



Appeal Decisions

Inquiry held on 7-10 February 2012

Site visit made on 8, 9 and 10 February 2012

by Mr J P Sargent BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16 March 2012

Appeal A: APP/Y5420/A/11/2159120

Southwood Nurseries, Townsend Yard, Highgate, London N6 5JF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by R & D Properties London Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2010/1503, dated 19 August 2010, was refused by notice dated 9 March 2011.
 - The development proposed is the demolition of the existing buildings and the erection of 3 self-contained dwelling houses, with an access road and landscaping.
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Appeal B: APP/Y5420/E/11/2159121

Southwood Nurseries, Townsend Yard, Highgate, London N6 5JF

- The appeal is made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent.
 - The appeal is made by R & D Properties London Limited against the decision of the Council of the London Borough of Haringey.
 - The application Ref HGY/2010/1504, dated 19 August 2010, was refused by notice dated 7 July 2011.
 - The demolition proposed is the demolition of the existing buildings.
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Procedural matters

1. The details on the submissions have been noted but the description above more accurately describes the works subject of Appeal B.
2. As well as the accompanied site visit on 9 February, I made unaccompanied inspections on 10 February and after dark on 8 February, when the site and its surroundings were viewed from public land.

Decisions

Appeal A: APP/Y5420/A/11/2159120

3. The appeal is dismissed.

Appeal B: APP/Y5420/E/11/2159121

4. The appeal is dismissed.

Main Issues

5. There are 2 main issues in relation to Appeal A. The first is whether the development would preserve the character or appearance of the Highgate

Conservation Area in which it is located. The second issue is the effect of the scheme on employment provision.

6. Concerning Appeal B the main issue is whether the loss of these buildings would preserve the character or appearance of the Highgate Conservation Area.

Appeal A Reasons

Issue 1 - The effect on the conservation area

The background

7. Much of this 0.8ha site is used as a garden centre with its greenhouses, out-buildings, external sales areas, and car parking. The depot of a landscape contracting business is in another part of the appeal site and this contains various sheds and chalets used by that operation, as well as associated parking and external storage. A small building known as Whistlers Cottage is on the final part, close to the site entrance. This was originally a single storey dwelling but it is now the offices for the company that runs this garden centre and a number of others across London. The land slopes markedly, with the south side being some 14m higher than the northern boundary.
8. The site is in the Highgate Conservation Area in the London Borough of Haringey. Much of this conservation area comprises pleasing suburban development. However, on its southern boundary is Highgate High Street, which runs along a hill top. This is lined by an attractive collection of historic buildings, many of which are listed, that are of a range of ages and styles.
9. Immediately behind Highgate High Street on the northern side, is an area commonly known as the Highgate Bowl (the Bowl). In Supplementary Planning Guidance 3.5 *Highgate Bowl Area - in Highgate Conservation Area* (SPG) this was defined as covering an area that sloped steeply down from Highgate High Street and extended from Southwood Lane and Kingsley Place in the west and north, round behind Cholmeley Crescent to Cholmeley Park on the east.
10. At the eastern end of the Bowl is a former hostel called Furnival House and a housing scheme known as Parklands. Otherwise, even though various types of built development are found across the Bowl, in my opinion it has the appearance of being a relatively open, undeveloped area of trees and landscaping¹. This view has been accepted by a number of Planning Inspectors over the last 25 years as they have considered appeals on this site, appeals elsewhere in the Bowl, and the designation of the Bowl in the development plan. The tree cover has developed since many of those decisions were issued in the 1980s and 1990s, but it is considered that this has not had a significant effect on the nature of the Bowl or the role of the site.
11. The land subject of this appeal makes a positive contribution to the Bowl's character and appearance. Although about 75% of the site's area is covered by hard-surfacing or buildings, it still maintains a notable tree cover round its boundaries and in clusters within the site. This has the effect of screening or softening much of the open storage and parking that takes place there. As a result the areas of hard-surfacing and the various uses to which they are put

¹ Hereafter any reference to the Bowl in this decision shall concern the Bowl as defined in the SPG but excluding Parklands, Furnival House and the small area adjacent (referred to as Area 3 in the SPG).

do not have a significant harmful effect on the overall contribution of the site to the Bowl. The buildings currently cover less than 7% of the site area. The largest building now present is the greenhouse complex which, being glass, is not particularly intrusive, and with the exception of the room in the roof of Whistlers Cottage, all the accommodation on site is single storey in nature. Therefore, although development covers a significant amount of the site, it is not dominant or intrusive and does not undermine the contribution the site makes to the apparent open, tree-covered character of the Bowl.

