



Officer Report

Application Number:	HGY/2023/1208		
Application Type:	Full planning permission		
Address:	Land west of Library, 1 Shepherds Hill, Hornsey, London, N6 5QJ		
Proposal:	The upgrading of a current make shift BMX trail into permanent trail for children of all ages.		
Case Officer:	Nathan Keyte		
Valid Date:	23/05/2023		
Applicant:	Anne Poole		
Agent:			

1. PROPOSED DEVELOPMENT

This application is to upgrade an existing informal BMX trail into a permanent trail for children of all ages. The proposed design of the BMX track is a looped design which will make the track accessible for beginners and intermediate users. The track surface will be formed of crushed aggregate such as limestone and will be compacted to a sealed hard surface atop base material. The track has a footprint of approximately 640 sqm and will include mounds up to 1.2m in height (existing mounds are shown to be up to 1.5m in height). Access arrangements to the site are not proposed to be changed. The proposal will include the provision of an additional bin between the existing benches on the site.

Some clearance of young vegetation will occur, both to enable development and as associated pest plant removal. The proposal will retain all existing mature vegetation and trees on the site, specifically the vegetation around the perimeter of the site to maintain visual amenity. The proposal includes a number of mitigation measures to ensure there is no deterioration in the site's ecological condition, with rather measures taken to deliver an overall improvement in its ecological value.

2. SITE AND SURROUNDINGS

The subject site measures approximately 2,500 sqm and lies on the corner of Shepherds Hill and Archway Road, adjoining the Highgate Library. A portion of the site where the proposed development is to be located has historically been used as an informal bike trail with the remainder of the site consisting of mature vegetation and walking trails. The current access point is near the Library off Shepherds Hill.

The site lies within the Highgate Conservation Area and sits adjacent to a locally listed building, Highgate Library, an early 20th-century Arts and Crafts building. It is designated as a Site of Importance for Nature Conservation (Metropolitan Importance), an Ecological Corridor, a Green Chain, and Metropolitan Open Land. The site is owned by TfL and leased to Haringey Council. The land lies above the locally listed railway tunnel between Highgate and Finsbury Park.

3. RELEVANT PLANNING AND ENFORCEMENT HISTORY

PRE/2022/0100 Proposal to formalize a BMX track. (Support of the principle of development, further works required regarding the impact on vegetation, impact on conservation area, anticipated levels of noise generated etc).

4. CONSULTATION RESPONSE

Consultation occurred following submission of the application in 2023. Reconsultation occurred April 2025 following receipt of additional information, being the AIA and EIA.

The following responses have been received on the application:

Internal:

- 1) LBH Conservation Officer: Provided that it is clarified that the perimeter boundary planting will be maintained, and there are no adverse arboricultural impacts, then it is likely that the proposed works will have a neutral impact on significance of the identified heritage assets as the landscaped appearance of the park as seen in views of the Conservation Area looking towards Jackson's lane art Centre, and in the views of the Highgate Library would be maintained.

- 2) LBH Transport: From the wider transportation perspective, there are no issues with this proposal as it can be accessed directly, should not create any transportation impacts and will encourage the uptake of cycling by younger people. Visitor cycle parking was suggested at the pre application stage but it is noted that it is not provided in the application material.

The submission details that a parking space on the approach access/road to Highgate Station will be utilized for plant and materials storage and handling, this is appropriate to prevent any obstruction of Shepherds hill or the junction with Archway Road. This will need to be formally agreed with TFL. The applicant should also detail how any compaction plant and materials are moved into the site (it is assumed this is to be by hand but can be confirmed/clarified) and how this will be managed with respect to footway users along Shepherds Hill. A condition requiring information on how the movement of plant and materials will be moved and how footway users will be managed will be appropriate. Subject to a Construction Management condition Transportation have no objections to this application.

- 3) LBH Arboricultural Officer: An Arboricultural Report, Arboricultural Impact Assessment, and Tree Protection Plan has now been submitted. The survey has been carried out by Tim Moya Associates and is dated April 2025. The report has been carried out to British Standard 5837: 2012 Trees in relation to design, demolition and construction. It is recommended the arboricultural method statements be conditioned, specifically relation to the no dig design and screw piles for the foundations.
- 4) LBH Nature Conservation Officer: The Ecological Impact Assessment (EclA) and the Arboricultural Impact Assessment (AIA) have been provided as part of this application. The assessments of protected species, habitats, and trees have been conducted in accordance with current best practice guidance, incorporating relevant legislation and policy. The EclA and AIA, along with other supporting documents (Preliminary Ecological Appraisal – 21 February 2022 and Daytime Bat Roost Assessment – 21 February 2022), provide a comprehensive analysis of the potential impacts and outline necessary mitigation and compensatory enhancement measures.

