

# Highgate Bowl Area - in Highgate Conservation Area

## Character Assessment and Policy Statement

# SPG 3.5

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Supplementary Planning Guidance (SPG) is produced to give helpful guidance to people preparing planning applications.

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## Summary

### *Character Appraisal*

The Highgate Bowl comprises relatively un-developed land at the head of a valley north east of and terminating under Highgate Ridge. This land falls steeply from the ridge in a wide arc and so forms a bowl of open land.

The Bowl, together with open land to the west and south performs the important function of providing an open break between Highgate Village and surrounding suburban development in both character and appearance. Its character and contribution to the Conservation Area has been helpfully described as "creating an attractive soft visual contrast with the skyline and an effective prelude to the buildings of Highgate High Street". This special and vital function of the Bowl in relation to the Village is supported by views of the former hill top village in a semi-rural setting especially in views over the Bowl to and from the Village and a wide area of north and east London. This historic survival of a former rural character is of great importance and has been established in planning policy since it was identified in the 1960's as of metropolitan importance in the Greater London Development Plan. The Bowl has, for its importance to the character of the village, been included in the Highgate Conservation Area since its designation in 1967 and covers an area of 4.44 hectares.

### **Historical Development**

The Bowl, together with the High Street/Southwood Lane and an intermediate area of "back land", has survived as relatively undeveloped land. Partly this is due to the original functions of the land as relatively low value service land behind the High Road on which the village developed. This, historically, is a typical traditional village backland pattern. Its almost unique survival in London may be due to hilly topography and to access problems, but it is importantly also due to its former traditional use as grazing land and later as horticultural land. Both uses relate to London's proximity: the village was a last stop

on a key drove road and animals would be quartered for the night or fattened for longer in preparation or slaughtered, indeed the canopied Centaur Gallery on the High Street was formerly a butchers and at the rear outbuildings used for slaughter remain. Later the Bowl land was used as nursery and market gardening land for vegetable, plant and flower production for the needs of the huge urban population to the south. The survival of such backland so close to Central London is rare. The survival of the land in more recent times derives in part from well-expressed community concern to preserve the long standing character of Highgate as a high quality residential environment.

The grazing and horticultural traditional uses of the Bowl, the latter still present, has helped to maintain magnificent views locally and beyond. These uses are therefore of significance to the character of the Bowl, the Village, and the wider Conservation Area. These uses are recorded on survey maps in 1864, 1894-6, and 1913 (see on Maps 1-3). The present uses of the Bowl area are described and assessed in the next section of this document. The present and former uses give the various sites in the Bowl a topographical and functional unity which, when opportunity arises, it would be desirable to enhance and reinstate.

### **Special Historical Character and Appearance**

Of great importance to the Bowl's character are the yards and alleys behind the densely built frontage to the High Street. These lead through outbuildings to the open garden and agricultural land. The through yards (Townsend Yard, Dukes Head Yard and White Lion Yard) connecting the High Street and the Bowl were historically access routes to the small workshops immediately behind the High Street and grazing land below. They create dramatic enclosed visual glimpses of the Bowl and a great swathe of north and east London beyond.

The back land sandwiched between the High Street and the Bowl comprises numerous burgage strips. These are thin plots of land running at right angle to the High Street

down to the Bowl and are residual of a medieval form of landownership in which rights were acquired to a frontage onto the High Street with such land as lay behind. This land supported and still supports a variety of workshops and light industrial uses which are redolent of the local, small and varied businesses needed in a traditional, relatively isolated, rural village.

These uses now add diversity, vernacular character, smallness of scale and organic character to the village. Formerly they included small factories preparing goods for sale in the street shops - for example the soda water factory behind the pharmacy at 64 Highgate High Street and the slaughter house buildings behind the former butchers at the canopied 82 Highgate High Street. Only one 17th century backland building survives - the former milliners cottage behind 36 Highgate High Street. Today the property in this area has a fragmented, incremental organic character of extension upon extension. Although this may present an haphazard, disjointed appearance, with the methods of construction sometimes poor, the resulting structures have developed organically and reveal historical vernacular development. The backland is, compared to the High Street, of lower rental value and therefore attractive to the wide range of uses whose presence supports the attractiveness of the village.

