



PARKSIDE MALVERN RESIDENTS ASSOCIATION

Alexandra Road, Hornsey Park Road, Malvern Road, Park Ridings, Ravenstone Road
and The Avenue, N8

(Reply by email to parksidemalvernra@gmail.com or by post c/o 5 Malvern Road, N8)

Head of Development Management and Planning Enforcement
Haringey Council
6th Floor, River Park House
225 High Road
Wood Green
London, N22 8HQ

Attn. of Valerie Okeiyi

Our reference: consultation letter 1

22nd April 2024

Dear Sir/Madam,

Re: Re: HGY/2024/0466 - 157-159, Hornsey Park Road, London, N8 0JX

We write on behalf of Parkside Malvern Residents Association (PMRA), the registered residents association covering Hornsey Park Road, Park Ridings, Malvern Road, Ravenstone Road and The Avenue, N8 in response to the Council's consultation on this application. The views expressed in this letter are those of the committee on behalf of the membership.

We object to this application for the following reasons:

1. Failure to comply with policy or supply evidence of compliance

- 1.1 This is 'Back-land' development that has no reference to or justification under Policy DM55 (Regeneration / Masterplanning), the Site Allocations Plan and specifically development policies as set out in Site SA21 and under SP10 where developments in the 'town centre' are required to be part of and support the 'town centre' (See Appendix 1). The proposals are also unsupported by and fail to demonstrate any integration with the *'site wide masterplan, showing how the land included meets policy and does not compromise co-ordinated development on the other land parcels in line with Policy DM55'* or 'centre' as designated by SP10;
- 1.2 Haringey's Spatial Strategy (2017), para 2.1.4 says *'Development in the growth areas should take account of the community, environmental and other distinctive local characteristics of each area, deliver good design, including public realm, open space and promote social and economic inclusion and relate development to the surrounding areas'*; para 2.1.8 goes on to say *'New schemes should be of high quality design and sensitively consider the character and built form of their surroundings'*. This application fails to demonstrate delivery of any of these and the requirements SP1, namely:
 - Provide appropriate links to, and benefits for, surrounding areas and communities;



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- Provide the necessary infrastructure; and
 - Be in accordance with the full range of the Council's planning policies and objectives;
- 1.3 Since the site has been planned without any connection, relationship or contribution to the 'central' (Wood Green Metropolitan Centre) or Clarendon Gateway Site SA21 (see Appendix 3), it is correct to designate it as a 'small site/Backland development within the Hornsey Park neighbourhood and the correct Character Setting reference under the London Plan and Mayor's Housing is 'urban' and not 'central'. The proposal should therefore be determined by reference to policies applicable to the Hornsey Park neighbourhood as identified in the council's Character Assessment for Hornsey Park in the Area Action Plan and Character Assessment referred to in the Local Plan.
- 1.4 The proposal is predicated on the site being part of Site SA21 in the Site Allocations Plan: this states 'SA21: Clarendon Square Gateway' requires, amongst other things, the 'Creation of a new link between Wood Green and Clarendon Square to create a legible streetscape along this link'. Fig. 3.1.1 of the AAP (2017) shows the extent of the Western Heartlands and relationship between SA21, SA22 (Clarendon) and the Metropolitan town centre and thereby the significance of the site being part of SA21 (see Appendix 3). It is clear that the purpose of designating the site as part of SA21 is to orientate it towards Clarendon Gateway and create connection and depth between the town centre and SA22. With no clear policy reference or evidence to demonstrate that the proposal is part of SA21, it must be considered as a 'small site/Backland development'. The application therefore to meet the policy set out for SA21, the APP and the Local Plan and supporting documents;
- 1.5 By reference to 1.4 above, the development densities, capacity and flexibilities granted by the Site Allocations Plan for more intensive development of the 'central' metropolitan area and Western Heartlands are not applicable. The site is de facto landlocked by the recently re-approved Iceland development and is for all practical purposes accessible only from Hornsey Park Road via an existing, narrow access driveway between private residences unsuitable for its intended purpose;
- 1.6 The application contains no genuine, deliverable proposal for access other than from the Hornsey Park neighbourhood. The applicant's 'Landscape report' shows a path that is not substantiated in the application plans or site identification plan. It also appears misleading by implying the creation of a space within the Iceland development which is not provided for in that permission (see Appendix 2) and not in the gift of the applicant to provide. Wood Green already has far too many low quality, unsafe paths between and behind buildings. Even if this configuration were in the gift of the applicant to provide, which it seems it is not, it is not an acceptable standard of design for the Western Heartlands/ 'central' metropolitan area and will seriously compromise the safety of neighbours on Hornsey park Road. Contrary to SA21, the proposal contains no 'legible' streetscape;



