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and examinations

Report on Highgate Neighbourhood Plan 2016 - 2031

An Examination undertaken for the London Boroughs of Haringey and Camden Councils with the support of the Highgate Neighbourhood Forum, on the July 2016 submission version of the Plan.

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Main Findings - Executive Summary

From my examination of the Highgate Neighbourhood Plan and its supporting documentation including the representations made, I have concluded that subject to the policy modifications set out in this report, the plan meets the Basic Conditions.

I have also concluded that:

- The plan has been prepared and submitted for examination by a qualifying body – the Highgate Neighbourhood Forum;
- The plan has been prepared for an area properly designated – the Highgate Neighbourhood area as shown on the map at Figure 1 of the Neighbourhood Plan (NP);
- The plan specifies the period to which it is to take effect – paragraph 1.4.8 states that the Plan will cover the 15 year period 2016-31; and
- The policies relate to the development and use of land for a designated neighbourhood area.

I recommend that the plan, once modified, proceeds to Referendum on the basis that it has met all the relevant legal requirements.

I have considered whether the referendum area should extend beyond the designated area to which the plan relates and have concluded that it should not.

1. Introduction and Background

Highgate Neighbourhood Plan 2016 - 2031

- 1.1 The idea of establishing a Neighbourhood Forum and producing a NP was first discussed at a meeting in January 2012 at the Highgate Society. Local organisations and Councillors were invited and the requirements of the Localism Act 2011 explained. Some seventy people attended and agreed to create a Forum. As stated in paragraph 1.4.9 of the NP, the Forum had to define the boundaries of the neighbourhood area which straddles the London Boroughs of Haringey and Camden. Beginning with the London N6 postcode area and after consulting residents' associations and representatives of neighbouring plan areas, the NP area of Highgate was defined. The final Neighbourhood Plan Area was approved by both London Boroughs in December 2012 and is shown in Figure 1.

The Independent Examiner

1.4 As the plan has now reached the examination stage, I have been appointed as the examiner of the Highgate Neighbourhood Plan by Haringey and Camden Councils, with the agreement of the Highgate Neighbourhood Forum.

1.3 I am a chartered town planner and former government Planning Inspector, and have experience examining other neighbourhood plans. I am an independent examiner and do not have an interest in any of the land that may be affected by the draft NP for Highgate.

The Scope of the Examination

1.4 As the independent examiner I am required to produce this report and recommend either:

(a) that the Neighbourhood Plan is submitted to a referendum without changes; or

(b) that modifications are made and that the modified Neighbourhood Plan is submitted to a referendum; or

(c) that the Neighbourhood Plan does not proceed to a referendum on the basis that it does not meet the necessary legal requirements.

1.5 The scope of the examination is set out in Paragraph 8(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended) ('the 1990 Act'). The examiner must consider:

- Whether the plan meets the Basic Conditions;
- Whether the plan complies with provisions under s.38A and s.38B of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 1990 Act'). These are:
 - it has been prepared and submitted for examination by a qualifying body, for an area that has been properly designated by the Local Planning Authority¹;
 - it sets out policies in relation to the development and use of land;
 - it specifies the period during which it has effect;
 - it does not include provisions and policies for 'excluded development';

¹ In this case section 61I of the 1990 Act applies, as the designated area falls within two local authorities, Camden and Haringey.

- it is the only Neighbourhood Plan for the area and does not relate to land outside the designated neighbourhood area;
 - whether the referendum boundary should be extended beyond the designated area, should the plan proceed to referendum; and
- Such matters as prescribed in the Neighbourhood Planning (General) Regulations 2012 ('the 2012 Regulations').

1.6 I have considered only matters that fall within Paragraph 8(1) of Schedule 4B to the 1990 Act, with one exception. That is the requirement that the Plan is compatible with the Human Rights Convention.

The Basic Conditions

1.7 The 'Basic Conditions' are set out in Paragraph 8(2) of Schedule 4B to the 1990 Act. In order to meet the Basic Conditions, the Neighbourhood Plan must:

- Have regard to national policies and advice contained in guidance issued by the Secretary of State;
- Contribute to the achievement of sustainable development;
- Be in general conformity with the strategic policies of the development plan for the area;
- Be compatible with and not breach European Union (EU) obligations; and
- Meet prescribed conditions and comply with prescribed matters.

1.8 Regulation 32 of the 2012 Regulations prescribes a further Basic Condition for a Neighbourhood Plan. This requires that the Plan should not be likely to have a significant effect on a European Site (as defined in the Conservation of Habitats and Species Regulations 2012) or a European Offshore Marine Site (as defined in the Offshore Marine Conservation (Natural Habitats etc.) Regulations 2007), either alone or in combination with other plans or projects.

2. Approach to the Examination

Planning Policy Context

2.1 The "development plan" for Highgate, not including plans relating to excluded minerals and waste development, is complex. As the Basic

Conditions Statement sets out, the following documents for the Greater London Authority and London Boroughs of Camden and Haringey have been adopted as the development plan and they set out policies for the development and use of land:

- The Spatial Development Strategy for Greater London, the London Plan 2016;
- Camden Core Strategy 2010;
- Camden Development Policies 2010;
- Haringey Local Plan Strategic Policies 2013; and
- Haringey saved UDP Policies, 2013.

In addition, Haringey is preparing a new suite of Local Plan documents which are currently undergoing examination and are likely to supersede the 2013 plans in the near future. A new Camden Local Plan was submitted for examination in June 2016 and is expected to replace the 2010 plans on adoption. The precise form and content of these emerging plans is not yet wholly set as the examinations are still underway, however, they are at a sufficiently advanced stage for the strategic direction to be relatively clear.

2.2 The planning policy for England is set out principally in the National Planning Policy Framework (NPPF). The Planning Practice Guidance (PPG) offers guidance on how this policy should be implemented. PPG makes clear that whilst a draft neighbourhood plan is not tested against the policies in an emerging Local Plan, the reasoning and evidence informing the Local Plan process is likely to be relevant to the consideration of the Basic Conditions against which a neighbourhood plan is tested. It cites, as an example, that up-to-date housing needs evidence is relevant to the question of whether the housing supply policy in a neighbourhood plan contributes to the achievement of sustainable development². Paragraph 184 of the NPPF also provides, "The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider area". On this basis, I make reference to Haringey and Camden's emerging Local Plans in this report.

Submitted Documents

2.3 I have considered all policy, guidance and other reference documents I consider relevant to the examination, including those submitted which comprise:

- the submission draft Highgate Neighbourhood Plan 2016-2031;
- the map in Figure 1 of the Plan which identifies the area to which the proposed neighbourhood development plan relates;
- the Consultation Statement, May 2016;
- the Basic Conditions Statement, April 2016;
- all the representations that have been made in accordance with the Regulation 16 consultation; and
- the Strategic Environmental Assessment (SEA), Regulation 16 update prepared by AECOM.

² PPG Reference ID 41-009-20160211.

Site Visit

2.4 I made an unaccompanied site visit to the Neighbourhood Plan Area on 24th November 2016 to familiarise myself with it, and visit relevant sites and areas referenced in the plan and evidential documents.

Written Representations or Public Hearing

2.5 This examination has been dealt with by written representations. I considered hearing sessions to be unnecessary as the consultation responses clearly articulated the objections to the plan and presented arguments for and against the plan's suitability to proceed to a referendum. However, I requested some additional written information from the Neighbourhood Forum³ in December 2016 as I wished to understand its views on a number of points raised by the two Borough Councils in response to the Regulation 16 consultation exercise. The Forum's detailed response and Statement of Common Ground were published on its website in January 2017 and I have taken them into account in my report.

Modifications

2.6 Where necessary, I have recommended modifications to the plan (PMs) in this report in order that it meets the Basic Conditions and other legal requirements. For ease of reference, I have listed these modifications separately in the Appendix.

3. Procedural Compliance and Human Rights

Qualifying Body and Neighbourhood Plan Area

3.1 The Highgate Neighbourhood Plan has been prepared and submitted for examination by the Highgate Neighbourhood Forum which is a qualifying body. The application to become a Neighbourhood Forum and designate the Neighbourhood Plan Area for Highgate was approved by the London Borough Councils of Camden and Haringey on 17th and 18th December 2012.

3.2 The submitted plan is the only Neighbourhood Plan for Highgate and does not relate to land outside the designated Neighbourhood Area. It has been suggested that the Neighbourhood Plan Area boundary is not entirely appropriate. It crosses London Borough boundaries, includes two centres at Archway Road and Aylmer Road in addition to Highgate village core and a diversity of residential areas and areas of open space, all within the intensively developed context of London. From my site visit and other

³ <http://www.highgateneighbourhoodforum.org.uk/plan/>

evidence, I see no reason to consider that the boundary is inappropriate and needs to be re-drawn.

