

FAO: Nathan Keyte
Planning Services,
Haringey Council,
River Park House,
225 High Road,
London
N22 8HQ

11/03/2024

Dear Nathan Keyte,

RE: HGY/2023/3217

FOR: Erection of a detached part single, part two-storey, 3-bedroom family home

AT: 28 Shepherds Close, London N6 5AG

In addition to my previously submitted objections for HGY/2023/3217

I am writing to strongly oppose the applicants' claims regarding the proposed development in Shepherds Close on behalf of the residents.

This rebuttal addresses several inaccuracies and misleading narratives in their application and letters of support. Additionally, I want to express my profound objection to the recent planning application for the proposed development on the land next to 27 Shepherds Close, London N6, and to raise serious concerns over a similar proposal in Barrington Court [2023/3592](#) London NW5 4AT and Oak Tree Mews.

This letter outlines our unified stance against inaccuracies and harmful narratives presented by the applicants, emphasising our commitment to safeguarding our neighbourhood's environmental integrity and communal heritage.

Our multifaceted concerns range from misrepresenting the Haringey's Council and Highgate Society's stance to exploiting planning loopholes during the lockdown. The developer's approach, characterised by a lack of genuine community consultation and a disregard for environmental conservation, starkly contrasts with the values we uphold.

Furthermore, the deliberate omission to register a Section 211 notice undermines the planning process's transparency and integrity, depriving our community of a voice in crucial developmental decisions. The proposal disregards established objections and manipulates the definition of 'brownfield' land, threatening the local ecosystem and community well-being.

In conclusion, the proposed development necessitates rigorous scrutiny and opposition because it prioritises architectural ambition and profit over environmental stewardship and community values. The developers' actions and intentions, from destroying green spaces to the questionable extension below ground level, call for a re-evaluation that aligns with ethical development practices. We urge the Planning Committee to consider our objections seriously, ensuring any future development respects Shepherds Close's unique character and environmental significance.

We believe the developer has misrepresented the importance of green spaces in our community and disregarded community input and environmental integrity. Their actions could be considered ecocide, as they endanger local biodiversity and erode community trust and well-being.

To address the significant environmental damage caused, we demand that the developer replant 19 trees and restore mature vegetation to preserve our area's ecological balance and beauty.

This is not just about restoring habitats for local wildlife, such as the bats that live nearby and use the land as their hunting ground as they have for many decades, but also about respecting and safeguarding the green spaces crucial for our community's overall health and the well-being of future generations.

We find the developer's current approach to development unacceptable and unjustifiable. It goes against sustainable, inclusive, and environmentally respectful development that our community, and indeed our planet, desperately needs. We urge the developer to reconsider a better site that is more appropriate for their project and adopt a development strategy that aligns with ethical practices, genuine community engagement, and a commitment to preserving the precious green essence of our neighbourhood.

We call upon the Planning Committee to examine the applicants' discrepancies and misleading claims. We must honour Shepherds Close residents' deep-rooted commitment to protecting and preserving the essence of our neighbourhood.

The current development proposal fails to align with our community's values and poses a significant threat to the social and ecological landscape that we have collectively nurtured. Therefore, we urge the Planning Committee to reject this proposal and safeguard Shepherds Close's environmental and communal heritage.

Yours sincerely,

Residents of Shepherds Close

Aisha Ali
Kasia Marzec
Nadira Ali
Marion Page
Talia Cohen
Amala Cohen
Devonte Amobi
Dr Paul Brown
Monica Williams
Andrea Mindlin
Cedric Korodetz
Mark Knowles
Shamita Sharmacharj
Liam Dooley
Pete Hamel
Ruth Sullivan

Tatiane Broadbent
William Broadbent
Sylvia Dietz
Sergey Gudoshnikovs
Irina Gudoshnikovs
Magalie Morgan
Barney Morgan
Kitty Morgan
Adele Laden -Lockett
Roy Lockett
Iris Ozgur
Emre Ozgur
Kyra Dingli
James Putnam
Sophie Stirling

Appendix A: Community Concerns and Objections

Enumeration of community concerns regarding the proposed development's environmental, social, and aesthetic impacts.

1. Dismissing Voices. Undermining Community Concerns in Highgate Development

By characterising community opposition as merely an "activist campaign," the developers are minimising genuine concerns from residents about the development's impact on their community and the Conservation Area.

The developer's letters of support fail to acknowledge the depth of community engagement with the local environment and the legitimate anxieties about potential precedents this development could set for future interventions in similarly protected areas.

Therefore, while the developers' expressed appreciation for the local environment is acknowledged, their actions and addressing community concerns do not align with a true passion for preserving Highgate's natural and communal heritage. A genuine commitment to these values would prioritise existing greenery and engage more constructively with community feedback rather than dismissing it as oppositional activism.

2. Contradictions in Conservation. Actions Versus Intentions in Highgate Development

The developers say they were drawn to the site due to their love for Highgate and Parkland Walk and their passion for nature. However, their actions contradict their statement, especially regarding "removing a mature cypress hedge". This act disregards the natural landscape and the community's appreciation of green spaces rather than a commitment to nature.

