

HIGHGATE BOWL ACTION GROUP

Representor Reference ID: 820

Site Allocations DPD

Policy SA42: Highgate Bowl

**Submissions in Support of Designation of Highgate Bowl as
Significant Local Open Land**

**Re Haringey Site Allocations DPD
Policy SA42: Highgate Bowl**

OUTLINE OF SUBMISSIONS FOR THE HIGHGATE BOWL ACTION GROUP

Introduction

1. Highgate Bowl is a unique area of the Borough, and indeed close to being a unique remnant of historic London. Its very special character and the desirability of keeping it free from development that impacts upon its openness and historic role has been recognised in numerous inspectors' reports. In recent years it has come under intense development pressure. Now is the appropriate time to recognise that special character and the importance of preserving the Bowl, by giving it an appropriate policy designation.

2. The Highgate Bowl Action Group ('HBAG'), comprising many local groups including the Highgate Society, supports the protection of Highgate Bowl in planning policy. This unique section of the Conservation Area should be protected from the continued threat of development proposals. These submissions follow this structure:
 - i) The designation of Highgate Bowl;
 - ii) The value of Highgate Bowl in heritage terms, and of keeping it open;
 - iii) Consistency with the NPPF;
 - iv) Responses to objections to policy SA42.

The designation of Highgate Bowl

3. HBAG supports the designation of Highgate Bowl as SLOL. For reasons set out further below, Highgate Bowl should be protected from development. A number of Appeal Decisions emphasise the importance of preserving the openness of Highgate Bowl. The Council's policy for the protection of SLOL would be a suitable means of achieving these aims. It is important that the exact location of the designation as SLOL is made clear. HBAG's position is that the designation should be drawn sufficiently broadly so as to preserve the important features of Highgate Bowl.

4. Keeping Highgate Bowl open has a value independent of permitting public access to it, whether for recreation or other purposes.
5. Policy SP13 recognises the significance of openness of a site, irrespective of access. The first bullet point provides that all new development shall:

Protect and enhance, and when and where possible, extend the existing boundaries of the borough's Green Belt, designated Metropolitan Open Land, designated Open Spaces, Green Chains, allotments, river corridors and other open spaces from inappropriate development'.
6. It is plain that not all the land which falls within SP13 will have public access. Policy SP13 also recognises the biodiversity benefits of private gardens, which do not have general public access. The supporting text states at 6.3.4, 'The level of public access is not a criterion for definition. Where desirable, and where the open space in question has identifiable value, the Council will resist any development that results in a net loss of this open space'.

The Value of Highgate Bowl in Heritage Terms

7. Highgate Bowl is a specific sub-area within the Highgate Conservation Area character Appraisal and Management Plan (2013). This itself indicates its significance as a heritage asset.
8. The heritage significance of Highgate Bowl was considered by an Inspector in an appeal against refusal of planning permission for residential development at the Site in 2014 (APP/Y5420/A/14/2219768) [Appendix 1]. The Inspector stated at paras 10-12:

'10. The Highgate Conservation Area Character Appraisal and Management Plan (CAA) divides the Conservation Area into several character areas. The site is within Sub area 2 – Highgate Bowl. The Highgate Bowl (the Bowl) includes an arc of privately owned, open backland lying roughly north of the High Street which falls steeply down from the ridge. It has survived as relatively undeveloped land for reasons including its former use as fairly low value service land, its hilly topography, and its restricted access. It is one of 2 major open spaces which contrast with the fine grained development of the village, and its semi-rural character maintains the connection to its agricultural past.

11. Although the Bowl is mainly characterised by its openness, there are few nearby public views into it. Even so, there are many views over and through it, from the buildings and spaces around and within it. The contrast between the Bowl and the development in the High Street is important to the appreciation of Highgate village as a historic hilltop settlement. Its general openness contrasts with the adjoining townscape, and at night, its relative darkness contrasts with its well-lit surroundings. The Bowl is significant as a remnant of the once rural village setting of

Highgate, and its spatial qualities are cherished by many local people. It is an important part of the Conservation Area, the character or appearance of which it is desirable to preserve or enhance.