12. Public views of the Bowl are restricted. However, they are possible from Kingsley Place and Townsend Yard, and there are limited distant views from Alexandra Palace. Moreover, on Cholmeley Crescent the glimpsed views between the buildings allude to the openness behind. In the surrounding residential properties, as well as from inside the Bowl itself, there are private views that allow the nature and character of the Bowl to be appreciated to varying degrees.
13. From many of these public and private views the relatively undeveloped appearance of the Bowl, together with its appreciable gradient and its extensive tree cover, means it provides a soft setting for Highgate High Street on top of the hill, allowing it to stand out as a distinctive feature in the townscape. This arrangement also separates the older village core from the relatively modern suburban development to the north, thereby emphasising its evolution as a historic settlement. While these views are not extensive they are sufficient to mean that, for those reasons, the Bowl makes an important contribution to the character and appearance of the conservation area.
14. Consequently, I consider that the conservation area is a heritage asset of significance, and, both the Bowl and the appeal site make a positive contribution to this because of their relationship to Highgate High Street.
15. In considering the policy framework against which the proposal should be assessed, there is no policy in the adopted *Haringey Unitary Development Plan* (UDP) that specifically relates to the Bowl. However, Policy CSV1 is relevant, as this seeks to preserve the character or appearance of the conservation area. During the appeal there was also discussion about the applicability of UDP Policy OS10, which broadly concerns the protection of open spaces that do not have any other formal designation. No doubt after due consideration a Planning Inspector identified this policy as relevant for the protection of the Bowl in the *Unitary Development Plan Review* (dated 2005). However, it has not been contended that the openness of the appeal site would have any value beyond its benefits to the conservation area. No strong argument has been made to say that, even if the scheme was acceptable in relation to the conservation area, it should be resisted because of some other role the site plays as a result of its open nature. Therefore, to my mind Policy OS10 does not take the Council's case any further and so, noting it was not cited in the decision notice, I see no need to consider it in relation to this scheme.
16. Moreover, the history of the SPG was unclear, and it was not now adopted. Consequently, for those reasons weight has not been attached to its policies and guidance. However, it contained much factual information about the conservation area and the Bowl that is still relevant, and this has been taken into account.