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- 1.7 The applicant has provided no evidence that it owns or has rights to land out-with the site to be able to provide any connection with SA21 and towards Brook Road and the growth area, the policies for which it is seeking to justify the proposed excessive density. The configuration reinforces the 'Backland' nature of the proposal and introduces concerns on community safety and the intention of the applicant and Haringey to connect the new DEN, Western Heartlands drainage and systems to manage flood risk in an area where existing drainage systems are already inadequate;
- 1.8 The site has for years been identified in Haringey's draft planning documents, consultations and policies as a new 'linkage' between the established Hornsey Park neighbourhood and Western Heartlands. The applicant must explain why the proposal completely fails to deliver on this promise;
- 1.9 The proposal should as a minimum seek to create a landscaped shared surface access from Brook Road, integrated with the need for access to the Iceland development: this should be designed to create openness and compliment, not detract from the adjacent Moselle Walk now under construction;
- 1.10 As 'Backland' development wholly reliant on its connection to Hornsey Park Road, the applications fails to identify or provide for any of the essential infrastructure improvements required to support this development in Hornsey Park Road;
- 1.11 The proposed intensity of development should not be permitted as there is inadequate access for construction traffic from Hornsey Park Road. It was the site owner's or previous site owner's decision to narrow the existing access when it built two detached houses under planning permission HGY/1997/1667 at which point Haringey's planning officers' decision to approve brought with it the need to orientate development and access towards Brook Road and the Western Heartlands. Planning policy has been consistent for more than 25 years to ensure this reorientation yet this application has been allowed to ignore it. The applicant and Haringey must accept that the grant of permission irrevocably denied the opportunity to develop from Hornsey Park Road.

2. Failure to apply policy applicable to a 'Small site/Backland' development

- 2.1 Against the wishes of the local community, the site was reallocated to the Western Heartlands development area in the SAP 2017 for the specific purpose of integration with that area. The site was then and by this application undeniably remains a 'small site'/Backland site', effectively occupying the space of back gardens in the line of houses on the west site of Hornsey Park Road (see Appendix 1). As such, Policy DM1 must be applied where proposals '*should relate positively to their locality, having regard to, building heights, form, scale & massing prevailing around the site, urban grain, sense of enclosure, following existing rhythm of any neighbouring or local [density] and distinctive local architectural styles, detailing and materials*';



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- 2.2 We refer to correspondence between St. William and PMRA in March 2017 following a planning forum to consider the, then forthcoming application HGY/2017/2886 in which St. William expressed dissatisfaction with planning of the adjacent Iceland site.

Their concerns, well known to Haringey are equally applicable to the proposed development at 157-159 Hornsey Park. For the avoidance of doubt, they were:

- The need to reflect the Heartlands '*philosophy for safeguarding of the Moselle route*' (subsequently incorporated into planning permission HGY/2017/3117 and S.106 agreement;
- The need for the new [Iceland] building to '*step further from the residential boundary and Moselle route*';
- The need to address poor planning where '*the [Iceland] building currently is drawn practically on the boundary with Heartlands and should step further away from the Heartlands scheme (maybe 8m offset each) perhaps with a new shared park (16m wide).... and at the entrance to the Moselle route. This would then start to reflect the new Heartlands scheme philosophy a little better of linked community spaces*';
- The need to address '*overlooking sensitivities*'.

