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27<sup>th</sup> March 2015

Dear Mr Patterson,

## **HARINGEY LOCAL PLAN CONSULTATION ON THE FOLLOWING DOCUMENTS:**

- **PROPOSED ALTERATIONS TO HARINGEY'S ADOPTED STRATEGIC POLICIES**
- **DEVELOPMENT MANAGEMENT DEVELOPMENT PLAN DOCUMENT – PREFERRED OPTION**
- **SITE ALLOCATION DEVELOPMENT PLAN DOCUMENT - PREFERRED OPTION**

We write on behalf of Highgate School in relation to the above consultation documents. The School wish to make representations on each of the three aforementioned documents.

### **Proposed Alterations to Haringey's Adopted Strategic Policies**

Comment has been invited on whether Haringey's affordable housing policy should be retained in light of the December 2014 National Planning Practice Guidance (NPPG) update which removes the requirement for developments of 10 units or less and under 1,000sqm to provide affordable housing.

On the basis of the Government's intention to remove the burden on small scale developers through the change to policy at a national level, and which is now being used by Planning Inspectors in considering Planning Appeals, it would be wrong to ignore the NPPG and retain Haringey's existing affordable housing thresholds which are no longer in conformity.

The National Planning Policy Framework (NPPF) sets out in paragraph 182 that in order to be considered 'sound' a Local Plan must be consistent with national policy and positively prepared. The NPPF states that the plan should be prepared based on a strategy which seeks to meet objectively assessed development. Haringey have allocated all their required housing within the borough meeting their identified need and therefore do not have a requirement for affordable housing contributions, particularly on schemes under 10 units /1,000sqm. Consequently, Haringey no longer have an identified need for affordable housing contributions and by continuing to require schemes under 10 units and 1,000sqm to provide a financial contribution are in direct

conflict with the National Planning Policy Framework and National Planning Guidance. In our view the plan is unsound with this requirement being continued forward and will sterilise and stifle the development of small sites to the detriment of the delivery of much needed new homes, contrary to the London Plan 2015.

Further to the comments above, this policy should therefore not be retained and the Council should adopt the revised threshold as intended and advised by the Government and as set out in the NPPG. For avoidance of doubt, the NPPG states (paragraph 12):

*“National planning policy defines specific circumstances where contributions for affordable housing and tariff style planning obligations (section 106 planning obligations) should not be sought from small scale and self-build development, as set out in the Written Ministerial Statement on small-scale developers.*

- *contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm.”*

The Government have announced the revised affordable housing guidance which is as much a key material consideration as the NPPF.

Furthermore, the suggested amendments propose the removal of this requirement on page 55 and therefore the entire document should be consistent.

At a meeting with Haringey Council, officers queried the position of other neighbouring boroughs with respect to their affordable housing position in light of the revised guidance. We have spoken to all 33 London borough's and set out their policy position in Appendix A. This document demonstrates that 21 boroughs already had a compliant affordable housing policy, seven have changed their policy in light of the revised guidance, two have yet to respond and three, one of which is Haringey, are currently retaining their policy position despite the new guidance.

## **Development Management DPD**

Policy DM26 sets out the Council's policies on Open Space. We have no comments on the general intention of the policy; however we submit representations on its clarity and request an addition to ensure consistency with the aims of the NPPF.

Policy DM26 section A states that *“The Council will not grant planning permission for proposals for development that would result in the loss of open space, unless an assessment has been undertaken which shows that the open space is surplus to all the functions that an open space can perform”*.

The latter section of the policy, i.e. *“the open space is surplus to all the functions that an open space can perform”* is ambiguous and needs clarification. This wording is not clear and does not identify any standards against which it can be measured. This part of the policy needs to either be re-worded to make clear what *‘all functions’* are, or needs to refer to adopted guidance such as the NPPF paragraph 74:

*Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.*

DM26, section D does not currently acknowledge the role of open space for the purposes of education. Sport is a vital part of the National Curriculum and School's may have requirements to create or improve small scale ancillary developments to enhance these facilities. To introduce flexibility and allow for improvements and enhancements to educational facilities, we request that policy DM26 section D should read as follows:

*"The Council supports the provision and improvement of outdoor open space and leisure facilities. Small scale ancillary developments which enhance the park and open space offer, such as refreshment facilities, public conveniences, **changing facilities and spectator facilities**, public art installations, ~~or~~ outdoor play and fitness equipment, **or to meet the special needs of education**, will be permitted, provided that they are ...."*

#### **Site Allocation DPD**

The proposed Site Allocations document sets out an allocation for Highgate School (SA44) and the 'Highgate Bowl' (SA45). The boundary in SA45 (the Bowl) has been drawn incorrectly and as a consequence includes some of the School's buildings and land to the rear of Dyne House when it should terminate at the western end of the Parade Ground. This issue has also been raised in response to the consultation on the Highgate Neighbourhood Plan.

Highgate School is, as the Council is aware, in the process of preparing a scheme for the redevelopment of Dyne House. A pre-pre-application meeting was held in January 2014 with Haringey Council and the School's former planning consultants to discuss the fundamental principles of the redevelopment of this site. The principle of re-development was agreed following two meetings and various conversations with Matthew Gunning, Robbie McNaugher and Nairita Chakraborty. The pre-application feedback was issued by email on 7<sup>th</sup> February 2014, proposals were then revised in accordance with the advice and a summary note of the broad agreed principles was sent to Haringey on 26<sup>th</sup> March 2014. These principles were subsequently used in an architectural competition to appoint an architect to develop the scheme. The Council was fully aware that this was the purpose of the January – March 2014 pre-application meeting and subsequent outputs. This was reiterated during a site visit of key Council officers in July 2014.

The Council has already accepted the principle of redeveloping Dyne House and its associated buildings and confirmed through all of the above that there was no doubt that the Bowl designation included but stopped at the Parade Ground on the basis that the Bowl designation seeks to retain the area falling within it as open space. The pre-application advice sets a clear precedent and reflects numerous discussions the School have had with the Council that the Parade Grounds fall within the Bowl designation but no other part of the Dyne House site does. These discussions occurred well in advance of the current consultation and therefore should inform the proposed allocation. Moreover, this approach recognises the position agreed between the School and the Council dating back to 1998 and the extension of the Bowl to include the Parade Ground (see below).

The Highgate Bowl was first designated<sup>1</sup> in the late 1960s through the adoption of the Greater London Development Plan (GLDP). The Bowl was designated as an Area of Metropolitan Importance and the area which this designation covered was defined broadly within the Metropolitan Structure Plan. The GLDP broadly designated the area of Metropolitan Importance; however the Local Authority was responsible for formally defining the specific boundaries. In 1998 the London Borough of Haringey formally defined the boundary of the Highgate Bowl through the adoption of their Unitary Development Plan and subsequent Supplementary Planning Guidance (3.5). The defined boundary was inclusive of the Highgate School Parade Ground; however the boundary terminated along its western boundary and was therefore not inclusive of Dyne House or the buildings to the rear. Subsequent planning documents have used the map and defined boundary from the UDP and SPG to define the Highgate Bowl area.

The Council included a revised boundary line as part of their Draft Character Appraisal for the Highgate Conservation Area. The Conservation Area Assessment provided no evidence to justify the potential extensions or enhancements to the Highgate Bowl designated area and no recommendations were made in respect to this matter. Highgate School submitted formal representations against this and the Character Appraisal was adopted, with the original boundary line for the Bowl, in November 2013.

In 2013 a Call for Sites consultation resulted in a request to allocate the Highgate Bowl within the statutory Site Allocations document. This call for sites continued to use the plan approved in the UDP. Following the Call for Sites, a Regulation 18 Consultation was conducted which allocated the Highgate Bowl as a specific site with specific policies. The map which accompanied this allocation introduced an alternative boundary line, which extended the bowl boundary up to the rear wall of Dyne House, inclusive of the low-rise buildings to the rear of Dyne House. The incorrect boundary is stated in the proposed Site Allocations document as being identified from the 'Call for Sites 2013' albeit that the boundary suggested in the Call for Sites was as per the original designation, suggesting that the expanded boundary is in fact a drafting error. Subsequent planning documents including the Draft Highgate Neighbourhood Plan and the Draft Site Allocations document have included this altered and extended boundary to accompany their policies. The extended boundaries are inclusive of a greater parcel of Highgate School land, which is inclusive of a number of low-rise buildings.