The Bowl has suffered some intrusion and erosion of traditional character particularly at the eastern end and in the Garden Centre. Although its present appearance conveys the traditional character, the extent of changes over the last 40 years can be seen by comparison with photograph no.1 which shows the bowl before the 1970's. The Bowl nevertheless retains an open character, contributes to and is of great significance to the Highgate Conservation Area's special architectural and historic interest.

## Summary

*Preservation and/or enhancement policy*

The Council's policy is to protect and where possible promote or encourage the restoration of the traditional open character of the break in development afforded by the Highgate Bowl for its views, function and traditional uses as characterised in this document. The Council will have full regard to UDP policy on the Area of Special Character, in particular special policy on the Bowl. The Council will have regard to and seek to implement, so far as possible and appropriate, the policy and enhancement strategies for each site in the Bowl expressed in this document.

In the Deposit Draft Unitary Development Plan (UDP), the Council proposed to protect the Bowl area from future development by designating it as Metropolitan Open Land (MOL). The Inquiry Inspector, whilst agreeing the land should not be subject to inappropriate development, concluded this was an inappropriate tool and instead suggested the Council rely on the armoury of Conservation Area and other policies. It should be noted that the Inspector accepted a boundary definition of the Bowl which explicitly included the Garden Centre and the Parade Ground below Dyne House. Accordingly the Council took two measures: The land has been protected by its presence in the Highgate Ridge Area of Special Character since the 1960's and is now made subject to further specific UDP policy for the Area of Special Character which specifically characterises the Bowl and identifies its significance to the ASC (DES 8.3).

As the Bowl also lies in a Conservation Area, the Council has followed the Inspector's advice and has adopted this detailed character appraisal and policy statement for the Bowl area.

## Planning History

The Council's planning policy has been consistently protective of the open character of the land since the 1950's. A long series of appeal decisions supported by site specific policy in the 1982 adopted Haringey District Plan have largely defended the area from development,

creating a clear and consistent policy context for the Bowl part of Highgate Conservation Area.

The dismissed appeals confirming the undesirability of development in this area include the following. (Details are included in Appendix 3 to this document).

- 1957: Martin Motors: rear connecting road.
- 1962: Pearl: flats behind Highgate High Street
- 1969: Mercury: 61 houses and 48 flats covering most of the open land of the Bowl.
- 1975: Lapid: 25 residential units on Highgate Nursery site.
- 1983: Hexagon: 3 storey office building at rear of Dukes Head Yard.
- 1987: Hexagon: 4 dwelling at rear of Dukes Head Yard.
- 1987: Rear of Dyne House: an application for 7-5 person houses and another for 4-5 person houses.
- 1988: Doonfinny: Offices behind 64/64A Highgate High Street.
- 1989: Cansick: dwelling house behind 42 Highgate High Street.
- 1993: Garden Centre: 28 dwellings in mixed development.
- 1993: Garden Centre: portacabins (temporary permission allowed)
- 1993: Garden Centre: café to replace destroyed structure.

**What is a Conservation Area?**

Conservation Areas are areas of special architectural or historic interest whose character the Council has a duty to preserve or enhance. Designation as a Conservation Area introduces a general control over the demolition of unlisted buildings and provides the basis for policies designed to preserve and enhance all aspects of character or appearance that define an area's special architectural and historic character and appearance.

Haringey has 27 Conservation Areas covering town centres, private and public housing estates and including parks and gardens. Conservation means protection from decay. In practice this means caring for and looking after buildings, streets and open spaces. Haringey's Conservation Areas are subject to complicated urban pressures. They need sensitive and responsible action to ensure that the special character of each area is protected and restored and not eroded and fragmented.

The Highgate Conservation Area is large and complex. Due to limited resources character appraisal has been undertaken in a number of stages relating to the different parts of the Conservation Area. This Guidance Note assesses the character of the Highgate Bowl Conservation Area and sets out particular policies which will be used to determine planning applications.

**Policies in the Unitary Development Plan**

The main policies in the UDP affecting Highgate Bowl Conservation Area are:  
 (Please note the most important UDP policies for the Bowl area are DES 8.3 and DES 8.2)

- DES 2.4. Demolition partial demolition and changes to the appearance of buildings in Conservation Areas.
- DES 2.6. Materials
- DES 8.2 Highgate Village
- DES 8.3 Highgate Bowl
- OP1 Urban Open Space

**Conservation Area Policies For Managing The Highgate Bowl:**

The Bowl comprises a number of individual sites each of which has a specific character which is appraised here.