The impact of the development

17. One of the proposed houses would be at the top of the site, another would be at the bottom and the third would be in between. Consequently they were referred to as the upper house, lower house and middle house respectively. Their form would have regard to the slope of the land and while each would be of an individual 'contemporary' flat-roofed design its appearance would nonetheless complement that of the other 2 properties proposed. About 75% of the site would be landscaped, and while the extent of hard-surfacing would be very much reduced the overall footprint of the buildings would be increased from the present situation to cover about 13% of the total area.
18. The maximum height of the upper house would be comparable to that of Whistlers Cottage though it would be further from the site access. Therefore when looking from Townsend Yard it would be substantially concealed by the boundary treatments. However, although its lower ground floor would be forward of its 2 upper storeys, when viewed from the north-west this dwelling would offer what would appear as a 3 storey façade. It would also be much longer than Whistlers Cottage. As a result, it would be far more bulky and intrusive than the existing building.
19. Turning to the middle house, its upper ground floor would be in a location and of a height that was comparable to the greenhouses. However, from Cholmeley Crescent a taller more dominant elevation would be created as that floor would be seen with the lower ground floor (which again would be stepped forward). It would also be built of more intrusive materials than the greenhouses. From the access a view is now possible down to the boundary with Cholmeley Crescent through a pathway of trees on both the appeal site and the adjacent woodland, and this makes a significant contribution to the perception of the site when in Townsend Yard. However, even accounting for the levels at which it would be built and the additional planting that is proposed, this house would intrude into these views and remove the impression of a run of soft landscaping that is appreciated at the moment. Consequently, it would erode the apparent open tree-covered character of the site, and instead introduce a more intrusive, substantial built form.
20. Finally the lower house would appear as a 2-storey dwelling with relatively long front and rear elevations, and it would stand where there are now small low sheds. It would be concealed to some extent by the elevated land on the neighbouring parade ground, the boundary planting and the fencing, but the relatively lengthy, solid rear elevation to its first floor would be apparent to some degree when seen from the higher land in that direction. Moreover, from inside the site it would be a substantial building across the end of the access road where a structure of comparable scale is not now present. Again it would therefore be detracting from the existing sense of openness.
21. The Appellant has sought to protect the darkness of the site at night time. However, given the relatively secluded nature of each plot, the large areas of glazing in the various elevations and the need for access and security into the night, to my mind it is reasonable to assume the scheme would result in increased light levels when it is dark.
22. It was also contended that the development would create a situation comparable to that on the south side of Highgate. The Appellant said that, from

there, the buildings in the heart of the village are again seen on a hilltop with wooded slopes in the foreground, even though in those views housing is amongst the trees. However, while I looked from that direction in general and from Highgate West Hill in particular, to my mind Highgate High Street was not as prominent in those views and the rising land did not play the same role as the Bowl in relation to its setting.

23. For these reasons I consider the proposal would introduce a more imposing built form onto the appeal site that would have a significantly greater impact than what is there now. As a result, it would detract unacceptably from the contribution this site makes to what appears to be the open undeveloped character of the Bowl, and it would undermine the separation between the historic hilltop settlement of Highgate and the modern suburban development to the north. Therefore it would adversely affect the role of the Bowl in enhancing the setting of Highgate High Street and so harm the conservation area.
24. It was not contended that the scheme would fail to preserve the settings of individual listed buildings in Highgate High Street and this is a view I share.

Matters offered to outweigh or address this harm

25. The Appellant has proposed extensive landscaping to soften and screen the houses and to enhance the site, and a landscape and woodland management plan has been submitted to ensure its on-going maintenance. This could be secured not only by condition but also through the Appellant's Unilateral Undertaking to which I have afforded significant weight. The additional planting, when it eventually matured, would bring benefits to the site. However, as much of this would be deciduous in nature it would do little to screen the development during the winter months. Furthermore, its effect on views within the site or from the adjacent housing on Cholmeley Crescent would be limited. Therefore this does not allay the concern raised above.
26. It was also contended that the improvements to the traffic situation would benefit the conservation area. Access to the site is through Townsend Yard, which is a narrow unadopted lane with limited visibility at its junction with Highgate High Street, and this would be unchanged by the proposal.
27. Some existing traffic generation figures have been submitted for the site but it has not been stated how these compare to the character or number of vehicles that use Townsend Yard in connection with the other uses it serves. Also, given the size and nature of the proposed houses I would expect more than the 'worst case' scenario of 12 movements a day that the Appellant's transport consultant envisaged. However, despite those points it is reasonable to assume the vehicular activity would be substantially less than the number now drawn to the site. Moreover, as the drivers of much of the traffic associated with the proposal would be residents they are likely to have a greater familiarity with the access and its limitations than the customers and visitors arriving and leaving at present. Finally the current traffic flow probably comprises a greater proportion of goods vehicles and these would find the access arrangements especially difficult, thereby impacting on the conservation area and the free-flow of Highgate High Street as a result of their manoeuvring.
28. Taking these points together by removing traffic from this difficult access I consider the scheme would improve highway safety and it would also bring

some benefit to the conservation area. However, based on the submitted evidence the adverse effects caused by the existing vehicle movements are not so great as to mean any such benefits would outweigh the harm identified.