Their intention to replace the "hedge" with mature native species, while seemingly positive, does not excuse the initial harm done to the area's biodiversity and aesthetic value. Nor does it account for the replanting of 19 mature trees. It is important to recognise that mature vegetation forms part of an intricate ecosystem that has developed over many years, and its removal cannot be compensated by new plantings, no matter how well-intentioned.

3. Community Consultation and Environmental Concerns

The applicants' claims of environmental consideration and community involvement contradict their actions, notably the lack of consultation about removing mature trees. While promises to replant native species are made, this does not address the irreversible damage already inflicted on the community's green space.

The developers misrepresent crimes in the area to offer a solution to a problem we know nothing about in support of their planning application. Furthermore, installing a fence without prior notice, particularly during a time meant for community unity during the pandemic, starkly violates the principles of transparency and respect for neighbourhood values. Dismissively referring to mature trees as a "hedge" vividly illustrates the disconnect between the developers' actions and the environmental stewardship we strive for in Shepherds Close.

4. Foundational Concerns: The Ecological Impact of Subterranean Development in Shepherds Close

The proposed construction on the land west of Shepherds Close poses a significant threat to the local ecosystem, underscoring the vital importance of preserving the developed ecology over the years. The

necessity to remove the roots of the trees in the Parkland Walk to build stable foundations risks disrupting the delicate ecological balance and threatens the diversity and health of local species.

Digging deeper for foundation stability raises further environmental concerns, including soil disturbance and potential harm to underground habitats. This approach questions the immediate ecological impact and opens the door to further subterranean development, which could exacerbate the ecological disruption. Development plans must be rigorously evaluated to ensure they do not irreversibly harm the ecological systems that our community and natural environment rely on.

Given the necessity for deeper foundations to ensure stability in the proposed development west of Shepherds Close, there's a significant risk that the developer might extend construction below ground level. Once it becomes apparent that greater foundational support is needed, minimal regulatory or practical constraints would prevent the developer from expanding the project's scope underground. This possibility not only heightens concerns about the environmental impact but highlights the need for clear, enforceable limits on the extent of development to safeguard the area's **ecological integrity** and community interests.

The proposed application seeks to occupy areas described as a green lung and corridor within the Root zone of Parkland Walk, which raises significant environmental concerns. Parkland Walk is a crucial green artery that supports a diverse ecosystem, including mature trees whose root zones are essential for their health and stability. Encroaching these sensitive areas poses a significant threat to the integrity of this natural habitat and undermines efforts to maintain urban biodiversity and green spaces. This approach disregards the ecological importance of maintaining an adequate distance from the root zones to ensure the vitality of Parkland Walk. It highlights the need for more conscientious planning that respects and preserves the natural landscape.

5. Architectural aspects:

The developers' letter of support glaringly overlooks significant concerns voiced by Shepherds Close residents, demonstrating a lack of consideration for the community's input and the local environment:

The proposed development starkly contrasts with Shepherds Close's existing architectural harmony, failing to align with the heights, form, scale, and massing of nearby houses.

It introduces privacy invasions for residents at Nos. 10, 11, 26, and 27, disrupting the current seclusion of these homes.

Questions about the accuracy of site dimensions and borders, especially concerning the footpath's proximity, indicate potential boundary issues.

The design features three high blind walls, raising security concerns by potentially endangering the safety of narrow passageways.

A comprehensive geological impact assessment—addressing the effect on land, groundwater systems, sewage, and more—has not been adequately provided, leaving critical environmental questions unanswered.

Lastly, detailed plans for integrating the new building with existing structures, including garages and foundation security, are notably absent.

The lack of detailed plans for seamlessly integrating the new building with existing structures, particularly garages and ensuring foundation security, is a glaring oversight. This omission raises serious concerns about the structural integrity and aesthetic cohesion of the development within the

existing architectural context. Such a fundamental lack of consideration not only poses potential risks to the stability of adjacent properties but also reflects a disregard for the established character of the area. A strong objection is warranted due to the potential for negative impacts on Shepherds Close's environment and the safety concerns that incomplete planning introduces.

These omissions and inadequacies call for a strong objection to the development proposal, urging a reconsideration that genuinely addresses the community's concerns, respects the character of Shepherds Close, and ensures environmental and structural integrity.

The developer's attempt to align their proposal with **Harley Sherlock's architectural vision** for Shepherds Close is flawed and misleading. Asserting that the development is a continuation of Sherlock's design overlooks a crucial point: if Sherlock had intended for the land next to 27 Shepherds Close to be developed, he likely would have initiated the project himself. Historically, the *clear absence* of any construction on the site is compelling evidence that building another house there contradicts Sherlock's original design ethos and intentions. This incongruity undermines the developer's argument and highlights a disregard for the architectural harmony and community values that define Shepherds Close.

Appendix B: Environmental Impact Analysis

- Reports and studies detailing the expected environmental impact of the development, including biodiversity loss and ecological disruption.

Please see the ecology report, which includes visual evidence of the area's ecological state and provides a baseline for assessing potential damage.

Appendix C: Legal and Planning Framework

- Excerpts from relevant legal documents and planning policies, including the National Planning Policy Framework (NPPF), highlighting the misinterpretation of 'brownfield' sites.
- Documentation of the procedural requirements for a Section 211 notice and its significance in protecting local green spaces.