- 2.3 The proposed density fails to meet the standard required by Policy SP11 which states development shall be 'safe and easy to use' when in fact the development is awkward and accessible only via a narrow shared surface. The proposal creates an unsafe crossover with limited inter-visibility for access and service vehicles onto the heavily congested Hornsey Park Road and passing pedestrians and cyclists;
- 2.4 The number of homes proposed in this application should not be used to justify the proposed density and height. Clarendon is already exceeding the number of units required under the detailed planning permission and the same is likely to be the case for the balance of SA21 and other sites. The application should be determined as a 'small'/Backland site without the number of dwellings being dictated by policies for SA21 and Western Heartlands;
- 2.5 The design fails to respect local context and character by failing to acknowledge the presence of the Moselle Brook, the Blue Ribbon and the historic course of the pre urban river;
- 2.6 The proposed intensity of development fails to contribute to the creation and enhancement of Haringey's sense of place and has inadequate open space. As a 'small site/ Backland development' in an area of open space deprivation, the proposals should include genuine open space that contributes to the overall open space provision of the Western Heartlands and 'central' metropolitan area, creating linkage and encouraging movement and community safety and cohesion.



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3. Unsafe and insufficient site access orientated away from SA21 Clarendon Gateway, the 'central' metropolitan area and Western Heartlands

- 3.1 The intensity of development and reliance on the existing unsafe access will serve to increase the hostile environment experienced by residents at and in the vicinity of the access. Haringey must take a strategic approach to development by reference to policies and strategies that the community has been consulted on and co-ordinate and integrate sites and demands for access, servicing and movement into a coherent overall plan that builds the future and avoids harm to the established community;
- 3.2 Without a detailed 'construction management plan', no evidence has been provided to demonstrate how this intensity of development (much with 1m of neighbouring residential properties) can be constructed without need for cranes oversailing neighbouring gardens and causing excessive noise and light intrusion, to the detriment of residents;
- 3.3 No consideration has been given to the safety and convenience of pedestrians and the right of near neighbours to live without being disturbed by delivery and service vehicles entering and leaving the site via an extremely narrow access drive;
- 3.4 No consideration has been given the impact of vehicular traffic likely to be generated by the work space and visitors. It is not credible that the workspace will not generate service and delivery traffic and the need for standing/waiting, parking and the movement of products or consumables. Visitors and delivery vehicles to service the site will rely on the nearby 'pay and display' pavement parking, increasing traffic chaos in an already congested road prone to traffic related accidents. Sight lines (forward visibility) are inadequate given the presence of existing residents' parking;
- 3.5 No evidence has been provided to demonstrate a robust fire safety strategy to ensure access for the fire service and its appliances is available to sufficient areas of the buildings to save the lives of people and protect the development and neighbouring properties from hazard. This is particularly the case where the proposed buildings are behind the gardens of Hornsey Park Road or the Clarendon and Iceland developments. The application asserts that the safety of future residents and occupiers in the event of fire is predicated on a 'stay put' instruction, a totally unacceptable expectation in light of the Grenfell disaster where access to save lives was compromised by restricted access. The single narrow access from Hornsey Park Road will be inadequate in the event that more than one emergency vehicle is required but more seriously, Hornsey Park Road is itself narrow, congested and prone to blockage and unreliable as a single means access in an emergency;
- 3.6 The access from Hornsey Park Road should be a subsidiary access with a new access from Brook Road created to fulfil the objective of creating a linkage with the Western Heartlands and wider 'Clarendon Gateway' site. The existing access should be for pedestrians, cycles and emergency vehicles only and be properly landscaped, including treatments to the flank walls of adjacent houses;



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- 3.7 Notwithstanding the foregoing comment, any development of this site should involve clear proposals to improve the environment on Hornsey Park Road and in particular pedestrian safety and movement (including safe means to cross Hornsey Park Road) and generally reduce the harmful impact of traffic on the street. As a minimum, a linked table-top and landscaping constructed to the same specification as that provided by St. William in Mary Neuner Road should be delivered by the developer through S.106 and S.278 agreements.

