC1, criterion 1:** Our intention here is to secure the appropriate proportion of affordable housing in new developments in our area – otherwise deals tend to be done between developers and the Councils where such housing is supplied in another part of the Borough. We would welcome advice on how to resolve this.

**SC1.II:** can change wording as per Haringey suggestion (below)

**SC1.III:** we were advised that we had to use this terminology to comply with national policy – happy to change if we can achieve our aim of encouraging developments which include



homes for first time buyers. However, we note that Haringey seem to continue to use “starter homes” below.

**SC1.IV:** agreed

**SC1 supporting text: starter homes:** again, we would welcome advice on how this should be worded

**SC2:** agreed to delete “wherever possible”

**Page 23, last para of “community facilities”:** agreed to delete “all new”

**EA1 criterion 1:** agreed

**EA1, criterion 111:** agreed

**TR1:** We decided that in Highgate we needed a smaller definition of “major development” than that applied nationally because of a combination of the terrain, the historic nature of Highgate and the type of development. We consider ten units to be too many and one hectare to be too large an area.

**TR1:** We think this should remain – we have ample evidence that this has been the case. As a compromise, we are prepared to add the word “always” or “sufficiently” to the sentence. We note this comment comes from Camden and the bulk of development that has prompted this wording has occurred in Haringey.

**TR2:** Policy title change agreed

**TR2:** Accept change from “significant” to “major” but we draw your attention to our note on TR1. The following sentence could strengthen the policy by changing “will” to “must” or “will be expected” in order to meet the community’s expectations that the impact of smaller developments will be taken seriously by the Councils.

**TR2 criterion 1:** Agreed – we would appreciate new recommended wording from the Councils

**TR3:** agreed but noting points above

**TR3 criterion II:** we felt that the policy provides sufficient description of when a parking survey would be needed. Any development that is going to add to the resident population or the number of visitors should require a survey.

**TR4:** so far as we are aware, we are the most advanced cross-Borough NP in London and this is a good example of the sort of conflict between the two Boroughs’ approaches that needs to be resolved. The Forum doesn’t have a strong view as to which policy should be adopted but we do think there should be consistency across the Area.



**TR4 criterion VII:** we don't share this concern because the policy's introductory sentence refers to "highways or the environment". We note that this was not a concern raised by Haringey.

**TR4, criterion VIII:** agreed

**TR5, criterion I:** agreed. We think the phrase "should not lead to a loss of net capacity for on street parking" can be added to end of the first sentence of the preamble of TR5.

**Open Space:** while we have listed those areas we understand to be major open spaces, we were keen to ensure that no open space fell through the net if it was not clear whether it was a Local Green Space or major open space.

**OS1:** amendment agreed

**OS2, criterion I:** agreed to inclusion of "where possible". The Forum understands the concern with 'like for like' and proposes the addition of the qualifying phrase "where appropriate or feasible" after "like for like".

**OS2.III:** The purpose of this policy is to protect the many ancient mature broadleaf trees – relics of ancient woodland but now in private gardens. Disease in these trees is often used as an excuse for excessive pruning and ultimate removal. We would welcome advice on a better way to word this policy to further this aim.

**OS2.I:** change to "new development" agreed

**OS4:** we don't agree with this amendment – we think the maintenance of green corridors is an essential component of protection for local biodiversity linking our open spaces. We would be concerned about the use of the word 'significant'.

**OS4 second para:** the wording in the policy has been already changed and agreed, in line with Borough recommendations and we think it should stand.

**Fig 11:** agreed

**DH2:** agreed - see our response to Haringey below

**DH5 rooflights:** agreed

**DH5:** we agreed this wording with the Councils. Our intention is to protect and enhance the conservation area. While we understand they want increased clarity in the policy wording, we don't want to undermine the intent of the policy. We would welcome suggested rewording that takes account of this.

**DH7** this policy was developed with close working with both Boroughs' planning and planning policy departments. Our basement policy is trying to provide consistency of approach between Camden and Haringey. The length of time that has passed in drawing



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up the Plan has led to some parts being superseded by the Boroughs' Local Plans. We welcome Camden's recent Article 4 Directive on basements and note that multiple representations and meetings with the Forum may have contributed in some measure to this decision.