<https://commonslibrary.parliament.uk/research-briefings/cdp-2023-0035/>

Misclassification of land

The developer's portfolio, emphasising brownfield regeneration and complex urban projects, starkly contradicts the proposed "modest family home" narrative, revealing a broader agenda undervaluing urban green spaces.

In other words, transforming green spaces into wasteland primed for redevelopment starkly contrasts with the narrative of building a modest family home and emphasises a broader agenda that consistently overlooks the importance of green spaces in urban settings.

The classification of the Shepherds Close site as 'brownfield' misinterprets the National Planning Policy Framework (NPPF), stretching the 'curtilage' definition and disregarding the site's community and ecological significance.

This misclassification and the transformation of green spaces into development-ready 'wastelands' underscore a disregard for local biodiversity and community well-being, challenging the principles of sustainable urban planning.

The Planning Committee must scrutinise these misleading narratives and acknowledge the Shepherds Close community's dedication to preserving its environmental integrity.

This calculated manoeuvre of the land post-vegetation removal and fencing disrupts wildlife habitats. It estranges the community from previously shared green spaces, necessitating strong opposition to protecting our natural and social landscape from exploitation.

The Planning Committee must critically examine the misleading aspects of the applicant's narrative, respecting the historical and ongoing commitment of the Shepherds Close community and its supporters, including The Highgate Society, Friends of Parkland Walk, and Highgate Conservation Group, to preserving the environmental integrity and character of our area.

It highlights the necessity for vigilance and advocacy to ensure that development practices respect the integrity of our natural and communal environments rather than exploiting them for gain.

*It has come to light that the green space in Shepherds Close is not included in the local authority's brownfield register. This means the developers' claim that the land is suitable for immediate development under brownfield redevelopment policies, which prioritise previously developed land, is questionable. The omission from the register shows that the site **has not been** recognised as a brownfield land. The absence from the register raises questions about the site's suitability for development, challenging the proposal's compliance with national strategies aimed at sustainable urban growth and the conservation of undeveloped land.*

The planning application inaccurately designates a plot of land as "28 Shepherds Close," an address that does not officially exist. This land, part of 27 Shepherds Close, has been a subject of consistent planning refusals over the past four decades. Misrepresenting it under a new, unregistered address raises significant concerns about the accuracy and integrity of the application documents. This deliberate confusion undermines the transparency of the planning process and disrespects the community's right to be accurately informed about developments affecting their environment.

Appendix D: Historical Planning Refusals and Appeals

- This chronology of previous planning applications, decisions, and appeals for the site illustrates a history of conservation prioritisation.
- Insights from the Planning Inspectorate that underline the site's importance to the conservation area and community.

Overlooking History. The Unheeded Legacy of Planning Rejections in Shepherds Close

The history of the planning applications on this green space reveals a consistent pattern of rejection due to valid concerns, with no substantial changes to justify approval.

The letters of support egregiously overlook the over 40-year history of planning refusals for this site.

This omission disregards the consistent community and regulatory efforts to preserve Shepherds Close's unique character and environmental integrity.

The persistent refusal of development proposals underscores a deep-seated commitment to maintaining the area's distinctive environmental quality, which this current application fails to honour. The rejection of previous planning applications highlights the unsuitability of green space for housing development.

HGY/2002/0158 - Site Adjacent 27 Shepherds Close London N6 London - Erection of a two-storey 2-bedroom dwellinghouse. – **Refused - 23/07/2002. Appeal APP/Y5420/A/02/1108911 - Appeal dismissed - 2003.** The Planning Inspectorate wrote:

“[the site] provides a wedge of open land which is in a prominent position in the Close at the bend in the road; it provides an attractive green vista to the west and softens the harsh wall of the garage block. It thus positively contributes to the street scene and the appearance of this part of the conservation area.”

Historical Planning Refusals and Appeals

The history of planning refusals and appeals for the site adjacent to 27 Shepherds Close, London N6, demonstrates the long-standing recognition of its value to the community and the conservation area.

1. **HGY/2002/0158—The proposed two-storey, two-bedroom dwellinghouse was** refused on 23/07/2002. The appeal (APP/Y5420/A/02/1108911) was dismissed in 2003, with the Planning Inspectorate noting the site's contribution to the green vista and conservation area's appearance.
2. **HGY/2011/0596—The Proposed 3-bedroom dwelling house was** refused in 2011 due to concerns over urbanisation, loss of open character, and adverse impact on the conservation area, contradicting Policies UD3, UD4, and CSV1 of the Unitary Development Plan 2006.
3. **HGY/2011/1860 (first submission)** - The proposed 2-bedroom single-storey dwelling house was refused in 2011 for reasons similar to the previous application, emphasising the loss of significant greenery and its contribution to the townscape and conservation area.

4. **HGY/2011/1860 (second submission)** - Similar proposal and refusal reasons as above, highlighting the consistent recognition of the site's importance to the area's open character and green vista.
5. **HGY/2019/3260—Construction of a 3-bedroom house was** refused and dismissed on appeal in 2021. The Planning Inspector emphasised the detrimental amenity impacts and incongruous development with the site, reinforcing the unsuitability of the location for new dwellings.