4. Failure to respect the Blue Ribbon and integrate the Moselle Brook into the development and SA21

- 4.1 Haringey declared a climate emergency in 2019 and has since said addressing climate change is a priority. Objective Com4 of the Haringey Climate Change Action Plan says that Haringey will use 'Planning and Regeneration' to *"increase the overall area of green spaces in new developments and through the delivery of pocket parks"* where *"Management and maintenance of these new spaces to be taken up privately or by volunteer groups, where possible"*. This application fails to protect the Blue Ribbon and priorities density over Com4 and addressing the Climate Emergency in an area of open space deprivation;
- 4.2 SP05 requires that *'All development shall:... Restore and enhance the Blue Ribbon Network including Moselle Brook)*. Together with the declared Climate Emergency and Com4, proposals for this site and the balance of SA21 require a focus on the Blue Ribbon, if not the restoration of the Moselle Brook as a live river to help manage flood risk through natural means and open space. This will have additional social, health and environmental benefits as well as meeting policy objectives in relation to open space, supporting nature and health and wellbeing.
- 4.3 Seeking to determine the application's height and density by reference to SA21 but then treating it as a 'small/Backland' site for the purposes of Blue Ribbon and EA policy has given the appearance that Haringey has sought to circumvent policy to support the applicant. We note that the initial objection from the Environment Agency (EA) has been revised during the application consultation to align with planning officers' 'pre planning advice' given last year. Specifically, the EA appears to have been led by Haringey to consider the application as a 'small site/Backland' where daylighting could be considered 'Disproportionately expensive/ Disproportionate burdens' under EA classifications (see Appendix 5), whereas Haringey's primary policy is SA21 clearly has the greater objective of 'Regeneration /Masterplanning'. If taken as one larger site, daylighting the Moselle, where the Water Framework Directive status classification is for the greater part 'Good' (see Appendix 5) and the 'Year' for achievement is 2027, becomes achievable by following extant policies. This should be a focus of planning officers. In the absence of a proper assessment in relation to SA21, Haringey's approach has become procedurally problematic and calls into question the integrity of planning governance.



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- 4.4 Regardless of whether the EA is prepared to force its strategic position on daylighting the Moselle or protection of the Blue Ribbon, it is Haringey's responsibility to deliver policy in its area and address the Climate emergency wherever and whenever it reasonably can. This is not a responsibility that can be dodged and explained away as 'they don't care so why should we'. Haringey is wrong not to have made protection, enhancement and public access to the Blue Ribbon a priority and apply its policies with honesty, commitment and without appearing to favour to the applicant. It is an indictment of its attitude that no such priority was given when it took payment for 'pre planning' advice. The Climate Emergency, policies, strategies and commitments are clear enough that this application should be rejected in its current form;
- 4.5 The application should be rejected until a detailed feasibility of daylighting the Moselle has been completed, with the specific aim of complying with policy SP5 and others policy relating to the Climate Emergency, to safeguard and restore the brook as a natural water asset. Haringey should not have given 'pre planning advice' without reference to such important policies, never mind grant permission until a co-produced, properly funded and resourced assessment has been completed and reviewed by the competent stakeholders. The serious inconsistency on the location of the Moselle culvert between plans for the application and approved plans for the Iceland site (see Appendix 6) points to a failure by Haringey to take seriously its policies and apply planning principles diligently. The document titled 'Initial Assessment of impact on Moselle Brook Culvert, produced long after the application was submitted six weeks after the date of application explains that there is insufficient site area to protect the Blue Ribbon or daylight the Moselle. It is not for the applicant or Haringey officers to casually disregard policy on SA21 and SP5 just because they can't be bothered. SA21 must be planned comprehensively which means if Iceland took more land under the nose of Haringey than they should have, the balance of SA21 will have less. When the redevelopment of the Iceland was proposed a few years ago, we were told that the Blue Ribbon could not be applied to the Iceland site because the Moselle Brook and culvert lay outside of the application area but this is clearly not the case. As a minimum, the site should be planned to protect the Blue Ribbon and 8m either side of the culvert as a Haringey and London wide asset and linear green space, ideally for future connection to Mayes Road;
- 4.6 The EA's suggestion that daylighting is not advisable by reason of ground contamination is not a relevant consideration: if there is contamination, Haringey must require its safe removal as a condition of development, not least to protect neighbouring gardens.
- 4.7 As an integral part of the Blue Ribbon, green space should be extended to preserve the historic irregular course of the brook and historic field boundary and protect and reintroduce the tree canopy that is such a feature of adjoining section of the Blue Ribbon.