29. Residents have expressed concern at disturbance from the garden centre use, but I would not expect the existing operations to be a continual source of significant noise, and such activity is likely to cease in the evenings. Despite this I accept that the proposal is likely to be quieter, and this would benefit the tranquillity of the Bowl and the living conditions of those around. However, the impact of the existing situation has not been shown to be so detrimental as to mean the change of use would outweigh the adverse consequences of the development highlighted above.
30. It is acknowledged that contemporary, individual dwellings have been built throughout historic Highgate. In themselves the 3 houses now proposed would be of satisfactory designs but it is the effect that they would have on the role and character of this site that offers the basis for the concerns. Such a matter could well not have applied to the various other similar dwellings identified. It is also accepted that Whistlers Cottage represents residential development on this land but that does not justify further housing of the impact now proposed.
31. Finally, while the Appellant contended the scheme would be re-instating the pattern of fields that was previously on the site, the arrangement would be different to that indicated on the historic maps and the division of the land has repeatedly changed over time. In any event, the presence of these 3 large houses would countermand any sense of re-establishing an agricultural character.
32. Accordingly, whether considered individually or together, the above factors do not outweigh the harm identified.

Conclusions on this issue

33. Accordingly I conclude that, by detracting from the contribution of the site to the role of the Bowl in relation to Highgate High Street, the proposal would not preserve the character or the appearance of the Highgate Conservation Area and would cause substantial harm to its value as a heritage asset. In the absence of any public benefits that clearly outweigh this harm I conclude the scheme would conflict with Policy CSV1 in the UDP and national policy in Planning Policy Statement 5 *Planning for the Historic Environment* (PPS5).

Issue 2 – Employment provision

34. UDP Policy EMP4 says that if planning permission is to be granted for the redevelopment or change of use of land in employment generating uses then there must be compliance with one of 2 scenarios. Either, under Policy EMP4(a) and (b) the site must be no longer suitable for business or industry and must have been subject to unsuccessful marketing for at least 18 months (which I shall call scenario 1), or, under Policy EMP4(c) the redevelopment or re-use of all employment generating land and premises would retain or increase the number of jobs permanently provided on the site and result in wider regeneration benefits (scenario 2). It was accepted that for the purposes of this policy the existing activities were defined as employment generating uses.
35. The UDP also identifies what was described as a hierarchy of employment sites with 3 tiers shown on the Proposals Map (Policies EMP1, EMP2 and EMP3). As

this site was not highlighted in that manner it was accepted as being in a fourth tier below, and so was at the bottom of the hierarchy.

36. With regard to scenario 1, the garden centre has operated from here for a number of years, but that does not necessarily mean the land is 'suitable' for business use. Since it first opened the expectations and arrangement of garden centres has changed markedly, and, for example, the operations could be bringing in reduced returns or could be under-using the site. To my mind the restricted access, the concealed location, the gradient and the costs involved in removing or replacing unnecessary structures or surfacing are likely to limit the site's appeal for business activity.
37. Furthermore, the location inevitably affects the development that would be acceptable there. The Council's refusal of 2 applications in the last 20 years (both of which were also dismissed on appeal) does not indicate it has repeatedly resisted business proposals on the land and indeed the Appellant accepted the sensitive nature of the site is inevitably going to affect development opportunities. This again would inhibit its desirability for commercial activity. While the Council considered further investment was needed to revitalise the garden centre there was no basis to consider any necessary buildings would be acceptable on this site. Moreover, it suggested the site could well be suitable for a small light industrial workshop, but I have no reason to consider that the visual impact of such a building has been explored and this would raise uncertainty over the use of the rest of the land.
38. These factors individually need not discourage business use. Many businesses operate successfully with, for example, poor access or limited public presence on a main road. Together though it is reasonable to assume those limitations would have a detrimental effect on its attractiveness to operators or they could result in it not being used to the intensity expected for a site of this size.
39. However, there is little firm evidence before me to confirm these factors are sufficient to mean the scheme complies with Policy EMP4(a), especially as the Appellant considered the site could be bought by another garden centre operator if advertised. Therefore, compliance with Policy EMP4(a) needs to be shown by a marketing exercise, and in the absence of that the proposal fails to comply with this scenario.
40. Although the Appellant said that satisfying scenario 1 would open the commercial actions of the garden centre business to undue public scrutiny, this is not a view that I share. To my mind when weighing the scheme against this scenario the various constraints listed above coupled with an unsuccessful period of marketing (should that in fact be the case) would be sufficient to demonstrate the unsuitability of the site.
41. There was some debate about the interpretation of scenario 2. The Appellant considered that Policy EMP4(c) requires the jobs on site now to be retained or increased (possibly allowing off-site provision of a similar or greater number). As it confirmed all the jobs would be relocated then it was of the view that the scheme would be compliant with this requirement. In contrast, the Council said Policy EMP4(c) required the number of jobs there at the moment to be retained on the site (as opposed to anywhere else). In support of this it drew on paragraph 5.30 of the UDP, which identifies this scenario as concerning a situation where only part of an employment site is redeveloped and the existing employment levels are maintained or increased on the remainder. I