Plan Period

3.3 The Neighbourhood Plan specifies clearly the period to which it is to take effect, which is from 2016 to 2031.

Neighbourhood Plan Preparation and Consultation

3.4 The Consultation Statement, May 2016, describes early community engagement and a survey in Summer 2012 of the 8,000 households living in Highgate. This was followed by a 'placecheck', 'street engagement: wish cards' and community planning workshops in 2013 to involve local people in plan preparation and identify issues and concerns. The Consultation Statement describes a variety of methods and events which were used to engage local people through 2014 and 2015. Following publication of the first draft of the NP and the consideration of 226 responses to the consultation exercise, the Draft Plan was revised and a new SEA was undertaken. A second regulation 14 consultation on both the revised NP and the SEA was carried out between December 2015 and February 2016.

3.5 This consultation produced some 58 responses including comments from statutory consultees such as Historic England and Thames Water, from the London Boroughs, as well as key local groups including landowners and schools. These responses were used to amend the pre-submission NP and following an independent health check, produce 'A Plan for Highgate - Submission draft July 2016', along with a Regulation 16 update of the SEA. Some 37 responses were made to the Regulation 16 consultation exercise, September to November 2016. I am satisfied that the NP has been prepared in accordance with the legal requirements for consultation, that a thorough and wide-ranging approach to engage the local community has been pursued and that consultation responses have informed the Plan's content.

Development and Use of Land

3.6 The plan sets out policies in relation to the development and use of land in accordance with s.38A of the 2004 Act. Page 19 refers to a "non-statutory Community Action Plan" which includes measures not covered by statutory planning policies. It refers to section 5 of the NP which contains a Delivery and Monitoring table. Some of the actions, as Page 19 makes clear, go beyond planning and development management, but I recognise that these should help the community to achieve its ambitions for the neighbourhood and should not undermine the planning policies. This matter is discussed further in paragraph 4.22 below.

Excluded Development

3.7 The plan does not include provisions and policies for 'excluded development'.

Human Rights

3.8 None of the parties commenting on the NP, including Camden and Haringey Councils, have suggested that the plan breaches Human Rights (within the meaning of the Human Rights Act 1998) and I see no reason to disagree. Both Haringey and Camden Councils have undertaken an Equality Impact Assessment and have concluded that the NP would not have harmful effects on any individuals or groups with protected characteristics.

4. Compliance with the Basic Conditions

EU Obligations

4.1 A SEA Screening Opinion in March 2015 and Scoping Report in September 2015 were followed by consultation with Natural England, the Environment Agency and Historic England. Plan-making was then informed by assessments of alternatives for main areas of policy. As the key sites in the NP are very similar to those proposed in the emerging Haringey Sites Allocation Plan, it was considered unnecessary to appraise alternative sites. The SEA Report was published in December 2015 alongside the pre-submission NP and was consulted on, so that responses could inform the submission version of the Plan. In August 2016, an SEA Environmental Report update was produced after taking account of the responses, as described in the AECOM SEA report. The London Borough of Haringey indicated, in October 2016, that it was satisfied the relevant statutory requirements in respect of SEA/Sustainability Appraisal (SA) had been met. The London Borough of Camden confirmed that the SEA had been prepared in accordance with relevant legislation and regulations, on 19th January 2017, in the Statement of Common Ground. I agree with the Boroughs' conclusions.

4.2 The Highgate Neighbourhood Plan was also screened for Habitats Regulations Assessment (HRA). Natural England wrote that the proposed Plan will not have significant adverse impacts on designated sites and I agree that further HRA is not required.

Main Issues

4.3 Having regard for the Highgate Neighbourhood Plan, the consultation responses, other submitted evidence and the site visit, I consider that there are four main issues relating to the Basic Conditions for this examination. These are:

- Whether the core objectives and policies for social and community needs and economic activity in the NP contribute to the achievement of sustainable development having regard for national policy and guidance and are in general conformity with

strategic policies in the London Plan and Local Plans for Camden and Haringey Borough Councils;

- Whether the NP promotes sustainable transport policies and responds to the challenges of high traffic levels including air pollution, managing heavy goods vehicle movements and high demand for car parking effectively and is in general conformity with the strategic policies of the London Boroughs of Haringey and Camden as well as the London Plan;
- Whether the NP will protect and conserve the open spaces, public realm and historic environment of Highgate appropriately in line with national policy and in general conformity with the strategic policies of the Local Plans, bearing in mind Highgate's topography, landscape character and significant number of heritage assets; and
- Whether the key sites identified in the NP are the most suitable, whether the amount and type of development proposed at each one is consistent with sustainable development having regard for national policy and is in general conformity with the strategic policies for Camden and Haringey.

Issue 1 - Social and Community Needs and Economic Activity

4.4 The vision for Highgate is clearly set out in paragraph 2.1 of the NP, which states that this is a distinctive London neighbourhood with a rich history and strong village feel, due to being surrounded almost entirely by green open spaces. Its administrative division between Camden and Haringey Borough Councils is mentioned and the need for a cohesive and joined up approach on planning and transport policies. The vision is *"for Highgate to be a vibrant place with a strong sense of community that protects its unique character and heritage while embracing fresh ideas and beneficial change"*. I consider this to be consistent with the pursuit of sustainable development as described in the NPPF, paragraphs 6-10.

4.5 Core objectives to help achieve the vision begin with "Social and Community Needs", to help Highgate develop and maintain a strong and sustainable community which works to minimise social deprivation and exclusion (paragraph 2.2 of the NP). In setting out the three dimensions to sustainable development, the NPPF, paragraph 7, states that the social role includes providing the supply of housing to meet the needs of present and future generations, among other things. Paragraph 3.1.2 of the NP identifies, as a major challenge for Highgate, a need for a range of affordable and market housing, owned and rented and of the right size for all sections of the community. The NP states that there are currently 18,000 residents in Highgate living in 8,000 households and there has been growth of about

1,800 people over the last decade. The NP, however, does not set a target for new housing over the plan period. Policy SC1 focuses on the mix and types of housing which new development should deliver rather than the numbers.

- 4.6 It is an important principle that Neighbourhood Plans should not stifle the provision of much-needed new homes. The NPPF, paragraph 184, states that they should not promote less development than set out in a Local Plan or undermine its strategic policies. The Haringey Local Plan Strategic Policies document, adopted in 2013, indicates that new housing development across the Borough should meet or exceed 8,200 homes between 2011 and 2021. Policy SP1 and the Key Diagram of the Local Plan identify growth areas, areas of change and key housing sites, among other features. None of these growth areas include Highgate. However, the Local Plan is clear that, though most development will be directed to the growth areas which are most accessible, there may be smaller developments elsewhere. In Areas of Limited Change such as Highgate, development will be small scale and incremental and will respect the character of its surroundings.
- 4.7 Camden Core Strategy 2010 includes Policy CS6 Providing Quality Homes, which seeks to meet or exceed the target of 8,925 new homes 2010-25. Policy CS1, Distribution of Growth, seeks a concentration of new development in Central London and the town centres, notably Camden Town, Finchley Road, Swiss Cottage and Kilburn High Road, as well as the most accessible parts of the Borough, i.e. Kings Cross, Euston, Tottenham Court Road, Holborn, West Hampstead Interchange and Kentish Town. Highgate is not identified in these policies, but Policy CS4 acknowledges that some development can be expected in areas of more limited change, as long as it respects the character of the surroundings, conserving heritage and other important features.
- 4.8 Highgate is treated by both Boroughs as an area where future change will be small scale and incremental. Haringey's Strategic Policies Local Plan, Figure 3.6 Housing Land Supply, shows five sites within the Highgate area which are considered capable of providing fewer than 100 units each. I comment under issue 4 on all the key sites in the Highgate NP and their general conformity with the adopted and emerging Haringey Local Plan documents. Overall, Haringey's Local Plan expects a minimum of 300 net new homes to be built in Highgate by 2026. The submitted NP does not set a target for new housing delivery over the plan period, but the Forum has proposed an amendment to the supporting text of Policy SC1 to acknowledge its support for Haringey's housing target. I consider that paragraph 3.1.3 of the NP should be modified, as shown in **PM1**, to achieve general conformity with Haringey's Local Plan. Use of the phrase "a minimum of 300 net additional housing units" shows regard for the NPPF's aim to boost significantly the housing supply.