Current Condition of the Site

The site includes an informal BMX track that has been in use for some time. It sits within a protected nature area (Site of Importance for Nature Conservation –

SINC), which was reviewed and confirmed in Haringey's 2023 assessment. The proposed plans aim to improve the current situation by:

- Making the BMX track safer and more structured while still protecting the natural environment.
- Ensuring no trees are removed and no artificial lighting is added, maintaining site connectivity and minimising wildlife disturbance.

Ecological Designation and Recreational Use

Shepherd's Hill forms part of the Parkland Walk corridor and shares its Metropolitan Grade SINC designation (M116), which includes Highgate Wood and Queen's Wood and extends from Highgate Station to Finsbury Park. Like Parkland Walk and Queen's Wood, which share similar designations and are used for recreation, Shepherd's Hill also experiences recreational pressures.

Impact on Ecological Condition/Designated Characteristics:

- Enhance biodiversity by planting trees and bushes, installing bird and bat boxes, and creating habitats for invertebrates and reptiles.
- Improve the site's ecological condition by removing invasive species and protecting tree roots.
- Promote responsible usage and long-term protection through community engagement and educational signage.

Given the site's current use for recreational activities, its designation as a Site of Metropolitan Importance (SMI) and Metropolitan Open Land (MOL), and the formalisation of the BMX track, the proposal aligns with the amenities and recreational opportunities typically found in parks. This classification does not conflict with the site's designation or its duty to protect and enhance its ecological value. By implementing the proposed Construction Environmental Management Plan (CEMP) and Landscape and Ecological Management Plan (LEMP), the development can enhance the site's ecological value and ensure compliance with relevant policies and legislation.

External:

- 1) Transport for London (TFL): TFL provides in principle support to the application, however they have identified a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. As such, it is requested the following conditions and informatives be imposed:

Conditions

- a) method statement and risk assessment for site survey / ground investigation to validate proposed depth of excavation and inform proposal of works above existing London Underground's masonry tunnels.
- b) structural load impact assessment on the existing masonry tunnels due to the proposed works.
- c) Risk Assessment Method Statement (RAMS) for construction works, including the impacts of carrying out soil compaction works in the vicinity of the aging masonry tunnels.
- d) Site specific RAMS for any excavations, ground works or landscaping within 10m of any London Underground (LU) structure which Transport for London may deem to be a risk to LU. The RAMS should be issued a minimum of 6 weeks prior to the individual activity commencing.
- e) Written approval by TfL Engineer regarding the new use due to the upgrading works.

Informatives:

- f) The applicant is advised to contact TfL Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting
- g) Should land, rights or lease variations / permissions be required from TfL for the development, a legal and commercial property agreement will need to be in place before development can take place

2) Met Police (SBD): No objection and no conditions to impose.

3) Sport England: The proposed development does not fall within their statutory or non-statutory remit.

5. LOCAL REPRESENTATIONS

The application has been published by the way of 2 site notices displayed in the vicinity of the site and 91 letters to adjoining occupiers. As noted above, re-consultation occurred April 2025 following receipt of additional information, being the AIA and EIA. The number of representations received from neighbours, local groups, etc in response to notification and publicity of the application were as follows:

Number of individual responses: 53

Supporting: 12

Objecting: 35

The following local groups/societies made representations:

- Highgate library action group: support
- Highgate CAAC: Objects
- Friends of Highgate Library: object

The following local groups/ societies were consulted and did not make a representation:

- Friends of Parkland Walk
- Highgate Society

The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report where not addressed below:

Design and conservation

- Harm to the character and appearance of conservation area
- Out of keeping with the character
- Heritage statement provided in that application material is not correct
- Accessibility for disabled persons
- It is unclear from the application material how high the jumps are [dimensions are shown on the proposed plans]

Ecology

- The current state of the site should not be used as a baseline.
- Trees should be protected and replanted.
- Loss of greenspace
- Preliminary Ecological Assessment (PEA) is only a preliminary study. A full ecological assessment should be conducted. [A full study has since been provided and made public].
- Potential harm to woodland and trees
- Impact on trees has not been fully assessed [An Arboricultural Impact Assessment has been submitted].
- Invasive species should be removed
- Site should be restored to previous green area (copse, glade as originally intended)
- Other parks/sites should be used for this (Pond Square, Waterlow Park, Highgate Wood Park, Priory Park, New River Sports Centre)

- Site forms part of the 'Green Chain' Capital Ring walk corridor
- Glade fallen into neglect over the years since compulsory purchase of the land for motorway project in the 1970's

Amenity

- Area could be used 24/7 which could cause negative amenity implications such as noise
- The proposal extends too close to the existing library and may impact the amenity of library users.
- The site should be fenced
- Hours of use should be proposed
- Sightlines should be restored to mitigate potential crime
- More seating and bins are required if increasing the activity at the site

Transport

- Increased pressure on the underground station and surrounding paths.
- Increase in visitors to the site
- Access to the track is poorly designed
- Visitor cycle parking not provided
- No cycle storage or seating should be provided or else it would encourage instances of vandalism and theft from the site.

