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Robert Lester
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Date: 26th May 2017

Dear Mr Lester,

Application reference 2017/1353/P – City of London Corporation Response

Nexus Planning is acting on behalf of the City of London Corporation and makes the following representation in response to the application for the installation of six antennas within three glass-fibre reinforced plastic (GRP) enclosures, three equipment cabinets and ancillary works thereto ('the proposed development') at Chester Court, Lissenden Gardens London NW5 1LY ('the site'). This response is primarily concerned with the impact of the proposed development on Hampstead Heath and the Dartmouth Park Conservation Area.

Background

The City of London Corporation ('the City') owns and manages over 10,700 acres (4,330 hectares) of Open Space in and around London, which are enjoyed by more than 23 million visitors each year. The open spaces owned and managed by the City include Hampstead Heath, Highgate Wood, Queen's Park, Epping Forest, and West Ham Park.

The open spaces managed by the City are important wildlife habitats but also provide many services and facilities, including outdoor swimming, sports pitches, tennis courts, play areas, fishing and much more.

This role was established in the 1870s, when the City was concerned that access to the open countryside was being threatened by development and therefore promoted two Acts of Parliament. The Epping Forest Act and the City of London (Open Spaces) Act received assent in 1878 and enabled the City to acquire and protect threatened Open Spaces from future development. Since this time, the City has acquired further open spaces, including Hampstead Heath.

The City took over title ownership and the responsibility for the management and protection of Hampstead Heath in 1989, as set out in the Local Government Reorganisation (Hampstead Heath) Order 1989.

The City is statutorily obliged, by virtue of various Acts of Parliament, and specifically by the provisions of the Hampstead Heath Act, 1871, to:

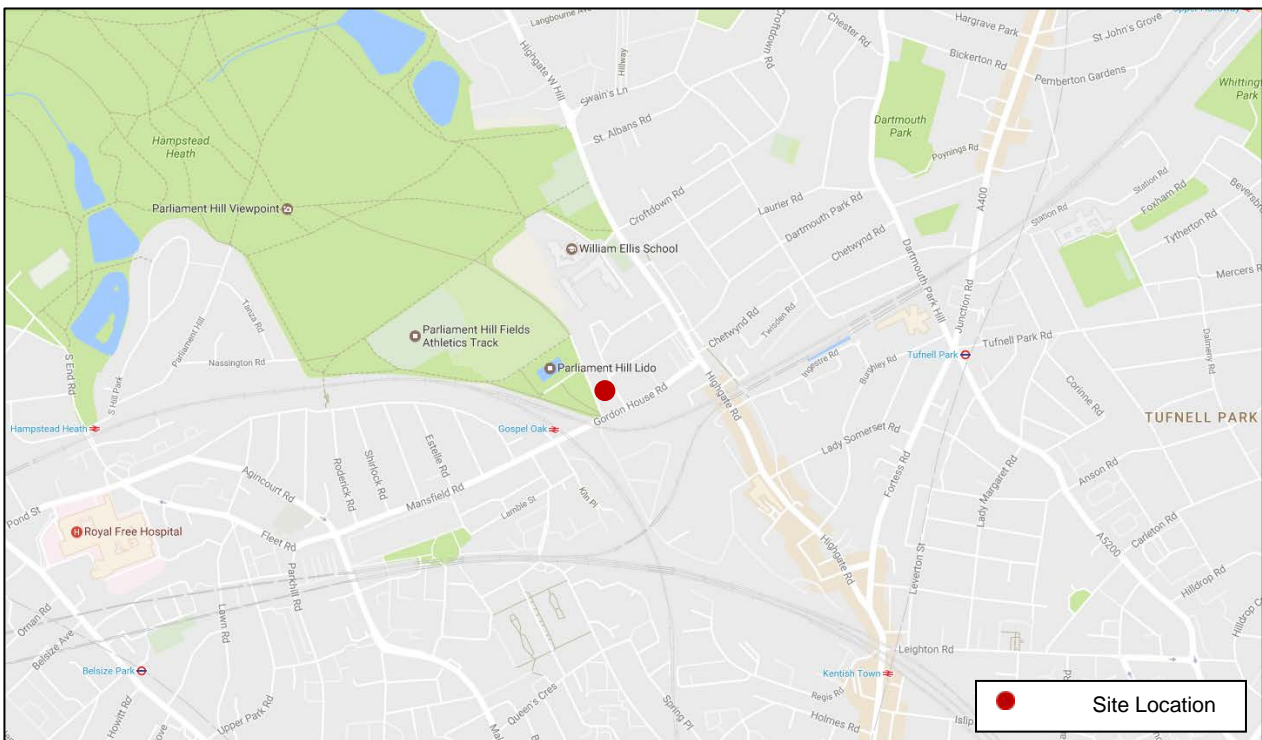
- for ever to keep the Heath open, unenclosed, unbuilt upon and by all lawful means prevent, resist and abate all encroachment on the Heath and attempted encroachment and protect the Heath and preserve it as an open space;
- at all times preserve as far as maybe the natural aspect of the Heath and to that end protect the turf, gorse, heather, timber and other trees, shrubs and brushwood thereon;
- not to sell, lease, grant or in any manner dispose of any part of the Heath; and
- to provide active and passive recreational facilities and information for members of the public.