- 4.9 Policy SC1 of the NP seeks to secure a range of house types and tenures that will meet the needs of the Plan area. Both Haringey's and Camden's Local Plans aim for optimum use of land and buildings, achieving higher densities whilst protecting and enhancing the character of the area. Policy SP2 of Haringey Local Plan 2013, Policy CS6 of Camden Core Strategy and Policies DP2 – DP7 of Camden Development Policies 2010-25, seek a range of housing by type and tenure to meet diverse needs, with targets (up to 50%) for affordable housing. Concern was raised that Policy SC1 implies that affordable housing targets are specific for each site. The Councils support on-site provision in accordance with Boroughwide targets and amended wording has been put forward for the NP in the Statement of Common Ground (SOCG), January 2017, to clarify this position. I recognise the Forum's concern that new affordable housing should be provided as appropriate in the Highgate area and support the proposed amendment to Policy SC1.I and the supporting text as shown in **PM1**.
- 4.10 In addition, Policy SC1.II & SC1.III should be re-worded, firstly to clarify that the use of land and buildings should be "optimised". Secondly, the reference to "starter homes" should be changed to "affordable housing products aimed at first time buyers" in the policy and supporting text, to assist developers and other users of the NP. Policy SC1.IV encourages self-build and custom-build housing which, as the Boroughs pointed out, should be provided where there is demonstrable need. The London Boroughs have made arrangements for gathering information of need through a self-build housing register. Modifications to Policy SC1 and the supporting text should be made to state that need should be demonstrated with reference to Borough registers, where such housing is proposed. The fourth paragraph of supporting text on Page 22 should confirm that the loss of housing will be resisted in line with higher level policies, including the London Plan. With these proposed modifications (**PM1**) in place, I consider that the NP housing policy will be in general conformity with the London Plan and both Boroughs' Local Plans.
- 4.11 Figure 3 of the NP on Page 22 shows the community facilities available in Highgate, and the text on Page 23 supports the maintenance and provision of community facilities to cater for a growing population. A reference to the Community Infrastructure Levy (CIL) is included but, as the Boroughs observed, not all new development will be eligible for CIL, nor liable to support community facilities. The first sentence of the third paragraph on Page 23 should be modified so that the requirements for new development, have regard for the NPPF, particularly paragraph 69, and are not too onerous (**PM2**).
- 4.12 The SOCG proposed a new policy SCX: Community Facilities, which shows the current priorities for funding following consultation on the local element of the CIL. The proposed new policy explains that the priority list may be reviewed and updated over the time period of the Plan. This should assist

users of the NP and assist with the delivery of sustainable development and should be made (**PM2**).

- 4.13 Camden Council seeks to protect all designated open spaces and advised that Fitzroy Park Allotments are also Metropolitan Open Land, which is protected by Policy 7.17 of the London Plan. To secure general conformity with the Local Plans and London Plan and strengthen the approach to providing additional allotments or communal garden land where viable, I agree that Policy SC2 should be modified as proposed in the SOCG (**PM3**).
- 4.14 Section 3.2 of the NP addresses economic activity, explaining that much of Highgate is defined by small businesses and retail premises clustered in its three main centres. The aim will be to maintain the mix of uses in these locations and enhance them wherever possible to meet future needs. The London Plan (Table 1) forecasts 12,000 additional jobs in Haringey 2011-26 and 22,000 jobs 2011-36, representing nearly 30% growth in jobs over the 25 years. Policies EA1 – EA3 support the retention of A and B class premises in the main centres and the key sites allow for some growth in employment space. However, Tables 2, 3 and 4 demonstrate a limited supply of B1 floorspace and there are no site allocations for Class B and other business floorspace in the NP outside the strategic allocations. In view of the growing need identified in the London Plan, I consider that the NP should be more supportive of expansion in the provision of business floorspace in general, even if specific sites and schemes are not defined. The third paragraph in 3.2.1 should be extended to express support for the growth of business uses to secure general conformity with the London Plan and Haringey Local Plan (**PM4**).
- 4.15 Haringey and Camden Councils put forward proposed changes to Policy EA1 and the SOCG proposed that Policy EA1.III be reformatted as a stand-alone policy. Having regard for paragraph 23 of the NPPF on Ensuring the vitality of town centres, and general conformity with the Boroughs' Local Plans, I consider that this modification (**PM5**) should be made. The first paragraph of Policy EA1 should also be changed to omit "*As a general guideline*" and provide greater certainty of the policy's applicability (**PM6**).
- 4.16 Haringey Council argued that Policy EA3 could be overly onerous, not allowing change of use from A1 to other A uses and insufficiently rigorous in its approach to the loss of B1 uses. I consider that the policy and its supporting text should be modified as set out in the SOCG, to have better regard for paragraphs 23-26 of the NPPF, to describe the Aylmer Parade Area more precisely, and to achieve general conformity with Haringey's saved (and emerging) Local Plan policies (**PM7**).
- 4.17 As long as the proposed modifications outlined above are made in order to meet the Basic Conditions, I conclude that the core objectives and policies for social and community needs and economic activity in Highgate Neighbourhood Plan should contribute to the achievement of sustainable development having regard for national policy and guidance. They are in

general conformity with strategic policies in the London Plan and Local Plans for Camden and Haringey Borough Councils.

Issue 2 – Transport

- 4.18 Core Objective 3 of Highgate NP is to enhance accessibility to local services and support the community's health, social and cultural wellbeing. Policy TR1: Promoting Sustainable Movement, expects new development to encourage walking, cycling or public transport and this is appropriate having regard for section 4 of the NPPF. However, I consider that the wording in the policy should be amended to reflect the definitions of major development for residential and commercial uses, set out in the Town and Country Planning (Development Management Procedures) (England) Order 2010 and widely used (see Chapter 6 of the London Plan). The policy also allows for a careful approach to assessing smaller developments which, because of their location or characteristics, could generate significant traffic movements or have an adverse impact on the surrounding area.
- 4.19 The SOCG put forward modified wording for the supporting text on Page 37 to ensure that the policy requirements would not be too onerous and would have regard for viability, which I support. I consider that the reference to planning obligations should be made having regard for the NPPF, paragraph 173. **PM8** would align Policy TR1 more closely with definitions for major development used elsewhere and provide a clearer policy for readers of the NP and developers. As the Health Check Reporter observed, the plan must focus on a positive vision for the future of Highgate; there is no need to comment on the quality or otherwise of development in the past. Critical comments in the supporting text to Policy TR1 should be deleted.
- 4.20 The title of Policy TR2 should be amended to state that it addresses the movement of heavy goods vehicles. The SOCG puts forward a number of changes to the policy, which would bring it into general conformity with the Councils' plans and practice in securing construction management plans and service management plans. Additional references to transport assessments and section 106 obligations would show regard for national planning policy and should be made. Transport assessments are a mechanism which can be used to look at the impact of smaller schemes on access and the road network. The supporting text should also be modified to ensure that the policy will be effective and deliverable as set out in **PM9**.
- 4.21 Policy TR3 should also refer to "major" development rather than "significant in size", having regard for national policy. It would be reasonable to seek parking information (surveys of existing levels of parking space and usage, projections of future parking supply and demand associated with development schemes) as part of a transport assessment for major development schemes, or for smaller schemes which are likely to increase pressure on on-street parking. However, the references to "parking surveys" and "agreed baselines" in Policy TR3 could be misunderstood. The policy's supporting text could usefully refer to Transport for London's (TfL) Best

Practice Guidance on Transport Assessment. I am satisfied with the thrust of Policy TR3, recognising the difficulties around parking, movement and traffic which Highgate faces, but consider that Policy TR3 should be modified, as in **PM10**, to provide greater certainty to developers and achieve a strong policy for minimising the impact of traffic in accordance with sustainable development. Transport assessment and travel plans should be promoted as key tools in transport policy having regard for paragraph 36 of the NPPF and Chapter 6 of the London Plan.

4.22 Haringey Borough Council expressed concern that Appendix 2 contained requirements for development which were not set out adequately in the NP policies and supporting text. I understand that the Forum moved contextual information to the Appendix following its Health Check, which pointed out that the transport section must be focussed on the use and development of land. I support this and the production of a concise NP. With the proposed modifications, the NP will set out appropriate policies for Traffic and Transport, and I see no need to add data from Appendix 2 to the main body of the NP. In order to clarify the status of the Appendices as evidence documents which are free-standing and have not been examined as an integral part of the Plan, I propose additional text to Page 87 of the NP (**PM29**).

4.23 Policy TR4: Reducing the Negative Impact of Parking in Highgate, expects development to be car-free in designated Controlled Parking Zones (CPZ) and elsewhere if there is good access to public transport. I consider the approach to be in general conformity with Policy SP7 of Haringey Local Plan 2013 and with Policies DP18 and DP19 of Camden Core Strategy 2010. Camden Council's emerging Local Plan includes a more restrictive policy seeking car-free development regardless of Public Transport Accessibility Level (PTAL) rating throughout the Borough. A Boroughwide approach is seen as critical to address the problems of poor air quality and congestion which affect all Camden. Page 36 of the NP also identifies these problems among the challenges for Highgate. By contrast, Haringey pointed out that Policy DM32 of its emerging Local Plan only supports car-free development for sites within PTAL4 or higher and within a CPZ.