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5. Overlooking and excessive density

- 5.1 The proposed buildings mass on and are too close to the boundaries with the rear gardens on Hornsey Park Road (c.1m in some cases). As well as being overbearing, rear habitable rooms of existing properties on Hornsey Park Road will be detrimentally affected by loss of light and view of the sky, something that should not be tolerated for 'Backland' development. The massing, proximity, overlooking and overall relationship of the development to adjacent properties on Hornsey Park Road must as a minimum comply with the standards agreed for buildings B2 and B3 in Heartlands.
- 5.2 No windows should be permitted within 8m of the boundary at the rear of homes on Hornsey Park Road. The experience of residents on Hornsey Park Road where development has been permitted close to boundaries is that neither developers nor Haringey Council can be trusted to ensure that opening windows and overlooking will not be allowed.
- 5.3 The quality of overall planning of development is disjointed and crowded in relation the Iceland development, where in one case the buildings shown are within 7.5m of each, but particularly so in relation to Heartlands Building D4 where there will be direct overlooking and insufficient space between buildings.

6. Failure to take other material considerations into account

- 6.1 It appears to us that Haringey has failed to take into consideration UK Government advice on matters that are material to determination of the application.
- 6.2 The planning history of a site is a relevant consideration in the determination of this application. Given that policy and the Local plan have been developed and consulted on for the Western Heartlands and Sites SA21 and SA22 following implementation of HGY/1997/1667, the absence of orientation towards Brook Road as part of the Clarendon Gateway and need to restrict access to HPR are material considerations;
- 6.3 It is also material that the historic building over of the course of the Moselle was illegal and as such its restoration as riparian open space is a matter of policy to be delivered in the wider planning of SA21 and not a bargaining tool;
- 6.4 UK Government advice is that each material consideration must be given the appropriate weight: it goes on to say that use in the public interest is 'material' while the protection of purely private interests such as the impact of a development on the value could not be material. The protection and restoration of the Moselle and the long term health of the water body is a matter of National policy: addressing the Climate Emergency is a matter of National, London regional and Haringey local policy; protection and enhancement of the Blue Ribbon as a 'green' and riparian asset supporting the health and wellbeing of the local population, bringing ecological value is policy under the London Plan and Haringey's plans. There is no evidence to suggest that such material considerations have at any point been taken into account;



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- 6.5 Mitigating the loss of site area from protecting the course of the Moselle where it has been encroached upon and built over illegally, and consequential loss of development value, are private and not material considerations, particularly when the application has been brought forward in a way intended to thwart policy SA21, the Local Plan and policies created to address the Climate Emergency. The owner at the time of consultation of the Site Allocations Plan, the Area Action Plan and Local Plan, subsequent owners and the applicant would have well aware of the consequences of the site being included in SA21 and have had every opportunity to take into consideration the consequential impact on development value in planning the proposals;
- 6.6 It is also 'material' that the site is part of a chain of sites identified in the Site Allocations Plan and Local Plan where the Moselle culvert is known to be at the surface and not buried as was contended in approving development of SA22. There is every possibility that the Moselle will be daylighted in future in the ownerless and unregistered land being laid out as Blue Ribbon and to be known as 'Moselle Walk' (due for completion 2024), though the rear gardens of Hornsey Park Road and sites SA11 and SA12 where the Site Allocations Plan provides for potential daylighting. Further, there remains the possibility that at least part of the Blue Ribbon pocket park in site SA22, completed in 2023, can/will be daylighted in future. After more than 25 years of planning and at a time of heightened awareness of the threat of Global Warming and Climate Change, the proposals for 157-159 would break an otherwise unbroken chain and opportunity to deliver the Blue Ribbon and safeguard daylighting, either in the short term under extant policies or by future generations;
- 6.7 We believe that the cumulative effect of Haringey's 'ala carte' approach to which of the relevant policies to apply amounts to a 'material' consideration where that approach results in a proposed decision that would not reasonably have been considered when the policies were developed in response to National, London and local strategies and needs and the consultation and approvals process did not specifically provide for their circumvention.

