

69 Highgate High Street
Highgate, London, N6 5JX



REF: AP/X5210/A/13/2200586- LPA REF: 2012/6826/P (Planning)
REF: AP/X5210/E/13/2200587 - LPA REF: 2012/6878/C (CAC)

Appeal Statement

Prepared for Iain Brewester by
Greer Pritchard

September 2013

TEAM

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I INTRODUCTION

- 1.1 Greer Pritchard have been instructed by the appellant, Mr Iain Brewster, to submit an appeal against the refusal of two applications relating to the appellant's property at 69 Highgate High Street, London. Julie Greer has over 25 years of experience in public and private practice, most notably as Head of the Design and Conservation Team at the LB of Southwark and Senior Design and Conservation Officer at the City of Westminster.
- 1.2 Mr. Brewster's family has lived in No 67 Highgate High Street since 1975, having lived in Highgate from his early childhood. It is the Appellant's ambition to build a sustainable home for his family and create a wonderful entrance to Highgate Village. By way of introduction the remaining team are introduced briefly in Appendix 1.
- 1.3 The Appellant selected Birds Portchmouth Russum Architects (BPR) because they have exceptional experience of responding to sensitive locations, with innovative design. BPR commenced as a practice by winning an open architectural competition for a multi-storey car park in the historic city of Chichester. This project won 6 awards including RIBA and Civic Trust. Formerly the Partners were Project Architects for the world renowned architect Sir James Stirling.
- 1.4 For over 20 years BPR's have won many awards and thir work has been regularly selected for the Royal Academy Summer Exhibition where uniquely they have won The Architecture Prize for 3 projects. The appeal proposal was selected for this year's Summer Exhibition and commended by the judges (appendix 8).
- 1.5 Peter Stewart, architect and principal of Peter Stewart Consultancy has prepared a short statement in support of this appeal (Appendix 2). BPR's and Peter's biography have been included in Appendix 1.
- 1.6 This statement is supported by BPR's Contextual Rationale (Appendix 3) and a Practice Summary that includes their awards and achievements.
- 1.7 These Appeals are supported by highly respected experts and practitioners (see paragraph 6.12 and Appendix 4);
 - Sir Terry Farrell, Advisor to the Government and the Mayor
 - Paul Finch, Chair of Design Council CABE
 - Geoff Noble, Former Deputy Director of English Heritage
 - Paul Monaghan, AHMM Architects Director & CABE National Design Review Panel member
 - Keith Williams. Keith Williams Architects founder & CABE National Design Review Panel member

2 THE APPEAL SCHEME

- 2.1 The appeal scheme seeks conservation area consent and planning permission for the erection of a part three/part four storey building in Highgate. It should be noted that the application and description of development has described the building as four stories, which is not wholly accurate. It is three storeys in height fronting Highgate High Street and four storeys when viewed from Pond Square.
- 2.2 The proposal, if allowed, will provide a new, high quality, mixed-use development.
- 2.3 The proposal complies with the National Planning Policy Framework (NPPF), regional, local policy and English Heritage (EH) Guidance.
- 2.4 This statement addresses the two conjoined planning appeals;

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Planning - reasons for refusal

- 2.5 The planning application was refused for reasons relating to the impact on nearby listed buildings and the Conservation Area.
- 2.6 Reasons 2, 3, and 4 will be agreed with the LPA to secure a design stage and post-construction sustainability review, a construction management plan and financial contributions towards highway works through a Sec106 and are therefore immaterial to this appeal. The appellant submitted a Construction Management Plan by Techniker, which may assist the Inspector.

Conservation Area Consent - reasons for refusal

- 2.7 Camden has not raised an 'in principle' objection to the demolition of the existing buildings on the site. The buildings are thought to date from the C19th but much of their fabric is later and they are in a poor state. The Council accept that the existing buildings can be demolished if an appropriate scheme is agreed. Conservation Area Consent should therefore be agreed if the planning appeal is allowed.