Haringey have undertaken an Urban Characterisation Study, dated February 2015, which is identified as one of the key evidence studies to support Haringey's Local Plan. The study states that it expands and strengthens local policies by providing a detailed evidence base on the different characteristics of the borough. Page 201 of the document identifies the green urban areas within Highgate. The Highgate Bowl is shown as falling within this designation; this boundary is also reflected on page 205 (shown in white) and 207 (light blue outline) which clearly shows the Parade Ground falling within these areas but Dyne House and associated buildings falling outside of these areas. This evidence base should be used to inform the Highgate Bowl boundary in accordance with the NPPF.

The Highgate Bowl is described in Haringey's Supplementary Planning Guidance 3.5 (1999) as comprising '*relatively un-developed land at the head of a valley north-east of and terminating under Highgate Ridge. This land falls steeply away from the ridge in a wide arc and so forms a bowl of open land*'. The original intention of the Bowl is clear in that it is to protect the openness of the area from development. Dyne House and its associated buildings are clearly not 'open land' and were never intended to fall within the Bowl designation, unlike the Parade Ground.

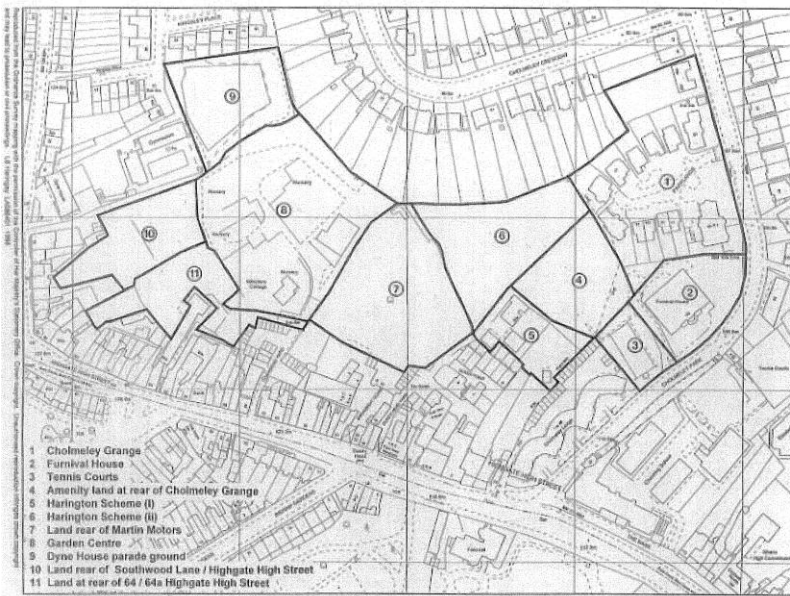
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<sup>1</sup> See Appendix B - Bowl Chronology

Paragraph 169 of the NPPF sets a requirement for local planning authorities to have up-to-date evidence about the historic environment in their area and use it to assess the significance of heritage assets and the contribution they make to their environment. The Highgate Bowl boundary as set out in the Preferred Options Site Allocations DPD has not, as far as we are aware, been objectively assessed or based on up-to-date evidence to justify the extension of the Bowl boundary.

The Draft Highgate Neighbourhood Plan was consulted upon earlier this year which also included an expanded Highgate Bowl boundary. Highgate School submitted representations (Appendix C) to the same effect that the boundary had been drawn in error and should be revised to only incorporate the Parade Ground.

Having regard to the information set out above, the boundary of the Bowl has been drawn incorrectly and therefore not reflective of the original aspiration of the designation, the boundaries established through previous statutory plans and in conflict with the pre-application discussions with Haringey planning officers. Moreover, no evidence and no objective assessment has been carried out to justify a change in the boundary. Accordingly, the **boundary should be revised so that it terminates at the western edge of the Parade Ground and therefore does not include any of the Dyne House buildings.** For the avoidance of doubt, the boundary should follow that of the SPG3.5, shown below.



Additionally, the Site Allocations document includes part of the Dyne House site and the Parade Grounds in both SA44 and SA45 allocations. The allocations have differing policies and seek to achieve different outcomes; as such the boundaries need to be revised. If the Bowl boundary is corrected so that it terminates at the western end of the Parade Ground, it would leave the Parade Ground covered by both SA44 and SA45. We suggest that the Parade Ground are shown as being 'hatched' in the SA44 allocation with a reference under Development Guidelines that **"The area shown hatched within the Highgate Bowl designation forms part of Highgate School, as it also falls within the Bowl this area will be guided by the principles set out in the Bowl allocation"**.

The School has several areas of land which are designated as Metropolitan Open Land (MOL), including the 'Far Field' which has boundaries with the Bishops Avenue, Hampstead Lane and Courtney Avenue. The Far Field currently comprises a playing field with a small pavilion at the rear with changing room facilities, used by the School for sports. The February 2015 Urban Characterisation Study referred to above identifies this Sports Ground as an opportunity site for low rise, high density residential use. The study states:

*"The Sports Ground to the west of Courtney Avenue may not make significant contribution to the green space, openness, ecological value and public recreation and dependent on further specialist assessment has potential to be developed for low rise high density housing with terraces addressing street frontage and possible backland/courtyard type development to the rear."*

MOL is effectively urban Green Belt and as such is afforded the same level of protection. Consequently, the Far Field site would not be able to come forward for housing if it was to remain as MOL.

The Urban Character study notes that the study should be used to inform future masterplanning, all future DPDs and SPDs and should be used as a reference document by development management in pre-application discussions.

On the basis of the above, the **Far Field site should be removed from MOL designation** given the findings of the Urban Character Study (February 2015), furthermore the site does not fulfil the objectives of MOL and in line with the recommendation and aspirations in the study should be **promoted for housing**.

We request that the above comments and suggested amendments are taken into consideration by Haringey Council. We would be grateful if you could please keep us informed regarding the progress of these three documents and come back to us if you require any additional information.

Thank you for your assistance,

Yours faithfully

**CELINE BIRD  
PLANNER**

# Appendix A – London Borough Affordable Housing Policy Position

*Ministerial Statement/PPG update – Contributions should not be sought on developments of 10 units or less, and which have a maximum combined gross floorspace of 1000sqm.*

- Out of 33 London Boroughs – 21 Boroughs already had policy which was compliant with the Ministerial Statement
- 7/33 Boroughs have now changed their policy in light of the Statement
- 3 Boroughs have retained their policy position
- 2 Boroughs did not respond.

LONDON BOROUGH	COUNCIL POLICY	POSITION
Barking and Dagenham	The affordable housing policy for Barking and Dagenham does not set a threshold for affordable housing requirements.	Not impacted by the statement release.
Barnet	<b>DM10 – Affordable Housing Contributions</b> Having regard to the borough-wide target that 40% of housing provision should be affordable, the maximum reasonable amount of affordable housing will be required on site, subject to viability, from <u>all new sites providing 10 or more units</u> gross or covering an area of 0.4 hectares or more	Not impacted by the statement release.
Bexley	<b>Policy CS10 Housing need</b> It is the Council's aspiration to achieve 50% affordable housing as a proportion of all provision, over the plan period as a whole. Housing provision will include a mix of dwelling types, size and tenure to meet the needs of Bexley's current and future population. <u>In residential schemes of ten units or more</u> , the Council will seek the maximum reasonable amount of affordable housing.	Government guidance takes precedence. Bexley will now seek affordable housing contributions on sites which are delivering 11 dwellings or more based on PPG guidance.
Brent	<b>London Plan Policy 3A.11</b> The council will, apply London Plan Policy 3A.11, <u>to sites with a capacity to provide 10 or more homes</u> . The Examination in Public of the London Plan concluded that the expectation that all sites in London with a capacity for 10 or more homes should contribute to the overall strategic objective that 50% of London's new housing should be affordable was a robust policy assumption applicable to all boroughs.	Not impacted by the statement release.
Bromley	<b>Policy H2 - Affordable Housing</b> In order to meet the needs of the Borough, affordable housing will be sought on all housing sites capable of providing 10 dwellings or more, or housing sites of 0.4ha or larger, irrespective of the number of dwellings. On all sites at or above this threshold negotiations will take place to determine the number of affordable dwellings to be provided. In negotiating the amount of affordable housing on each site, the Council will seek 35% provision, with 70% social-rented housing and 30% intermediate provision, unless it can be demonstrated that a lower level should be sought or that the 70:30 split would not create mixed and balanced communities.	They no longer implement their Policy H2 on affordable housing. They now expect contributions on sites of 11 dwellings or more – an addendum will be added to the SPG on obligations post-election.
Camden	The affordable housing policy for Camden does not set a threshold for affordable housing requirements.	Not impacted by the statement release.