Site Context

This objection relates to a site located in the close vicinity of Hampstead Heath. The City is concerned about the impact the proposed development would have should the application be granted.

Chester Court is a six storey residential building located on the western side of Lissenden Gardens, which forms a loop between Gordon House Road and Highgate Road. To the west of the site is the Parliament Hill Fields including the Lido .The site is located south of Hampstead Heath. The area immediately to the north of Lissenden Gardens contains two schools including Parliament Hill School and William Ellis School. Please refer to Figure 1 for a Site Location Plan.

Figure 1 Site Location Plan



Source: Google Maps, 2017

The area is characterised by mansion blocks, terrace housing and commercial development. The immediate local area is further characterised by larger scale development that predominates in other areas nearby.

Proposal

The proposed development is for the installation of six antennas within three glass-fibre reinforced plastic (GRP) enclosures and three equipment cabinets, all located on top of the existing building. The enclosures are all to be located on the rooftop of the existing building in three separate locations, two towards the south west side of the building (Hampstead Heath), and one towards the north east side of the building (Lissenden Gardens). The enclosures are proposed to be 2 metres tall, and will form a significant addition to the rooftop of the building.

Key Issues

We are concerned about the impact of the proposed development on all open spaces in the vicinity, and in particular, Hampstead Heath. We consider the following to be the key issues:

- Siting of the enclosures on the building and their visibility from Hampstead Heath; and
- Inconsistency of the proposed development with existing local character and roofscapes; and
- Impact on the Dartmouth Park Conservation Area.

The key issues set out above are considered throughout this letter in the context of the adopted Camden Development Plan and any other material considerations.

Development Plan and other material considerations

We consider the policies of the following Development Plan documents to be of relevance to this application:

- The London Plan (2016, as amended);
- Camden Core Strategy (2010);
- Camden Development Policies (2010); and
- Dartmouth Park Conservation Area Appraisal and Management Statement (2009).

Further, we consider the Emerging Camden Local Plan to be a material consideration to the determination of this application.

When considering the key issues forming the objection to this application, the relevant policies and material considerations have been applied.

Siting and Visibility from Hampstead Heath

As depicted in the photomontages submitted with the planning application, the proposed development would be clearly visible from Hampstead Heath and other locations in the areas surrounding the site. The enclosures are proposed to be 2 metres tall, and considering their placement at the edge of the building, will be clearly visible. The enclosures are therefore considered to be wholly inappropriate for their setting. It appears that very little has been done during the design process to attempt to blend the structures into the building and neighbourhood setting.

Permitting the proposed development would be contrary to Policy CS15 (Protecting and improving our parks and open spaces and encouraging biodiversity) of the Camden Core Strategy (2010). CS15 states:

The Council will preserve and enhance the historic, open space and nature conservation importance of Hampstead Heath and its surrounding area by:

k) working with the City of London, English Heritage and Natural England to manage and improve the Heath and its surrounding areas;

...

n) taking into account the impact on the Heath when considering relevant planning applications;

o) protecting views from Hampstead Heath and views across the Heath and its surrounding area;

p) improving the biodiversity of, and habitats in, Hampstead Heath and its surrounding area, where opportunities arise.