4.24 The two Boroughs have different approaches to car-free development reflecting their different locations within London. Camden includes some central areas such as Kings Cross, Euston and Tottenham Court Road whereas Haringey is an Outer London Borough. As Camden Council acknowledges, the NP should be tested for its general conformity with adopted planning policies rather than emerging ones. I have sympathy for Highgate Forum which has to address these cross-boundary differences as well as evolving Local Plan policies. Having regard for Highgate's identified challenges and my own observations from visiting the area, I consider that Policy TR4 is appropriately restrictive and suitably supportive of car-free development. It is in general conformity with the prevailing development plan policies. The SOCG proposed that the supporting text should

acknowledge Camden Council's emerging new policy, so that future applicants would be alert to the Council's new approach. I support this suggestion, having regard to the PPG and **PM11** should be made. In addition, I consider that the reference to Policy DM43 in the 3rd paragraph on Page 41 should be changed to Policy DM32 of the emerging Local Plan.

- 4.25 Each development proposal will be considered on its merits against the criteria in Policy TR4. I have had regard for Haringey's concerns over criterion V and the meaning of "public" parking, but consider the policy to be clear. The SOCG puts forward new wording "for clarity and effectiveness" to criterion VI which I support, especially as Highgate includes a number of conservation areas and historic buildings. Criteria VII and VIII should be modified to take account of the impact on local character and to add the word "water" (**PM11**).
- 4.26 Policy TR5: Dropped Kerbs and Cross-overs, is designed to limit the provision of off-street car parking in CPZs. Regarding the impact on the net capacity for on-street parking that can be accessed by all residents, in my opinion the first paragraph of supporting text on Page 42 explains this satisfactorily. Ideally, areas of high parking stress would be defined and mapped, but the concept is self-explanatory and its inclusion in the policy should assist the maintenance of on-street parking available to all in appropriate places. The modification proposed in the SOCG to the first paragraph of the policy should add some flexibility to Policy TR5 and I support it (**PM12**).
- 4.27 As long as the above modifications are made in order to meet the Basic Conditions, I conclude that the Highgate Neighbourhood Plan promotes sustainable transport policies and responds to the challenges of high traffic levels including air pollution, managing heavy goods vehicle movements and high demand for car parking effectively and is in general conformity with the strategic policies of the London Boroughs of Haringey and Camden, as well as the London Plan.

Issue 3 - Open Spaces, Public Realm and Historic Environment

- 4.28 The NP advises that 44% of the Plan area comprises public open space with an additional 27% comprising residential gardens. The green and open character makes Highgate one of the most desirable places to live in London (paragraph 1.4.4 of the NP). Responses to consultation exercises demonstrated a strong desire from local people to protect these open spaces and make them more accessible. Page 46 of the NP explains that three categories of open space have been identified in Highgate. Figure 9 of the NP shows a ring of "major" public open spaces around the built-up area of Highgate, reflecting its historical character as a London village.
- 4.29 Although Haringey Council queried the need to identify "major open spaces" separately from local green space and ecological corridors and stepping stones, I am satisfied that it is appropriate to distinguish

Hampstead Heath, Highgate Cemetery and the other major named locations which have regional, if not national significance, from other local green spaces. I consider, however, that the definition of major open spaces on Page 46 should be clarified, as put forward in the SOCG. The SOCG also proposes modifications to Policy OS1 to make it less prescriptive. I agree with Haringey that, in the urbanised setting of London, it would be unreasonable to prevent all development that would be visible from areas of major open space and support the proposed modification **PM13**.

4.30 Policy OS2 aims to protect trees and mature vegetation and the supporting text explains the significance of trees to Highgate which contribute to its historic and high quality character. The Councils criticised the policy for being unduly restrictive, as some trees will not merit protection and it will not always be feasible or best practice to make "like for like" replacements. The SOCG put forward amendments to the policy to give greater flexibility in implementation which I support. I shall not recommend that the wording in criterion II of Policy OS2 is changed as proposed, because development should "preserve or enhance the character of Highgate's conservation areas." Those words are consistent with section 72 of the Planning (Listed Buildings & Conservation Areas) Act 1990. However, in view of the modifications to Policy OS1, it would be appropriate to refer to the setting rather than vistas, to major open space. Criterion III should also be modified in line with the SOCG to reflect better the Councils' experience in managing diseased trees. **PM14** would secure these changes and should be made.

4.31 Policy OS3 identifies 11 areas as local green space, explaining that these have been assessed against criteria in the NPPF. Even if many of the sites are already designated as open space by Haringey, Highgate includes parts of two Boroughs and I consider it helpful for the community to see all the identified local green spaces in a single plan. I consider that this policy overall will give significant benefit to the community and will assist nature conservation. However, the second named site, LGSD2 – Hillcrest, is in conflict with Haringey's emerging Local Plan Policy SA44 which has allocated Hillcrest as a housing investment opportunity site. PPG advises that "it is important to minimise any conflict between policies in the neighbourhood plan and those in the emerging Local Plan, including housing supply policies"⁴. Although SA44 is an emerging policy, I am advised that the examining Planning Inspector raised no objection to it and at the hearing sessions it was established that the site constituted previously developed land. I recognise the Forum's wish to designate Hillcrest as a local green space, but consider, given the advanced stage of the emerging plan and the regard to have to PPG guidance, that the conflict with the emerging Local Plan policy justifies its removal from Policy OS3. I note that the site lies within the Highgate Conservation Area and that Policy SA44 will require existing play areas to be re-provided where lost to development. The policy

⁴ PPG Reference ID 41-009-20160211.

will also require the Site of Interest for Nature Conservation (SINC) around the site to be enhanced and development to be in accordance with a masterplan prepared with resident involvement. These measures should ensure that development of the site enables some green space to be retained.

4.32 I have also considered the objections raised by Thames Water Utilities Ltd to the inclusion of LGSD7, Aylmer Road Open Space, and LGSD11, Aylmer Allotments. Site LGSD7 includes Thames Water operational land used as a storm tank, which has no public access for health and safety reasons. I have had regard for the Forum's Local Green Space evidence, national policy in the NPPF and PPG (Reference ID:37-017-20140306), and my site visit in considering these objections. The NPPF paragraph 77 states the Local Green Space designation will not be appropriate for most green areas or open space. Even if it served in the past as a playing field for Highgate Primary School and provides a screen between Highgate Golf Course and the A1, I have insufficient evidence that LGSD7 is demonstrably special to the local community. It should therefore be deleted from Policy OS3 as shown in **PM15**. However, LGSD11 is described in the Forum's evidence as a fully subscribed allotment site with a waiting list for plots. It offers outdoor activity, food growing opportunities and access to nature for plot holders, supporting a variety of habitats and wildlife species. It is described as a valuable ecological "stepping stone" between Aylmer golf course and the reservoir. In my view, it should be defined as local green space in Policy OS3.

4.33 Policy OS4 and the map in Appendix 3 refer to ecological corridors where development should not harm the local ecological network. I agree that the policy could be too onerous, especially as Haringey Council pointed out that the NP corridors do not align with the strategic ecological corridors in its Local Plan. The SOCG puts forward modifications to the title, policy and requirements which should be made to ensure that sustainable development is not prevented and that general conformity with the Council's strategic policies is achieved. **PM16** to modify Policy OS4 should be made.

4.34 Pages 53 to 64 of the NP cover development and heritage matters. The introduction to section 3.5 states that the main goal is to preserve and where possible, enhance the unique and historic character of Highgate. Figure 11 shows that much of the Plan area is located within the three designated conservation areas. Figure 11 does not name the conservation areas correctly and I consider that the title to the figure should be changed as in **PM17**. Crouch End Neighbourhood Forum advised that it had been encouraged by Haringey Borough Council to review conservation area boundaries in the process of neighbourhood planning and it considered that Highgate Forum should have done this too. Then, part of the Crouch End Conservation Area west of Stanhope Road might have been transferred to Highgate Conservation Area. In addition, Key Site 4 (Builder's yard off Muswell Hill Road) would have been taken out of the conservation area.

Crouch End Neighbourhood Forum considers that its current inclusion devalues the meaning of the designation.