3 SITE & SURROUNDINGS

- 3.1 The site location and wider area are described in Camden's Delegated Report (pg 9) and the Design & Access Statement (D&A pg 7) that was submitted with the application and will therefore not be repeated here for reasons of conciseness. We include a comprehensive photographic analysis in Appendix 5.
- 3.2 The appeal site has a tapered plan with a 'bull-nose' end. It fronts Highgate High Street to the north and to the south, Snow Hill and Pond Square; both are of equal importance but unique in character. The land drops down from Highgate High St. to Pond Sq. Consequently, the adjacent building No. 67, along with its neighbours are generally three storeys in height when viewed from

Highgate High St and four storeys when viewed from Pond Sq. Immediately south of No. 67 is the narrow pedestrian walkway featured on the cover of Camden's Highgate Conservation Area Appraisal (HCAA). Narrow passages with framed views are a common characteristic of this area (see figures 22, 23, and 25 Appendix 5).

3.3 Pond Sq. is framed by three to four storey buildings, which range from notable public buildings, to a diverse range of domestic properties, garden walls and garages. Pond Sq offers a peaceful refuge away from the noise and pollution prevalent on the High St, which experiences high volumes of traffic (see figures 9,10,11,12 and 17 Appendix 5).

3.4 Highgate High St forms the boundary of Camden and Haringey Councils. The area forms part of the Highgate Conservation Area (CA) - a designation recognised by both boroughs.

4 BACKGROUND & PLANNING HISTORY

4.1 The planning history is important to the consideration of this appeal, particularly the pre-application engagement with Council officers and EH over several years - through four designs.

4.2 Following the refusal of application 2010/3735/P the Appellant again commissioned BPR to prepare a new design. We draw attention to comments made by Richard Parish of EH, who set out his concerns about the previously refused scheme (2010/3735/P) and this informed the design development of the appeal scheme. (See D&A)

4.3 BPR and the appellant attended two pre-application meetings with the LPA on 8th May and 20th June. Further information was submitted for consideration on 28th June and 14th August 2012.

4.4 The detailed history of the various design proposals for the site is set out in the D&A (Design Evolution & Consultation) and Camden's Delegated Report.

4.5 We respectfully request that the Inspector review and take into consideration the history of the pre-application engagement that took place prior to the submission of the appeal scheme. The NPPF encourages pre-application discussions; therefore the advice offered by the LPA should be given considerable weight (188). A summary of this advice is included in Appendix 6 and the LPA's full pre-application report along with 'Relevant Emails With Planning Office Regarding Current Application' has been submitted with our grounds of appeal.

5 RELEVANT PLANNING POLICY

5.1 The proposed development has not been properly considered against a suite of relevant planning policy documents and guidance at the National, regional and local level, where there is a strong presumption to grant planning permission for sustainable development. Furthermore, the LPA has not taken into account The PPS5 Historic Environment Planning Practice Guide (PPS5).

The National Planning Policy Framework

5.2 The NPPF states that 'local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development' (186). 'Decision-takers at every level

should seek to approve applications for sustainable development where possible and work pro-actively with applicants to secure developments that improve the economic, social and environmental conditions of the area' (187). Pre-application engagement is encouraged because it 'has significant potential to improve the efficiency and effectiveness of the planning application system' (188).