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City of London Corporation	<p><b><u>Core Strategic Policy CS21: Housing</u></b></p> <p>Ensuring sufficient affordable housing is provided to meet the City's housing need and contributing to London's wider housing needs by requiring residential developments with the potential for 10 or more units.</p>	<p>The Ministerial Statement is a statement of national planning policy and carries the same weight at the National Planning Policy Framework as a material consideration in the determination of planning applications. The City Corporation will be applying the policy as set out in the Ministerial Statement unless other material considerations indicate otherwise.</p> <p>The City Corporation will be bringing forward a review of its 2015 Local Plan, starting later in 2015, and will look to amend Policy CS21 as part of this review.</p>
Croydon	<p><b><u>Policy SP2: Homes</u></b></p> <p>The Council will apply the following criteria on a site specific basis to deliver affordable housing in the borough:</p> <ol style="list-style-type: none"> <li>Negotiate to achieve up to 50% affordable housing provision on sites with ten or more units on the basis set out in Table 4.1; and</li> <li>Require a commuted sum from developments of nine or fewer units to cover the cost of providing the equivalent percentage of affordable units. The commuted sum will be used to provide affordable homes through Croydon Council's New Build Affordable Homes programme or by a Registered Provider</li> </ol>	<p>As long as the site is not within the Opportunity Area and is delivering and ten or more dwellings then the site will need to provide 50% affordable housing.</p> <p>Part (b) of the policy remains unchanged.</p>
Ealing	<p><b><u>Policy 3a Ealing local policy - Affordable Housing</u></b></p> <p>Affordable housing will be sought on all developments capable of providing 10 or more residential units. This will be negotiated on the basis of a 50% provision at a 60/40 split of social or affordable rented accommodation to intermediate provision.</p>	<p>Not impacted by the statement release.</p>
Enfield	<p><b><u>Core Policy 3 - Affordable Housing</u></b></p> <p>The Council will seek to achieve a borough-wide target of 40% affordable housing units in new developments, applicable on sites capable of accommodating ten or more dwellings. Affordable housing should be delivered on-site unless in exceptional circumstances, for example where on-site affordable housing would not support the aims of creating sustainable communities.</p>	<p>Under the revised SPD, individuals and self-builders will be exempt from the requirements to make affordable housing contributions. The Council will carefully consider applications from other small scale developers. Affordable housing contributions will not be sought if they impose a disproportionate burden on a small scale developer and an obstacle to the delivery of the development scheme.</p>
Greenwich	<p><b><u>Policy H3 Affordable Housing</u></b></p> <p>Developments of 10 or more homes or residential sites of 0.5 hectare or more will be required to provide at least 35% affordable housing. The precise percentage, distribution and type of affordable housing will be determined by the particular circumstances and characteristics of the site and of the development, including financial viability.</p>	<p>The policy in Greenwich does not capture development sites of less than ten dwellings. They Council expect contributions on sites with exactly 10 dwellings and above.</p>
Hackney	<p><b><u>Core Strategy Policy 20</u></b></p> <p>Affordable housing will be sought on all developments comprising 10 residential units or more. New housing should seek to meet a borough-wide affordable housing target of 50%</p>	<p>Council maintain their position on affordable housing contributions on sites which can deliver 10 dwellings and greater.</p>
Hammersmith and Fulham	<p><b><u>Borough Wide Strategic Policy - H2 Affordability</u></b></p> <p>Housing development should help achieve more mixed and balanced communities and reduce social and economic polarisation by improving the mix of affordable housing in the borough for those that cannot afford market housing. On sites with the capacity for 10 or more self-contained dwellings affordable housing should be provided.</p>	<p>Not impacted by the statement release.</p>



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Haringey	<p><b><u>SP2: Housing</u></b></p> <p>Secure high quality affordable housing Affordable housing shall be achieved by: 5. Subject to viability, sites capable of delivering ten or more units, will be required to meet a borough wide affordable housing target of 50%, based on habitable rooms;</p>	The borough is currently continuing with their policy and expecting small sites to deliver (or pay a commuted sum) towards affordable housing. Members have stated that their position will remain unchanged and the Council have a number of appeals pending as a result.
Harrow	<p><b><u>Core Policy CS 1</u></b></p> <p>The Council will aim for a Borough wide affordable housing target of 40% of the housing numbers delivered from all sources of supply across the Borough between 2009 and 2026. The Council will seek the maximum reasonable amount of affordable housing on all development sites with a capacity to provide ten or more homes (gross)</p>	Policy is unchanged - for sites of under 10 dwellings there will be no affordable housing contribution sought.
Havering	<p><b><u>DC6 - Affordable Housing</u></b></p> <p>In determining planning applications for private residential schemes, including sheltered housing, the Council will seek the maximum reasonable amount of affordable housing having regard to the borough wide target and tenure split of 70:30 between social housing and intermediate forms.</p> <p>This will apply on sites with a capacity to accommodate 10 or more dwellings and on residential sites of 0.5 hectares or more irrespective of the number of dwellings.</p>	Not impacted by the statement release.
Hillingdon	<p><b><u>Policy H2: Affordable Housing</u></b></p> <p>Housing provision is expected to include a range of housing to meet the needs of all types of households and the Council will seek to maximise the delivery of affordable housing from all sites over the period of the Hillingdon Local Plan: Part 1- Strategic Policies. For sites with a capacity of 10 or more units the Council will seek to ensure that the affordable housing mix reflects housing needs in the borough, particularly the need for larger family units.</p>	Not impacted by the statement release.
Hounslow	<p>The threshold contained within the Further Alterations to the London Plan shall be applied to applications: 10 or more units.</p> <p>A specified type, number, mix and tenure of residential units or, in exceptional circumstances, payment in lieu.</p>	Not impacted by the statement release.
Islington	<p><b><u>Policy CS12 Meeting the Housing Challenge</u></b></p> <p>Provide affordable housing by: requiring that 50% of additional housing to be built in the borough over the plan period should be affordable. Core Strategy - February 2011 Islington Council 69 3 Strategic policies requiring all sites capable of delivering 10 or more units gross to provide affordable homes on-site. Schemes below this threshold will be required to provide financial contribution towards affordable housing provision elsewhere in the borough.</p>	Still maintaining that the policy on small sites should remain extant – they acknowledge the NPPG guidance but will continue to implement the 10 dwelling rule.
Kensington & Chelsea	<p><b><u>Policy CH 2 - Housing Diversity</u></b></p> <p>Affordable Housing</p> <p>The Council will:</p> <ul style="list-style-type: none"> <li>Require developments to provide affordable housing at 50% by floor area on residential floorspace in excess of 800sq.m gross external area;</li> </ul>	<i>No Response to date.</i>

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- require provision to be in the form of a commuted sum in lieu of the equivalent amount of affordable housing floorspace where in excess of 800sq.m but less than 1,200sq.m of gross external residential floor space is proposed;
- require affordable housing provision of affordable homes on site where more than 1,200sq.m of gross external residential floor space is proposed, unless exceptional circumstances exist;