12. *The site, which is roughly at the centre of and about a quarter of the area of the Bowl, is important to the evolution of the townscape because it separates the historic village core from the later neatly arranged suburban dwellings in Cholmeley Crescent. It includes mostly single-storey structures and much of it is hard-surfaced, but its open character is mainly due to the sloping topography and the screening effect of the canopies of the trees within and around it.'*

9. The Inspector considered the adverse impact of the proposals upon the conservation area at para. 25:

In consequence, the proposal would seriously erode the significance of this part of the Bowl as a historic area once used for pasture and historically important backland, and thus its important heritage value as a setting for the village. The locality has changed over time, and it will continue to do so. However, as heritage assets are an irreplaceable resource, great weight should be given to their conservation.'

10. HBAG submits that this recent assessment of Highgate Bowl, the importance of its history and the negative impact which development would have upon its historic and townscape significance, at which the Inspector had the benefit of a site visit, is a matter which should carry considerable weight in this Examination. There have been many instances over a very long where period where Inspectors have referred to the significance of Highgate Bowl.

11. In an appeal relating to proposed residential development within Highgate Bowl dated 16 March 2012 (APP/Y5420/A/11/2159120 and APP/Y5420/E/11/2159121) [Appendix 2], the Inspector stated at para. 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 landscaping'. 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.'

12. The Inspector found that 'the areas of hard-surfacing and the various uses to which they are put do not have a significant harmful effect on the overall contribution of the site to

¹ Footnote in Appeal Decision: '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).'

the Bowl' (para. 11). Whilst noting at para. 12 that public views of the Bowl are restricted, the Inspector considered the significance of views of the Bowl at para. 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.'

13. The Inspector found at para. 14 the Conservation Area to be a 'heritage asset of significance'.

14. In an appeal decision in 1993 (T/APP/Y5420/A/92/213438/P4) [Appendix 3], concerning an application for 27 dwellings, the Inspector recorded at paras 12-13:

'12. All the parties acknowledged that the planning history of proposals to develop the area clearly indicates the importance of this open land as being of visual significance to the rear as a break between the existing development. This view was confirmed by your witnesses at the Inquiry and also it be decision letters drawn to my attention. Notwithstanding the variety of surface materials within the Garden Centre, the goods for sale and even the recently allowed temporary portacabins, there is no doubt in my mind that the site is open in form and character and makes a valuable contribution to the open land and its surroundings. On the other hand its significance on the wider more distant views is less marked due to the low profile of the buildings on the site, the effect of the changes in level and the consequent predominance of the Highgate Ridge skyline.

13. All the land in the Highgate Bowl is in private ownership but this does not reduce its value as an open space. Public viewpoints are very limited but, in the Garden Centre, members of the public have access to the interior of this open space and are thereby able to appreciate its importance. The Bowl is surrounded by residential properties at various levels from where the residents have good views of the site, particularly in winter. Although the site is not readily seen from public places it is seen regularly by a considerable number of local residents who are representative of the local public. ...' [emphasis added]

15. The historic interest of the Highgate Bowl was considered by an Inspector determining an appeal against the issue of an enforcement notice in 1993 (APP/Y5420/C/91/614554/P6) [Appendix 4]. At para. 4, the Inspector stated:

'...This half-amphitheatre shaped area is known locally as the Highgate Bowl. It is historically of interest as grazing land on an old drovers' route into London. In the mid-19th Century nurseries were established on the appeal site and the adjoining land to the east to provide cut flowers for Highgate Cemetery. In recent years the nursery on the appeal site has evolved into the present garden centre.'

16. At para. 24, the Inspector gave his view of the significance of Highgate Bowl:

In a 1988 appeal decision that the Council referred to, concerning office development at 64A Highgate High Street, the Inspector described Highgate village and Highgate Bowl as probably of national importance. You questioned whether there was any evidence for that conclusion for Highgate Bowl, but without going so far I would say that it is at any rate an important element in the present and historical fabric of London.'

17. It is not clear whether the Inspector in the 1988 Appeal Decision (T/APP/Y5420/A/88/092738/P7) [Appendix 5] accepted the contention by a residents' association of potential national significance. However, he did state at para. 55:

'There is no doubting the importance of the Bowl of open land in the appearance and the amenities of this area and, with it, the significance of both the siting of the village of Highgate on its ridge and its surrounding residential areas.'