Appropriate policies for the preservation or enhancement of each site are provided.

The Bowl is divided into 11 sites as shown on the Area Map 4 these can be grouped as follows:

- Sites 1-3 Recently developed land along Cholmeley Park.
- Sites 4-9 Predominantly open, formerly grazing or horticultural land which performs the essential functions of demarcating the Village from the lower slopes, providing a green foil in views and retaining elements of the traditional historical uses.
- Sites 10-11 Land close to or within the intermediate back land zone, organic, fragmented and mixed in character some of which remains undeveloped.

The sites are:

1. Cholmeley Grange
2. Furnival House
3. Tennis Courts
4. Amenity land at rear of Cholmeley Grange
5. Harrington Scheme (i)
6. Harrington Scheme (ii)
7. Land rear of Martin Motors
8. Garden Centre
9. Dyne House Parade Ground
10. Land rear of Southwood Lane / Highgate High Street
11. Land at rear of 64/64A Highgate High Street

**Site 1: Cholmeley Grange**

*Character Appraisal:* This site has a recent development of large houses and flats. Approximately 40 trees survive out of 200 prior to the recent development. The pitched roofs, when seen from the north provide a welcome and necessary amelioration of the scale of the building development. The trees on site perform part of the essential function of screening the buildings and providing

a soft wooded landscaped setting which enhances the scene and provides some connection with the open Bowl land to the west.

*Preservation and/or enhancement policies:*

**HB 1.1** Those trees on site subject to Tree Preservation Orders (there are 15 on the site) should be preserved. Trees lost in the development process should be replaced where possible. Further tree planting should be encouraged to fully screen the walls of the Cholmeley Grange buildings from the Bowl and the North.

**HB 1.2** Planting and other opportunities should be taken to reduce the assertiveness of the boundaries to Cholmeley Park, this would enhance the visual accessibility of front doors from the street (a local village characteristic) and to increase the sylvan component of views.

**HB 1.3** Consideration should be given to the introduction of further Tree Preservation Orders.

**Site 2: Furnival House**

*Character Appraisal:* A large and dominating 1916 Edwardian style residential home originally built by the Prudential Insurance Company for female staff. It is now a student's hostel which is let to the public in vacations. This fine building has a classical and institutional character, now set in the remains of a woodland garden. Brick walls, arches and gateways to Cholmeley Park are integral to the character of the building and provide a boundary which invites rather than excludes. There are excellent views of the Bowl area from the roof.

Detrimental to the site is the bulky appearance from the rear which intrudes on the character of the Bowl.

*Preservation and/or enhancement policies:*

- HB 2.1** To Take opportunities to increase screening from the rear by tree planting, but not to encroach onto open grassland. To preserve and extend the wooded character of the garden and its essential contribution to the semi-rural aspect of this part of Cholmeley Park.
- HB 2.2** To resist minor additions and alterations for their detrimental effect on the classical unity and integrity of the building which by virtue of its design is complete.
- HB 2.3** To preserve the brick built walls, arches and gate boundary treatments for their relation to the character of the building and architectural worth as "invitations" rather than "exclusions".

**Site 3: Former Tennis Court to South of Furnival House**

*Character Appraisal:* The site of former tennis court now developed is densely surrounded and screened by trees of diverse species and age, some of which are of considerable importance. For example, a large mature oak and other large native species. The remaining trees provide a green canopy link between the Bowl to the west (the Harington scheme at the rear) and the tree cover to the east on the other side of Cholmeley Park (Channing School trees). It is possible that some damage to the well-being of the trees may have been caused by the method of construction of development taking place.

*Preservation and/or enhancement policies:*

- HB 3.1** To strictly implement and enforce planning conditions relating to the development of the site taking place, specifically to require the

maintenance and protection of trees. To provide replacement and supplementary trees and shrubs, to screen the new blocks of flats.

- HB 3.2** Landscaping of the scheme should take opportunities to protect wild flowers on site and their habitat.

**Site 4: Amenity Space Linked to Cholmeley Grange**

*Character Appraisal:* This is the only original and surviving area of the Bowl still under its original grass cover piece. It is former grazing land and grassland with a few trees. It supports the visual integration of the Bowl as a single space and links present with past uses. The land provides a foil to the intensely developed sites to the east. (sites HB 1-3).