Kingston Upon Thames	<p><b>Policy DM 15 Affordable Housing</b></p> <p>The delivery of affordable housing is a key priority and the Council will seek to maximise its provision. To achieve this the Council will work with partners to expect developments of 5 or more units, or sites capable of delivering 5 or more units, to provide the maximum reasonable amount of affordable housing, subject to viability considerations</p>	<i>No response to date.</i>
Lambeth	<p><b>Policy S2 – Housing</b></p> <p>The Council will meet the borough’s housing needs to 2025 by: Seeking the provision of affordable housing on sites of at least 0.1 hectares or on sites capable of accommodating 10 or more homes. At least 50 per cent of housing should be affordable where public subsidy is available, or 40 per cent without public subsidy, subject to housing priorities and, where relevant, to independently validated evidence of viability, or where there is a clearly demonstrable benefit in a different mix in the case of housing estate regeneration. The mix of affordable housing should be 70 per cent social rented and 30 per cent intermediate.</p>	Policy not impacted – Lambeth seek contributions on sites of 10 or more in line with the Ministerial Statement.
Lewisham	<p><b>Core Strategy Policy 1 Housing provision, mix and affordability</b></p> <p>Contributions to affordable housing will be sought on sites capable of providing 10 or more dwellings. The starting point for negotiations will be a contribution of 50% affordable housing on qualifying sites across the borough. This would be subject to a financial viability assessment</p>	Policy not impacted – Lewisham seek contributions on sites of 10 or more in line with the Ministerial Statement.
Merton	<p><b>Policy CS 8 Housing Choice</b></p> <p>We will expect the following level of affordable housing units to be provided on individual sites: 10 units or more 40% 1-9 units 20% affordable housing.</p>	The council can no longer seek financial contributions towards affordable housing on schemes of 1-9 units with a gross area of no more than 1,000sqm; consequently part of Section (d) of Merton’s Core Planning Strategy policy CS8 housing choice, no longer applies.
Newham	<p><b>Policy H2</b></p> <p>Core Strategy sets out the requirement for affordable housing as part of new residential developments with capacity for 10 units or more.</p> <p>The policy sets out that the developments should provide between 35-50% affordable housing comprising 60% social housing.</p> <p>The council will however consider off site provision or payment in lie where on site provision is inappropriate in regard to any of the following matters:</p> <ul style="list-style-type: none"> <li>■ Site conditions/site features;</li> </ul>	Not impacted by the statement release.

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- Local context, including tenure mix;
- The availability of community facilities or infrastructure.

Redbridge	<p><b>Strategic Policy 8: Affordable Housing</b></p> <p>1. The Council has a strategic borough-wide target that between 2007 and 2017 50% of new housing from all sources should be affordable.</p> <p>2. As part of this target, an element of affordable housing will be sought to meet local needs on all suitable housing developments capable of accommodating 10 or more dwellings or residential sites of 0.5ha or more irrespective of the number of dwellings.</p>	Their current policies are not impacted upon. However, they were intending to adopt a policy which would seek contributions on small sites, which they are now not progressing with in light of the Government Guidance.
Richmond upon Thames	<p><b>CP15 Affordable Housing</b></p> <p>Housing provision is expected to include a range of housing to meet the needs of all types of households.</p> <p>The contribution towards affordable housing on sites involving new-build housing will be as follows:</p> <ul style="list-style-type: none"> <li>i. on sites below the threshold of ‘capable of ten or more units gross’, a financial contribution to the Affordable Housing Fund commensurate with the scale of development. The amount involved will be set out in the Development DPD and will be reviewed annually.</li> <li>ii. on sites capable of ten or more units gross, at least 50% on-site provision. Where possible, a greater proportion than 50% affordable housing on individual sites should be achieved.</li> </ul>	In accordance with the amended NPPG the Council will no longer be able to require contributions from developments of 10-units or less and which have a maximum combined gross floorspace of no more than 1000sqm.
Southwark	<p><b>Strategic Policy 6 – Homes for people on different incomes</b></p> <p>Requiring as much affordable housing on developments of 10 or more units as is financially viable.</p>	Mirrors wording of Ministerial statement insofar as the requirement is on sites of 10 or more.
Sutton	<p><b>Core Policy BP2 – Affordable Housing</b></p> <p>The Council will seek to meet an overall borough-wide target that 50% of all new housing from all sources is affordable, of which 70% should be for social rent and 30% intermediate provision, in accordance with the London Plan. The Council will seek affordable housing on all proposed housing developments, including conversions, capable of achieving 10 units or more.</p>	Mirrors wording of Ministerial statement insofar as the requirement is on sites of 10 or more.
Tower Hamlets	<p><b>Core Strategy SP02</b></p> <p>A residential development would be required to meet the residential design standards set out within the London Plan together with the provision of on-site affordable housing. LBTH seeks to require 35-50% affordable homes on sites providing 10 new homes or more (subject to viability) with a tenure split of 70% Social/Affordable Rent and 30% Intermediate, by using habitable rooms as a primary measure.</p>	Not impacted by the statement release.
Waltham Forest	<p><b>Policy CS2 - Improving Housing Quality and Choice</b></p> <p>ii) Assessing the level of affordable housing on a site by site basis. In order to deliver the maximum amount of affordable housing, developments proposing less than 50% will need to demonstrate a</p>	There is no affordable housing threshold for this policy and therefore it is not impacted by the Ministerial Statement.

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viability case, in the form of a viability assessment. Where a viability case is used to justify an affordable housing offer below policy requirements, the Council will require the shortfall to be treated as a deferred contribution. The Council will then require a subsequent viability assessment to be undertaken when the scheme is completed and largely occupied and should viability have improved, the Council will seek a further payment up to a maximum of the deferred sum.

<p>Wandsworth</p>	<p><b><u>Policy DMH 8 Implementation of affordable housing</u></b>                  Proposals which fall below the 10 unit threshold, where densities fall below the minimum threshold in the London Plan Sustainable residential quality (SRQ) density matrix (London Plan Table 3.2) taking into account where dwellings significantly exceed the space standards in Policy DMH6. Calculations will be based on what the site could potentially provide having regard to Policy DMH4iii, the Housing Capacity Study, and the housing mix requirements in Policy DMH3</p>	<p>Not impacted by the statement release.</p>
<p>Westminster</p>	<p><b><u>POLICY S16 AFFORDABLE HOUSING</u></b>                  Affordable housing and floorspace that is used or was last used as affordable housing will be protected.                  Proposals for housing developments of either 10 or more additional units or over 1,000 sqm additional residential floorspace will be expected to provide a proportion of the floorspace as affordable housing.</p>	<p>Not impacted by the statement release.</p>

# HIGHGATE BOWL

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Chronology of the Highgate Bowl

March 2015

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HIGHGATE

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# 1.0 Greater London Development Plan

- 1.1 Greater London Development Plan 1967. This plan was the first to introduce the concept of the 'Highgate Bowl'. The land was included in the designation 'Land of Metropolitan Importance'.
- 1.2 The Highgate Bowl was included in the designation of Hampstead Ridge/Highgate.
- 1.3 The purpose of this designation was detailed in the Greater London Development Plan Report of Studies, where it was stated that the land is allocated:
 

*“for the protection of skyline, viewpoints, historic architectural, village and rural character. Containment of traffic and parking. Safeguarding the planned environment of Hampstead Garden Suburb”*
- 1.4 The GLDP Metropolitan Structure Map provided the broad land allocation for this designation. Within this designation it was stated:
 

*“The Council is required by regulations to indicate precincts and amenity areas that it considers to be of metropolitan importance and its policy for them....The list of Areas of Special Character has therefore been drawn up on a conservation basis. The Selected areas are all individually important and collectively essential to the character of London”*
- 1.5 The footnotes to the above statement outline that *“The Areas of Metropolitan Importance are shown in broad outline on the Structure Map”* and *“the precise boundary of each area is to be defined by the appropriate London Borough Council in its own development plan. Nothing in the present statement precludes a LBC from defining additional areas of special character and policy if it so wishes”*
- 1.6 The map discussed above is shown below, the area of the Highgate Bowl is labelled as area no. 13:

**Figure 1 Areas of Metropolitan Importance**



## 2.0 London Borough of Haringey Development Plan Documents 1982

- 2.1 The London Borough of Haringey adopted their District Plan in 1982. This was the first document from the London Borough of Haringey that designated the land referred to as the Highgate Bowl.
- 2.2 Para 10.4 of the District Plan states that schedules 6 and 7 of the plan contain the details of sites proposed in the proposals map.
- 2.3 Schedule 7 identifies sites within the borough which have been identified where there are particular land use problems but where no firm solution has been finalised. The land known as the Highgate Bowl is designated within schedule 7.
- 2.4 The 'Highgate Bowl' is allocated as Land to the north-east of Highgate High Street. The notes which describes the site allocation states the following

*The area which includes a nursing home and offices, but is predominantly open land, some of it derelict and under-used where there has been pressure for residential development.*

*The western and central parts of the area are directly linked to the historic core of Highgate Village. They make a valuable contribution to the quality of the Conservation Area. The primary functions of the open land are:*

- a. *To mark a physical limit of the organic growth of the village area;*
- b. *To enhance the skyline of the village;*
- c. *To protect and underpin distant views from the ridge*
- d. *To accommodate open land uses of community benefit within the urban area;*
- e. *To provide visual relief from urban development and potential for recreation;*

*The western and central part of the area should be retained as open land; uses which would not prejudice the functions set out in (a-e) above, and which would not attract traffic unsuitable for the approaches are likely to be acceptable to the Council. Subject to the results of further studies, and in particular to the continuation of the existing use of part of the area for horticulture and horticultural training, a limited amount of residential development may be acceptable in the eastern part of the areas with access from Cholmeley Park.*

*In considering an development proposals for this land, the Council will have regard to the following factors:*

- a. *Any development should be designed so as to not impair the functions set out in a to e above*
- b. *The land lies within the Conservation Area and in considering any planning application for the development of any part of it, great stress will be laid on the need not to detract from and, if possible, to enhance the character and appearance of the area generally*
- c. *As many as possible of the mature trees should be retained and, if necessary, further planting should be included in any scheme.*
- d. *Satisfactory vehicular access should be provided from Cholmeley Park and the Council will need to be satisfied that the extent of development would be such that the traffic generated would not adversely affect the amenity of the adjoining residents nor add an unacceptable amount of traffic to Cholmeley Park.*



## 2.0 London Borough of Haringey Development Plan Documents 1982

- 2.5 The above policy sets out guidance for the development of the land known as the Highgate Bowl. The following maps show the definition of the boundary.

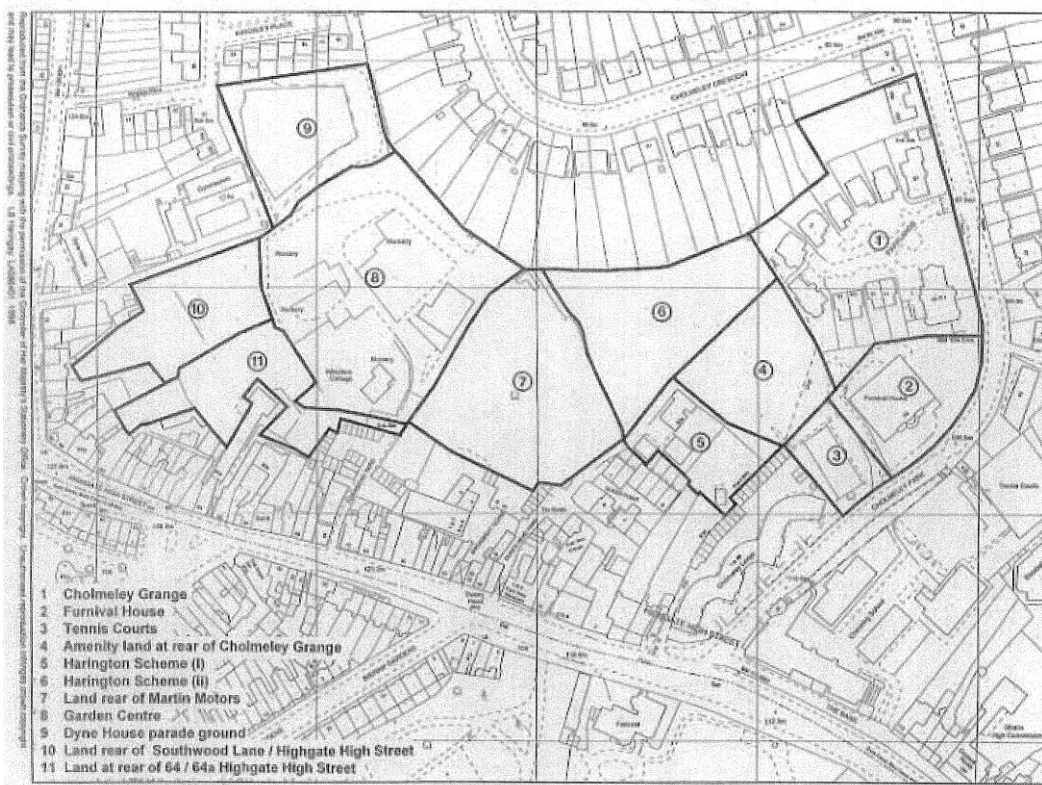
Figure 2: Land to the North-East of Highgate High Street



### 3.0 Unitary Development Plan 1998

- 3.1 The Unitary Development Plan was adopted in 1998.
- 3.2 Policy DES8.3 was a policy specific to the land known as the Highgate Bowl. The wording of this policy is currently being sought, and is likely to be viewed at the Bruce Castle Archives.
- 3.3 Notwithstanding the lack of policy wording the Policy map relating to this area, has been located at this formally defined the area of the Highgate Bowl.
- 3.4 The following map shows the definitive boundary as defined in 1998.

Figure 3 Highgate Bowl as defined in 1998

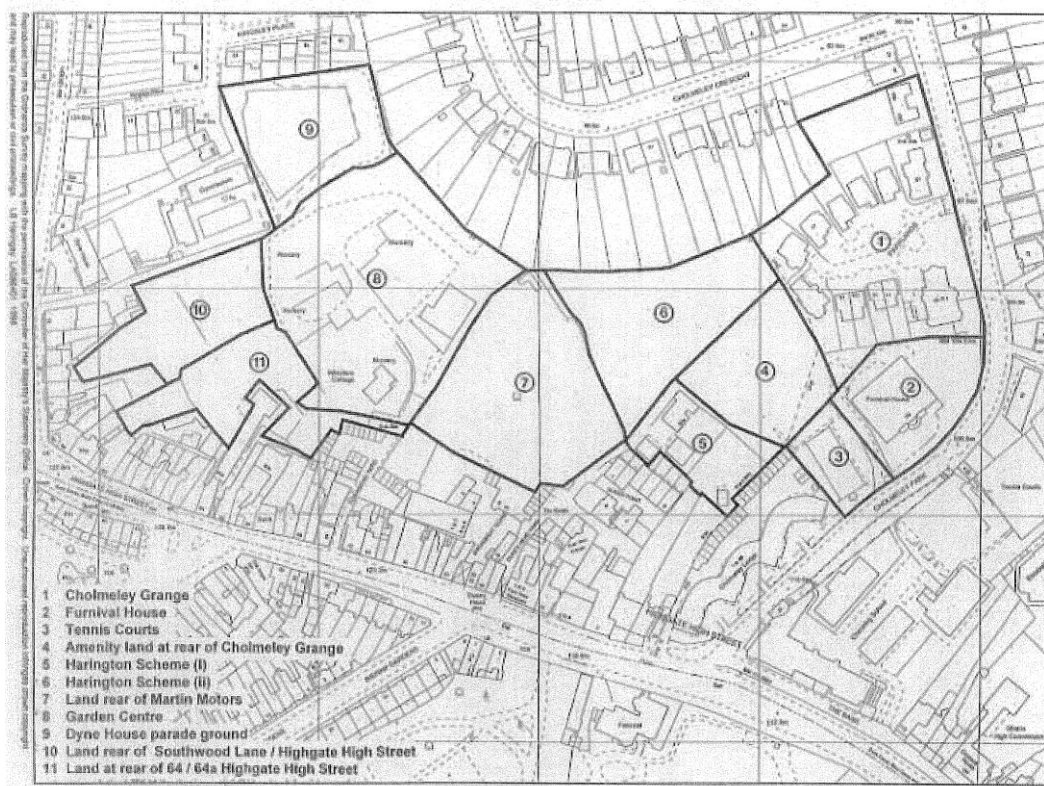


## 4.0 Haringey SPG 3.5 (1999)

- 4.1 As part of their overall development plan in 1999 Haringey formally adopted a Supplementary Planning Guidance document which contained specific advice in relation to the land known as the Bowl.
- 4.2 The SPG included the map from the 1998 UDP (Figure 2) to formally define the boundaries of the Bowl.
- 4.3 The Highgate Bowl is defined as:
 