18. The historical significance of Highgate Bowl was considered in the Highgate Conservation Area Character Appraisal and Management Plan (December 2013), ch 5 [Appendix 6]. At 5.2.2, the appraisal explains:

'Historically, the open character is also attributed to its former traditional use as grazing land and later as horticultural land. Highgate being the last stop on a key route to London, animals would be quartered here for the night, or fed for long grazing in preparation for the market. The land of the bowl was later used for nursery and market gardening for vegetable, plant and flower production, to serve the urban population of London. In more recent times, despite the changes it has been through as a garden centre, the open nature of the land has survived because of the concern of the community to protect its character, and the benefits it brings to Highgate's residential community.'

19. The appraisal goes on to state at 5.10.1 and 5.10.2:

'5.10.1 The Bowl provides an open break between Highgate village and the surrounding suburban development, with open views over the Bowl, to and from the village, and over a wide area of north and east London.'

'5.10.2 Accordingly the Bowl makes a crucial and positive contribution to the setting of Highgate Village on the hill and to the character and appearance of the conservation area. The silhouette of the houses in the High Street rising above the wooded and undeveloped slopes of the Bowl is an essential element in the character of the Conservation Area and a unique survival in an urban area of the form and appearance of a medieval village on a ridge.'

20. HBAG contends, in relation to the significance of Highgate Bowl:

- i) Highgate Bowl is a location of considerable historical significance;
- ii) The Bowl plays an important role in the Conservation Area
- iii) There are both public and private views into Highgate Bowl;
- iv) A public right of access into Highgate Bowl is not necessary for its significance;
- v) The openness of Highgate Bowl is critical to its significance.

21. A policy protecting the openness of Highgate Bowl from development would be appropriate given its significance as a historic asset. Any previous or current commercial uses of the site do not undermine its significance, and indeed given their low level, and predominantly lightweight nature of the structures on the Garden Centre part of the site, have little material impact on its openness. As the Inspector stated in relation to the 2014 Appeal, heritage assets are irreplaceable. HBAG asks for specific policy protection to preserve Highgate Bowl for generations to come.
22. The site at the present time does not have public access. Such access to Highgate Bowl would be beneficial to the community, but are secondary to the importance of preserving the openness of the area.

Consistency with the NPPF

23. The Council has not sought to designate Highgate Bowl as Local Green Space. However, HBAG's position is that the designation of Highgate Bowl as Local Green Space, or SLOL, would be consistent with NPPF 76-77:
- i) Policy SA42 would be consistent with sustainable development in the area;
 - ii) SA42 is being introduced through the local planning process, and is capable of enduring beyond the end of the plan period;
 - iii) Highgate Bowl is in reasonably close proximity to the local community;
 - iv) Highgate Bowl is demonstrably special to the local community and holds particular significance. This is clear from the long-standing opposition by local residents to development there. The evidence set out above emphasises its historic significance.
 - v) Due to its enclosed nature, Highgate Bowl is local in character, and is not an extensive tract of land.
24. This indicates that protection of Highgate Bowl from development would be consistent with national policy.

Response to Objections to the Policy

25. Much of the objection to SA42 falls away when it is recognised that the key element of the policy is preserving openness, rather than necessarily ensuring access, as such, any arguments that it would be difficult to assemble the land to enable public access fall away.
26. It is the particular character of Highgate Bowl (including its heritage significance), rather than a local lack of accessibility of open space which justifies policy SA42. Points regarding the lack of 'need' are therefore irrelevant.
27. The findings of the Unitary Development Plan Inspector in 1988 are not conclusive, neither is the Council's stance on designation taken in 2005. There have been material developments since that time:
- i) The Garden Centre at Highgate Bowl has ceased trading;
 - ii) There have been tenacious attempts to develop the site.
- It is now of the utmost importance that the site has a policy designation that preserves it for the future, and deals with the intense development pressure it is now under.
28. Policy protection is therefore needed to protect Highgate Bowl from inappropriate development which would be harmful to the area.

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LIST OF APPENDICES

1. Appeal decision APP/Y5420/A/14/2219768
2. Appeal decision APP/Y5420/A/11/2159120 and APP/Y5420/E/11/2159121
3. Appeal decision T/APP/Y5420/A/92/213438/P4
4. Appeal decision APP/Y5420/C/91/614554/P6
5. Appeal decision T/APP/Y5420/A/88/092738/P7
6. Highgate Conservation Area Character Appraisal and Management Plan (December 2013), Part 1