No detrimental aspects have been identified other than the hardness and obtrusiveness of the Harington Scheme access road which under the planning condition was to be "grass-crete".

*Preservation and/or enhancement policies:*

- HB 4.1** To soften the road access appearance by developing the grass component of the grass crete structure.
- HB 4.2** To preserve and enhance grassland and nursery uses for example by association with the Harington Scheme.
- HB 4.3** To resist incorporation of the land as a garden for the Cholmeley Grange Scheme and to resist the erection of garden structures. To resist encroachment of Cholmeley Grange onto the site, by for example resisting moving the boundary fence.

**HB 4.4** To resist any plot subdivision or introduction of further hard landscaping.

**HB 4.5** To retain as non garden open land in agricultural or similar use for its detrimental effect on the grassy and former grazing character of the site, to avoid tree planting other than boundary treatment screening of the developed sites to the east.

**Site 5: Harington Scheme A: Walled Garden and new Horticultural Building**

*Character Appraisal:* The walled garden is Listed and is the last survivor of a former 18th century country house. Its micro climate enables the growing of plants whose habitat is more normally northern France. A school room in the garden, having the character of a summerhouse, is not obtrusive. To the north west a modern-movement inspired open gabled building constructed of yellow stocks under a pitched roof provides a horticultural building whose good design integrates well with the horticultural uses and provides added interest. Although development in the Bowl is generally not welcome, this building lies within a less intensively developed part of the Bowl, is well related to the intermediate backland zone and acts as a foil to the bulk of Cholmeley Lodge. It visibly serves the desired horticultural use as well as being a functional requirement of it. This site is a model for the Bowl as a whole, subordinating built form to traditional plant growing uses and openness and being self-sustainable.

No detrimental aspects identified.

*Preservation and/or enhancement policies:*

**HB 5.1** To preserve the present character and use.

**Site 6: Harington Scheme B: Open Horticultural Land**

*Character Appraisal:* Open horticultural land without any built development. No greenhouses, walled enclosures, hard surfacing or vehicle access. Some timber steps and aggregate treads. Appearance similar to medieval field plots with garden fences boundary site on north side. There is an informal nature reserve in the hollow at the northern corner of the site believed to be a refuge for wildlife such as owls. This site makes an essential contribution to the character of the Bowl and appears to be economically self-sustaining.

No detrimental aspects identified.

*Preservation and/or enhancement policies:*

**HB 6.1** Retain and encourage existing horticultural use. Resist any change to garden use, or non agricultural animal husbandry (such as recreational horse use). Promote husbandry of the top soil.

**HB 6.2** Resist any introduction of a horticultural building, hard-surfacing, fencing or other hard enclosure.

**Site 7: Disused Nursery Land to the Rear of Martin Motors**

*Character Appraisal:* Self-seeded woodland mainly sycamore which has developed over forty years from nursery land. Remains of old green house base walls and foundations to lower part of site. Group Tree Preservation Order exists on land. Wildlife such as owls and foxes use this land.

There is dumping of refuse and litter at the upper (southern) end which creates an eyesore on this site.

*Preservation and/or enhancement policies:*

**HB 7.1** Resist all vehicular access to site. Clear litter, by enforcement if needed.

Three acceptable options are identified for the use of this land.

- HB 7.2** Option 1: Retain as wild land and potential wildlife habitat, enable self-seeding of more diverse indigenous hard wood tree species. Possibly encourage amenity woodland or forestry management to provide timber as commercial revenue and to benefit character and visual appearance of area. A nature conservation assessment and management plan should be prepared.
- HB 7.3** Option 2: Revert to nursery or horticultural land by incorporation or association with Harington Scheme.
- HB 7.4** Option 3: Purchase land from owner as community held or publicly owned nature reserve with limited access. As with option 1, this option will require a nature conservation assessment and management plan.