*“The Highgate Bowl comprises relatively un-developed land at the head of a valley north-east of and terminating under Highgate Ridge. This land falls steeply from the ridge in a wide arc and so forms a bowl of open land”*
- 4.4 The document continues stating that “The bowl, together with open land to the west and south performs the important function of providing an open break between Highgate Village and surrounding suburban development in both character and appearance”
- 4.5 The Highgate Bowl is a key area within the Highgate Conservation Area and has been described as an area which “creates an attractive soft visual contrast with the skyline and an effective prelude to the buildings of Highgate High Street”
- 4.6 The purpose of allocating the Highgate Bowl is set out in the SPG whereby it states that “The Council’s policy is to protect and where possible promote or encourage the restoration of the traditional open character of the break in development afforded by the Highgate Bowl for its views, function and traditional uses”.

Figure 4: SPG 3.5 Highgate Bowl Map

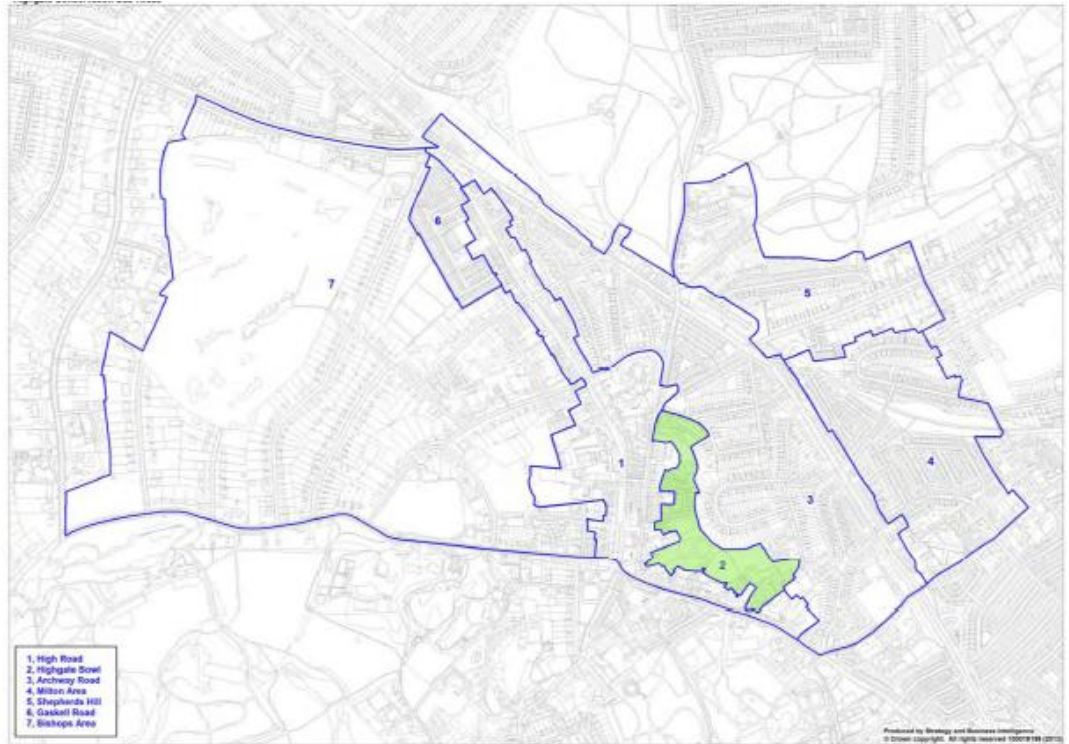


## 5.0 Appeal Decisions (2012 & 2013)

- 5.1 The 'Highgate Bowl' site has been the subject of numerous planning applications, notably there have been two significant refusals which saw the applicants take the London Borough of Haringey to appeal. These two appeals provide additional information which supplements this study of the Highgate bowl.
- 5.2 In 2012 an appeal (APP/Y5420/A/11/2159120) was lodged against Haringey Council in response to their refusal of a residential development scheme situated within the boundaries of the Highgate Bowl (Southwood Nurseries, Townsend Yard, Highgate, London N6 5JF).
- 5.3 The development proposed (HGY/2010/1503) the demolition of existing buildings and the erection of three self-contained dwelling houses, access road and landscaping. The application was refused by Haringey Council in March 2011.
- 5.4 The reasons for refusal included the impact the development would have on the setting of numerous listed buildings and the impact on the Conservation Area. This appeal was dismissed and the refusal was upheld by the Inspector.
- 5.5 Inclusive within the Inspector's decision for the application was a statement pertaining to the allocation of the Highgate Bowl in which it was stated:
- At the eastern end of the Bowl is a former hostel called Furnival House and a housing scheme known as Parklands. Otherwise, even though various types of built development are found across the Bowl, in my opinion it has the appearance of being a relatively open, undeveloped area of trees and landscaping. This view has been accepted by a number of Planning Inspectors over the last 25 years as they have considered appeals on this site, appeals elsewhere in the Bowl, and the designation of the Bowl in the development plan.*
- 5.6 This statement reinforces the notion that the Highgate Bowl is a specifically allocated area of land within Haringey and has defined and tested boundaries.
- 5.7 The second appeal lodged was significantly greater in scale (APP/Y5420/A/14/2219768) mirroring the initial appeal, this appeal was also lodged in response to the boroughs refusal of another residential development scheme (HGY/2013/1748) for the demolition of existing buildings on former garden centre site and redevelopment to provide 3 single family dwelling houses. This appeal was also dismissed by the Inspector and the refusal was upheld.
- 5.8 The appeal lodged by the appellant also included an independently prepared and unbiased proof of evidence by Stephen Levrant. Included within this documentation was a map which defined the Highgate Bowl, this definition of boundaries has been examined and tested by the Planning Inspectorate. The map extract is shown below and clearly does not include Dyne House and its associated buildings (Figure 5).