Other

- The proposal should be reduced in size to reduce its impacts on the library and existing green space.
- The address should be changed as the site is next door to the library.
- Concerns over littering, anti-social behaviour and crime (e.g. bike theft, phone theft)
- Previous vandalism report to the Council which have not been addressed
- Fly tipping increased since the Covid-19 Pandemic
- Source of ongoing funding unclear (e.g. maintenance)
- Alternative sites for BMX track should be found in an already built up area
- The proposal is in conflict with the Haringey Plan, NPPF and site allocations
- Trespass to tunnels to be controlled
- There is a lack of play areas within the area
- The following plans have not been submitted
 - Ongoing maintenance plan
 - Noise impact assessment [Not required, considering the nature and scale of the proposal].

- Waste management plan [Not required, considering the nature and scale of the proposal].

The following issues raised are not material planning considerations:

- Incorrect application material (Heritage statement)
- Toilet facilities are needed if increasing the activity at the site
- Trees felled some years ago and never replaced, and hedge trimmed.
- Site illegally occupied since 2021 with a few built up jumps
- No evidence to support protection of wildlife [An Ecological Impact Assessment has now been provided].
- Unclear whether the proposed development has responded to the pre-app advice
- No local pre-app consultation was carried out with the local residents
- Poor quality drawings

6. MATERIAL PLANNING CONSIDERATIONS

The main planning considerations raised by the proposed development are:

1. Land use and principle of development;
2. Ecology & wildlife and trees;
3. Design and heritage;
4. Impact on neighbouring amenity;
5. Parking and highway safety;
6. Other.

Land use and principle of development

The UK's National Planning Policy Framework 2025 (NPPF), as outlined in paragraph 117, emphasises the importance of safeguarding natural features. It prioritises minimizing impacts on biodiversity and geodiversity through planning policies, which should actively promote the preservation, restoration, and re-creation of priority habitats, ecological network, and the protection and recovery of priority species populations. This approach is crucial for maintaining a well-rounded and sustainable approach to planning and development.

The site is situated within Metropolitan Open Land and the London Plan states that land designated as MOL is the same as 'Green Belt' in terms of protection from development.

Chapter 13 of the NPPF relates to Green Belts. Paragraph 153 of the NPPF states that inappropriate development, by definition, harmful to Green Belt should not be approved except in very special circumstances.

Paragraph 153 NPPF states: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt [and MOL], including harm to its openness. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.". Paragraph 154 states that development should be regarded as inappropriate in MOL unless it complies with a stated exception. Exception (b) states

the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

It is noted that the NPPF (154b) refers to the provision of 'appropriate' facilities for outdoor sport as exceptional development, rather than 'essential' facilities as was the case previously. The term 'essential' implies that the proposed facility should be necessary to the functioning of the specific outdoor activities provided on site. The word 'appropriate' implies that the use should be suitably linked, which it is accepted is not as stringent as the previous requirement.

Policy S5 of the London Plan identifies the importance of supplying good quality and recreational facilities. Specifically, the development should increase or enhance the provision of facilities in accessible locations. It goes on to specify that the proposal should maximise the use of facilities and encourage the co-location of services between sports providers, schools, colleges, universities and other local community facilities. And where facilities are proposed on existing open space, boroughs should consider these in light of policies on protecting open space (Policy G2 London's Green Belt, Policy G3 Metropolitan Open Land and Policy G4 Open space).

Policy G2 states that the Green Belt should be protected from inappropriate development. Similarly, G3 affords Metropolitan Open Land (MOL) the same level of protection as Green Belt areas.

The principle of providing and improving outdoor leisure and sports facilities is also supported by Local Plan Policies SP14 (Health and Well-Being) and SP15 (Culture and Leisure), which encourage the enhancement of leisure provision, as well as Policy DM20 (Open Space and Green Grid) of the Development Management DPD. These policies support such development provided it is of a high standard of design and quality, does not detrimentally impact nature conservation or biodiversity, and does not adversely affect the overall function, amenity, character, or appearance of the park or open space.