These refusals and their reasons underscore the site's unsuitability for development due to its intrinsic value to Shepherds Close's landscape, biodiversity, and community character. Each decision carefully considers the site's role within the conservation area, consistently acknowledging its importance in maintaining the neighbourhood's character and appearance.

Appendix E: Statements from Local Organizations

Contributions from The Highgate Society, Friends of Parkland Walk and Highgate Conservation Area Advisory Committee (HCAAC) express opposition to the development.

Misrepresentation of Highgate Society's Support

First and foremost, the misrepresentation of the Highgate Society's stance on this development is deeply concerning. Transparency and honesty are fundamental to maintaining trust.

Any suggestion of endorsement without clear evidence undermines the credibility of the process and disrespects the community's intelligence and right to accurate information.

The developer's assertion that the site in question qualifies as brownfield land is challenged by the HCAAC, highlighting a selective citation from the National Planning Policy Framework (NPPF). The developer references the definition of Previously Developed Land as "land which is or was occupied by a permanent structure," including "the curtilage of the developed land." However, this interpretation conveniently omits crucial exclusions outlined in the NPPF 2023, specifically that Previously Developed Land does not include "land that is or was last occupied by agricultural or forestry buildings, ... land in built-up areas such as residential gardens, parks, recreation grounds, and allotments." This omission misrepresents the full scope of the NPPF's definition, potentially misleading the assessment of the site's status and overlooking the policy's intention to protect certain types of land from being classified as suitable for development.

Appendix F: Developer's Portfolio and Claims Analysis

1. Analysis of the developer's stated expertise in brownfield regeneration and how it contrasts with the current proposal's implications.

Showcasing "[House of the Lost Forest](#)" within the award-winning architect's commercial portfolio blurs personal and professional boundaries, hinting at broader commercial ambitions that could compromise community and environmental values.

Please see the attached PDF containing his marketing portfolio for the Shepherds Close project!

I urge everyone to thoroughly examine the entire webpage showcasing "The House of the Lost Forest" to fully grasp the extent of the project's environmental insensitivity and mockery.

The presentation starkly illustrates a brutal disregard for the surrounding ecosystem, exploiting it to enhance residential value while simultaneously facilitating its destruction.

Exploiting natural beauty for commercial gain rather than respecting and preserving the intrinsic value of our local environment is insulting and highlights a profound lack of environmental awareness. (e.g. Please see an image of a squirrel in the house)

We must recognise this approach for what it truly represents: a detrimental impact on the ecosystem we strive to protect, calling for a collective stand against such developments that prioritise profit over the health of our environment.

This approach invites scepticism towards the developer's intentions, suggesting manipulation of personal development for commercial gain, potentially undermining the integrity of Highgate's conservation efforts.

The brutal naming of their project of destruction, "The House of the Lost Forest", while actively contributing to the loss of our community's green space, is more an insult than a tribute. This title and their approach to development reflect a profound disconnect from the environmental values and community spirit that define Shepherds Close.

2. Marketing a private residence alongside commercial and public developments blurs the lines between personal and professional realms, suggesting that the project may serve broader commercial interests rather than simply fulfilling a family's housing needs.

This public promotion could indicate an attempt to leverage personal development as a showcase or precedent for future commercial projects, potentially at the expense of community values and environmental integrity.

Such a strategy not only casts doubt on the developer's claims of simply wanting to create a family home but also reflects a strategic use of personal projects to further professional and commercial objectives, warranting scrutiny regarding the impact on the Highgate Conservation Area and the precedence it sets for development within protected spaces.

The developer's current and past projects have had a detrimental impact on urban green spaces, raising questions about their alignment with sustainable urban planning principles.

2023/3592/P Site Address Barrington Court London NW5 4AT
<https://you.38degrees.org.uk/petitions/save-barrington-court-gardens-1>

The site is located at the base of Hampstead Heath, another highly desirable location close to significant conservation areas.

3. Green Spaces vs Luxury Development. The Barrington Court Controversy

The developer's claim of specialising in brownfield regeneration contrasts with their actions in Barrington Court and Shepherds Close, where efforts to preserve green spaces clash with proposals to convert these areas into upscale developments. Mislabelling valuable green spaces as "wastelands" for development undermines community and environmental health and prioritises luxury over public well-being despite substantial investment and local opposition.

The planning application for another family home in Barrington Court, Camden, with an anticipated 2 million spent in an area where the houses are of less value than the proposal, threatens vital urban green spaces essential for community health, biodiversity, and ecological balance.

This mislabelling of these areas as "wastelands" earmarked for development disregards their value and signals a worrying trend towards prioritising construction over preserving natural communal spaces, undermining urban greenery's role in sustainable living and community well-being.

The developer's remarks regarding "**Oak Tree Mews**"- another development in his portfolio, notably of the same design, reveal a dismissive attitude toward planning policies and community consensus. By highlighting that planning permission was granted "contrary to policy" following dismissed appeals and emphasising the Planning Committee's decision to override departmental advice in response to community support, the developer seemingly endorses circumventing established procedures and guidelines. This narrative not only undermines the integrity of the planning process but also suggests a readiness to exploit any available means to achieve desired outcomes, regardless of prior decisions or the policy framework designed to ensure balanced and thoughtful development.