On the BIA: we felt that the evidence provided by Camden's own survey on the impact of basements (in our Appendix 1 Evidence) was sufficient evidence that BIAs were required in the Plan Area.

On the matter of working hours: we have followed an initiative by Westminster Council and were under the impression that both Boroughs were supportive of this.

Our issue is not with Camden's strategic approach to basement development but in its application, and we recognise that planning enforcement is beyond the remit of the Neighbourhood Plan. Overall, we would like to see a commonality of approach across the Plan Area and look to the Councils to produce a policy wording which encompasses this.

**DH8:** see response to Haringey below

**DH10** see response to Haringey below

**DH11:** we thought the policy wording had been agreed. However, we are happy to take recommendations and would welcome suggestions for rewording.

### **Responses to Haringey comments:**

**Section 1 – General Comments 4, 5, 6 and 7:** we were shocked and disappointed to receive these comments. With the exception of our/Haringey policies on the Hillcrest Estate (on which we agreed to differ and for an Examiner to rule), all of our policies and their wording have been painstakingly agreed with Haringey officials over the course of a number of (cordial) meetings and written comments and they have often gone out of their way to help us with detailed wording. So it is surprising to find they now object to this wording and even the policies themselves.

We have also undergone a "Plan Healthcheck" (undertaken by John Slater of NPIERS and funded by Locality) and made all the changes suggested by that Examiner in order to obtain a clean bill of health.

**Comment 8:** see our general response at the top of this document. We are not clear how our neighbourhood plan can reconcile the differences between the two Councils.

**Comment 9:** agreed

**Comment 10:** we were advised that it would be acceptable for Appendices to be housed on our website on the Plan page. Equally, all other evidence is provided via links to the website in Appendix 1 and we were advised that this would be appropriate. We have



organised matters in this way for sake of easy reading of the Plan and also for practical reasons as we have no budget to print the very large document that would arise if it was organised in a different fashion. We note that Camden – which has much more experience of neighbourhood plans - is not asking for this.

**Comment 11:** as above in response to Camden re paragraph numbering. As requested, we have placed supporting text after each policy. At no point in all the above lengthy discussions have Haringey asked for more evidence than is currently laid out.

**Comment 12:** it has obviously added to the complexity of producing the NP that Haringey have themselves been in the process of writing their own Local Plan, to which we have to conform.

**Introduction 1.4.2** – this phrasing has been in all drafts of the Plan and this is the first time Haringey have queried it – it seems self-evident to us.

**1.4.7.** We are not sure what they are getting at here as the next para references para 16 of the NPPF.

**SC1:** we were advised by both Councils and our consultants that the NP could go into more detail than Local Plans, provided that it is conformity with them – this is what we have endeavoured to do.

**SC1.1.** as above in response to Camden

**SC1.II** agreed

**SC1.III** as above, this policy wording was agreed in detail with Haringey officials. However, we remain committed to working with them to make this policy as effective as possible.

**SC1.IV** as above

**Supporting text:** as above

**Community facilities:** this was included in a policy in earlier drafts of the Plan but we were advised by the Councils that this was not appropriate.

**On CIL spending:** it has since been suggested to us by Haringey that detailed CIL spending priorities should be included in the Plan – it would be helpful to have guidance on wording this. We note that they here say that the CIL list can sit separately from the policy, so it would be useful to have detailed guidance on this.

**SC2.II:** it's not clear how we can specify locations of future developments as these will emerge in the course of the life of the Plan.  
We agree to add “and viable”

**EA1:** agreed as per comments from Camden



**EA2:** policy should be beneath map fig 7 on p29 but was moved because of layout constraints. Justification for the policy is the final paragraph on p29 and the opening para of p30.

**EA3:** we were surprised to receive these detailed comments at this late stage as the policy wording was agreed with Haringey at an earlier stage. We would welcome detailed new policy wording from the Borough. We support the suggested changes to policy wording in EA3.III, in line with comments agreed for EA1.

**Transport General:** point dealt with under Camden comments

**TR1:** We would like to retain these requirements – we note that Camden has no concerns about these. The marginal cost to developers of such requirements would be trivial but the benefits to the community could be considerable.