7. Failure to respect the Localism agenda enshrined in planning legislation

- 7.1 Finally, we object to the applicant's and the council's failure to respect the purpose and processes of the Localism Act, 2011. 122 residents objected to the development of the site in 1997 (the application was refused) yet after 25 years of Developments Frameworks, Local Plans, AAPs and endless consultations our community in which many hundreds of hours have been committed by PMRA acting professionally and with integrity, Haringey council and its planning officers have given clear advice to direct the applicant to submit the proposal in clear opposition to Haringey's, the London Mayor's and Environment Agency's policies and plans, not to mention the needs and expectations of our community. It is simply not acceptable. The application must be reconsidered and submitted to address the foregoing concerns.



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We most respectfully ask that Haringey reconsiders its advice to the applicant and invites them to withdraw the current application and works with our community to address our concerns before submitting revised proposals.

Yours faithfully

Parkside Malvern Residents Association

Adiran and Zoe Punaks – leads to PMRA Steering group
Jez Gay - lead to PMRA Buildings and Planning group
Polly de Boer – lead to PMRA Community Gardening group
John Miles - for Hornsey Park a Living Street - residents and neighbours of 157-159
Marcus Ballard - lead to PMRA Community Safety and Care group

Cc Ryan King - PMRA Steering group



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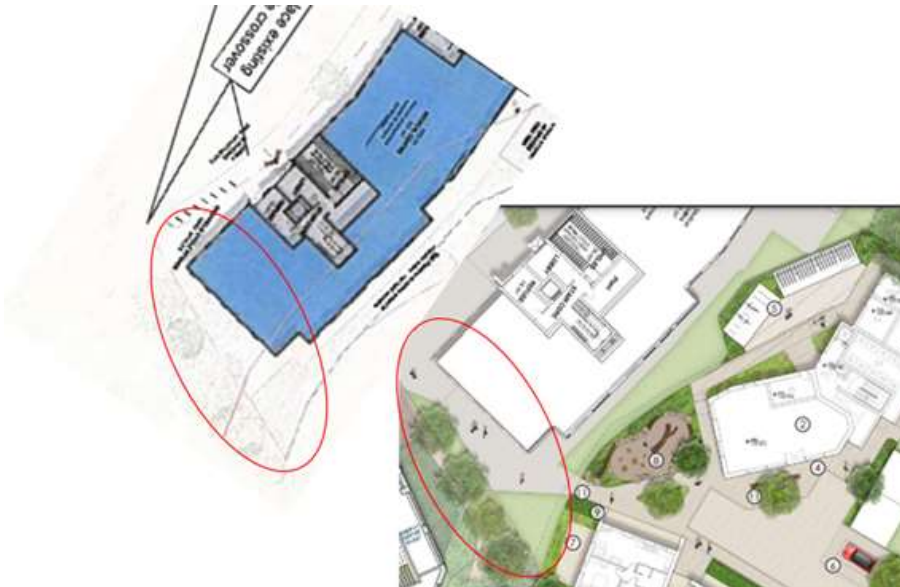
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Appendix 1 – ‘Small site/Backland’ development accessible only from Hornsey Park



Appendix 2 – misleading plans implying low quality, private connectivity that does not exist





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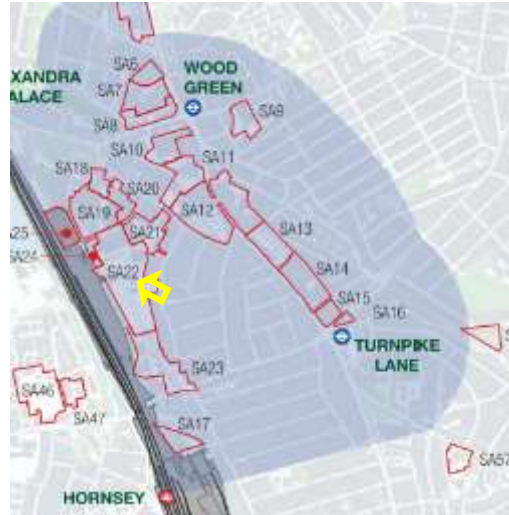
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Appendix 3 – Site orientation and access for all purposes including community cohesion, foul and surface water drainage, district energy network (DEN), service deliveries, power, telecoms and emergency services



