



## Dartmouth Park Conservation Area

The Advisory Committee is said by the Officer to be arguing that the “gain of (the) sixth (form centre) building is not significant enough to outweigh/allow green corridor development”.

This is pretty much the exact opposite of what we said.

The defence of ‘operational necessity’ cannot be applied to the ‘sixth form centre’ building. It is a new and welcome facility which could be built elsewhere on the schools’ site after older buildings have been removed and, for all the half-hearted reasons advanced by the applicants, would impact hugely less than existing building being removed whether viewed from the Heath looking towards the school or from the school building looking out to the Heath.

The Officer accepts, as plainly he had too, that building beyond the historic building line and within the green corridor would not merely not preserve and enhance this highly significant part of the Conservation Area but would be detrimental to it. He does so in much less fulsome language than his colleagues did during the ASF Garage Enquiry but he does concede it, as, indeed, does the Council as applicant.

He then seeks to escape the logic of this by adopting the central argument of the proposed developers of the ASF Garage ie whilst the

...resultant harm is considered to be locally significant it would constitute less than substantial harm to the character and appearance of the conservation area as a whole under the terms of the NPPF

The NPPF concept of substantial harm versus planning gain has absolutely no relevance to this application. There is no question here of the highly desirable sixth form centre being put at risk if it can’t be built within the green corridor. The applicants merely put forward various reasons why they would prefer it was built in the green corridor. It is absolutely indisputable that it could be built elsewhere. So, even if it was true which it plainly isn’t, that building outside the historic building lines and within the green corridor would not constitute substantial detriment within the meaning of the NPPF that is not what is at issue here. What is at issue here is a preference for a virgin green corridor site, as against other available areas within the site, versus significant or substantial detriment to the Conservation Area. That simply doesn’t provide the beginnings of a planning basis for the Council reversing its very long standing efforts to protect the area dating back to the mid-1980s to say nothing of efforts of the LCC and St Pancras and various landowners for well over a hundred years.

Your Officers, with the support of the Advisory Committee, we hope convincingly, rebutted the ASF Garage argument that development within the green corridor wouldn’t constitute ‘substantial detriment’. And there can be no question that if the Officer’s Report before you had been available

at the ASF Garage Enquiry the developers would have fallen on it with whoops of joy. Assuming the Inspector rejects the 'not substantial detriment' argument in relation to the current ASF Garage Appeal, if adopted by you tonight, the Officers' Report will be unquestionably be deployed against the Council in future appeals.

The 'not substantial detriment' argument is anyway mainly a device to enable developers to get around the Council's protection of highly valued places, it isn't a device which the Council should deploy against itself. The Council simply cannot ignore its own planning constraints for its own developments with impunity. Bulldozing the application in its current form through Development Control Committee will set a precedent which will come back to haunt the Council.

In any event, as was pointed out to the Inspector during the ASF Garage Enquiry, in making this decision, the Development Control Committee must have in mind that its obligation to preserve and enhance the Conservation Area it first declared in the mid-1980s derives from a direct and specific statutory duty rather than merely from the NPPF, LDF or whatever.

It is obviously true that what is proposed for the ASF Garage site is taller than the proposed sixth form centre. Against this, the ASF Garage is one green space before the southern end of the green corridor whilst what is proposed is at the North West end of the green corridor shortly before it opens out onto Parliament Hill and the Heath. It is, moreover, a green field site rather than a brownfield site like the ASF Garage site. The rest of the arguments are strikingly similar down to the claim that what is proposed won't be that intrusive because it will be smothered in vegetation. Vegetation which is likely disappear or for which, at the very least, enforceable conditions will have to require it must be maintained at considerable expense for years to come.

As a fig leaf to cover the Council reversing literally hundreds of years of efforts to protect this green corridor, the Report before you falls a long way short of convincing or adequate.

Impact on the Conservation Area and historic road patterns apart, there are sound reasons why Parliament Hill School should have a green buffer between it and a busy and polluting Highgate Road. Pollution which would be considerably worsened by allowing a substantial amount of parking within the green corridor.

Support for the development and renewal of the Schools is general in our community. That support does not provide a basis for the Council granting itself planning permission for a particular approach which is unnecessarily harmful to the Conservation Area in general and to the setting of a large number of heritage assets not least the 31 Act protected squares which form the bulk of the green corridor in particular.

Heritage considerations do not preclude renewal and development of the Schools merely the present unsatisfactory approach to doing it.

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Dartmouth Park Conservation Area Advisory Committee