"Oak Tree Mews - "Despite two dismissed Planning appeals to the Government Inspector under previous owners, Oak Tree Mews was granted planning permission contrary to policy".

Appendix G: Section 211 Notice Submission and Enforcement

1. Exploiting Loopholes, Sidestepping Community. - The Shepherds Close Development Controversy

The developer's use of relaxed planning laws during the lockdown to advance their project without securing planning permission sidesteps essential community consultation. This act signifies a disregard for democratic planning principles and a calculated move to alter the Shepherds Close landscape permanently.

Section 211 of the Town and Country Planning Act 1990 mandates that anyone planning to work on trees in a Conservation Area must notify the local planning authority six weeks in advance. This allows the authority to assess the potential impact on the area and consider implementing a Tree Preservation Order if necessary. The "loophole" lies in lacking a legally specified method for submitting this notice, despite local preferences for certain procedures. Exploiting this flexibility, the developer proceeded with tree works by submitting the notice in a manner not aligned with the local authority's request, effectively sidestepping protective measures intended to preserve the environmental and aesthetic integrity of the conservation area. In so doing he excluded notifying the residents and organisations like Parkland Walk Friends, Highgate Society, and Highgate Conservation Area Advisory Committee avoiding consultation process.

2. Material Change

Transforming a cherished green space into a wasteland without consultation to suggest a "material change" in the land's condition exploits planning loopholes. This strategy threatens the area's environmental integrity and manipulates planning processes for personal gain.

Such actions bypassing objections and ignoring community efforts to preserve green spaces, demonstrating a calculated disregard for responsible development and conservation, should not be expected from such a highly regarded award-winning architect as self-professed.

By moving forward with his “project” of destruction amidst these circumstances *without* planning permission in place or sight—after losing an appeal, in full knowledge, they would wait two years before resubmitting an application.

The developers have sidestepped the usual community engagement and scrutiny process, exploiting a temporary situation to effect permanent changes to the Shepherds Close landscape.

3. *Absence of a properly registered Section 211 notice,*

The developer's deliberate oversight of the development process has deprived local organisations and the broader community of the opportunity to be adequately informed and engaged with the proposed changes. The trees would not have been removed if the notice had been registered. The developer and his team failed to produce a registered notice to me (Aisha Ali) on the day of the felling, 18/01/21.

The registration of such notice is essential for transparency and community participation. It is a formal declaration of intended works on trees within a conservation area, ensuring that all concerned parties can review, comment on, and potentially object to actions that could have lasting environmental impacts.

The failure to issue this notice not only contravenes the principles of open dialogue and due process but also reflects a disregard for the collaborative approach necessary for maintaining the delicate balance between development and environmental conservation.

By bypassing this vital step, the developer has effectively *silenced* community voices and side-lined key organisations that play an integral role in safeguarding our local green spaces and heritage.

This deliberate omission is a stark reminder of the importance of adhering to established protocols to protect the community's interests and the environment.

It highlights the need for stringent oversight and accountability in the planning process, ensuring that *all* development activities are conducted transparently and with due consideration for the collective well-being of our community and its natural surroundings.

His actions not only highlight a disregard for the democratic principles of urban planning but also demonstrate a strategic manoeuvre to bypass the usual channels of accountability and public participation and turn a green space into a “wasteland”.

The removal of 19 mature trees, including one of notable significance in category B classification, has been dismissively referred to as a “hedge,” vividly illustrating the disconnect between the developers' actions and their environmental consciousness.

4. *Details on the failure to properly register the Section 211 notice, including communications with the Planning Service and legal advice provided to the developer.*

The developer's portfolio proudly states his specialisation in transforming brownfield sites, tackling challenging urban areas, and creating exceptional architecture globally. This highlights a pattern of altering sites to fit his development needs and framework.

This self-proclaimed expertise raises significant concerns about his approach to the Shepherds Close project, suggesting a readiness to reshape the environment—regardless of the existing community values or ecological importance—to suit his developmental agenda.

While perhaps celebrated in luxury property development, this strategy contrasts with sustainable and respectful urban planning principles. It prioritises profit and architectural ambition over preserving local green spaces and the well-being of community residents.

Such a cavalier attitude towards environmental transformation underscores the need for vigilant scrutiny and strong opposition to ensure that development within our community does not come at the cost of irreplaceable natural assets and communal harmony.

The developer's mishandling of the tree works, particularly their deliberate omission in registering the Section 211 notice, highlights a lack of honesty and respect for legal and procedural safeguards to protect our community's environmental assets.

The Planning Service's request for the notice to be submitted via an online portal and the understanding that there is no legal mandate for such a submission method highlights a gap in our regulatory framework. Central Government guidance does allow for flexibility in the format of a Section 211 notice; however, this should not be an avenue for bypassing the spirit of community consultation and environmental protection that these regulations are designed to uphold.

Furthermore, the applicant's provision of legal advice in January 2022, a year after felling the trees, supposedly aligning with government guidance, raises concerns about the interpretative leeway being exploited to circumvent the protective intentions behind these notices.

The applicant's submission of legal advice a year after tree felling, claiming alignment with government guidance, indicates a tactical exploitation of legal interpretations to bypass environmental safeguards. This approach suggests an attempt to retrospectively legitimise actions against conservation norms, undermining regulatory intentions to protect green spaces and challenging the integrity of planning processes and community values.