- 4.35 I note that neither Haringey Council nor Historic England have stated that the conservation area boundaries are inappropriate. An assessment of the conservation area boundaries could usefully be undertaken in the near future which might inform a review of the NP. In addition, development of Key Site 4 should provide an opportunity to enhance the character and appearance of that site. I am unable to support the proposed modification in the SOCG to Policy DH2, originally put forward by Camden Council, because the existing wording has full regard for s.72 of the Planning (Listed Buildings & Conservation Areas) Act 1990, as already referenced in paragraph 4.30. However, Policy DH3 should be modified, as proposed by Historic England and set out in **PM18**, to ensure that it does not prevent the removal of recent alterations or features on rear extensions which detract from local character.
- 4.36 The Councils proposed changes to Policy DH5: Roofs and Roofscapes, to secure general conformity with their own approach to such proposed developments and aid policy implementation. I consider that modifications to confirm the approach to rooflights and to give more flexibility to the policy so that sustainable development is not prohibited, unless it would have a harmful impact on amenity or heritage assets, should be made. With **PM19** in place, Policy DH5 would meet the Basic Conditions. **PM20** should be made to Policy DH6: Front Boundaries, in recognition of national planning policy (NPPF paragraphs 132-134) that permission will not always be required for works to front boundaries and to take account of Historic England's request for clarification of criterion III.
- 4.37 The Health Check report included substantive comment on Policy DH7: Basement developments are a rapidly increasing issue which planning policy is seeking to address. Concern was expressed about the length and complexity of the NP policy and it was amended in the Submission Draft version. However, both Camden and Haringey Councils contended that Policy DH7 duplicates their existing and emerging policies for basements. A particular concern was the requirement for Enhanced Impact Assessments from applicants, as the Councils already seek their own Basement Impact Assessments.
- 4.38 The first bullet point in paragraph 17 of the NPPF expects local and neighbourhood plans to be based on co-operation, and provide a practical framework within which decisions on planning applications can be reached with a high degree of predictability and efficiency. Policy DH7 sets out detailed information as to the hours that building works should be carried out on basements, but working hours are not a matter for planning policy. The SOCG puts forward modifications to Policy DH7, which I consider to be necessary having regard for national policy and for general conformity with strategic policies in Camden and Haringey. New supporting text would

include a reference to the Royal Borough of Kensington and Chelsea's (RBKC) Code of Construction Practice. I have had regard for that document and Policy CL7: Basements, in RBKC's Local Plan in my assessment of Policy DH7. **PM21** includes the necessary modifications and should be made.

4.39 Not all developments will require waste management facilities. The Health Check cites telecommunications development as an example. Therefore, Policy DH8 should be modified to make it less restrictive and in line with sustainable development. **PM22** in the SOCG should be made accordingly. Policy DH10 seeks to limit development in back gardens and on other backland. The supporting text refers to proposals for luxury housing which amount to inappropriate development in back gardens, particularly in the Bishop's Area of Highgate.

4.40 Camden Council argued that Policy DH10 would be more restrictive than its own approach and cited paragraph 24.20 of Camden Development Policies adopted in 2010. It aims to resist development that occupies an excessive part of a garden, and a loss of garden space which contributes to the character of the townscape. However, I note that Haringey's emerging Policy DM7 sets out a presumption against the loss of garden land, unless it represents comprehensive redevelopment of a number of whole land plots. I understand the difficulty for Highgate Forum in developing a policy which is in general conformity with both Boroughs' approaches and which addresses the specific local problem in the Bishop's area. I accept that DH10 III is too prescriptive in expecting materials that match original or neighbouring buildings to be used in every case. The SOCG sets out proposed amendments to the policy, which I have taken into account in **PM23**. That modification should be made to achieve general conformity with strategic policies in Camden and Haringey and to protect the built and historic environment of Highgate (meeting the environmental role of sustainable development).

4.41 Historic England was critical of Policy DH11: Archaeology. I have seen no evidence for the "area of archaeological potential" referenced in the policy and on the accompanying map and consider that modifications are needed. As the Councils observed, the Forum could consult the Greater London Archaeological Advisory Service and Historic England with a view to revising current designations in the future and identify areas where a watching brief should be maintained. However, Policy DH11 should refer now only to Archaeological Priority Areas and the accompanying map should be amended. Where archaeological assessment is required, this must be carried out at an early stage when developments are being designed, before a planning application is considered and determined and any conditions imposed. The role of desktop assessments and field evaluation could usefully be explained in the policy, to assist applicants and to achieve sustainable development. The SOCG contains revised wording of Policy DH11 which has regard for national planning policy in the NPPF (notably section 12) and would achieve general conformity with Camden and

Haringey policies. This proposed modification, including changes to Figure 14 and the supporting text which is unhelpfully critical of previous policy and practice (**PM24**), should be made.

4.42 I have concluded that the Highgate Neighbourhood Plan's policies for open spaces, public realm and the historic environment will require a significant number of modifications to meet the Basic Conditions. In many cases, these may appear to be minor amendments to wording which do not change the thrust of policy. However, these policies will be crucial for development management purposes and it is essential that wording is widely understood by applicants for planning permission and are consistent with national policy as well as the Boroughs' strategic planning policies. I am satisfied that, as long as all the proposed modifications are made, in order to meet the Basic Conditions, the Plan will protect and conserve the open spaces, public realm and historic environment of Highgate appropriately in line with national policy and in general conformity with the Local Plans. I have taken account of Highgate's topography, landscape character and significant number of heritage assets in concluding thus.

Issue 4 – Key Sites

4.43 Key site allocations are addressed in section 4 of the NP. It is explained that five key sites have been identified, all within the Borough of Haringey. Four were identified initially by the Forum and submitted to Haringey Council in 2013 as part of the "call for sites". The fifth site was identified by the Hornsey Housing Trust and has been the subject of discussion by residents, officers at Haringey and the Forum. The NP states that it was deemed appropriate to include policies that would mirror, wherever possible, parameters in the draft Haringey Site Allocations Plan. I consider this a sound approach to positive and collaborative plan preparation, which has due regard to guidance in the PPG.

4.44 Haringey confirmed that all the key sites were the subject of site allocations in its emerging Local Plan and are seen as essential to the delivery of the Borough's spatial strategy. Apart from issues around Policy KS3 and designating open space at Highgate Bowl, the Planning Inspector at the Local Plan examination in August/September 2016 raised no objection with the proposed allocations in Highgate. No alternative, more acceptable sites have been put forward and I am satisfied that the NP's identification of them ensures that conflict is minimised with Haringey's emerging Local Plan as advocated by the PPG. Even if there is some overlap between the Local Plan and the Neighbourhood Plan, I consider it entirely appropriate for Highgate NP to set out the five key sites and provide detailed policy for their development, benefitting from the Forum members' local knowledge.

4.45 Key Site 1, 460-470 Archway Road corresponds to Haringey's emerging Local Plan Policy SA38. TfL proposed that the policy should recognise several land interests on the site including the London Underground air shaft, Freehold land required for operational purposes and not being brought

forward for development and the 24 hour right of access across the west of the site to Highgate Depot. As the site boundary in Figure 16 for Policy KS1 is the same as for Policy SA38 in the Local Plan, it need not be changed. However, Policy KS1 should refer to the TfL interests as a consideration for future development schemes and the supporting text should be extended accordingly, as in **PM25**. This is necessary to secure sustainable development.

4.46 Residents on the nearby Wellington roundabout/gyratory pointed out that the gyratory is an important access point to Highgate with heavy traffic movements. They described their sense of isolation and problems surrounding access and safety, especially for pedestrians in the rush hour. The presence of businesses, notably the Esso garage and Car Wash nearby on the gyratory, are also said to increase traffic and exacerbate problems with noise and pollution badly affecting the amenity of residents. I consider that the amenity of neighbouring residents should be a significant factor for consideration when Key Site 1 is developed. Criteria IV and V in KS1 should assist in improving pedestrian access and safety and the experience of existing residents living on the gyratory should be considered when a scheme for Key Site 1 is prepared. Criterion II should ensure that high quality design and a good standard of amenity are achieved, as sought by paragraph 17 of the NPPF.

4.47 Key Site 2, Former Highgate Rail Station, corresponds to emerging Local Plan Policy SA40. TfL advised that it is the sole landowner and has currently no plans to reuse the former station building for community and educational uses, but is currently reviewing its entire portfolio of land and exploring opportunities for this site. I note that Local Plan Policy SA40 also refers to community and educational uses on the site and I shall not propose modifications to the NP, except to clarify that the station buildings are "locally" listed. Haringey proposed an amendment to the wording to clarify that it uses indicative guidelines for appropriate building heights rather than "height policies", which I support.

4.48 Concern was expressed about the potential impact from additional traffic and noise on residents in Priory Gardens and doubts expressed about the beneficial effects of linking parklands between Sites KS2 and KS5. I consider that Policy KS2 should include an additional criterion to seek high quality design and protection for neighbours' amenity. Policy KS2 II should be modified to achieve sustainable development and general conformity with Haringey's strategic policies, as in **PM26**.

4.49 Key Site 3, Highgate Bowl, corresponds to Haringey's emerging Policy SA42. However, I am advised that the Inspector at Haringey's Local Plan examination found that the open space within the area is previously developed land and could not be designated as Significant Local Open Space. An open space area to be secured has been identified and the Inspector has indicated that public access across the site, or within any area designated in

future as open space can only be supported, not required, by planning policy. In view of this advice, I consider that Policy KS3 and the map in Figure 18 should be modified to align with latest evidence of Haringey's emerging policy. I have had regard for the proposed main modifications to the emerging Haringey Site Allocations Plan in drafting this modification (SAMod80-SAMod85) (**PM27**).