**TR2:** addition of “vehicles” agreed as above.

- TR2.1 CMP agreed as above.
- On Delivery of Service Plan: we need consistency between the Boroughs – Camden is not concerned about this this.
- Access issues: we think this unnecessary to spell out in the policy as, of course, the Councils always do a “transport assessment”.
- Regarding “detailed requirements”: we feel these details are appropriate to include in the policy. We note that Camden was not concerned about this.
- Regarding the merger of II and III: we think these are sufficiently important and distinct to remain separate. We note that Camden was happy with that.
- TR2.IV: We don’t agree and note that Camden has no concerns.

**TR3:** We disagree – please see comments on Camden’s comments on parking surveys above

**TR3.II:** we consider the phrase “agreed baseline” has a clear meaning in the context of parking surveys being done before and after developments to allow their impact to be assessed.

**Appendix 2:** we request that Haringey proposes the elements that they require to be moved from the Appendix into the policy section of the Plan. They were moved from the original, much longer draft, at the suggestion of John Slater, our Healthcheck Examiner.

**TR4:**

- Regarding conformity with emerging DM32, as explained above, we would like this conflict between the two Boroughs’ policies to be resolved, with the aim of consistency for the Highgate area.
- V: regarding “public parking”, we mean to this to imply any parking which is not private parking and consider this to be obvious. If Haringey has an alternative phrase to suggest, we are happy to consider it.



- VI: Regarding “harm to a building’s setting”: we do not regard this to be too onerous and note Camden had no issue with it.
- VII: as V1

**TR5:** Regarding “areas of high parking stress”: we feel these areas are clearly defined in the supporting evidence to the Plan. Virtually all roads in the Plan area are included.

**TR5.i** regarding “blanket restriction” we do not understand the Haringey comment, as surely any provision of new dropped kerb would result in a loss of on-street parking capacity. Please refer to comments above about Camden’s comments about net loss of parking.

**OS1:** Camden does not share Haringey’s concerns and does not have a problem with the Forum’s definition of ‘major open spaces’. The Forum believes we are not being unduly proscriptive in this policy, as almost the entire Plan area is within a conservation area a great part of the remit of the Plan is to protect and enhance the conservation areas with appropriate and sensitive development.

**OS2.I:** agreed as Camden response

**OS2.I:** agreed to inclusion of “where possible”

**OS2.I** “like for like” – see response to Camden

**OS2.II:** see response to OS1 (above)

**OS2.III:** see response to Camden

**OS2.III:** as our response to “like for like” to Camden (under OS2.I)

**OS3: Hillcrest:** While not in agreement, we recognise the Haringey Inspector’s ruling on development on the Hillcrest estate. However, we would like to do all we can within the Neighbourhood Plan to protect as much green space on the estate, as possible. In addition, we would like to ensure that CIL monies are spent on providing community facilities, such as children’s playgrounds, for residents of the Estate. We would welcome advice on how this can be achieved.

**LGS general:** The Forum thinks that LGS is a stronger designation than those currently protecting these spaces and would argue very strongly for keeping all these spaces under LGS, as we are empowered to do under NPPF (76).

**OS4:** See our response to Camden. In addition: the ecological corridor map (Appendix 3) was drawn on advice and agreed with our Healthcheck Examiner.

**DH2** agreed



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**DH3** We don't agree – the policy wording has been agreed with the Councils and we note that Camden has no objection

**DH4** as DH3

**DH5:** We don't think that our policy is "overly onerous and not consistent with the NPPF requirement to plan positively". Our policy is designed to protect and enhance our conservation areas. See our response to Camden.

**DH6:** we strongly disagree with this amendment. This policy was actually included on advice from Haringey officers to help protect original boundary walls. We worked closely to agree the policy wording. We note there is no objection from Camden.

**DH7:** See response to Camden

**DH8:** we are unclear which developments will "not necessitate requirements for waste management"

**DH10:** our policy wording has been agreed with the Councils and our consultants. The list of acceptable uses was suggested to us as a part of this process. We don't feel these are over prescriptive as they are used as examples. We welcome Haringey's policy DM7 and consider that we are in conformity with it.