AAP



SAP - Sites



AAP Metropolitan town centre



The Site

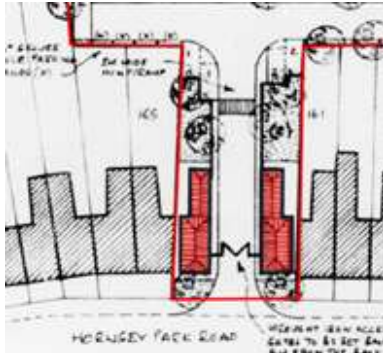


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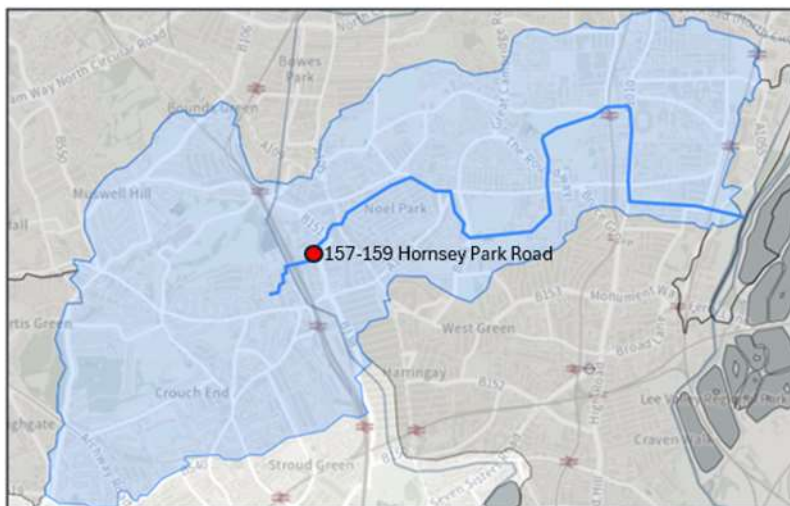
Appendix 4 – planning policy for strategic planning followed 1997 planning permission



HGY/1997/1667 (construction of two detached house)

Appendix 5 – EA strategy becomes impossible when Haringey circumvents its adopted development strategies and policies

Moselle Brook Water Body Moderate ecological status



Get Moselle Brook data

[Download water body \(Shapefile\)](#)
[Download water body \(GeoJSON\)](#)
[Download classifications \(CSV\)](#)
[Download site classifications \(CSV\)](#)
[Download investigations \(CSV\)](#)
[Download challenges \(CSV\)](#)
[Download objectives \(CSV\)](#)
[Download protected areas \(CSV\)](#)

Related links

[Plan maps on ArcGIS online](#)
[Flood risk management plans](#)

<https://environment.data.gov.uk/catchment-planning/WaterBody/GB106038027920>

NB: see WFD mitigation measures assessment classification for explanation of 'Moderate' : of 31 'Classifications', all but two are 'Good' and two are 'Moderate', giving the Moselle an overall Classification of Moderate. Of the two Moderate classifications, one is '**Biological quality elements**' which is the responsibility of Haringey to mitigate through **Buildings Regulation, managing misconceptions and enforcement** and the other is '**Invertebrates**' where Mitigation is recoded as 'Disproportionately expensive/Disproportionate burdens'. Expense is related to site conditions which requires knowledge of site conditions and a detailed assessment of feasibility.



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Appendix 6 – inconsistencies between 157-159 Hornsey Park Road application dated 20/2/2024 and **Iceland planning permission granted 14/3/2024** (HGY/2023/1335)



HGY/2023/1335 (permission granted 14th March 2024)



HGY/2024/0466 (application dated 20th February 2024)