This must be balanced against the requirement to protect Metropolitan Open Land (MOL). In this respect London Plan (2021) Policy G3 states that the strongest protection should be given to London's Metropolitan Open Land and inappropriate development refused, except in very special circumstances, giving the same level of protection as in the Green Belt. Local Plan Policy SP13 'Open Space and Biodiversity' requires new developments to protect and improve Haringey's open spaces and states that all new development shall protect and enhance the borough's open space including Green Belt, Green Chains, and designated Metropolitan Open Land from inappropriate development.

The site is designated as part of a larger site known as SA39: Former Highgate Rail Station under the Site allocations DPD 2017. Part of the current site requirements and development guidelines for the site that are of note to this application include:

- An ecological corridor runs through the site. Any development should preserve and safeguard the biodiversity value of the corridor.
- The site is considered to be an underutilised asset. The Council's open space network will be enhanced through the opening up of this site for a range of community uses and improving the connection from the Parkland Walk through to Highgate Wood.
- Pedestrian access to the site will be improved with entrances from Priory Gardens, Archway Road, Shepherd's Hill and to Muswell Hill Road to link into Highgate Wood.

This mirrors and supports the Highgate Neighbourhood Plan (2017), which lists the site within 'Key Site 2: Former Highgate Station Buildings and Surrounds'. Policy KS2 of the HNP states that any allocation of land or proposal seeking the reuse and enhancement of the area will be supported provided it is in line with certain listed principles. The principles require that development requires any proposed buildings to be modest in scale and respect the setting; to enhance pedestrian and cycle links through the site; protection the MOL and SINC designations, enhancing these where possible while

retaining all mature trees; take into account flood risk; and development to be of a high quality to avoid adverse impact on neighbour amenity.

This is carried over into the proposed Haringey 2025 Draft Local Plan where the proposed site allocation SA06 is for a mix of education, town centre and community use. Furthermore, Core Objective 4 of the HNP relates to Open Spaces and Public Realm and seeks to promote safer and more attractive open spaces and public realm, optimise access to Highgate's open spaces, and improve those areas of SINC and MOL currently unfavourable or declining condition.

Assessment

In terms of national planning policy or local planning policy, as discussed above, this does not allow local planning authorities to control or prescribe the specific type of outdoor sport or recreation use that can take place on land where outdoor recreational use is acceptable in principle. Rather the planning system regulates land use, built form, and environmental impacts, but it cannot intervene in the choice of lawful outdoor recreational activities, such as BMX, where these fall within the broad definition of outdoor sport or recreation supported by the NPPF and the Development Plan. As such, any concerns relating solely to the preference for alternative recreational use or dislike of BMX, cannot be afforded weight in the planning judgement here.

It is understood from the application that a BMX track has been informally established here since 1985 and is located within the southwestern corner of the site. Imagery from Google Maps Street View confirms that the track has been established for some years, with larger jumps visible and present from at least June 2014. The proposed development seeks to establish a family friendly recreational facility by formalizing the BMX track within the currently vacant land to the west of the Highgate Library. As already noted, the site is owned by TFL and is leased to Haringey.

The site is located next to the Highgate library within an area of open space and is designated as a Metropolitan Open Land (MOL). Areas within the MOL are designed to safeguard areas that are strategically important to nature conservation and recreation. In support of the application, an ecological assessment has been provided which concludes through a number of mitigation measures that the sites ecological value will increase following the proposed development. This is discussed further in the report.

By formalising the BMX track the proposal will provide improved opportunities for recreation and expand its appeal to a wider age group. The current state of the site is to be improved by way of proposed to remove the overgrown invasive vegetation and

provide a small-scale piece of 'play infrastructure' infrastructure that can be enjoyed by the wider community.

The proposal will therefore not only provide for the betterment of the play infrastructure within the locality and Borough and the associated health and social benefits that come with this, but with the proposed mitigation measures recommended by the ecological impact assessment, the site will see an overall improvement in the ecological value.

Furthermore, the proposal does not introduce any buildings, significant construction, or lease arrangements that would prejudice or hinder the future comprehensive development of the site in accordance with the existing and emerging site allocations.

Considering these points above, the proposal is considered to be an appropriate use of the land, in line with aforementioned policies, and is acceptable in principle.

Ecology & wildlife and trees

London Plan Policy G6 requires new developments to make a positive contribution to the protection, enhancement, creation and management of biodiversity wherever possible. Local Plan Policy SP13 states that where possible, development should make a positive contribution to the protection, enhancement, creation and management of biodiversity and should protect and enhance Sites of Importance for Nature Conservation (SINCs). Furthermore, paragraph 125 of the NPPF states that "By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation".