- 5.3 The NPPF seeks to protect and conserve heritage assets 'in a manner appropriate to their significance' (126).
- 5.4 The NPPF stresses good design (56). Decisions on individual applications should, inter-alia, 'respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation' (58).
- 5.5 The NPPF states that 'decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles' (60).
- 5.6 'Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design' (62). The NPPF stresses that when 'determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area' (63).
- 5.7 The NPPF states that the LPA should not refuse planning permission for buildings, which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (65).
- 5.8 Much of this case relies on the interpretation of paragraphs 134, 135, and 137 of the NPPF: the question of 'some harm' weighed against public benefit and taking a 'balanced view'.
- 5.9 PPS5, is also a material consideration. Paragraphs 79 and 80 sets out a number of potential heritage benefits that could weigh in favour of a proposed development. Policies HE7.7, HE9.5 and HE10 require attention to the extent to which the design of new development contributes positively to the character, distinctiveness and significance of the historic environment. PPS5 also helps with the consideration of 'public benefit'. We request that consideration is given to paragraphs 87 "Flexibility and imagination in the design process is crucial to minimising conflict" and 93 "Keeping land in active use is a public benefit."
- 5.10 PPS5 sets out potential heritage benefits that could weigh in favour of a proposed scheme:
 - It sustains or enhances the significance of a heritage asset and the contribution of its setting.
 - It reduces or removes risks to a heritage asset.
 - It secures the optimum viable use of a heritage asset in support of its long term conservation.
 - It makes a positive contribution to economic vitality and sustainable communities.
 - It is an appropriate design for its context and makes a positive contribution to the

appearance, character, quality and local distinctiveness of the historic environment.

- It better reveals the significance of a heritage asset and therefore enhances our enjoyment of it and the sense of place.

5.11 Furthermore, English Heritage's Conservation Principles, Policy and Guidance for the Sustainable Management of the Historic Environment, also sets out helpful guidance. Change is acceptable if:

- 'There is sufficient information comprehensively to understand the impacts of the proposal on the significance of the place';
- 'The proposal would not materially harm the values of the place, which, where appropriate, would be reinforced or further revealed';
- 'The proposals aspire to a quality of design and execution which may be valued now and in the future';
- 'The long-term consequences of the proposals can, from experience, be demonstrated to be benign, or the proposals are designed not to prejudice alternative solutions in the future' (138).

The London Plan

5.12 The London Plan encourages the efficient use of land and the protection of heritage assets.

The Camden Core Strategy

5.13 The following policies from the Core Strategy are relevant: CS14, which discusses high quality design, conserving Camden's Heritage and important local views. CS14.24 and CS14.25 identify important local views of London Squares and historic parks and gardens. The Council will 'ensure that development is compatible with such views in terms of setting, scale and massing and will resist proposals that we consider would cause harm to them'.

Camden Development Plan Policies

5.14 Camden Development Policies contributes towards delivering Camden's Core Strategy by setting out detailed planning policies that the Council will use when determining applications for planning permission. The Development Plan sets out Camden's detailed approach to the design of new developments to ensure the highest possible standards. Para. 24.12 stress the need to 'respect the character and appearance of the local area and neighbouring buildings'. DP 24 (Securing High Quality Design) and DP 25 (Conserving Camden's Heritage) are particularly relevant. CPG1 Design sets out Camden's approach to design and heritage.

The Development Plan also identifies the government/CABE guidance By Design – Urban Design in the planning system: towards better practice and their own Camden Planning Guidance supplementary document as a material consideration (pg115).

5.15 Highgate Conservation Area Appraisal and Management Strategy (2007)

The Highgate CA Appraisal (HCAA) defines the key features, which contribute to the character of the area. The Gatehouse is described in the HCAA as an 'imposing building' and dominates local views (pg 13). (See figures 4 and 5)

- 5.16 The view to and from Pond Square has not been identified but the 'contained character of the Square' is mentioned. The 'gap' over the site is not cited as a contributor to the character of the area, but the gap on Hampstead Lane is (figures 30 and 31).

DRAFT Haringey Conservation Area Appraisal

- 5.17 The DRAFT Haringey CA Appraisal is currently being amended and consultation has recently ended. The appraisal sets out what Haringey considers to be the townscape quality of Highgate Village in paragraphs 6.6 to 6.12, which includes a 'variety of spatial experiences' and 'groups of buildings are tied together in visual harmony'. The appraisal says 'The built form around Pond Square provides a strong sense of enclosure, as well as a series of inviting vistas through alleys or secondary roads at a number of locations around its edge and at three of its corners' (paragraph 6.10). The gap that can be viewed from North Road has not been identified a key contributor to the character and appearance of the CA in paragraphs 6.14 or 6.15.