**DH10 (2)** amendment agreed

**DH10(2)II** please suggest an alternative policy wording

**DH11:** See response to Camden

**KS General:** this is an astounding suggestion at this stage. As Haringey acknowledges, the Key Site Allocations came from the Forum in the first place, as part of our Plan-making process. They are an important part of the Plan and a vital part of our vision for the area. Haringey is sending us a very mixed message: on the one hand they now suggest we should remove the Sites; and, on the other – at meetings with the Borough's senior planners - they have suggested we should be more prescriptive with the development we would like to see. The Planning team advised us that the Neighbourhood Plan was the right place to give a level of detail that was not appropriate for their Local Plan.

The Forum understands that the last adopted plan takes primacy in the plan hierarchy, with conformity to previous plans agreed as part of that process.

**KS2:** we were advised to remove references to specific policy numbers from the emerging plans because they are subject to change.

**KS3:** The Forum has already talked to Haringey officials about the Inspector's suggested modifications re the Bowl to the Local Plan. We will work with them to modify our Plan to reflect the new wording of their Site Allocation. We request that the Borough keeps us



informed and advises us on policy wording. In particular, it has been suggested that we can specifically allocate CIL monies in the Plan and we would welcome advice on how best to word that.

**KS4.1** The Forum has previously been advised to word the policy in this way. However, we agree to remove the phrase “all types of”.

**KS4.IV** the Forum does not agree – we are unsure what benefit the suggested change in policy wording would confer. Again, we have been advised not to reference a specific Borough emerging policy.

**KS5:** This policy has been developed in very close collaboration between the Forum, Haringey officers and current residents at Goldsmith’s Court. We are reluctant to change any wording of this policy as it reflects exactly what the Forum and residents expect to see on the site and we have been careful to incorporate any suggestions from the Borough. We believe we have provided sufficient evidence to support this policy as it stands and, moreover, are surprised to have these suggestions from the Borough at this stage.

**Response to comments from Transport for London on Transport policies:**

Regarding 2<sup>nd</sup> substantive paragraph: TfL provides no evidence for the assertion that journey times are an issue. Indeed the Forum’s own survey of residents and businesses did not indicate that transport times were a concern. The Forum feels that there are a range of issues affecting public transport that are more pressing.

**TR1:** regarding the comments on promoting sustainable transport, there is some detail offered in the Plan and the Forum would be happy to enter into discussions with TfL about unsafe road crossings and improving cycle facilities and routes.

**TR2:** the Forum notes TfL’s support

**TR3:** the Forum fully agrees with TfL’s comments on the importance of traffic and parking policies and feels that these have been addressed as fully as possible within the constraints of planning policy.

**TR4 and TR5:** we support the comments from TfL and note their support for our more robust policies in this area – in contrast to the comments from Haringey (see above).

**CA22:** TfL is probably already aware of the Forum’s proposals put to it via Haringey, regarding the introduction of two new bus routes to address the weakness of east-west travel in and around Highgate. We disagree that the current bus routes adequately connect us to our neighbouring communities.

**Response to comments from TfL on Site Allocations:**



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**KS1:** we note TfL's comments but are surprised to receive them at this late stage, as they failed to respond to our previous consultations. The Forum would assume that any developments on this site would take into account access to the air shaft and 24 hour right of way across the western side. We would assume that the suggested change to the site boundary has been raised with Haringey and will be changed in the Local Plan, to which we will conform.

**KS2:** agreed

### **Response to comments on behalf of Thames Water Utilities Ltd**

#### **Policy OS3:**

**Site LSD7 and LSD11:** The response to our Section 14 Consultation from Savills on behalf of Thames Water Utilities on 27 January 2016 made no mention of LSD7 or LSD11. We understand that LSD7 has MOL status, and that LSD11 is a protected allotment under the London Plan Policy 7.22 and SP13. We believe that both sites are also protected under Haringey's Local Plan.

We accept the omission of **a policy covering Water Supply and Sewerage/Wastewater Infrastructure** and recognise we need to take advice on developing a suitable policy.

**Maggy Meade-King**  
**Chair, Highgate Neighbourhood Forum**  
**30 November, 2016**