London Plan Policy G7 requires existing trees of value to be retained, and any removal to be compensated by adequate replacement. This policy further sets out that planting of new trees, especially those with large canopies, should be included within development proposals.

DPD Policy (2017) DM1 'Delivering High Quality Design' states that the Council will expect development proposals to respond to trees on and close to the site. DPD Policy DM19 'Nature conservation' states that a development proposal on sites which are, or are adjacent to, internationally designated sites, Sites of Special Scientific Interest, Local Nature Reserves, Sites of Importance for Nature Conservation or Ecological Corridors, should protect and enhance the nature conservation value of the site.

Development that has a direct or indirect adverse impact upon important ecological assets, either individually or in combination with other development, will only be permitted where the harm cannot be reasonably avoided and it has been suitably demonstrated that appropriate mitigation can address the harm caused.

The policies of the HNP reinforce the need to protect biodiversity and mature trees of the site. Policy OS4 states development should support the ability of Highgate's Green Grid to act as an element in the local ecological network.

In support of this application an Arboricultural Impact Assessment (AIA) has been provided by Tim Moya Associates. An Ecological Impact Assessment (EIA) has also been provided with the application, by MKA Ecology.

The AIA notes that the proposed development formalises the use of the existing BMX trail already in place; consequently, the retained trees will not be subject to materially different levels of compaction or pressure than those currently experienced. Some earthworks and minor structures will require operations within the root protection areas of certain trees. An area of shrub vegetation (reference G29) is required to be removed to facilitate the installation of a proposed ramp. The AIA identifies this group as comprising Dogwood sp., Sycamore and Holm Oak, all of which are described as young specimens no more than 5.0 metres in height. The proposal does not require the removal or pruning of any early-mature or mature trees within the site, with the BMX trail designed to be installed around these existing trees. No replacement planting is therefore considered necessary to meet relevant policy requirements. However, the applicant has indicated that they intend to undertake additional planting and ecological enhancements independently of the track construction.

The AIA outlines a number of measures by which impacts on existing soils, and installation of any foundation elements, will be mitigated and addressed such as by bespoke methods. The AIA further attests that through the provision of an Arboricultural Method Statement via a pre-commencement condition, and oversight of particular elements of proposed development by an arboriculturist, impacts on trees will be acceptable. Conditions are subsequently proposed to require the provision of the Method Statement prior to commencement, and the oversight of the project arborist.

The EIA identified that the site lies within the Metropolitan Grade SINC Parkland Walk, Queens Wood and Highgate Wood, and near land designated Local Nature Reserve. The site is afforded the highest level of SINC designation due to the presence of a number of rare and important habitats for London, including acid grassland and ancient

woodland. These habitats support a number of rare and protected species, including locally important populations of bats.

The site analysis of the EIA found a significant number of invasive non-native species are currently present on the site. The invasive species include; three-cornered garlic *Allium triquetrum*, wall cotoneaster *Cotoneaster horizontalis*, green alkanet *Pentaglottis sempervirens*, cherry laurel *Prunus laurocerasus* and holm oak *Quercus ilex*. It is a legal requirement to control the spread of these species and dispose of arisings as controlled waste. The above mentioned species outcompete the native plant species and degrade the condition of the HPI. The site analysis also found a number of important fauna located within or close proximity to the site. These include; bats, birds, badgers, reptiles and invertebrates which are needed to be considered in the development of the site.

Subsequent to the site analysis of the flora and fauna, and noting the works and vegetation removal required, the report outlines a number of mitigation measures to ensure any potential impacts are minimised. These measures will be secured by condition through a Construction Environmental Management Plan (CEMP) with proposed mitigations measures listed and summarised as follows:

- Identification and controlled removal of invasive non-native species.
- Avoid heavy plant where possible to prevent soil compaction;
- Any activities involving potential pollutants, such as concrete or fuel, should be carried out in dedicated areas which are designed so that spills, leaks, drips and contaminated run-off can be captured and properly disposed of;
- Sensitive clearance methodology will be adopted to avoid harming any stag beetle present during the clearance works (full method will be detailed within the CEMP)
- Deadwood features will be incorporated into the design scheme to provide additional habitat for protected saproxylic invertebrates, specifically stag beetle.
- Clearing works should be scheduled outside of breeding bird season. Where clearance works are required during the breeding bird season (between the months of March and August inclusive), such works can only proceed following the completion of a nesting bird check undertaken by an experienced ornithologist
- Three generalist bird boxes will be incorporated into the design scheme, mounted on mature trees around the Site.
- Bat boxes will be located around the Site in order to provide additional roosting provision for bats. This will include a minimum of five boxes mounted on existing trees

- The CEMP will detail mitigation measures to prevent badgers from using the Site or being at risk of injury. These include covering of stockpiles and excavations.