## 5.0 Appeal Decisions (2012 & 2013)

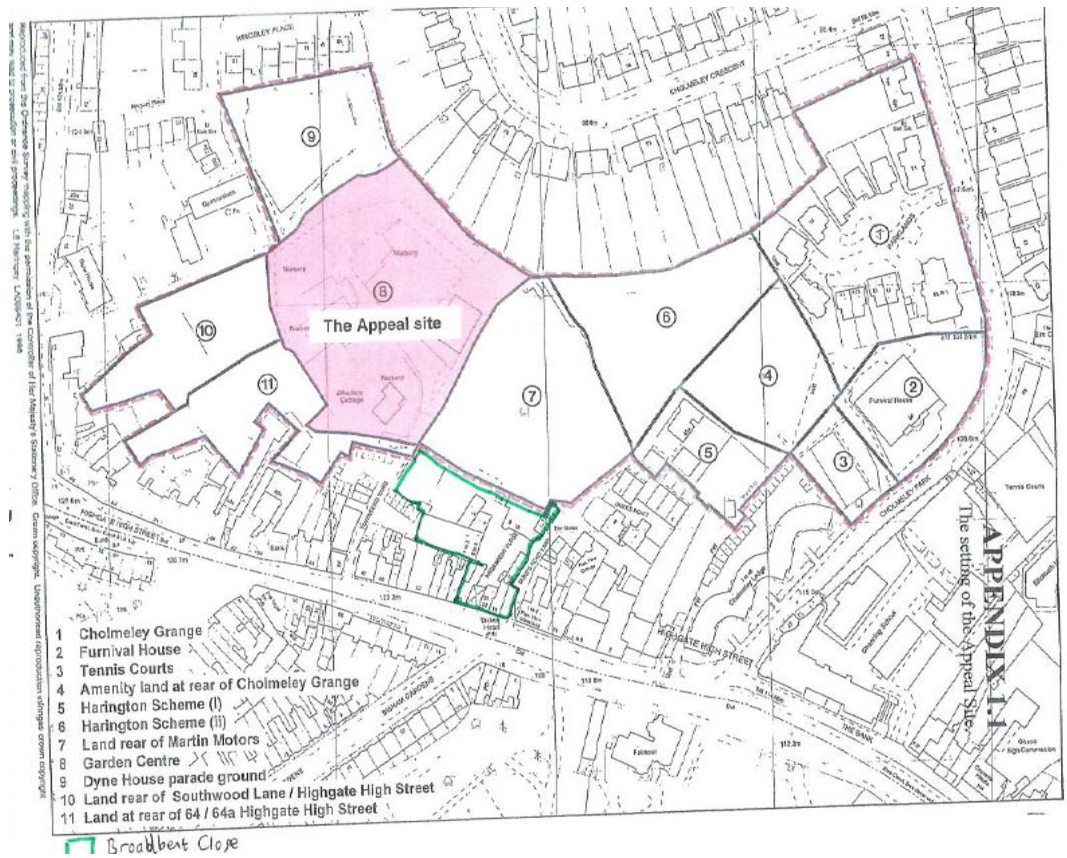
Figure 5: Map from Stephen Levrant's Conservation Report



## 6.0 Call for Sites 2013

- 6.1 Whilst preparing future Policy documents, the London Borough of Haringey conducted a Call for Site consultation in 2013. The Highgate Neighbourhood Forum submitted a number of sites to the consultation, one being the Highgate Bowl site.
- 6.2 The Call For Sites application submitted by the Highgate Neighbourhood Forum, detailed the proposed use for the site would be predominantly community and leisure uses. The proposals were put forward to ensure the preservation and enhancement of the Highgate Bowl Site.
- 6.3 The Submission included the following map, which is identical to both the UDP and the SPG 3.5.

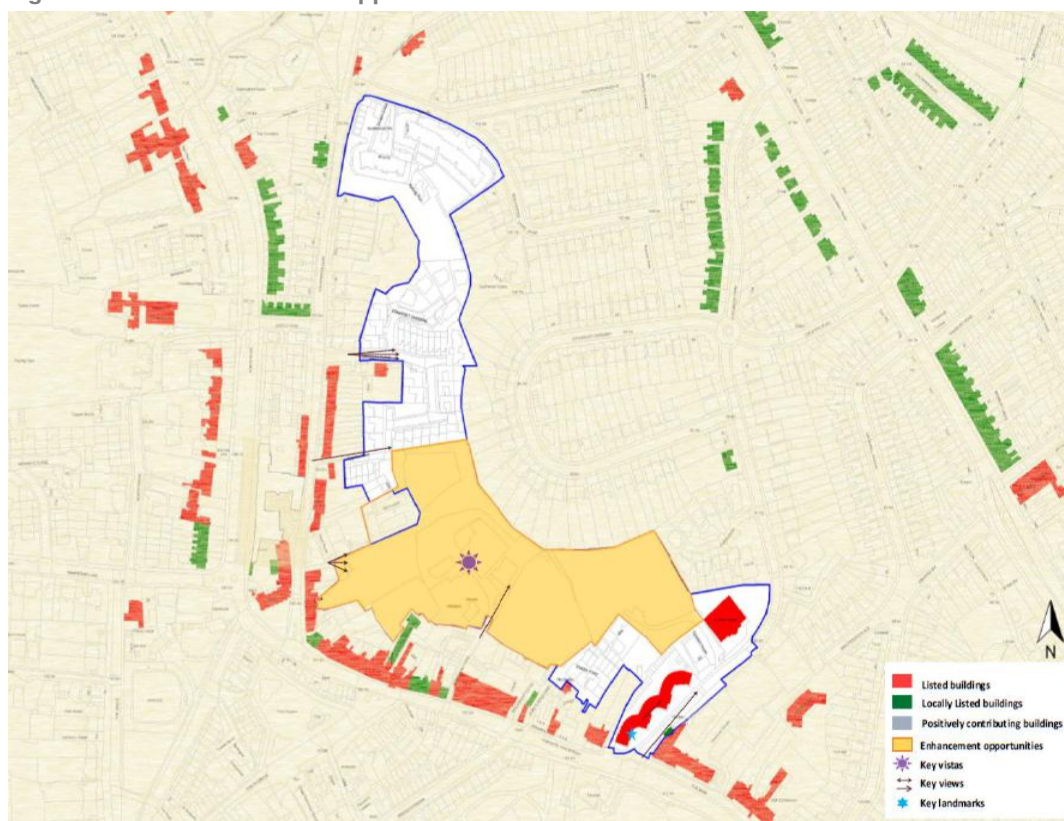
Figure 6: Call for Sites



## 7.0 Highgate Conservation Area Appraisal

- 7.1 The Highgate Conservation Area Character Appraisal was adopted by the Cabinet on 12 November 2013. The Council consulted on a draft appraisal earlier in 2012-13.
- 7.2 The document also includes a Management Plan and Design Guide. This is not statutory planning guidance, but is used to provide design parameters for future new developments and alterations and extensions to the individual properties.
- 7.3 The Highgate Bowl is included within the statement as Sub-Area 2.
- 7.4 The Highgate Bowl is described as “a sweeping curve of privately owned, open backland lying to the north of Highgate High Street. The land falls steeply from the ridge in a wide arc forming a bowl like shape”. The appraisal continues stating that the bowl “is of considerable townscape importance, providing the open setting against which the listed buildings ranged along Highgate High Street may be seen from a distance”.
- 7.5 The Conservation Appraisal also includes a map showing the formal boundaries of the bowl, this map introduces ‘an area of enhancement’ which includes additional land in the Bowl designation. Notwithstanding this, the map included in the appraisal (Figure 5) is unclear, but does include land of a greater extent that all previous iterations.

Figure 7: Conservation Area Appraisal



## 8.0 Regulation 18. Consultation Document Site Allocations DPD

- 8.1 Continuing on from the Call for Sites documentation, Haringey Council published their Regulation 18 Consultation Document for their developing Site Allocations DPD. This included the Highgate Bowl as a designation (albeit using an alternative boundary line for the site designation). This document was published in January 2014.
- 8.2 The consultation document stated that the Bowl is “a distinctive physical feature as the land drops steeply to the north and east. Formerly too steep to build on, it was used for agricultural and horticultural uses until well into the twentieth century, and some remain. As these have declined, much has become densely wooded”
- 8.3 It was noted that proposals for this site will ensure that the open character of the area is maintained and access to the site is improved for the public. The margins of the site against the rear of properties along Highgate High Street and Southwood Lane should remain urban and could include extensions and small scale infill development. The heart of the bowl should be enhanced to encourage community uses, protect biodiversity and improve access to the site for local residents and visitors.
- 8.4 Additionally, the notion of piecemeal development was discarded in the Site Allocations consultation as it was stated that proposals for this site need to ensure that the open character of the bowl is maintained and access to the site is improved for the public. For these reasons it is essential that proposals for the land parcels in the bowl are brought forward as a joined up development scheme, not piecemeal projects. The heart of the bowl should be enhanced to encourage community uses, protect biodiversity and improve access to the site for local residents and visitors.
- 8.5 As noted, the consultation document included a map showing the extent of the boundary; however this was not a direct copy of the map submitted for the Call for Sites.

