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From: Michael Hammerson [REDACTED]
Sent: 02 August 2015 23:08
To: Muthoora, Leela; Planning
Cc: Berry, Sian (Councillor); Gimson, Sally (Councillor); Lewis, Oliver (Councillor); Adeney Martin; Elspeth Clements; Gail Waldman; Reynolds Marius; Rose Susan; [REDACTED] Tony Baker; arlene polonsky; John Evans; Tye Blackshaw; [REDACTED] Tom Waterton-Smith; [REDACTED] Janice Morgan; [REDACTED] Allan Rapley; Simon Briscoe
Subject: 2015/3716/A. 2015/3715/L - 3 Highgate High Street



10A SOUTH GROVE
HIGHGATE
LONDON N6 6BS

2015/3716/A, 2015/3715/L – Telephone Box outside 3 Highgate High Street, London N6 – application to convert Listed K6 telephone Box into advertisement medium.
- attn. Leela Muthoora

We write to object in the strongest possible terms to this application.

(1) Firstly, Para. 6.6 of the so-called “Design and Access Statement” states that, as a part of any permission, the telephone equipment “will be removed”. However, this has already been done, on approximately August 1st, 2015, and is thus a breach of Listed Building control. We trust that immediate action will be taken to address this.

(2) Highgate Village is one of London’s most important Conservation Areas. It is a long-standing policy of both Camden and Haringey, who share the western and eastern sides of Highgate High Street respectively, that no illuminated advertisements will be permitted in the Highgate Conservation Area.

(3) The telephone box is in a prominent and highly visible location at the southern gateway to Highgate Village. It is further in front of the important Listed wrought iron railings fronting the entrance to Waterlow Park. There are no other advertisements in the public realm anywhere within the High Street, and these have been carefully resisted. The installation of an illuminated advertisement at this location would therefore be against, and undermine, policy for the protection of Conservation Areas, and cause substantial harm to the Highgate Conservation Area, which is itself a designated heritage asset.

(4) The substantial harm would be compounded by the damaging precedent it would set for installing illuminated advertisements on any designated heritage asset within the Conservation Area.

(5) NPPF para. 131 emphasises “the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation and “the desirability of new development making a positive contribution to local character and distinctiveness.” The proposal cannot be considered to “sustain and enhance the significance” of the asset or to “make a positive contribution to local character and distinctiveness.”

(6) NPPF para. 132 requires that “substantial harm to a Grade II listed building should be exceptional” and “should require clear and convincing justification”, and para. 133 directs that where such harm occurs, consent should be refused, “unless it can be demonstrated that [it] is necessary to achieve substantial public benefits that outweigh the harm.” No such public benefit would arise from the proposal.

(7) In view of the above comments, and our further comments below, the conversion of a Listed structure in a highly visible location to a mere medium for advertising is therefore clearly inappropriate.

(8) Highgate High Street is a busy through route for traffic at all hours of the day. As noted, there are no other public

advertisements in the High Street, and this would therefore have the potential for being distracting for drivers, particularly during the hours of darkness, since it is very close to the road.

(9) As an important Conservation Area, Highgate is a magnet for tourism. This would therefore cause substantial harm to the relatively-unspoilt Highgate Conservation Area as a tourist venue, and give its southern gateway a tawdry appearance.

(10) Sections 2-4 of the Design and Access Statement make much of the fact that the layout of the site, landscaping and footprint of the Listed Box will not be affected. Para. 6.2 claims that “careful consideration has been given to preserving both the box and its relationship to the conservation area.” However, it is clear that minimal consideration has in fact been given to the impact of the proposal on the Conservation Area, and that the main motive is not “public benefit” or harm to the heritage asset, but commercial expediency, and that the requirements of para. 133 of the NPPF (see below) have not been met.

(11) Section 6.1 of the Design and Access Statement states that the aim is to “redefine [the box’s] usage to suit modern-day needs.” However, conversations with local people indicate that the box is still valued and used by members of the community of all ages. No evidence has been provided by the applicants to suggest that this is not the case. Their statement that “the majority of people use mobiles” neither makes clear what a “majority” is, nor indicates what those who do not have mobile phones – or, indeed, those who happen to forget theirs – are expected to do. Indeed, such a statement is clearly discriminatory, particularly against the older members of the community – of whom there are many in Highgate – who may not own mobile telephones, demonstrating that, far from providing any public benefit, the proposals could even reduce it. Far from adapting the box to “suit the 21st century” (8.1), it is clear that the proposals will suit no-one except the applicants.

(12) The application proposes using the telephone box as an advertising medium. It then proceeds to justify this by stating that other boxes have been converted into ice-cream and coffee sales points (8.1) and art galleries and libraries (8.5). It could certainly be argued that a public benefit might arise from use as an art gallery or library, or as some other educational or information point, but the justification to use it for advertising, because other such kiosks are used as art galleries or libraries, is spurious.

(13) In 8.4 the applicants state that they have consulted with a charity, “Thinking Outside the Box”, which is supported by various initiatives in Westminster. Firstly, we are advised that there is no record of “Thinking outside the Box” on the Charity Commission Website and are seeking further information. Secondly, this case appears to have little relevance to the situation in Westminster. Thirdly, we consider that if the optimum use is to be sought, the members of the local community should be consulted, not some organisation in Westminster. Highgate has an officially designated Neighbourhood Forum (in the process of formulating a Neighbourhood Plan), the Highgate Society (one of the country’s largest, oldest, most active and most experienced amenity groups), a Conservation Area Advisory Committee, and its own established charities, including the Harington Scheme (a horticultural training scheme for disabled youths) and the Jacksons Lane Community Centre (an active local arts centre). There is also a local community group which has already carried out an excellent programme of restoring the Listed K6 boxes in Highgate Village. Indeed, the Highgate Society has already considered the possibility that some of its Listed K2 boxes could be converted into Tourism and Local Heritage information points.

It is therefore unacceptable that none of these groups have been consulted or approached by the applicants to seek their views as to what uses for the kiosks would provide the best “public benefit” to suit local circumstances.

(14) Finally, there are several other Listed K6 telephone boxes in the Highgate Village Conservation Area. To grant permission for this would set a damaging and irresistible precedent for applications to convert these to advertising media, which would compound the harm to the Heritage Asset of the Conservation Area.

Therefore, in addition to their failure to address the requirements of the NPPF as set out above, the applicants have also failed to satisfy the four cardinal requirements of para. 133 of the NPPF:

- they have not demonstrated that “the nature of the heritage asset prevents all reasonable uses of the site”;
- they have not demonstrated that no other viable use of the heritage asset can be found in the medium term through appropriate marketing (which, in this case, we would interpret to include local consultation)
- they have not demonstrated that conservation by some other means such as charitable or public ownership is not possible;
- they have failed to provide a convincing argument that “the harm or loss is outweighed by the benefit of bringing the site back into use”.

They have also failed to demonstrate that there is no demand for the telephone facility in the locality.

We therefore submit that the application is ill-considered, would cause substantial harm to Designated Heritage Assets, and must be refused. If it is considered that consent should be recommended, please take this as a formal request to our Ward Councillors that we would wish it to be brought to Planning Committee for consideration in order that local people can make representations direct to committee.

While writing, we would invite the applicants to meet the Highgate Society and the other bodies cited above to discuss alternatives.

Yours sincerely

Michael Hammerson
Planning Group
The Highgate Society