#### **Site 8: Highgate Garden Centre**

*Character Appraisal:* This is the largest and visually most important site in the Bowl and its appearance impacts strongly on the overall character of the Bowl itself. The Garden Centre was until a few years ago a nursery garden, many elements of which persisted until the 1980's. It has however, evolved in an apparently unplanned manner characterised by miscellaneous terracing, fencing, hard landscaping, hard surfacing, stores of plastic bags of horticultural and garden products, storage of hard landscaped often synthetic garden materials. There is some welcome screening by shrubs and trees and in summer displays of potted plants, soften the scene. The Garden Centre lies at the centre of the Bowl and strongly defines the character of views across northern and eastern London, of views to the Listed Buildings along Southwood Lane and Highgate

High Street. The greenhouses on the site have become a covered sales area. Five portacabins with temporary planning permission granted retrospectively have been erected at the north top end of the site. "Whistlers Cottage" is a 1930's bungalow is used as an office. Loss of residential accommodation leaves the area unsupervised at night. The five portacabins have temporary permission granted on appeal which has now expired.

Detrimental to the site is the generation of traffic turning into and from Highgate High Street and along Townsend Yard. Hard landscaping, fencing, storage of materials and products undermine the original nursery garden character of the site and reduce the sylvan character of views, although this is partly mitigated by the presence of containerised plants. Another issue is the use of the green houses as sales areas and the possible restoration of green houses for horticultural purposes and uses. Residents have raised the issue of whether the non greenhouse use has planning consent and if not have asked for enforcement to reinstate the original use.

#### *Preservation and/or enhancement policies:*

- HB 8.1** To limit any further development of buildings or hard landscaping or hard standings, hard surfaces or material storage as identified in character assessment and detrimental aspects.
- HB 8.2** To encourage, as far as possible and to the extent reasonable, the reinstatement of land for growing plants (as opposed to storage of plants in pots or other garden centre uses). Failing this to encourage the further screening of hard landscaping, storage areas and to maximise displays of open air plants.
- HB 8.3** To closely control hard surfaces, fences, terracing, minor walls and built structures, including temporary structures by a) taking

necessary enforcement action against unauthorised development, and b) considering the introduction of Article 4 Directions to bring under control any relevant permitted rights having a detrimental actual or potential impact on the character of the Bowl.

**HB 8.4** To use relevant planning controls as far as is reasonable to promote the green character of the views across the site to and from Southwood Lane, rear of Highgate High Street and more distant parts of north and east London.

**HB 8.5** To the extent possible, use available planning powers and controls and encouragement to remove the portacabins and to reinstate the use of the greenhouses for growing plants rather than as sales areas.

#### **Site 9: Parade Ground at Rear of Dyne House**

*Character Appraisal:* This site, at the rear of Highgate School (Dyne House), comprises an area terraced out of the natural slope of the ground with the central flat area asphalted as a school parade ground and surrounded by and enclosed on three sides by steep wooded embankments leading down to private gardens and the lower end of Highgate Garden Centre. A fourth (northern) steep wooded bank leads up to the gabled red brick former gymnasium on the west side. The site is included as an essential element in the open aspect of the Bowl, for example as the centre of excellent views from the garden centre area (sites 8-11) to the north and west, where it forms a visual approach to the listed buildings of Southwood Lane which form the skyline. Similar views obtain from land to the north (Kingsley Place, Southwood Lane rear gardens, Cholmeley Crescent etc.) towards the Listed Buildings forming the Highgate High Street skyline.

The site plays a key role in softening and greening views from a variety of directions towards the high part of Highgate Ridge (topographically the top of the ridge is a thin rectangle along Southwood Lane/North Road). The parade ground site is also the visual closure of undeveloped land below the ridge marking its termination, defining the skyline character of the ridge and protecting and underpinning distant views of the ridge. These points have long been recognised. They lie at the core of the 1960's Greater London Council decision to define a Metropolitan Area of Special Character around the Hampstead and Highgate Ridges with the role of "protection of skylines, view points, historic, architectural and village character" (GLDP statement page 32: Table 5). The parade ground complements the open character of the Harington site and plays a vital role in integrating the open land of the Bowl into a single unit. The site does not incorporate vehicle access save for very limited access via the quiet narrow cul-de-sacs of Kingsley Place. Visually the potentially hard appearance of the parade ground is successfully screened for much of the year by the dense tree cover to its boundaries. In winter surprise views through the trees to the historic skyline of Southwood Lane appear and make a considerable contribution to the character of the Bowl.