No residual effects are anticipated from the proposed development, subject to adherence to the CEMP measures, which will minimise wildlife disturbance during the construction phase. While the formalisation of the existing BMX area is expected to increase use of the site, given the existing and surrounding environment, and the absence of any proposed lighting, this is not considered likely to result in ongoing material impacts on the locality's flora and fauna. Notwithstanding this, a Landscape and Ecological Management Plan (LEMP) to be secured by condition, will ensure ongoing monitoring of the area and allow any issues, such as informal expansion of the BMX trail, to be addressed.

Small scale removal and repurposing of potential invertebrate features and reptile hibernacula is anticipated to be required by the development. This is not expected to impact the features for which the SINC has been designated, due to the extent of the development footprint and the low baseline biodiversity value of the specific development area.

Although some loss of low-quality habitats, such as ephemeral vegetation and bramble scrub, will occur, it is concluded, having regard to the points above, that the value of the site's protected habitats, and its provision of resources for roosting, foraging and commuting bats, breeding birds, invertebrates and reptiles, will be protected and enhanced. Subject to conditions, the proposed development will therefore accord with the relevant policies relating to ecology, wildlife and trees and is considered acceptable.

Design and heritage

Local Plan Policy SP11 (2017) and Development Management DPD Policy DM1 seek to secure the highest standard of design that respects local context and character. London Plan Policy HC1, Local Plan Policy SP12 and Policy DM9 require that development proposals affecting heritage assets and their settings conserve their significance. The development site is an open, densely vegetated yet naturally screened space located within the Highgate Conservation Area. It lies close to the corner of Archway Road and Shepherds Hill, forming part of the contributing setting of the Grade II listed Jacksons Lane Arts Centre. The green space also flanks, and sits within the setting of, the locally listed Highgate Library at No. 1 Shepherds Hill. The leafy, secluded and verdant character of this small park is an established and positive feature of both the Conservation Area and the setting of neighbouring heritage buildings, and should

accordingly be protected. The proposal does not include any alteration to the perimeter of the park, no loss of trees, and no change to access arrangements.

As shown in the submitted drawings, the proposed ground reconfiguration within the southern part of the site is modest, low-level and contained within the existing natural bowl of the landform. The works required to formalise the BMX track are limited to reshaping existing mounds and compacted earth already present on site. These interventions will not introduce any built structures, hard surfacing, or engineered features that would be visible from public viewpoints. As such, the works will have no manifest or appreciable implications for the appearance of the site, and will not alter its contribution to the character and appearance of the Conservation Area.

While a portion of the park will transition from informal to formalised recreational use, this change in use will not be perceptible in wider views. The proposed works will have a neutral impact on the landscaped appearance of the park when viewed from Shepherds Hill, Archway Road, Jacksons Lane Arts Centre or Highgate Library. The retained mature vegetation and tree cover will continue to screen the interior of the site, preserving its secluded and verdant character.

Therefore, given that the proposal retains the mature vegetation and trees that define the site and its boundaries and introduces no visible structures or alterations to the park's edges, the works will have a neutral impact on the landscaped appearance of the park. The proposal will cause no harm to the significance of the Conservation Area or to the setting of the nearby locally listed Highgate Library. Furthermore, the proposals would not harm the site's appearance or its openness as part of Metropolitan Open Land.

Impact on neighbouring amenity

DPD Policy DM1 'Delivering High Quality Design' states that development proposals must ensure a high standard of privacy and amenity for a development's users and neighbours. Specifically, proposals are required to provide appropriate sunlight, daylight and aspects to adjacent buildings and land, and to provide an appropriate amount of privacy to neighbouring properties to avoid overlooking and loss of privacy and detriment to amenity of neighbouring residents.

The proposal is situated within an existing green space and fronts two roads, Archway Road and Shepherds Hill and adjacent to the site are Highgate Library and Highgate Station, with the closest sensitive residential receptor located approximately 70 metres away (the dwelling house next to Highgate Library).

Officers do not consider that the formalisation of the existing BMX trail will have a negative impact on surrounding amenity. Given the substantial separation distances involved, the proposal is not considered likely to harm the amenity of nearby residential occupiers in respect of noise.

The nature of the activity means that use will be inherently limited by weather and daylight, resulting in a largely seasonal pattern of activity. The BMX track is not a team-based or organised group recreational use and therefore is not expected to generate the levels of intensity or congregation associated with formal sports facilities.