The developer's actions, exploiting procedural ambiguities and legal interpretations to carry out tree works without proper community consultation or adherence to environmental safeguards, reveal an aggressive disregard for both the spirit of planning regulations and the well-being of the Shepherds Close community.

This situation highlights a procedural loophole and underscores a worrying disregard for the community's and local authority's role in safeguarding our environmental assets.

This strategic navigation of regulatory loopholes undermines our area's environmental integrity and erodes trust in the planning process. It highlights an urgent need for tighter enforcement and more explicit guidelines to prevent unilateral actions disregarding community and ecological values.

The failure to effectively register and enforce the notice has allowed the developer to proceed with actions that have now irreversibly altered the landscape and biodiversity of our area. This sets a concerning precedent for future developments and undermines the trust between the community, the planning authorities, and developers.

It reveals his willingness to exploit regulatory ambiguities for commercial gain, suggesting a concerning approach to development that places minimal value on the ecological and social fabric of the community.

The decision to cut the trees down and an inability to provide immediate documentation justifying this act on the day raises serious concerns about the developers' commitment to environmental preservation and community dialogue.

This failure goes beyond mere oversight, revealing a conscious decision to ignore established protocols and undermining transparency and accountability.

This blatant disregard impedes enforcement actions and signals a dismissive attitude towards the regulatory framework protecting our green spaces, further eroding trust in the developer's intentions and operations.

The developer's knowledge of the requirements yet choosing to circumvent them demonstrates deliberate neglect, demanding a robust response to ensure such breaches of trust and responsibility are not overlooked.

Given the developer's awareness and experience as an award-winning architect, this act of non-compliance raises significant concerns about their commitment to the community's environmental well-being, industry's standards practice and legal standards.

In light of these actions, it is imperative to demand accountability, transparency, and genuine commitment to preserving Shepherds Close's environmental and communal harmony. The developer's willingness to circumvent established safeguards calls for a collective and robust response to ensure development within our community aligns with sustainable, ethical, and community-focused practices. Retrospective action would include fines and compulsory replanting of the site.

5. Impact of this oversight on community engagement and the ability to protect local greenery.

Upon review of communications from Alex Fraser, Tree & Nature Conservation Manager, an oversight in 2020 was identified, which has unfortunately led to the inability to act against unauthorised tree works.

This issue arose from a misunderstanding regarding the submission process for a Section 211 notice, a matter initially communicated via email on 7 February 2020.

Despite the Planning Service's request that such notices be submitted through a designated portal, central government guidance clarifies that there is no mandated form or submission method for such notices. This discrepancy has considerable adverse effects on our local conservation area.

This exploitation led to unauthorised tree works, severely impacting our local conservation area, demonstrating an apparent disregard for established protocols and a conscious decision to bypass regulatory safeguards.

Appendix H: Community Safety and Misrepresentation Concerns

Developer's portrayal of Shepherds Close regarding safety issues and the strategic use of such claims to justify development.

1. Manipulating Community Safety Concerns for Development Justification

The developer's claims regarding fly-tipping of the site and the characterisation of the Close as a hotbed of crime starkly misrepresent the true nature of Shepherds Close. The claim of diligent removal of fly-tipping and waste contradicts observed realities and lacks transparency, casting doubt on the developer's accountability and the accuracy of their statements. This discrepancy demands scrutiny, as it suggests a narrative convenience rather than a factual recounting of efforts to engage responsibly with community and environmental standards.

Furthermore, portraying the Close as necessitating enhanced security measures due to supposed rampant crime exploits unfounded fears and risks unjustly tarnishing the community's reputation. Such a strategy appears to leverage security concerns as a justification for development, sidestepping a genuine dialogue about the project's merits or its alignment with community values. This misuse of crime statistics or scenarios to justify development actions not only undermines trust but also diverts focus from the essential discussions about environmental stewardship, respectful community development, and the real safety needs of the area.

The developer's eagerness to reside in an area they've labelled as plagued by crime raises serious questions about their motives and understanding of the community. This contradiction casts doubt on the authenticity of their project, which is a family home and commitment to the area. It suggests a potential manipulation of public perception for personal gain, undermining our neighbourhood's true character and safety.

In both instances, the developer's narrative serves more to obscure than to clarify, highlighting a need for greater honesty, evidence-based discussions, and a commitment to genuinely addressing the community's concerns and aspirations.

Despite these claims, the developer's narrative about Shepherds Close as a site plagued by safety concerns and his decision to reside there warrants a critical examination of motives. The alleged issues of fly-tipping and crime used to justify the development starkly misrepresent the true character of Shepherds Close, creating a misleading portrayal that serves the developer's interests. This approach questions the authenticity of his commitment to building a family home in the area and suggests an opportunistic use of perceived safety issues to advance the project.

This apparent contradiction between the developer's portrayal of the area and his desire to live there raises concerns about exploiting community safety fears for personal advantage rather than genuine concern for the neighbourhood's welfare. Such tactics distort the reality of Shepherds Close to fit a development agenda, undermine trust and overshadow the true values and needs of the community. It suggests a strategy more aligned with achieving planning approvals and altering perceptions than with contributing positively to the area's social and environmental fabric.