have some sympathy with the Appellant's interpretation as there would be few instances where non-employment generating uses (which mainly constitute residential activity) could be accommodated on part of an employment site. However, given the wording of paragraph 5.30 I consider the scheme would not be compliant with scenario 2 either.

42. Putting aside this conflict though the Appellant contended that the aims of the policy would be addressed in any event if the jobs were moved elsewhere, and this would give rise to no harm. Of the activity now on the site, it is reasonable to expect centralised offices would still be required for the chain of garden centres and so those staff would be moved to other premises. While a new site has not yet been found that is understandable given this on-going appeal. As the site is so close to the borough boundary it could relocate outside the local authority area, but I am not satisfied that this would be unreasonable.
43. I have no firm grounds to question the Appellant's view that the jobs at the garden centre or in the landscaping business would be relocated, yet at the same time I have no guarantee that this would happen and there is no mechanism before me to ensure it would be achieved. However, having regard to the fall-back position there is no basis to be confident that the current level of employment here now would be maintained if the appeal were to be dismissed and either the existing operators continued or new uses/operators took over.
44. Taking these points together, and mindful the site does not fall within any of the 3 types of employment area covered under UDP Policies EMP1, EMP2 or EMP3, I conclude it has not been shown the scheme would have an adverse or unreasonable effect employment provision and so any conflict with UDP Policy EMP4 is not a basis to dismiss the appeal.

Other matters

Public access

45. Although privately owned, the garden centre is the one site in the Bowl onto which members of the public have relatively free access, thereby giving opportunity for the Bowl to be appreciated from within. However such access is restricted to just potential customers and it is possible only when the garden centre is open. It therefore cannot be defined as access of a truly recreational nature that is comparable to a park or to playing fields. It could also be limited or stopped altogether if the hours of operation changed or if the site was given over to new uses or operators.
46. In contrast, the access road to the appeal scheme would be open to the public at all times. While there was a concern that it would be gated in due course, this could be prevented by condition and is also addressed in the Unilateral Undertaking, and I cannot assume such controls would be readily put aside at a later date. Therefore, mindful that public access now is limited and cannot be guaranteed, and noting the nature of the proposal, this matter does not offer grounds to resist the scheme.
47. An appeal was dismissed on the site in 1993 for a terrace of 3 and 4 storey buildings to form 27 dwellings, together with an access road and an area of landscaped open space (the 1993 scheme). In the decision it was stated that, although privately owned, the garden centre was accessible to the public and so the interior of the Bowl could be appreciated, but this would be lost with the

scheme then proposed. As such the development would have diminished any contribution to community benefit and the opportunities for recreation that the existing use provided, in conflict with the aims of Schedule 7 of the development plan in place at that time.