6 STATEMENT OF CASE

- 6.1 The main issues to consider are:
- Whether the development is appropriate in terms of its height, bulk, detailed design and use of materials;
 - Whether the development would preserve or enhance the character or appearance of the Highgate CA;
 - Whether the special interest of adjoining and nearby listed buildings near the appeal site would be preserved;
 - The effect of the development on public views to and from Pond Square.
- 6.2 As part of a larger composition the existing wall and buildings on the site make a very limited contribution to the character or appearance of the CA or the significance of nearby listed buildings. The wall presents a 'dead frontage' and therefore sits in a rather uncomfortable relationship against the terrace and this important junction. Removal of the buildings on the site would result in a loss of evidence of the way the street developed, however its replacement by a high quality, well designed building will, to advantage, give greater emphasis to the High Street. The site can comfortably accommodate a building of an alternative design and quality compatible with the street scene.
- 6.3 As set out above in Section 4 and Appendix 6, BPR worked closely with the Council and EH. Through this continuous and constructive dialogue BPR were firmly led to believe that the application would be recommended for approval subject to minor points of detail. Camden confirmed this in an email dated 24.08.12 "there is only one remaining issue from a heritage/design perspective; the design of the high level window to the Highgate High Street façade". The team also met with the Highgate Society, who from the outset launched a highly emotive, campaign against the various proposals for the site, which we assert created momentum to oppose the proposal that was based on inaccurate information. (See extracts from local press – Buzz by the Highgate Society and Ham + High, Appendix 8) Given the breach of confidentiality during the early pre-application of the previous application the Appellant was reluctant to engage with the Highgate Society. However the Conservation officer advised the architects and appellant to meet

with them and a presentation was made on 11 December 2012 (see Appendix 6).

- 6.4 The D&A demonstrates that great care has been taken to create a building that respects the scale, character, form, colour and texture of buildings in the area. For the appeal this is further explicitly articulated within the Contextual Rationale (Appendix 3).
- 6.5 In light of relevant planning policy and guidance, we address these issues and respond to the reasons for refusal;
- Height and bulk;
 - Detailed design;
 - Use of materials;
 - Impact on the CA;
 - Impact on the setting of listed buildings.
- 6.6 Given the local authority and amenity societies have cited the loss of local views as a concern, although 'views' have not been cited as a reason for refusal we have assess this impact.

Height and Bulk

- 6.7 The height, bulk or massing is similar to the adjacent building. This is a familiar end of terrace solution in Highgate. We therefore consider the height bulk and massing appropriate and, therefore dispute this reason for refusal. The combined effect of the arrangement, volume and shape in relation to other buildings, spaces and site constraints is entirely suitable. It terminates the terrace in a typical manner in Highgate. We contend that if the height or bulk was reduced as has been suggested in the Officer's Delegated report, the terrace will appear weak and incomplete. A building of this height and bulk could have been placed here at any point in the past and fit comfortably. Officers at the pre-application stage confirmed that the 'now proposed height conforms to the prevailing parapet/eaves height in the area, thus fitting satisfactorily into the area'. (Pre-application Report 01/1012)
- 6.8 BPR's Contextual Rationale clearly sets out how the design developed by acute observation of the neighbouring context to fit sympathetically into the local area (Appendix 3).

Detailed Design

- 6.9 The challenge of this site is that the design must respond to various conditions and within an historic environment: the High Street, West Hill, Snow Hill (the alley way) and Pond Square.
- 6.10 The NPPF provides useful advice in paragraphs 58, 60 and 62 on the right approach. In this case, LPA/EH officer's worked closely with this award winning practice, suggesting only minor amendments. The alignment of windows for example was one area that was carefully scrutinised by LA officers. EH was concerned about the colour of the render. BPR revised the proposal accordingly and officers were satisfied at the pre-application stage. (See Pre-application Report 01/1012)
- 6.11 It is not clear why the height, bulk and detailed design was suddenly considered inappropriate and the scheme refused. The officer's report is confusing and contradictory. Furthermore, it is

extraordinary given the extent and detail of discussion about the design and its acceptance in the Pre-application Report 01/1012. In advising BPR of the Council's intended refusal (Jonathan Markwell 13 Feb 2013) the planning officer stated 'Owing to the nature of the concerns raised it is not considered appropriate in this instance to encourage revisions to be made to the scheme in an attempt to lead to a positive recommendation'. Camden's Delegated Report (01/1012) makes a number of statements (page 15) including:

- 'The proposed design is of acknowledged in itself to be of high quality' [sic]
- 'The design does not sufficiently respond appropriately to the character and feel of the area'.
- 'A combination of the non-traditional design in this particularly prominent location is considered too overwhelming for the village setting'.
- 'It is acknowledged that there is a functional opportunity to provide a more strident building of this corner'.
- 'Greater scale could be accommodated on the site, which responds to the junction plot, and which off-sets the impact of the loss of the views through the site, if for example it was a exemplar example of modern vernacular architecture which significantly responds to the character and appearance of the area'. Or:
- 'A more modern approach to the site, as per the proposed scheme, could be sensitively placed on the site, if it was less prominent and retained the open aspect which is considered to be of value to the Conservation Area'.
- 'As such a combination of the loss of the important gap, coupled with the 'urban' appearance of the proposed development, is considered to tip the balance of acceptability and as such the scheme is not considered to have gone far enough to outweigh the harm caused to the loss of the existing buildings or impact on the character and appearance of the area. This includes the loss of the gap to and from Pond Square, the vernacular of Highgate High Street and loss of the existing building on the site. For these reasons the scheme is not supported by the local planning authority'.

6.12 The Council appears to be seeking an 'exemplar example of modern vernacular' to justify the loss of the gap. In our view the merits of this case rests on the subjective opinion of quality. The NPPF at paragraph 62 says 'Local planning authorities should have local design review arrangements in place to provide assessment and support to ensure high standards of design.' It is regrettable that Camden does not have a local Design Review Panel (DRP) to provide assessment, since this is an example of the kind of project that would benefit from independent expert advice. Therefore, to support this appeal, the Appellant has sought independent peer assessments from highly respected experts and practitioners who serve on National, Regional and local architectural panels. It is important to point out that these statements of support have not been paid for in any way and the appellant has never met these supporters with the exception of Paul Monaghan who lives in Highgate. Biographies and peer reviews are included in Appendix 4.

6.13 When viewed from the High Street and Pond Square we strongly contend that the proposal takes its contextual clues from the mixed character and appearance of the area, responding well to the neighbouring facades and Public House (figs 8, 9, 10 and 11 Appendix 5). The proposed Pond Square facade responds to the tranquil, verdant nature of the Square (fig 28). The building will

provide acoustic screening from the noisy High Street and employs materials found on buildings along the pond square elevation.

Use of materials

- 6.14 Throughout the pre-application stage the use of render and timber was not raised as an issue. The main external wall material, proposed for the first and second floor of the Highgate High St elevation, is render. This is an external material that is common in Highgate Village as it is elsewhere in historic and more recent parts of London. The primary approach from Highgate Underground to the village is up Southwood Lane which frames the view to the painted render buildings on the High Street (see Contextual Rationale and figs 10, 16 and 26).
- 6.15 Furthermore, the Conservation Officer, Charlie Rose in a pre-app meeting had queried why the architects proposed render instead of brick. BPR stated it was for a number of reasons; it is a lightweight material, there are benefits in terms of the speed of construction in a heavily trafficked area. Render results in thinner wall construction, which is very relevant on narrow tapered site where space is at a premium and where extra wall thickness intrudes on the bedroom layout. Furthermore render easily deals with the bull-nose curvature without the requirement for costly brick specials. When BPR explained this, Charlie Rose then appreciated it, understood why and accepted explanation for render.
- 6.16 It has been suggested by some that the proposed building would sit more successfully in its context if brick were used instead of render. The architects do not agree with the criticism, but brick is a common local material just as render is, and would in their view and the appellant's view be an acceptable material for the external wall presently shown in render. If the difference between using render and using brick for this part of the building were the only thing that stood in the way of a planning consent, the appellant would accept brick.
- 6.17 Timber has been used to respond to the special characteristics of Pond Square. Bronze detailing unifies the building's facades at the apex – a high quality Civic material appropriate to this civic location. The D&A and Contextual Rationale demonstrate that great care that has been taken in conceiving the materiality of the proposal.