2. Undermining Green Heritage. The Mischaracterisation of Trees in Shepherds Close Development

The developer's purposeful mischaracterisation of mature trees as mere components of a "fence" further underscores the lack of understanding and respect for these trees' environmental and aesthetic significance within Shepherds Close. This reductionist view minimises these trees' vital role in supporting local biodiversity, providing natural beauty, and contributing to our community's overall health and well-being.

Such a description is misleading and diminishes the value and impact of losing these mature trees to development. It indicates that the developer's priorities are misaligned with the community's and the environmental conservation principles crucial in urban green spaces. This mischaracterisation, combined with their actions, compounds the community's concerns and objections, highlighting a pressing need for a development approach that genuinely values and preserves the green essence of Shepherds Close.

Appendix I: Developer's Legal Appeals and Community Dissonance

Overview of the developer's legal challenges against local planning decisions, including appeals to the Secretary of State.

1. Overlooking History. The Unheeded Legacy of Planning Rejections in Shepherds Close

The history of the planning applications on this green space reveals a consistent pattern of rejection due to valid concerns, with no substantial changes to justify approval.

The letters of support egregiously overlook the over 40-year history of planning refusals for this site.

This omission disregards the consistent community and regulatory efforts to preserve Shepherds Close's unique character and environmental integrity.

The persistent refusal of development proposals underscores a deep-seated commitment to maintaining the area's distinctive environmental quality, which this current application fails to honour. The rejection of previous planning applications highlights the unsuitability of green space for housing development.

HGY/2002/0158 - Site Adjacent 27 Shepherds Close London N6 London - Erection of a two-storey 2-bedroom dwellinghouse. – **Refused** - 23/07/2002. **Appeal APP/Y5420/A/02/1108911** - **Appeal dismissed** - 2003. The Planning Inspectorate wrote:

“[the site] provides a wedge of open land which is in a prominent position in the Close at the bend in the road; it provides an attractive green vista to the west and softens the harsh wall of the garage block. It thus positively contributes to the street scene and the appearance of this part of the conservation area.”

2. Challenging Local Decisions. Legal Appeals and Community Dissonance

The developer applied for planning permission in 2019 over Christmas, which was rejected on 05/02/2020. He submitted a request to the council in an email on 7 February 2020 to cut down the trees – only two days later.

He appealed to the Secretary of State against the decision of the Haringey council on 22/10/20, which he lost. After the inspectorate dismissed the appeal, the developer threatened to sue the Haringey Council for misleading him into believing his application would be accepted.

A steel construction fence was erected on 22nd December 2020 (without consultation with residents).

The 19 trees and mature vegetation, including stumps and cuttings, were cut down and removed entirely through extensive and professional coordination on 18th-20th January 2021. (without consultation with residents).

As demonstrated by the sequence of actions starting in 2019, the developer's relentless pursuit of his project illustrates an aggressive approach towards local planning decisions and a blatant disregard for community engagement. Immediately following a rejection of planning permission in early 2020, the developer sought to circumvent this decision by requesting tree removal, signalling a preparedness to proceed without due process or community input.

His subsequent appeal to the Secretary of State and the threatening legal action against Haringey Council for purportedly misleading assurances reflect a troubling readiness to challenge local governance structures and undermine the integrity of the planning process. The unilateral erection of a

construction fence and the coordinated removal of 19 trees and vegetation—executed without resident consultation—further underscore a deliberate strategy to advance his interests, side-lining the community's voice and environmental considerations.

This pattern of behaviour not only showcases a disregard for procedural norms and community relations but also indicates a willingness to exploit any available means to achieve development goals at the expense of local consensus and environmental stewardship. Such actions demand a rigorous response from planning authorities to uphold the principles of transparent and community-respected development practices.

3. The developer's decision to legally contest Haringey Council's refusal:

An appeal to the Secretary of State marks a stark attempt to override local planning decisions. This action, exploiting legal avenues to bypass community consensus and local governance, reflects a concerning imbalance in power. Despite substantial local opposition, such a determined effort to push through the project underscores a strategic manipulation of legal expertise. This questions the developer's respect for community and environmental values and threatens the democratic integrity of local planning processes. The Planning Committee and Secretary of State must rigorously evaluate this appeal to prevent a dangerous precedent undermining community trust and the principle that development should enhance, not detract from, the communal and environmental quality of places like Shepherds Close.

This approach highlights his determination to proceed against significant local opposition and reveals his readiness to engage in extensive, aggressive legal manoeuvres.

Such actions, particularly by an award-winning architect and his team, who are well-versed in the legalities of planning and development, suggest a strategic use of his legal knowledge to challenge and possibly override the carefully considered decisions made by local authorities in alignment with community interests.

Upholding the integrity of local planning decisions is crucial in maintaining community trust in the planning system, ensuring that developments genuinely serve the public interest, and respecting the environmental and social fabric of areas like Shepherds Close.

Appendix J: Economic Implications and Development Costs

Examining the proposed development's financial aspects, including the impact on local housing prices and community dynamics.