4.50 Key Site 4, 40 Muswell Hill Road, corresponds to Haringey's emerging Policy SA43, Summersby Road. The site is within the Highgate (Haringey) conservation area, though described as ugly and not contributing to the conservation area's character by Crouch End Neighbourhood Forum. I have addressed the matter of conservation area designations and boundaries under issue 2, but note that criterion IV of Policy KS4 requires new development to preserve and enhance the conservation area's appearance. This should be amended to read "preserve or enhance". The Council pointed out that it would be unrealistic for one site to contribute to all types of housing need and the SOCG puts forward changed wording to delete "all types of". I agree that this would enhance the effectiveness of the policy and should be made. As for Key Site 2, the reference to appropriate building heights should also be modified. **PM28** should be made accordingly.

4.51 Key Site 5, Gonnermann Site and Goldsmith's Court corresponds with Haringey's emerging Policy SA39. Haringey queried whether there is sufficient evidence to justify requiring at least 16 affordable units (criterion I). As the policy aims to replace the existing block comprising 16 one bedroom flats for elderly people, I consider this to be reasonable and justified. Any lack of conformity with Haringey's Policy SP2 would, in my opinion, only be minimal. Criterion IV seeking "provision of an equal or greater area..." of open space, is not insisting on a "greater quantum" and is therefore appropriate.

4.52 I conclude that the key sites identified in the Neighbourhood Plan are the most suitable and the amount and type of development proposed at each one is consistent with sustainable development, having regard for national policy. The policies will be in general conformity with the saved strategic policies for Haringey and suitably align themselves with the emerging Local Plan, as long as the proposed modifications are made in order to meet the Basic Conditions.

Other matters

4.53 Thames Water observed that the Neighbourhood Plan omits a policy covering water supply and sewerage/wastewater infrastructure. It refers to paragraphs 156 and 162 of the NPPF and the national PPG regarding such policies. It seems to me that the onus is on local planning authorities and Local Plans rather than neighbourhood plans to set out relevant policies on such infrastructure. Thames Water referred to Policies 5.14 and 5.15 in the London Plan. In addition, Policy SP5: Water Management and Flooding, in Chapter 4 of Haringey Local Plan Strategic Policies, provides detailed

requirements which all new development in the Borough and all the key sites in the NP would have to meet. I consider it unnecessary to replicate or add to that policy in the NP.

4.54 I am sympathetic to the requests from consultees for each paragraph in the NP to have a paragraph number. However, in terms of clarity⁵, I consider that the Plan is sufficiently well-structured with clearly defined policies and supporting text for readers to understand it. The format and numbering need not be changed unless the Forum is minded to do.

5. Conclusions

Summary

5.1 The Highgate Neighbourhood Plan has been duly prepared in compliance with the procedural requirements. My examination has investigated whether the plan meets the Basic Conditions and other legal requirements for neighbourhood plans. I have had regard for all the responses made following consultation on Highgate Neighbourhood Plan, and the evidence documents submitted with it.

5.2 I have made recommendations to modify a number of policies and text to ensure the plan meets the Basic Conditions and other legal requirements. I recommend that the NP, once modified, proceeds to referendum.

The Referendum and its Area

5.3 I have considered whether or not the referendum area should be extended beyond the designated area to which the plan relates. Islington Borough Council drew my attention to the importance of cross-boundary impacts within the intensively developed context of London, highlighting the proximity of Highgate to the Archway town centre. However, the policies and proposals in Highgate Neighbourhood Plan, as modified, are unlikely to have a significant impact beyond the designated neighbourhood plan boundary, which would require the referendum to extend to areas beyond the plan boundary. I recommend that the boundary for the purposes of any future referendum on the plan should be the boundary of the designated neighbourhood plan area.

5.4 I appreciate that the members of the Highgate Neighbourhood Forum have put in considerable time and effort over a number of years to produce the Neighbourhood Plan for Highgate. I commend the Forum and those who have assisted the NP preparation for their hard work and the achievement of a well-structured and readable plan. The Regulation 16 responses reflect a high degree of local support for the NP. Although my report seeks a number of modifications to it, this is unsurprising in view of Highgate's particular

⁵ PPG Reference ID 041-201-20140306 provides, inter alia, that policies in a neighbourhood plan should be clear and unambiguous.

circumstances. The Forum has had a difficult job because the designated area includes parts of two London Boroughs with different adopted and emerging Local Plans. The NP policies, however, must apply equally across all of Highgate. Many of the modifications proposed in my report are designed to ensure that development management decisions will not be unduly delayed or made difficult because of differences in higher level strategic policies.

Jill Kingaby

Examiner

Appendix: Modifications

Proposed modification number (PM)	Page no./ other reference	Modification
PM1	Pages 21 - 22	<p>Policy SC1: Highgate’s Housing Needs New opening sentence: <u>The Neighbourhood Plan will help to facilitate delivery of a minimum of 300 net additional housing units in Highgate up to 2026.</u> Planning applications will</p> <p>Policy SC1 amend to read:</p> <ol style="list-style-type: none"> 1.<u>Affordable housing that meets the Boroughs’ targets and is delivered on-site;</u> 2.<u>Efficient Optimise the use of land</u> 3. <u>Inclusion of smaller units to provide for a mix of house sizes and to allow older..... to provide ‘starter homes’ for younger people affordable housing products aimed at first time buyers;</u> 4.<u>These may include custom build where there is a demonstrable need.</u> <p>Supporting text –</p> <p>(i)add a new second sentence as follows: needs and budgets. <u>Haringey’s Local Plan seeks to deliver a minimum of 300 net additional housing units in Highgate to 2026, which the Neighbourhood Plan supports and will help to facilitate.</u></p> <p>While the demand for affordable</p> <p>(ii)add a new sentence between first and second paragraphs: <u>On-site provision of affordable housing will be sought given the under-provision locally, and where off-site provision is to be provided, proposals should seek to deliver this in Highgate where possible.</u></p> <p>(iii)modify paragraph 4 as follows: It will supplement the level of older person</p>

		<p>and 'starter homes' <u>housing</u> required by the London Plan.... Specialist forms of housing are encouraged to meet identified local need <u>and in line with higher level policies,</u> the loss of housing will be resisted unless replaced <u>at existing or higher densities</u> with at least equivalent floorspace and meets/<u>to</u> meet local housing need.</p> <p>(iv)after paragraph 4 add:</p> <p><u>For the respective Local Plans, the Councils have made arrangements for the gathering of evidence of need for self-build housing.</u></p>
PM2	Page 23	<p>Amend first sentence of 3rd paragraph:</p> <p>In line with paragraph 69 of the NPPF, it is vital that all new development in the Plan area ...</p> <p><u>New Policy SCX: Community Facilities</u> at top of Page 23</p> <p><u>The Highgate Neighbourhood Forum's recommended priorities for Community Infrastructure Levy (CIL) are listed as follows (in order of popularity in poll during Consultation):</u></p> <ul style="list-style-type: none"> • <u>Feasibility for shuttle buses linking local communities</u> • <u>Enhancing Pond Square</u> • <u>Supporting Waterlow Park</u> • <u>Highgate Bowl Project</u> • <u>Community space at 271 terminus</u> • <u>Trees on North Hill / Archway Road</u> • <u>Facility for young people</u> • <u>Dedicated safe cycleways</u> • <u>Creating green pockets and corridors</u> • <u>Crossings on Archway Road /Wellington etc</u> • <u>Playgrounds at Hillcrest and Parkland Walk</u> • <u>Safe cycling learning space</u> • <u>Solar panel and wind turbine schemes</u> • <u>Enabling guerrilla gardening</u> • <u>Green walkways</u>

		<ul style="list-style-type: none"> • <u>Support for Holly Lodge Community Centre</u> • <u>Signage from stations to Cemetery, Village etc</u> • <u>Make Highgate Station cycle/disabled /pedestrian friendly</u> • <u>Grants for improved shopfronts</u> • <u>Old Highgate overground station project.</u> <p><u>This CIL priority list may be subject to periodic review and updating over the life of the Plan.</u></p> <p>Add supporting text immediately below the new policy:</p> <p><u>The Forum asked the community how the local proportion of CIL should be spent as part of the consultation for the draft Plan. (ie. http://www.highgateneighbourhoodforum.org.uk/plan/cil-list/) (Dec 2015), and an earlier list was consulted on in 2014).</u></p>
PM3	Page 23	<p>Policy SC2: Allotments and communal garden land.</p> <p>I.The loss of allotments wherever possible.</p> <p>II.The provision of <u>communal outdoor open space for residents, potentially including areas for additional self-managed allotments or garden land..... wherever possible and viable. Where such open space provision is delivered, it should be positively managed.</u></p>
PM4	Page 25	<p>Extend 3rd paragraph of supporting text:</p> <p>.... over the plan period. <u>The provision of additional floorspace for business purposes to meet the anticipated growth in employment will be viewed favourably, especially where proposals would complement the policies for existing commercial core areas and allocations for Key Sites.</u></p>