However, the gateway to Kingsley Place is of crude metal angle irons covered with iron netting and detracts from the character of the area. Whilst the whole site is well seen from the public footpath a few yards above, the eye of the descending walker is drawn to this wire lattice as two metre brick walls lining the footpath makes this the only visual entry from the bottom of Kingsley Place into the attractive open land of the Bowl.

#### *Preservation and/or enhancement policies:*

**HB 9.1** Retain as open space as part of Highgate School, retain School open air recreational uses. Retain surrounding tree cover. Encourage more sympathetic boundaries with Kingsley Place enhancing visual access.

**HB 9.2** Resist construction of new buildings on the site. Limit access to site to access from Dyne House, save for occasional service access from Kinglsey Place.

**Site 10: Open Land at rear of 6 and 12 Southwood Land and at rear of 82 Highgate High Street**

*Character Appraisal:* Open land mainly devoted to garden use.

*Preservation and/or enhancement policy:*

**HB 10.1** Preserve as private garden land, resisting additional structures such as garden sheds or hard surfacing.

**Site 11: Land at rear of 64/64A Highgate High Street**

*Character Appraisal:* At the rear of 64A Highgate High Street is a piece of land of irregular shape comprising a long narrow rear extension (known as 64A) behind the premises fronting onto Highgate High Street (known as No. 64) together with grassed open space and car parking areas behind the rear extension. 64A is divided into three contiguous but physically distinct parts. Adjoining No. 64 is "White Lion House" and beyond that is "Grinding House" - which is based at lower level because of the slope of the land downwards from the High Street. The third part, "Stable House" comprises a short single storey link section abutting a modest building set approximately at a tangent to the other parts of the extension in the form of a hammerhead. Apart from the link section, all these parts are two storey buildings with pitched slate roofs containing some useable loft-space. To the north and west of the Stable House, but within 64A High Street, lies an area of open space in an untended condition covered with rough grass and small bushes. The boundary of the site here is marked by a number of mature trees of varying sizes. To the east and south-east

of Stable House are two car parking areas. Next to Stable House and bounded by the rear wall of No.62 and two further stone walls is a small square having space for about four cars. A narrow gateway gives access to a larger irregularly shaped piece of land. From the eastern corner of the site there is a private vehicular access to Townsend Yard.

Mixed offices small walled car parks and open land. The essential character of this area is one of small fragmented plots with a variety of uses subordinate to the High Street and forming a link between it and the Bowl. The land has a "backland" character. The historic small and fragmented plots add vernacular character and preserve its subordinate nature.

Although untidy in places, the area preserves its history in its organic form. Integration of some of the various sites is evident to a limited degree, this undermines the scale and hence character of the area.

*Preservation and/or enhancement policies:*

**HB 11.1** Resist amalgamation of individual plots into larger units and preserve historic plot sizes and divisions expressed in the separation of plots by various walls. Resist temporary structures.

**HB 11.2** To retain the historic survival, in their present distribution and proportions between mixed office, parking and open space uses, and to resist any tendency for one use (office or parking) to become predominant.

## APPENDIX 1

### REPORT ON CONSULTATION

This character assessment and policy statement for the Bowl was developed in consultation with the local amenity societies and so has community support. Subsequent to approval for consultation purposes by the Planning Applications and Licensing Sub-Committee on 6th March 1996, this document was discussed at the Highgate Conservation Area Advisory Committee on 8th March who welcomed the document approving its general approach. This Advisory Committee also circulated it to a range of local community groups and individuals in Highgate. The document was discussed by the Highgate Society's Environment Committee on 13th March who formally welcomed the document and asked three individual members to assist the Council with detailed drafting points. These have been received, discussed and taken on board. The document was discussed by the Cholmeley and Causton Residents Association who felt it was "comprehensive and well reasoned" but were "saddened by the decisions which have allowed extensive development on the eastern side of the Bowl", their detailed comments have been incorporated. The draft was also notified to the local press.

## APPENDIX 2

### HIGHGATE BOWL PLANNING HISTORY

Two applications for the erection of a bungalow (now known as Whistler's Cottage) were given conditional consent on 26 June 1952 and 21 January 1953. Whistler's Cottage adjoins the garden centre site and was formerly part of the nursery garden. On the permission dated 26 June 1952 one of the conditions imposed is "that the remainder of the site, edged blue on the plan, shall be preserved as open space". The reason given for this is "that the Country Development Plan proposes that the land shall be scheduled as open space (Nursery Garden)". On the permission dated 21 January 1953 one of the conditions imposed is "that the remainder of the

land in the ownership of the applicant shall be preserved as an open space". The reason given for this was as before, "that the County Development Plan proposes that the land shall be scheduled as open space (Nursery Garden)".