The impact of the proposed development on the Conservation Area

- 6.18 Highgate is a village that has grown organically over time. It therefore does not have a defined unitary character as a result of having been developed all in one go. The wonderful mix of buildings in terms of their height, form, design and use of materials and their incremental juxtaposition contribute positively to its character and appearance.
- 6.19 The appeal proposal defers to its setting, drawing on the eclectic architectural mix and details for inspiration. Views to and from the site will be enhanced. The proposal perfectly frames the view up Snow Hill to the Gatehouse Public House entrance elevation. Furthermore the elegant composition accommodating the flower stall will draw people to the High Street. Officers and EH supported the proposal at the pre-application stage because it related well to the topography and history of the area; it sat comfortably in the pattern of existing development, reinforced routes and respected important views.

6.20 Therefore the diverse nature of the area should be celebrated. We draw attention to a Highgate Society publication: North Hill, Highgate The Most Architecturally Diverse Street in Britain? (Appendix 7). This diversity is not limited to North Road; walking the area, looking at the precedents and understanding the change that has taken place over time will underscore the validity of our approach (see figs 9, 10, 17, 21, 26, 27, 30, 31, Appendix 5).

6.21 We therefore do not accept the proposal will have a detrimental impact on the wider visual amenity of the CA, as the development fits contextually. This new insertion is merely an additional layer of development that will make a positive contribution to the economic vitality and sustainability of this community. It will enhance the character of Highgate for the enjoyment of present and future generations (see figs 2 and 3, Appendix 5) .

The impact on the setting of adjacent listed buildings

6.22 The site is adjacent to a grade II listed building, which is part of a listed terrace. Apothecary House (Grade II*) is nearby. The reason for refusal included the perceived impact on setting of listed buildings. EH have not shared the view that the setting of listed buildings would be harmed by this proposal.

6.23 The NPPF defines the setting of a heritage asset as the surroundings in which it is experienced. In this case, the fact that the neighbouring listed buildings can be seen and appreciated from several angles contributes to the ability to experience the heritage asset. It follows that any development may diminish the ability to experience the asset to some degree. To this extent, the proposal may result in some harm to the setting of adjacent listed buildings in terms of experiencing the asset in the same way. However, in assessing whether there is substantive harm, it is necessary to consider the siting, design and scale of the proposal, which has been addressed above.

6.24 However, it is important to point out that the existing juxtaposition of the listed building adjacent to the site present a blank gable wall which offers no vitality and little interest and have been on occasion billboards for graffiti. This proposal will complete the terrace, increase vibrancy, architectural interest, and consequently, considerable public benefit (see figs 1, 2 and 11, Appendix 5)

6.25 It is our case that the 'setting' can withstand change without diminishing the significance of the place. Managed change through a thoughtful design response, had the endorsement of EH and the LPA, who confirmed in writing that the development fit 'satisfactorily into the area'. EH do not raise concerns that the proposed development will harm the setting of adjacent listed building. (EH letter dated 11.02.13) English Heritage's Conservation Principles, Policy and Guidance for the Sustainable Management of the Historic Environment should also be given significant weight:

6.26 'The greater the range and strength of heritage values attached to a place, the less opportunity there may be for change, but few places are so sensitive that they, or their setting, present no opportunities for change' (140).

6.27 Furthermore the adoption of a glazed slot articulating separation between a contemporary and historic building is a long established device to ensure clarity of separation without undermining

the adjacent listed building. This detail was agreed between the Conservation, Planning and EH officers and the architect during the design development of the previous application and was retained in this proposal without any negative comment from the conservation and planning officers in the pre-application process.