**Figure 8: Regulation 18 Consultation Map**





## 9.0 Highgate Neighbourhood Plan

- 9.1 The Highgate Neighbourhood Forum published their Draft Neighbourhood Plan in 2015, and this included the Highgate Bowl as a site specific designation with specific policies pertaining to the use and development of the bowl.
- 9.2 The definition included within the draft plan is that which was detailed in the Regulation 18 consultation (para 7.2).
- 9.3 The purpose of the allocation is detailed in Policy KA3:

**Policy KA3:**

- 9.4 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 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

# 9.0 Highgate Neighbourhood Plan

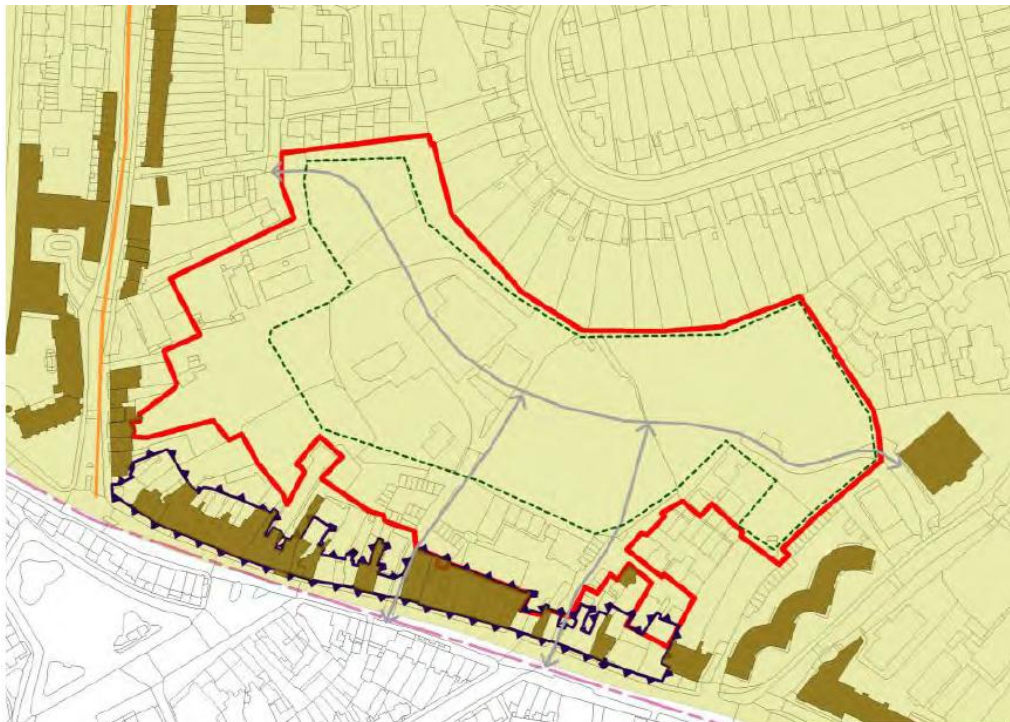
Figure 9: Highgate Neighbourhood Plan



## 10.0 Site Allocations DPD 2015

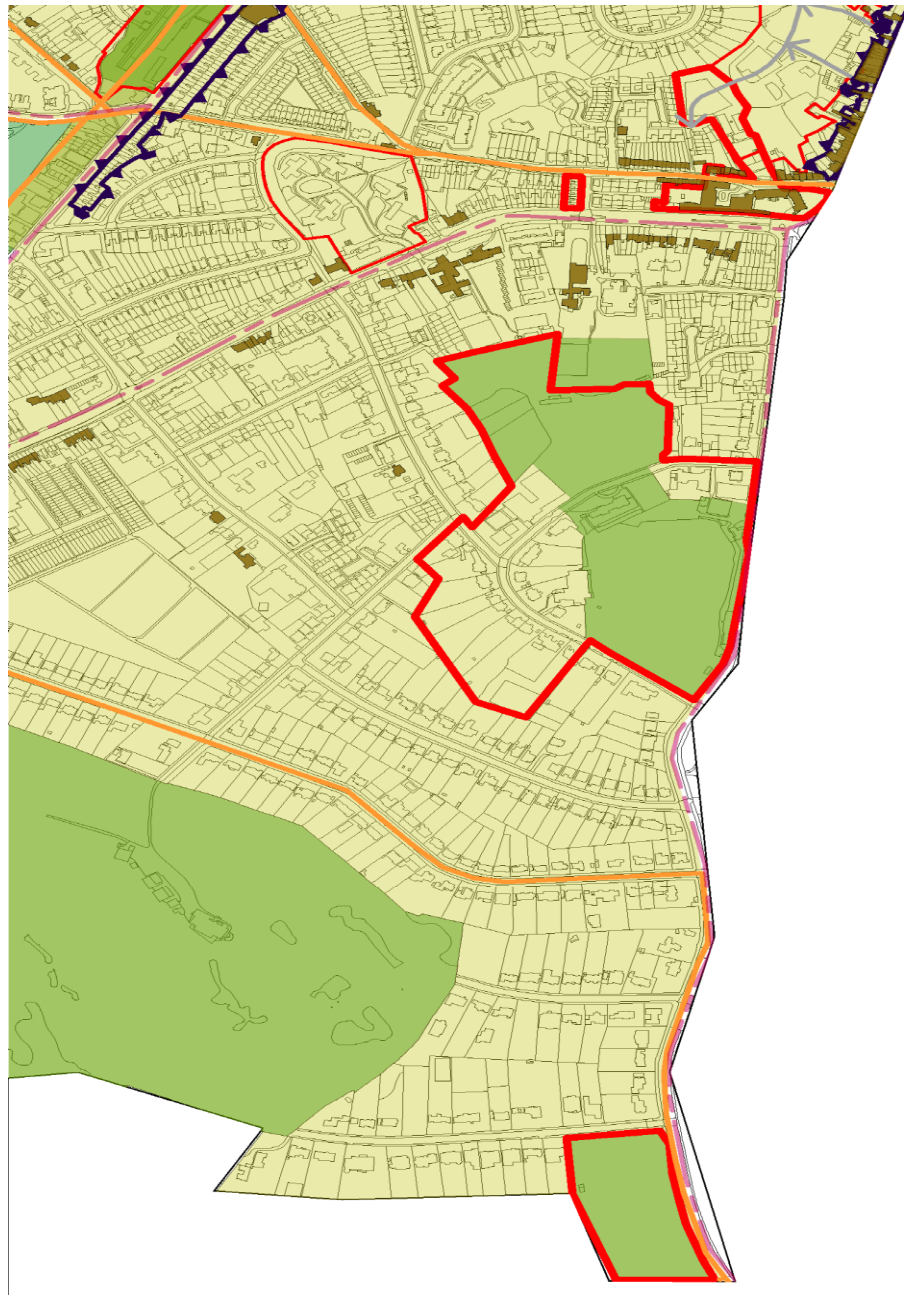
- 10.1 The final document which details the boundary of the Highgate Bowl is the Draft Site Allocations DPD which was published in February 2015.
- 10.2 This document does not provide a definition of the bowl, however the document states that the proposed allocation for the land is:
  - **Policy SA45:** Protection of the Highgate Bowl as Open Space, and improvement of public access to it through limited redevelopment of Townsend and Duke’s Head yards.
    - Site Requirements:
    - Highgate Bowl itself will be redefined as Significant Local Open Land.
- 10.3 Like the previous documentation the map included within this allocation is shown below in Figure 8.
- 10.4 Unusually, the Site Allocations DPD 2015 has two separate allocations which include Highgate Bowl Land. Policy SA44: Highgate School, is inclusive of Highgate Bowl land as allocated in the subsequent Policy. The proposed allocation for the Highgate School Site is the “*exploration of how school facilities can be enhanced while simultaneously benefiting local communities including potentially increasing accessibility through the site*” Figure 9 details the allocation.

Figure 10: SA45 Highgate Bowl



# 10.0 Site Allocations DPD 2015

Figure 11: SA44 Highgate School



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 450<sup>th</sup> 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**



