

# Council for British Archaeology

*A National Amenity Society*

FAO Jonathan McClue  
Regeneration and Planning  
London Borough of Camden  
Town Hall, Judd Street  
London WC1H 9JE

By email [Jonathan.Mcclue@camden.gov.uk](mailto:Jonathan.Mcclue@camden.gov.uk)

7th January 2021

Dear Jonathan

## **Request for EIA Scoping Opinion – your reference 2020/5774/P**

**Proposal:** *proposed development comprising 17 development plots with circa 750-825 homes (including a proportion of affordable housing), circa 95,000sqm of commercial floorspace including up to approximately: 40,700sqm industry (Classes B2, B8 and E(g)(i)); 38,000sqm flexible office and research and development (Classes E(g)(i) and (ii)); 20,000sqm research and development (Class E(g)(ii)); 6,000sqm of retail/leisure (Classes E(a), (b), (d) and Sui Generis); 16,000sqm residential institution (Class C2) and 1,230sqm community uses (Class F1/F2).*

Land at J Murphy & Sons Ltd, Highgate Road, Kentish Town, London NW5 1TN

site grid reference TQ 28590 85556 (Murphy's building/approximate site centre)

Thank you for consulting the Council for British Archaeology (CBA) on the above case. Based on the information supplied with this application, the following observations and advice on heritage matters aim to assist your Authority in issuing a formal EIA Scoping Opinion for this proposal.

## **Summary**

The CBA welcomes the scoping-in of Built Heritage to the Environmental Statement (ES). However, we have concerns about the Scoping Report's statement that *'The locally listed Kentish Town Locomotive Sheds ... are considered to be non-designated heritage assets'*.

We consider this to be incorrect, since Historic England has defined locally listed heritage assets as follows:

- *There may be many buildings and sites in a local planning authority's area that make a positive contribution to its local character and sense of place because of their heritage value. Although such heritage assets may not be nationally designated or even located within the boundaries of a conservation area, they may be offered some level of protection by the local planning authority identifying them on a formally adopted list of local heritage assets. ...*
- *Whilst local listing provides no additional planning controls, the fact that a building or site is on a local list means that its conservation as a heritage asset is an objective of the NPPF and a material consideration when determining the outcome of a planning application. ...*
- *The NPPF contains policies that apply to heritage assets regardless of whether or not they are locally listed. However, local listing provides a sound, consistent and accountable means of identifying local*

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*heritage assets to the benefit of good strategic planning for the area and to the benefit of owners and developers wishing to fully understand local development opportunities and constraints.*

The inclusion of the loco sheds in the local listings offers them the status of a heritage asset. It follows that they must be treated with the same consideration as if they were nationally listed, in order to meet NPPF and LPA requirements.

The CBA is disappointed about the scoping-out of Archaeology from the ES. We question the report's view that C19/C20 development and changes are of little or no interest; these matters form future archaeology, likely to be currently of interest to local communities and anyone studying the rapid expansion of London and its railway networks. Older OS maps show a plethora of development within the site relating to the railheads; loco sheds, gasworks with chimney, bottling stores, coal depot/shed etc. Just west of the site boundary was the Gospel Oak Brickworks including its quarry, kilns and chimney. These features are indicative of massive building programmes in London in the Victorian era. The National Library of Scotland website [ <https://maps.nls.uk/> ] offers free on-line access to available maps from mid-19<sup>th</sup> century on, by entering a grid reference to the search box.

The report notes the potential for burials on the SE periphery of the site, in connection with the present Grade II listed Christ Apostolic Church, formerly St John's, on the site of the C18 Kentish Town Chapel (part of the walls of which survive). This possibility requires further study and possibly investigation.

We also have concerns about valid points raised in Appendix E Archaeological Desk-Based Assessment [ADBA]. The observation that due to the '*size of the Site and the relative lack of archaeological investigations in the vicinity further archaeological mitigation measures may be required*' appears to be at odds with the scoping-out of Archaeology and subsequent sole reliance on the ADBA. We are especially uneasy that any mitigation measures '*can follow the granting of planning permission, secured by an appropriately worded archaeological planning condition*'. LPAs generally require adequate investigation and reporting ahead of an application's determination. We believe that, once a planning application has been determined in the form applied for, it may be too late to re-design a site if archaeological work is deemed necessary by the LPA. Post-determination conditions should be a last resort and not regarded as a standard approach.