PM5	Page 28	<p>Policy EA1: Highgate Village Core</p> <p>Delete criterion III and replace with a new <u>Policy EAX: Loss or Change of Use of business premises from Highgate Village Core</u></p> <p>Any application proposing a loss or change of use of A or B class premises is assessed for its potential <u>must not result in an unacceptable impact on the vitality and viability of, and employment opportunities within, the shopping area.</u></p>
PM6	Page 28	<p>Policy EA1 – second sentence:</p> <p>As a general guideline, The non-A class use ...</p>
PM7	Page 31	<p>Policy EA3: Aylmer Parade</p> <p><u>Aylmer Road Parade comprises the designated Local Shopping Centre at Aylmer Road and Cherry Tree Hill and the non-designated employment land and buildings to the rear.</u></p> <p><u>I. Within the Local Shopping Centre, proposals for retail (Class A1 uses) will be supported. The use of ground floor units for appropriate town centre uses will be permitted where the overall number of units in non-retail use will not exceed 50% across the entire frontage, unless it can be demonstrated the proposal will significantly enhance the vitality and viability of the centre.</u></p> <p>I <u>II. Retail (Class A1) and Employment floorspace including small office and workshop ... will be retained for employment use unless they can be shown to be no longer commercially viable ... that the property has been actively suitably marketed for an appropriate period, in line with higher level policies. ±2 months on realistic terms.</u></p> <p>II <u>III. The provision of new small office, workshop and retail units (100 sqm or less) of this type within</u></p>

		<p>III-IV.Any application proposing premises <u>is assessed for its potential must not result in an unacceptable impact</u> on the vitality and <u>viability of, and employment..</u></p>
PM8	Page 37	<p>Policy TR1: Promoting Sustainable Movement</p> <p>New development should promote walking, cycling and public transport use. <u>Major Ecommercial, service based and residential (more than ten units) development should make suitable provision, where appropriate, for pedestrians, cyclists and access to public transport. Where justified by a site's location and the character of the proposed development, and where the delivery of an otherwise sustainable development would not be threatened, smaller developments may also be expected to make provision for better pedestrian, cyclist or public transport access.</u> Provision may include:.....</p> <p>Footnote to TR1: <u>Major development is defined as residential development of 10 or more units, and commercial development of at least 1,000 sqm or a site area of at least 1 hectare.</u></p> <p>Second paragraph of supporting text:</p> <p>Large <u>Major</u> residential and material changes to schools, medical facilities and other non-residential developments <u>will be required to should</u> take account of their impact on the community in a way that they have not done in the past. <u>On-site and off-site, all new developments will be required to contribute Planning obligations will be secured, where it is legitimate to do so and subject to viability, viable to enhance</u> the connectivity of the Plan area through <u>measures including the provision of new and improved cycle links ...</u></p>
PM9	Page 38	<p>Policy TR2: Movement of Heavy Goods Vehicles</p> <p>I. Have a construction management plan (CMP)...logistics of heavy good vehicle movements – this will be</p>

		<p>required for any <u>significant major development</u>. For smaller developments, the Councils will consider the requirement for a CMP or SMP, having regard for access issues, and the potential impact on the local road network, <u>and impact on properties in the vicinity of the development site</u>. It will be designed to keep disruption to a minimum. <u>These CMPs and SMPs will be secured through a condition attached to the permission or through a section 106 planning obligation</u>, and must be agreed with the council prior to the commencement of works;</p> <p>New sentence at beginning of supporting text:</p> <p><u>Delivery and servicing plans are the same as servicing management plans (SMPs).</u></p> <p>New sentence at end of second paragraph of supporting text:</p> <p><u>Camden Planning Guidance 7, paragraphs 8.8-8.10 provides guidance on CMPs.</u></p>
PM10	Page 39	<p>Policy TR3: Minimising the Impact of Traffic Arising from New Development</p> <p><i>Delete existing policy and replace with:</i></p> <p><u>New major development, or smallscale development likely to generate significant additional traffic movements and demand for parking, will be expected to demonstrate the following:</u></p> <p><u>I. That a transport assessment has been carried out, or a transport statement prepared, to quantify future vehicle movements to, from and within the site including links to existing transport networks. Appropriate connections to highways and street spaces should then be put forward to serve the development;</u></p>

		<p><u>II. Proposals should provide information on planned parking arrangements to demonstrate that there would be no detrimental loss of on-street parking or harmful impact from additional parking on the surrounding area and transport network;</u></p> <p><u>III. Developments requiring pick-up, drop off, or waiting areas, should put forward appropriate arrangements within the site where possible which will ensure safety and minimise congestion; and</u></p> <p><u>IV. The development should protect and exploit opportunities for the use of sustainable transport modes for the movement of people and goods. In order to minimise traffic movements and parking demand and any associated harmful impacts, travel plans should be prepared and implemented in accordance with guidance from Transport for London and the Boroughs of Haringey and Camden.</u></p> <p>New sentence in supporting text between the two paragraphs on Page 39:</p> <p><u>Appendix 2 describes the traffic and parking issues faced by residents and others in Highgate. Further information on transport assessment and parking is available in Transport for London’s Best Practice Guidance.</u></p>
PM11	Pages 40 & 41	<p>Policy TR4: Reducing the negative impact of parking in Highgate</p> <p><u>VI. Create, or add to, an area of car parking that harms would have an adverse impact on local character or a building’s setting</u></p> <p><u>VII. Any new off-street parking will additionally should have regard for its impact on the character of the local area, and could be required to preserve or re-provide any means of enclosure.....</u></p>

		<p>VIII. Provide....increases in surface <u>water</u> run-off.</p> <p>Amend third paragraph on Page 41:</p> <p>(Camden already has policies in their Development Policies Plan (DP18 and DP19) that seek to manage parking in such areas, as does Haringey in DM43 <u>saved Policy M9 of the UDP</u>). <u>Camden Council is seeking car free development throughout the Borough regardless of PTAL ratings, through Policy T2 of the emerging Camden Local Plan. Haringey's Policy DM32 in its emerging Local Plan will only support car-free development where PTAL is 4 or higher and within a CPZ. When these Plans have been adopted, the strategic policy framework should provide greater certainty for Highgate, and the Neighbourhood Forum may need to review its policy. Other than in exceptional</u></p>
PM12	Page 42	<p>Policy TR5: Dropped kerbs and cross-overs</p> <p>Where planning permission is required, planning applications forareas covered by a CPZ <u>where this would adversely reduce on-street parking capacity within the CPZ.</u></p>
PM13	Page 46	<p>Major open spaces</p> <p>Multifunctional areas of outstanding importance in local, regional or national terms,to include but not limited to, <u>These are Hampstead Heath</u></p> <p>Policy OS1: Vistas from and to Highgate's Major Open Spaces</p> <p>Any new d Development which is visible from adjacent to Highgate's....intrusive. New d Development visible from adjacent to Highgate's</p> <p>Delete criterion I.</p>
PM14	Page 47	<p>Policy OS2: Protection of Trees and Mature Vegetation</p>

		<p>I. Within the conservation areas..... should be retained <u>where possible</u>. If such loss is shown to be absolutely necessary, developers and others <u>new development</u> will be expected to provide suitable replacements ie. with like for like <u>replacement being supported where appropriate and feasible</u>.</p> <p>II. Developments will and vistas to the setting of <u>the setting of</u> the major open spaces.....</p> <p>III. Within the conservation areas or when protected by a TPO, specimen veteran and mature trees<u>ie. like for like</u> if a mature tree is found to be diseased and requires extensive works which would reduce the crown by so much that it would impact severely on its <u>significantly reducing its ecological or amenity value</u>, then a similar broadleaved replacement (in terms of mature height and/or canopy) should be replanted <u>appropriate replacement planting will be sought</u> as close to the original site <u>of the tree as possible</u>. <u>Veteran trees should be retained where possible.</u>"</p>
PM15	Pages 48-50	<p>Policy OS3: Local Green Space</p> <p>LGSD2 Hillcrest Open Land</p> <p>LGSD7 Aylmer Road Open Space</p> <p>Figure 10 Local Green Space Allocations should be amended accordingly.</p>
PM16	Page 51	<p>Policy OS4: Biodiversity and Ecological Corridors <u>Highgate's Green Grid</u></p> <p>Development should not harm or reduce <u>support the ability of 'ecological corridors'</u> <u>'Highgate's Green Grid'</u> (detailed in Appendix 3 on website) to act as an element in the local ecological network. Unless the need for, and benefits of, the development in that location clearly outweigh the loss. <u>The impact of a proposal on the Green Grid will be assessed against its wider benefits to the</u></p>