Objections have raised concerns regarding potential amenity impacts on users of Highgate Library. The library operates entirely within an enclosed building, and internal activities are already acoustically separated from the surrounding environment. The building sits at the junction of Shepherds Hill and Archway Road, both of which experience continuous traffic and elevated background noise levels. Any incidental noise generated by users of the BMX track would therefore not be discernible above the existing ambient noise environment, nor would it materially alter the internal acoustic conditions experienced by library users. Furthermore, the library is located approximately 12 metres from the eastern edge of the proposed track and 54 metres from the western edge, meaning any noise associated with the activity would not be concentrated near the building.

Overall, it is considered that the proposal will not result in unacceptable harm to the living conditions of neighbouring residents. The scheme is therefore in accordance with the relevant policies outlined above.

Access, Parking and highway safety

Local Plan (2017) Policy SP7 Transport states that the Council aims to tackle climate change, improve local place shaping and public realm, and environmental and transport quality and safety by promoting public transport, walking and cycling and seeking to locate major trip generating developments in locations with good access to public transport. This is supported by DM Policy (2017) DM31 'Sustainable Transport'.

The Council's Transportation Team has been consulted and advises that the site benefits from good accessibility to public transport (PTAL 4) and is located within a Controlled Parking Zone (CPZ). The site has step-free access from Shepherds Hill, and no changes to the existing access arrangements are proposed. No visitor cycle parking is provided;

however, given the nature and scale of the proposal, an open, informal BMX track, this is considered acceptable in this instance.

The proposed use is not expected to generate any material increase in vehicle trips or parking demand. BMX activity of this type is typically small-scale, informal and locally accessed, and does not involve organised teams, groups or scheduled events. The site is also surrounded by extensive parking controls, including the Archway Road red route restrictions and CPZ controls on surrounding residential streets. These restrictions already limit opportunities for parking in the area, and the development is not anticipated to place any additional pressure on the local highway network or parking conditions.

The works required to formalise the BMX track are modest in scale and, in most circumstances, would not ordinarily necessitate a Construction Management Plan (CMP). However, due to the site's proximity to the strategic highway network, specifically Archway Road (A1), and the need to ensure safe pedestrian movement around the site during construction, a CMP is considered appropriate in this case. The CMP will be required to set out details of construction traffic movements, the location of material and plant storage areas, and any temporary suspension of parking bays or loading areas, as well as measures to control dust, noise and other environmental impacts.

Subject to the submission and approval of the CMP, the proposal is not expected to give rise to any adverse impacts on highway safety, parking or the operation of the local highway network.

Other

A number of objections raise concerns regarding potential anti-social behaviour, fly-tipping and vandalism, matters that relate to the ongoing management of the land rather than to the planning merits of the proposal. As reflected above national planning policy does not allow the Local Planning Authority to control or prescribe the specific type of lawful outdoor recreational activity taking place on open land and rather such matters would fall to the landowner or leaseholder to manage. In this case, the site is owned by TfL and leased to Haringey Council, who will remain responsible for day-to-day management and maintenance as set out in the revised Design and Access Statement. The Metropolitan Police have been consulted and raise no objection to the proposal, nor do they recommend any conditions.

Conclusion

The proposal represents an appropriate and policy-compliant form of outdoor recreational development on MOL with the formalisation of the existing BMX track delivering sporting, health and community benefits for a wide range of users, while maintaining the site's open, verdant character and preserving the contribution it makes to the Highgate Conservation Area and the setting of nearby heritage assets. The works are low-impact, ground-level and visually limited and will not give rise to any material change in the appearance of the site or the character and appearance to this part of Highgate Conservation Area.

The ecological assessment demonstrates that, subject to the recommended mitigation and management measures secured by condition, the development will protect and enhance the site's biodiversity value. No unacceptable impacts on neighbouring amenity, highway safety or parking conditions have been identified, and the proposal does not introduce any built form or arrangements that would prejudice future comprehensive development of the wider site in line with adopted and emerging allocations.

Any limited impacts arising from the proposal are considered to be clearly outweighed by the public benefits associated with improved access to informal recreation, enhanced ecological value and better management of an underused area of open space.

For these reasons, the proposal is considered acceptable in all respects and is recommended for approval, subject to the conditions set out below.

7. BIODIVERSITY NET GAIN

The application was lodged prior to the requirements of BNG coming into effect, and therefore BNG is not applicable to the development.

8. CIL APPLICABLE

Not applicable due to no new buildings on the site.