The CBA's view is that Built Heritage and Archaeology are part of the same topic and (for EIA development) if one is scoped-in the other should be too, ideally as a single combined chapter in the ES.

## Potential impacts on Significance

The NPPF defines 'significance' succinctly as '*The value of a heritage asset to this and future generations because of its heritage interest [which] may be archaeological, architectural, artistic or historic*'. Potential impacts on significance should be included in the ES. The reference to current and future generations is relevant in this case as regards previous and surviving railway works for example. Without sympathetic investigations 'significance' becomes circumstantial at best. Paragraph 200 of the NPPF advises: "*Local planning authorities should look for opportunities ... within the setting of heritage assets, to enhance or better reveal their significance ... [and] should be treated favourably.*" The loco sheds are relevant; the NPPF clarifies that heritage assets don't have to be officially designated. Enhancing/revealing significance needn't be solely considered as visual enhancement, but may encompass opportunities for community interaction.

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National planning policy advises that assessing significance is a key principle for managing change to heritage assets. The NPPF stresses 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation ...'. In their *Conservation Principles Policies and Guidance*, (Historic England 2008) Historic England identifies the areas of heritage value for determining overall significance:-

- *Evidential*: the potential of a place to yield evidence about past human activity. This includes physical remains as the primary source of evidence and the people/cultures that made them. Where written records are scarce the material record's importance increases;
- *Historical*: How a place's past and present communities and life-events can connect together.
- *Aesthetic*: Ways in which people draw sensory and intellectual stimulation from a place or building. These may relate to the design of a place, or informal development over time, and/or the relationship of structures to their setting;
- *Communal*: The meaning of a place for the people who relate to it, including symbolic, social, commemorative and spiritual value; sometimes as uncomfortable reminders of events in national history.

To take full account of the need to address 'significance' the CBA encourages an approach of assessing all heritage assets together in one chapter of the ES via a detailed and comprehensive Cultural Heritage Assessment. This should include documentary research, study and recording of surviving buildings and historic maps, including designated assets (national and local), their settings and their surroundings. It should also include a full account of known archaeology for any era, linking above and below-ground evidence and surviving material, with an assessment of the potential for unknown/unanticipated remains.

We would stress our preference for robust and detailed pre-submission assessments, conclusions, recommendations and reporting within the ES as part of supporting documents for the planning application having regard to the nature of the proposal, any difficulties likely to be encountered, and current EIA Regulations.

## The CBA's Recommendations:

- (a) Notwithstanding the report's stated intention for scoping-out Archaeology, we recommend that Built Heritage and Archaeology be jointly assessed in a combined Cultural Heritage chapter, linked to Townscape and Visual Impact within the Environmental Statement;
- (b) Advance Desk-Based Assessments (DBA) should be prepared and the results included in the ES as part of the planning application. These should include assessments of relevant published accounts; the settings of heritage assets around and within the site including The Forum with its two listed neighbours to the south, the Christ Apostolic Church site and the loco sheds, along with the settings of proximate Conservation Areas. The ES should include a written commitment to further work and mitigation if results indicate potential adverse impacts on heritage or its significance.
- (c) For any necessary physical works advice should be sought from Historic England and the LPA's Conservation specialists or other qualified archaeological advisors to be undertaken, if required, in accordance with a written scheme of investigation (WSI). Such works should preferably be completed and reported on at application stage, rather than via planning conditions post-determination (if approved). Reporting should include written commitment to fulfilling mitigation programme/s.

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- (d) The ES should also include written commitment to facilitating community engagement with cultural heritage, recognising the potential for social value and bearing in mind the definitions of 'significance' in the NPPF/NPPG.
- (e) Attention is drawn to a requirement for written commitment from the applicants to publishing publicly available reports of all investigations even if of a negative outcome.

I trust these comments are useful to you; please keep the CBA informed of any developments with this case.

Kind Regards,



Catherine Bell. MA(cons), ACIfA  
Assistant Listed Buildings Caseworker for England

The Council for British Archaeology (CBA) is the national amenity society concerned with protection of the archaeological interest in heritage assets. Local planning authorities have a duty to notify the CBA of applications for listed building consent involving partial or total demolition, under the procedures set out in, **Arrangements for handling heritage applications – notification To Historic England and National Amenity Societies and the Secretary of state (England) direction 2015**.