48. However, Schedule 7 is no longer applicable, and in its decision the Council referred to no current policy that reflected this or advocated the use of the site for community or recreational purposes. Furthermore, from the information before me I am unclear as to why the 1993 scheme would have resulted in a loss of access. Therefore the comments in that appeal decision do not lead me to dismiss this proposal.
49. Interested parties highlighted the desirability of using the site as public open space. Indeed The Highgate Society said that, if the appeal was dismissed, it would set up a charitable trust to acquire the site and, among other things, maintain it as open land accessible to the public. However, such initiatives may not materialise or, if established, they may not be successful in their aims. Furthermore, that is not the proposal before me. While the concept of localism in the planning process has been noted, given the evidence before me it does not justify seeking public use of the land in the circumstances of this appeal. Therefore, mindful there is no policy basis that actively promotes this site for such a use, in coming to my decision I have attached limited weight to the desirability of greater public access to the land in the future.
50. Finally, on a related matter, I was not told that any of the existing operations on the site were unlawful. Therefore it is not for me, when assessing this appeal, to be seeking to return the site to its previous nursery use.

Loss of retail activity and the effect on sustainability

51. The Council raised concern about the loss of this retail activity in the light of Policy EC13 in Planning Policy Statement 4 *Planning for Sustainable Development*. It was also contended that closing this garden centre would be contrary to the aims of sustainability as Highgate residents would have to travel further afield to buy items now sold there, and access to those other outlets by public transport was poor.
52. However the site is not in a local centre and it does not provide for people's day-to-day needs. Moreover, there is no certainty that, even if the site remained in retail use, it would be a garden centre. I am also not convinced that alternative outlets selling goods for the garden are unduly inaccessible other than by car. Indeed, much of what they sell cannot be realistically carried on public transport due to its weight or bulk and so if customers had no car of their own they would be reliant on a delivery service to take such goods to their home, whether they were bought at the appeal site or elsewhere.
53. While the Inspector determining the 1993 scheme identified the site as having a community benefit there is no basis to assume this benefit concerned the retail use now present.
54. Accordingly I conclude that the loss of this garden centre would not adversely affect the retail base or matters of sustainability.

Precedent

55. The various sites in the Bowl all contribute to its overall character described above, but they are used in different ways and contain a variety of landscaping and hard development. Some are also subject of a Group Tree Preservation Order and/or a designation as an Ecologically Valuable Site. Therefore decisions concerning development elsewhere in the Bowl, assuming such applications were forthcoming, would have to have regard to the individual site in question. With specific reference to the Harington Scheme, there is no certainty its landlords would pursue an application for housing if this appeal had been allowed, or that such an application would have been successful.
56. Consequently, this appeal was determined on its merits and not on the basis of the effect that any decision may have on the development of other sites in the Bowl. If I had granted planning permission it would not necessarily have set a precedent with regard to these remaining areas.

Alternative scheme for the site

57. An alternative scheme for limited residential development was suggested on the site. However that is not now before me and again I have no reason to consider it would be pursued if this appeal were to be dismissed. Consequently I have not afforded it significant weight.

Highway safety and the living conditions of neighbours

58. Given the separation distances involved the scheme would not cause unreasonable overlooking of neighbouring houses or flats and would not be overwhelming. Moreover, noise during the building phase would be temporary and would not offer a basis to resist the scheme. The other concerns relating to highway safety and living conditions have been addressed above, and so in relation to these matters the proposal would not be harmful.

Drainage, wildlife and contamination

59. Based on the evidence before me these matters could be appropriately resolved by suitably worded conditions.

Appeal A - Conclusions

60. Accordingly, because of the harm the development would cause to the conservation area I conclude the appeal should be dismissed.

Appeal B – Reasons

61. The Appellant did not offer a substantive challenge to the Council's view that the existing buildings should not be removed if there was no acceptable alternative scheme for the site. This is a view that I share. Although Whistlers Cottage and the various greenhouses, sheds and chalets now present are of little historic value in their own right, they nonetheless accord with and respect the character and appearance of the Bowl because of their form, scale and purpose. Moreover, they also enable a use of the land that similarly respects the locality. Authorising their removal, in the absence of an alternative scheme, would contribute nothing to the preservation or enhancement of the conservation area. Rather, it would undermine any active use on the land and could well adversely affect the future role of the site in relation to both the Bowl and the Highgate Conservation Area as a whole.