Effect on public views

- 6.28 Although 'views' and the 'loss of the gap' are mentioned in the Officer's Delegated Report, views are not given as a reason for refusal. The enjoyment of a view might be considered material if it can be demonstrated that it has a wider impact on amenity. As discussed, the appeal proposal has a human scale and is contextually appropriate. It will not have a detrimental impact on views, vista or the local skyline. However, for completeness we address each point in turn.

View 1: Objections were received concerning the loss of views to and from Pond Square.

'From Pond Square the loss of the wider view towards Highgate School Chapel and the green of its burial ground'. (Highgate CAAC)

- 6.29 Pond Square offers a quiet refuge from the High Street. The 'containment' of the Square is an important characteristic that is supported by the Camden's CAA which states; '...the junction of South Grove with Highgate High St was opened up by the demolition of the former forge to accommodate a bus turning circle and terminus. The opening is a contrast to the contained character of Pond Square. The appeal proposal completes the Square, by containing it, providing a strong sense of enclosure, as well as creating a fine vista through the alleyway towards the Gatehouse (see figs. 1, 7, 8, 13, 15 and 18 Appendix 5).
- 6.30 The Chapel can be seen from the Square (fig 17 and 18), however, the green of the burial ground cannot be appreciated from the Square (fig 13). The view of the Chapel has not been identified as an important characteristic in Camden's HCAA, because it is the verdant nature of the Square and the buildings that frame it that catch the eye, and therefore contribute significantly to the character and appearance of the CA. The spire and roof of the chapel will remain visible from Pond Square with the proposed building in place. The loss of this view will not result in significant material harm; Camden has not cited the loss of this view as a reason for refusal.

View 2: Objections were received concerning the loss of views from the Gatehouse area and North Road towards Pond Square

'The leafiness of Pond Square is a visible asset which the new building would remove'.
(Highgate Society)

- 6.31 The appeal proposal will result in the partial reduction of this view, but the experience from the street is a dynamic one that changes continually. The view of the tree canopy will still remain above the proposal and in long views there will be little change as figures 1, 4, 5, 6, 7 and 8 (Appendix 5) demonstrate. The Camden's CA character appraisal and the DRAFT Haringey Appraisal are silent on the particular contribution these views make to the heritage asset. The

perceived harm needs to be weighed against the public benefit of completing this corner. The appeal proposal turns an unattractive asset into a positive one; it completes the street, provides active frontages, a joyful focal point and a sustainable home for a local family (see fig 10 and 11, Appendix 5).

View 3: Views from Pond Square towards the Gate House

‘Currently the Gate House is framed by the existing building. The new building considerably constrains the width so only a small portion of the Gate House building would be visible. The Society has been approached by residents from Pond Square who are equally concerned about the proposals and the impact on the square’. (Highgate Society)

- 6.32 Views of the Gatehouse will still be appreciated if this appeal is allowed. The view will be changed but as the Inspector will note during the visit to the site, narrow contained views are a common characteristic in this area. Furthermore the cover of Camden’s CA Appraisal celebrates the atmospheric character that narrow passages create. The proposal together with 51 West Hill will perfectly frame the entrance elevation of the Gatehouse (see figure 14, 15, 22, 23 and 25, Appendix 5).

View 4: Views from North Hill

‘The view towards the Highgate School Chapel and the graveyard, both listed, from North Hill will be severely damaged by the presence of the proposed building immediately opposite them’. (Highgate Society)

- 6.33 The view from North Road to the chapel, graveyard and the Gatehouse will not be obstructed in any way by this proposal. The Gatehouse, School and Chapel dominate, and draw the eye when approaching from North Road. The new development will add interest and texture to the street scene and draw people to the High Street from North Road. Heavy traffic currently dominates the street experience and this, in our view, compromises the setting of nearby listed buildings (see figures 4, 5, and 6, Appendix 5).