		<p><u>local area.</u></p> <p>Move the second sentence of the policy “Any development which triggers...” to the beginning of the second paragraph in the supporting text.</p>
PM17	Page 53	Figure 11: The <u>Highgate Conservation Area (LB Camden)</u> and the <u>Highgate Conservation Area (LB Haringey)</u> and Holly Lodge Conservation Areas
PM18	Page 56	<p>Policy DH3: Rear Extensions</p> <p>Amend last sentence: Development should respect and preserve existing architectural features <u>where these contribute to local character and appearance,</u> for example ...</p>
PM19	Page 57	<p>Policy DH5: Roofs and Roofscape</p> <p>Roof extensions, or <u>dormers and rooflights</u> should respect be restricted to the rear except where they are part of the established local character <u>and a new extension or dormer would not have an adverse impact on the amenity of the area or the significance of heritage assets;</u> rooflights should be confined to the rear or hidden slopes; re-roofing materials should match the original <u>avoid the use of inappropriate substitute materials that can erode the character and appearance of buildings and areas.</u> Chimneystacks ...</p> <p>Change the last sentence of the supporting text:</p> <p>Further guidance..... Haringey’s emerging policy DM12 <u>and Haringey Highgate Conservation Area Appraisal and Management Plan, including companion Design Guide;</u> and Camden Planning Guidance 1: <u>Design paragraphs 5.6 to 5.29.</u></p>
PM20	Pages 57 & 58	<p>Policy DH6: Front Boundaries</p> <p>The removal of <u>Original boundary walls, gate piers or railings should be permitted should be retained only where unless their</u></p>

		<p><u>removal is necessary due to the condition of a structure, or replacement provision is proposed which would enhance the character of the area. justifiable due to their structural condition...</u></p> <p>III.Affect the <u>Would result in a loss of visual permeability or and connectivity through the scheme public accessibility where this contributes to local character.</u></p> <p>Supporting text - New sentence at top of Page 58: <u>Permitted development rights mean that planning permission may not be needed for works to front boundaries for certain developments. However, f Front gardens and boundary walls.....</u></p> <p>New sentence at end of supporting text: <u>It may be desirable to reinstate boundary treatments where they have been lost in some cases.</u></p>
PM21	Page 58	<p>Policy DH7: Basements</p> <p>Where basement development.....</p> <p>1.Enhanced Impact Assessment Requirements</p> <p>2.Protection for Neighbours</p> <p>Where a Construction Management Plan (CMP) is <u>secured, it a condition of planning consent, this plan</u> should be submitted, and must be approved by the LPA, prior to the commencement of works. Or as required by the condition. Unless justified by exceptional circumstances (for example, concrete pouring), the ... Sundays or public holidays.</p> <p>Supporting text - amend the sub-title to read: Enhanced Basement Impact Assessments (BIAs)</p> <p>Add text to the end of the 4th paragraph: The Forum’s Plan seeks to build.....and robust manner. <u>Applications for basements in Highgate must therefore meet the requirements of the relevant borough</u></p>

		<p><u>policy and supplementary guidance and Policy DH7.</u></p> <p>Protection for Neighbours</p> <p>It is difficultEvidence Report Feb 2016). <u>This policy seeks to mitigate as far as possible, t</u> <u>The effect of construction on neighbouring residents should be mitigated as far as possible. The CMP</u> <u>two years to complete. CMPs should also include limits on hours of construction.</u> <u>Construction working hours do not fall under planning legislation but under the Control of Pollution Act 1974. Camden’s construction working hours are set out in its Guide for Contractors Working in Camden. The Neighbourhood Forum recommends that, unless justified by exceptional circumstances (for example, concrete-pouring), work on basements should be limited to 8am-6pm on Mondays to Fridays only. High impact works, including all demolition and concrete breaking, should be restricted to 9am-noon and 2pm-5.30pm on weekdays. At no time should there be any works on Saturdays, Sundays or public holidays. These limited hours of construction in Part 2 of the policy have been introduced recently by the Royal Borough of Kensington and Chelsea as part of their Code of Construction Practice.</u></p>
PM22	Page 60	<p>Policy DH8: Refuse Storage</p> <p><u>Where appropriate, Aall proposals for new development-buildings will be required</u></p>
PM23	Page 62	<p>Policy DH10: Garden land and Backland Development</p> <ol style="list-style-type: none"> 1. <u>Development in back gardens hobby rooms, greenhouses. There will be a presumption against the loss of garden land in line with higher level policies.</u> 2. <u>Other b Backlandfollowing conditions:.....</u> <p>II. Proposals, including conversions ...</p>

		<p>on front gardens, will be resisted unless should be accompanied by satisfactory <u>mitigation measures such as</u> landscaping proposals which address drainage.</p> <p>III. Alterations and extensions in materials that match the original or neighbouring buildings <u>deliver high quality design and reinforce local distinctiveness.</u></p>
PM24	Pages 63 & 64	<p>Policy DH11: Archaeology</p> <p>Within the area of archaeological potential shown on the accompanying map and in the designated <u>Archaeological Priority Areas of Archaeological Value</u> as shown on the Councils' Policies Map, where planning permission has been granted, a condition will be required for, in the first place, <u>development proposals will be required to assess the potential impact on archaeological assets. Where appropriate, a desktop survey for developments which require significant digging down. Such developments would include those laying new foundations or excavating a basement. should be undertaken to assist in the assessment, and</u> Pending the findings, a further <u>field evaluation</u> or trial excavation may be required and if necessary, more complete excavation. <u>Proposals will be expected to provide satisfactory arrangements for excavation and recording, in advance of development. The information thus obtained from the desktop surveys will be published or otherwise made publicly available.</u></p> <p>Fig. 14 should be amended to show only the designated Archaeological Priority Areas, and the title of the map should refer to these rather than "Areas of Archaeological Value".</p> <p>Amend supporting text on Page 64: Haringey SPG2 (Conservation and Archaeology) Section 6, SITES OF ARCHAEOLOGICAL IMPORTANCE – dating to 2006 but, according to Haringey's</p>

		<p>website, still only in draft – shows an inadequate <u>some</u> albeit not total understanding of the archaeological potential of the area, and its requirement for archaeological assessment and excavation has rarely been implemented in the Highgate area. Camden’s policy on archaeology is limited to <u>comprises</u> a brief statement in its Core Strategy (25.22) which is both inadequate and out of date. Neither policy embodies sufficient..... of the Highgate area.</p> <p>However, Figure 14 shows that these are too limited in extent and demonstrates that archaeological remains from all periods can be expected <u>the designated Archaeological Priority Areas.</u> The available evidence</p>
PM25	Pages 67 & 68	<p>Policy KS1: 460-470 Archway Road</p> <p>Add the following criterion:</p> <p><u>VIII. Development should not adversely affect the operation of the London Underground air shaft or TfL Freehold land on the site, or prevent access to the Highgate Depot.</u></p> <p>Extend paragraph 4.3.2 as follows:</p> <p><u>VI.TfL should be consulted on any development proposals to ensure that its operational requirements are recognised and secured.</u></p>
PM26	Page 69	<p>Policy KS2: Former Highgate Station Buildings and Surrounds</p> <p>Any allocation of land</p> <p>I.The development includes.....existing <u>locally listed station</u></p> <p>II.Any further buildingsand the height <u>policies considerations</u> set out in</p> <p>and</p> <p><u>VII. Development should be of high quality design and layout, and have no adverse impact on the amenity of neighbouring</u></p>

		<u>residents.</u>
PM27	Pages 71, 72 & 73	<p>Figure 18 should be modified to remove the reference to Significant Open Local Land and refer to land within the green line as “land with potential for open space provision”.</p> <p>Policy KS3: Highgate Bowl</p> <p>In the site map, Development offers the opportunity to secure the area the land within the green line, on the site map, as open space. is designated as SLOL (Significant Local Open Land). This policy refers to any allocation or development...</p> <p>KS3.II Any proposal seeking to deliver new development within the fringe locations of the Bowl must ensure that the open character of the Bowl is maintained under the classification of Significant Local Open Land, assist the Bowl...</p> <p>KS3.IV Any development... must additionally respect the local built form and <u>any identified</u> vistas leading into and out of the Bowl</p> <p>KS3.V Any pProposals to develop should demonstrate how they have considered, and where appropriate, will deliver improved access to the centre of <u>and within</u> the Bowl both by foot and bicycle, <u>subject to the operational requirements of existing landowners and/or occupiers.</u></p>
PM28	Page 75	<p>Policy KS4: 40 Muswell Hill Road</p> <p>KS4.I The development contributes towards all types of <u>meeting</u> local housing need, in line with policies elsewhere in this Plan (see SC1);</p> <p>KS4.IV The form, height, massing should preserve and or enhance New development should make use of the relief/topography of the land and adopt appropriate heights in accordance with</p>

		<u>having regard to the 2015 Urban Character Study to ensure that the built form is not overbearing in nature”.</u>
PM29	Page 87	Appendix 1 – Add a new introductory sentence: <u>The following Appendices are background evidence documents which have been used to develop the Neighbourhood Plan.</u>