As identified in n) of Policy CS15, the Council needs to take into account the impact of the proposed development on the Heath while the assessment of the application is taking place. At this time we stress the importance of the Heath for the surrounding area, and the potential damage that the proposed development will have on the existing views from Hampstead Heath. Specifically, the proposed development will have an impact on the views from Hampstead Heath towards Central London, the protection of which is of great importance, as identified in o) of Policy CS15. Therefore we recommend that the proposal should be refused based on these grounds.

Inconsistency with Existing Character and Roofscapes

Policy 7.4 of the London Plan, addresses local character and states that from a strategic perspective *“Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area’s visual or physical connection with natural features...”*

The Policy goes on to further identify that planning decision need ensure that *“Buildings, streets and open spaces should provide a high quality design response that:*

- a) has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass;*
- b) contributes to a positive relationship between the urban structure and natural landscape features, including the underlying landform and topography of an area;*
- c) is human in scale, ensuring buildings create a positive relationship with street level activity and people feel comfortable with their surroundings;*
- d) allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area;*
- e) is informed by the surrounding historic environment.*

It is therefore the role of the Local Authority to ensure that any new development contributes to the coexistence of the urban and natural environments. The proposed development will have a negative impact on the interface between the natural environment, Hampstead Heath, and the urban structure of Chester Court.

Further, the proposed development presents a concept that would result in a roofscape that is not consistent with the character of the existing roofscapes of Lissenden Gardens or the character of the surrounding area.

At a local level, Policy CS14 – Promoting high quality places and conserving our heritage, of the Camden Core Strategy states:

The Council will ensure that Camden's places and buildings are attractive, safe and easy to use by:

- a) requiring development of the highest standard of design that respects local context and character;*
- b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;*
- c) ...*

The proposed development is not consistent with either a) or b) of Policy CS14, where the proposal is not of a high quality, and has been designed with little regard for the existing character of the area. The proposed antennas and enclosures present large, poorly designed structures that will be clearly visible amongst the traditional roofscape setting, boasting Edwardian and Victorian chimneys and mansard roofs. As such, the proposal is inconsistent with the existing roofscape and does not contribute to preserving or enhancing Camden's rich and diverse heritage assets or their settings.

Impact on the Dartmouth Park Conservation Area

Policy DP25 of the Camden Development Principles (2010) – Conserving Camden's heritage – further identifies aspects the Council are required to take into account when assessing schemes within Conservation Areas. As the site is located within the Dartmouth Park Conservation Area, the policy is relevant to the proposal. DP25 states:

In order to maintain the character of Camden's conservation areas, the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;*
- c) ...*

The site is included within Sub Area 9 Lissenden Gardens, of the Dartmouth Park Conservation Area. The Area Appraisal and Management Statement (2009) identifies that Chester Court was built to echo the mansion block design of the Lissenden Gardens Estate mansions. The Appraisal identifies Chester Court as a 'five storey red brick block with another floor in the mansard roof, casement windows and balconies'.

Chester Court is an important component of Lissenden Gardens, contributing to the character of the streetscape and conservation area.

In order to comply with Policy DP25, the Council must consider the impact the proposed development will have on the Dartmouth Park Conservation Area. More specifically, development can only be permitted that preserves and enhances the character and appearance of the area. The proposed development will do the opposite, being juxtaposed with the existing character of Chester Court and the surrounding buildings.

Summary

The proposed development is for the installation of six antennas within three glass-fibre reinforced plastic (GRP) enclosures, and three equipment cabinets all located on top of the existing building. The enclosures are all to be located on the rooftop of the existing building in three separate locations, and will have a detrimental impact on both the character and roofscape of the local area including the Dartmouth Park Conservation Area.

Further, the enclosures are proposed to be 2 metres tall, and considering their placement at the edge of the building, will be clearly visible. The proposed development will have a negative impact on the views from Hampstead Heath towards central London, the protection of which is of great importance.

The proposed development is inconsistent with Policies CS14 and CS15 of the Camden Core Strategy (2010), Policy DP25 of the Camden Development Principles (2010) and the Dartmouth Park Conservation Area Appraisal and Management Statement (2009). There are additional inconsistencies with the London Plan (2016) as previously stated.

We recommend that the application is refused on the grounds that the proposed development will have a detrimental impact on the appearance of the building and on the character and setting of Dartmouth Park Conservation Area. Further, and importantly, the proposed development will have a negative impact on the views from Hampstead Heath towards Central London.

Yours sincerely,

Nexus Planning

On behalf of City of London Corporation