Two applications for the erection of a dwelling house at the rear of 42 Highgate High Street were refused permission on 21 December 1955 and 25 July 1957. This land is open space at the bottom of Townsend Yard on the right hand side. It immediately abuts the open space of the Highgate Bowl.

On 15 August 1957, the then Minister of Housing and Local Government dismissed an appeal concerning the building of a connecting road on the nursery land to the rear of Martin Motors garage on the grounds that it would encroach upon the open land of Highgate Bowl.

On 28 October 1960 an application for the erection of a 6-storey block of 22 flats with basement garage was refused planning permission on 28 October 1960. This was in relation to the former nursery land which abuts the garden centre on its eastern boundary. On 25 June 1962, the Minister of Housing and Local Government dismissed the appeal, referring to the "valuable break between the continuous residential development to the north and the built up area of Highgate Village to the south".

On 27 January 1966 an application for the erection of single storey professional offices was refused planning permission. The site, being the same site as described in paragraph 2.3 above. On 8 March 1967 the Minister of Housing and Local Government dismissed the subsequent appeal.

An application for the erection of 61 houses and 48 flats on the land to the rear of Highgate High Street was refused and the application was "called in" and dealt with by the Minister of Housing and Local Government, who concurred and also refused permission on 30 July 1969. This proposal related to land which is the current garden

centre, and also the land adjoining it to the east.

On 31 March 1969 an application for the erection of 49 houses and 12 flats on the land to the rear of Highgate High Street (including the garden centre) was withdrawn.

On 1 June 1971 an application for the erection of a display house and greenhouse for sale and display of plants at the garden centre was refused planning permission.

### APPENDIX 3

#### RELEVANT STATEMENTS MADE BY INSPECTORS AT PREVIOUS APPEALS AND ENQUIRIES

The importance of maintaining the open space of the land to the north-east of Highgate High Street has been upheld by past decisions of Local Planning Authorities for the appeal site. These decisions have implications for the future of the individual sites in the area and also indicate a general pattern of protection of this open space.

#### Decision notice dated 31 October 1988 concerning land rear of 64A Highgate High Street N6

In paragraph 11 the Inspector stated: "... in any case I take the view that any business activity in the locality should be carried on within the constraints imposed as a result of the conservation status of this very special area".

At paragraph 14 of his Report, the Inspector stated: Circular 8/86 "does show the importance which the Government attaches to conservation matters and it underlines the Government's aim to protect, as part of our historic heritage, those areas which are of special character. I consider Highgate Village and the area to the north of it known as "Highgate Bowl", to be not only an area of special character but also probably one which is of national importance because of its historic associations and unique position and form".

The Inspector went on to state in the same paragraph:

"The Council's policies with regard to the appeal site and surrounding land, and the role that this area plays as a buffer zone between the Village and the developed land to the north, are interests of acknowledged importance, which would in my view suffer demonstrable harm if the appeal proposal went ahead".

#### Appeal decision, dated 25 August 1987, related to applications for the erection of four and seven dwellings on land to the rear of 16 - 22 Kingsley Place, Highgate, (also known as Dyne House)

On 25 August 1987 two appeals were dismissed in relation to land rear of Dyne House: (i) the erection of seven 5 person dwelling houses; (ii) the erection of four 5-person dwellings, both with the construction of an access road to Kingsley Place, N6.

In dismissing the appeal, the Inspector recognised the "strong visual separation of this edge of the Village Centre from development lower down the slope" (paragraph 11). In paragraph 10 of his report the Inspector stated:

"Apart from the buildings of the Village, the centre of the village is distinguished by its hill-top location, particularly when approached from the London side enhanced by the steeply sloping swathe of unbuilt-up-land that takes up much of Highgate Bowl filling the re-entrant angle of the L shape formed by Highgate High Street and the southern end of Southwood Lane. The appeal site has a clear cut shape and principally because of the topography, existing development of Dyne House and Kingsley Place forms a well-defined edge to this end of the unbuilt over land. In this context I do not think the development should be allowed to expand in this direction".