9. RECOMMENDATION

GRANT PLANNING PERMISSION subject to conditions

1. The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of the provisions of the Planning & Compulsory Purchase Act 2004 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings as listed below except where conditions attached to this planning permission indicate otherwise or where alternative details have been subsequently approved following an application for a non-material amendment.

Approved plans list: 01_01 Rev C Proposed Plan with furniture; Ecological Impact Assessment; Arboricultural Impact Assessment; 01_02 Proposed Plan RevB; Location Plan; 01_01 Proposed Site Plan Rev B; 01_06 Shepherds Hill proposed Section and Elevation RevB; 02_01 Proposed Track Design Plan RevD; 01_05 Shepherds Hill proposed Section and Elevation RevB.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The development hereby permitted shall not commence until the following documents, in consultation with London Underground, have been submitted to and approved in writing by the local planning authority which include:

- a) method statement and risk assessment for site survey / ground investigation to validate proposed depth of excavation and inform proposal of works above existing London Underground's masonry tunnels.
- b) structural load impact assessment on the existing masonry tunnels due to the proposed works.
- c) Risk Assessment Method Statement (RAMS) for construction works, including the impacts of carrying out soil compaction works in the vicinity of the aging masonry tunnels.
- d) Site specific RAMS for any excavations, ground works or landscaping within 10m of any London Underground (LU) structure which Transport for London may deem to be a risk to LU. The RAMS should be issued a minimum of 6 weeks prior to the individual activity commencing.
- e) Written approval by TfL Engineer regarding the new use due to the upgrading works.

Reason: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012

4. The development hereby approved shall not commence until a Construction Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority. The CEMP
 - Measures to prevent damage to the Site of Importance for Nature Conservation (SINC) [Parkland Walk, Queen's Wood, and Highgate Wood].
 - Controlled removal and disposal of invasive species (e.g. Green Alkanet, Wall Cotoneaster) by qualified contractors.
 - Sensitive clearance methodologies for invertebrates and reptiles under ecological supervision.
 - Measures to avoid disturbance to breeding birds and bats, including seasonal timing or ornithologist checks.

Reason: To safeguard and protect the natural environment and floral and fauna consistent with London Plan Policy G6, DPD Policy DM19, and HNP Policy OS4 and the NPPF.

5. The development hereby approved shall take place in complete accordance with the Arboricultural Impact Assessment, Tree Protection Plan and Tree Constraints Plan prepared by Tim Moya Associates (dated April 2025), unless otherwise superseded by the Arboricultural Method Statement approved under Condition 6. All tree protection measures, including no-dig construction within Root Protection Areas, ground protection, arboricultural supervision and protective fencing, shall be implemented as specified and retained for the duration of the construction works.

Reason: To ensure the protection, safety and long-term well-being of trees on and adjacent to the site during construction, consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of the Development Management DPD 2017.

6. Prior to the commencement of any development, and before any equipment, machinery or materials are brought onto the site, a detailed Arboricultural Method Statement, consistent with the approved Arboricultural Impact

Assessment and Tree Protection Plan, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out strictly in accordance with the approved Method Statement, and all protective measures shall be maintained in situ until all equipment, machinery and surplus materials have been removed from the site.

Reason: To ensure that appropriate arboricultural safeguards are in place prior to and during construction, protecting trees that are to be retained, consistent with Policy G7 of the London Plan 2021, Policy SP11 of the Haringey Local Plan 2017 and Policy DM1 of the Development Management DPD 2017.

7. Prior to the completion of the development, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. The LEMP shall secure the implementation and long-term maintenance of all mitigation and enhancement measures set out in the approved Ecological Impact Assessment prepared by MKA Ecology Limited (dated 31/03/2025). Works shall then be undertaken in accordance with the approved LEMP.

Reason: To safeguard and protect the natural environment and floral and fauna consistent with London Plan Policy G6, DPD Policy DM19, and HNP Policy OS4 and the NPPF.

8. Prior to commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority. The CMP shall detail the programme of works and provide details in respect of: the construction traffic movements, material/plant storage areas and details of necessary suspended car parking spaces. Thereafter, the development shall be implemented in line with the approved details throughout the project period.

Reason: To ensure there are no adverse impacts on the free flow of traffic on local roads and to safeguard the amenities of the area, consistent with Policies T4, T7 and D14 of the London Plan (2021) and with Policy DM1 of The Development Management DPD (2017).

INFORMATIVE

The applicant is advised to contact TfL Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard

to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting

INFORMATIVE

Should land, rights or lease variations / permissions be required from TfL for the development, a legal and commercial property agreement will need to be in place before development can take place