1. Cost of the Development and Economic Disparities

The letter of support from the applicant mentions the family's significant investment in the development as a sign of their commitment to the area. However, this argument overlooks the economic disparities within the community and how such an expensive development could affect local housing prices and community dynamics. It implies that financial investment alone should justify the project, a notion that disregards the broader implications for the community and local environment. It raises significant concerns regarding its potential to deepen local economic disparities and influence housing prices adversely.

Such an expensive undertaking labelled as “modest”, far surpassing the average value of homes in the Close, risks distorting the local housing market and could lead to a shift in the community's socioeconomic makeup. This financial emphasis fails to account for the broader implications on the community's character and the accessibility of affordable housing.

An investment is needed to enhance the Close's amenities without contributing to overburdening and over-urbanisation of the area.

2. Challenging Identities and Interests. The Complex Dynamics Behind Shepherds Close Development

The term “*regular British family*” used in one of the letters of support is highly contentious and provocative. It is significantly associated with a £2 million development project, which alienates community members unable to afford such luxury and promotes a narrow, financially based view of British identity.

This oversimplification, aiming to garner sympathy, misleadingly frames opposition as unreasonable and dismisses genuine community concerns for environmental and social integrity as mere personal attacks. It suggests financial wealth and privilege as a criterion for “normalcy,” ignoring the socioeconomic diversity within Shepherds Close and contributing to a sense of exclusion and economic elitism.

3. Addressing the Housing Crisis

The appeal to the London housing crisis as a justification for the development employs a broad societal issue to rationalise a specific, local project. While the London housing crisis is a pressing issue, using it to justify development should not overlook conservation areas or community values. Not all development positively addresses the crisis. The proposed family home in Highgate raises concerns about its impact on Shepherds Close's historical, environmental, and community integrity.

While the housing shortage is a critical concern, the solution should not come at the expense of conservation areas or established community values. This argument oversimplifies the issue, suggesting that any development contributes positively to addressing the crisis, which is not necessarily the case.

The impact of building on the Green Belt in addressing London's housing crisis.

CPRE London argues against the notion that constructing new homes on the Green Belt will solve the housing crisis. It emphasises that building on the Green Belt is the least desirable option for London because it would lead to the loss of countryside and green spaces, create a high-carbon, car-dependent city, and miss opportunities for inner-city regeneration.

<https://www.cprelondon.org.uk/news/think-building-on-green-belt-will-solve-the-housing-crisis-think-again/>

the Evening Standard discusses political viewpoints on home building in London's Green Belt. The article likely covers the debate around whether building on the Green Belt could solve the housing crisis or if it should be preserved to prevent urban sprawl and maintain green spaces.

<https://www.standard.co.uk/news/politics/home-building-london-green-belt-housing-crisis-b1083045.html>

City A.M. explores redefining the purpose and use of the Green Belt to solve London's housing crisis. This might include discussing the balance between protecting green spaces and addressing the city's need for new housing developments.

<https://www.cityam.com/redefining-what-green-belt-means-could-solve-the-housing-crisis-in-london/>

Together, these articles highlight the complex debate around the Green Belt in London, with viewpoints ranging from strict protection of green spaces to considering controlled development to solve the housing shortage. Each piece contributes to the ongoing discussion about balancing the need for more housing with the desire to preserve green spaces and maintain sustainable urban development.

Appendix K: Call for Action and Community Engagement

Compilation of community-led initiatives and proposals for sustainable development alternatives that respect Shepherds Close's unique character.

Outline of desired actions from the Planning Committee, including stricter oversight, transparency requirements, and adherence to community values.

In light of the challenges and concerns the Shepherds Close community raised regarding the proposed development, we respectfully request the following practical and enforceable actions from the Planning Department.

Clarification of Submission Process:

Provide a detailed guide on the procedures for submitting Section 211 notices to ensure residents and organisations can effectively participate in local conservation efforts.

Review and Update Policies:

Conduct an urgent review of current policies and procedures to address any loopholes or ambiguities that could lead to oversights, making the planning process more transparent and accessible.

Community Engagement and Mitigation Strategies:

Offer guidelines for engaging with the Planning Department on developing and implementing strategies to mitigate the environmental impacts of recent developments, including potential restoration or replanting projects in Shepherds Close's green spaces.

Preventive Measures for Conservation:

Provide advice on how the community can contribute to protecting conservation areas, potentially through establishing monitoring systems or alert mechanisms against unauthorised developments.

Regarding the Pending Planning Application:

The application must undergo thorough scrutiny to assess its adherence to legal, environmental, and structural standards and ensure alignment with local planning policies, the National Planning Policy Framework, and broader sustainability goals.

Specific Actions Requested:

Eliminate Existing Loopholes:

Address and close the loopholes that have allowed for the circumvention of established planning and environmental protections.

Enforce Retrospective Measures:

Implement fines for the unauthorised removal of greenery and mandate replanting 19 mature trees and additional vegetation to restore the area's ecological balance.

Designate Shepherds Close as a Local Green Space:

Officially recognise Shepherds Close Garden as a Local Green Space to further protect against future development threats, underscoring its importance to the community's recreational, ecological, and aesthetic well-being.

These steps are critical in ensuring that development within Shepherds Close adheres to sustainable practices, respects community values, and contributes positively to the local environment. We trust that the Haringey Council will consider these requests earnestly and act to preserve the character and integrity of Shepherds Close for current and future generations.