62. Accordingly I conclude the works subject of Appeal B would not preserve the character or appearance of the Highgate Conservation Area, and so would conflict with Policies CSV1 and CSV7 in the UDP and national policy in PPS5.

Overall Conclusions

63. For the reasons stated both Appeal A and Appeal B should be dismissed.

J P Sargent

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Mr T Davy of Counsel	Instructed by the Head of Legal Services at the London Borough of Haringey
He called	
Mr I Drivylas BA MA MIED	Economic Development consultant
Mr M Gunning BA(Hons) MA MRUP MRTPI	Team Leader / Principal Planner in Development Management with the Council
Mr M MacSweeney MA RIBA	Principal Conservation Officer with the Council

FOR THE APPELLANT:

Miss M Cook of Counsel	Instructed by Dalton Warner Davis LLP
She called	
Ms J Ede BA(Hons) MA DipLD CMLI	Landscape consultant
Mr P Smerin MA (RCA) RIBA	Architect
Mr A Warner FRICS DipTP	Planning consultant

INTERESTED PERSONS:

Cllr R Allison	Borough Councillor for the Highgate Ward
Mr T Baker	Speaking on behalf of the Harington Scheme
Mr D Brown	Local resident
Ms C Budgett-Meakin	Local resident
Ms E Clements	Speaking on behalf of The Highgate Society
Mr D Elworthy	Local resident
Mr G Forbes	Speaking on behalf of The Highgate Society
Mr M Hammerson	Speaking on behalf of The Highgate Society
Ms J Hill	Local resident
Mr R Sutherland-Smith	Local resident
Mr R Webber	Local resident

DOCUMENTS

- 1 Statement of Common Ground signed by both the Council and the Appellant

Submitted by the Local Planning Authority

- 2 Letter of notification of the Inquiry venue
- 3 Representations from Adrian Betham, Dinah Bond, Jane Hill and Laurie MacLaren submitted in connection with the planning application
- 4 Layout plan and isometric drawing associated with the scheme subject of Appeals APP/Y5420/A/92/213438 & APP/Y5420/E/92/809393 (the 1993 scheme)
- 5 Extract from Chapter 7 of the *District Plan for the London Borough of Haringey* (1982)
- 6 Extract from Schedule 7 of the *District Plan for the London Borough of Haringey* (1982)
- 7 Policy DES8.3 from the *Haringey Unitary Development Plan* (1998)
- 8 Pages 87-90 from the *Haringey Unitary Development Plan* (2006)
- 9 Pages 112-120 from the *Haringey Core Strategy Proposed Submission*
- 10 Plan showing the extent of the Ecologically Valuable Site – Local Importance
- 11 Details of the Tree Preservation Order concerning land described as Nursery land rear of 20/22 Highgate High Street N6
- 12 Additional suggested conditions

Submitted by the Appellant

- 13 Undated Unilateral Undertaking
- 14 Signed and dated Unilateral Undertaking (dated 10 February 2012)
- 15 Supplementary Proof of Evidence of Andrew Warner
- 16 Landscape and woodland management plan (dated February 2012)
- 17 Ecological Appraisal (dated August 2011)
- 18 Page 10 from the *District Plan for the London Borough of Haringey* (1982)
- 19 Pages 119-138 from the *Haringey Unitary Development Plan* (2006)
- 20 Document entitled *Haringey Local Development Framework Local Development Scheme Second Revision* (dated September 2010)
- 21 Bundle entitled *Accessibility of Alexandra Palace Garden Centre*
- 22 Annotated plan entitled *Site Issues*
- 23 Annotated photographs entitled *Precedent Locations*

Submitted by local residents

- 24 Submissions from Gordon Forbes
- 25 Submissions from Michael Hammerson
- 26 Amended letter of representation from Simon and Jane Lister
- 27 Submissions from Richard Webber with journey planner from High Tea of Highgate to Alexandra Palace and Park