7 PEER DESIGN REVIEWS

- 7.1 As discussed in paragraph 6.12 we direct the Inspector’s attention to the reviews that the appellant has sought from eminent peers. It is important to emphasise that the authors of these letters have no pecuniary interest in the case. Letters of support and short biographies of their authors are included in Appendix 4.

8 CONCLUSIONS

- 8.1 The existing arrangement of buildings on the site is dilapidated and offers little to the CA or the setting of nearby listed buildings. It has been demonstrated that the current arrangement will be improved by the introduction of a high quality development by respected architects.
- 8.2 It has also been demonstrated that the special interest of adjoining and nearby listed buildings will be preserved by this development. The proposed development will preserve and enhance the character and appearance of the Highgate CA and the setting of listed buildings. Finally, the effect of the development on public views to and from Pond Square would be negligible, because the trees would still be seen over the building and the response offers the added benefit of completing the urban grain, creating new vistas and enhancing the vitality of the village. Critically Camden did not include the loss of view in the reason for refusal.
- 8.3 Officers and EH supported the scheme throughout the pre-application stage. Upon submission, their support suddenly and without explanation diametrically changed. The shift is apparently centred on the Council's aspiration to deliver an 'exemplar example of modern vernacular'. We concur with the ambition to secure an exemplar of architectural design. However, the subjectivity of this position should ultimately be tested. This is normally done through the support of a DRP, or acknowledgement from one's peers. In this case independent peer reviews have been sought from Farrell, Finch, Noble, Monaghan, Williams – all Design Review Panel members, practitioners or critics of immense stature.
- 8.4 The Appellant respects the fact that some members of the local community do not want their familiar environment to change. However, emotive campaigns, although understandable, need to be put to one side; there are well tested policies to help manage change (see Appendix 8). The NPPF establishes a strong presumption in favour of sustainable development.
- 8.5 Much of this case relies on the interpretation of paragraphs 134, 135, and 137 of the NPPF: the question of 'some harm' weighed against public benefit. The NPPF encourages taking a balanced view in weighing such applications. A strong case has been made to demonstrate enhancement; a well-designed, mixed-use building will add considerable public benefit to the wider community. Paragraph 5.10 sets out how heritage benefits could weigh in favour of a scheme. The appeal scheme will:
- Sustain and enhance the setting of the conservation area;
 - Reduce risk, as the alley is at times used for unsavoury activities;
 - Secure a viable mixed-use development that offers retail and home for a local Highgate family;
 - Contribute to the economic vitality of the community, by introducing vitality to the street that connects the retail facades of the High Street and West Hill;
 - Introduce a new intervention that is appropriate for its context in terms of its height and bulk, materials, siting and quality;
 - Enhance the enjoyment of the CA and the sense of place.

- 8.6 The NPPF stresses the importance of not attempting to impose architectural styles or particular tastes or stifle innovation. BPR's Contextual Rationale demonstrates that the proposal will sustain and enhance the significance of the heritage asset as it is a scholarly response to its situation as demonstrated by compelling context models.
- 8.7 For the reasons set out above, we consider that the proposal relates sensitively and respects the local context and is therefore not detrimental to interests of acknowledged importance. The building will be seen and enjoyed in the context of the existing terrace, and will positively contribute to the general character of the appeal site and its surroundings without detriment to views.
- 8.8 The proposal will accord the NPPF, Historic Environment Planning Practice Guide and with Camden's Core strategy, DP Policy 24 (Securing High Quality Design), DP 25 (Conserving Camden's Heritage), and CPG1 (Design), insofar as these policies seek to protect the CA and the setting of listed buildings.
- 8.9 We therefore respectfully request that these appeals are allowed and that planning permission and conservation area consent are granted.

9 APPENDICES

- 9.1 The following appendices are included as a separate document.

1. Appeal Team Biographies
2. Architecture & Townscape Statement
3. The Contextual Rationale
4. Peer Design Reviews
5. Photographic Analysis
6. Summary of Pre-Application Engagement
7. North Hill, Highgate Pamphlet
8. Media Articles