"In some degrees the site cannot be seen for the trees, but in overall terms it is prominent when seen from the north and east. It is not so elevated as to have any direct impact upon the skyline and nor is it so near to Highgate High Street as to directly affect the buildings thereof. Nonetheless it creates an attractive soft visual contrast

*with the former and is a strong visual contrast with the latter. While the trees on the bankings of the site would help soften and screen some of the effects of the proposed dwellings, I consider that the proposals are of a large enough size to adversely affect and detract from the Village and the Conservation Area".*

*"Both schemes show houses with a south eastern aspect close or very close to the canopy of trees on the southern bank, interference with air, daylight and sunlight would I believe lead to the removal of many of the other trees. In my opinion development proposed would materially damage the attractive wooded character of the site which makes a material contribution to the character of the area. ....I do not think that the proposed planting would be an adequate amelioration".*

**Decision Notice dated 4 July 1989 concerning an appeal in relation to land at Furnival House, Cholmeley Park N6**

The Inspector in paragraph 55 of his Report stated that:

*"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..... The site is part of this exceptional area and the essential thing for me to consider is the visual impact of the proposals on this scene..... The District Plan clearly envisages a limited amount of such development in the eastern part of the Bowl and the retention of its central and western parts as open land. As I made clear in the opening of this letter, the fundamental question remains as to whether, in this area of special value, what is presently proposed goes beyond this intention and, if not, whether it can be said to preserve or enhance the Conservation Area of which it forms part".*

In paragraph 56 he stated:

*"The striking feature of the area is the hill-top siting of*

*Highgate Village and its contrast with the descending open land of the Bowl. The boldness of the ridge development arises from the compact nature of a wide variety of buildings and their proximity to the edge of the ridge. This character is underlined when it is seen in contrast with the smaller scale residential area of Cholmeley Park."*

In paragraph 59 the Inspector refers to the areas which formed the basis of the Council's guidelines for the development of the site. These areas were shown on a plan attached to the letter to Knight Frank and Rutley dated 19 July 1985 from the Council which set down general guidelines and specific guidance with respect to the development of the Furnival House land. He stated: "Area D (now called site HB 6 Harington scheme B:) will remain as open space and so would the bulk of Area B (now called site HB 4 amenity space linked to Cholmeley Grange) and, together, these make a major contribution to the open land in the centre of the Bowl". In paragraph 63 he continued "The depth of penetration of the development into the site is an important issue and, looked at in the wider context, it can be said that the proposals follow the guidance of the District Plan in limiting the residential development to the eastern part of the Bowl with access from Cholmeley Park ..... What is important, in this context, is the perpetuation of the Harington Scheme as an open land use and the retention of at least the greater part of area D (now called (HB 6 Harington scheme B ) as open grassland. Both of these will be seen together to form part of the open bowl of land, which was the original intention of the plan and, as everyone agrees, is so important as a visual element in the make-up of the district's character."

**The appeal decision dated 8th February 1993 on Public Inquiry held concerning the Enforcement Notice and the erection of 5 porta-cabins on the Highgate garden Centre site.**

In the appeal decision dated 8th February 1993 on a Public Inquiry held concerning the Enforcement Notice and the erection of 5 porta-cabins on the Highgate

Garden Centre site, the Inspector stated: *".....my first conclusion is that the porta-cabins are not an acceptable permanent form of development for this site. Apart from the additional built development that has resulted, their design and appearance are out of keeping with the special nature of this area"*.

At paragraph 24 of his Appeal Decision, the Inspector referring to the Highgate Bowl, states that it is: *"..... an important element in the present and historical fabric of London. This is reflected in the Development Plan designations and policies summarised above. These current policies stress the need to maintain the predominantly open character, both as visual relief from the surrounding built development and as a context for Highgate Village"*.

At paragraph 26, referring to the previous planning history of the Appeal Site, the Inspector states: *"Residential development on the Appeal Site and/or adjoining land has been dismissed on appeal 4 times in the past 30 years or so. Your clients have recently submitted a further planning application for residential development on part of the site. There is a history of refusals, some supported on appeal, of extensions and other built development at the rear of Highgate High Street to the south of this site, including that at No. 64A in 1988"*.

Continuing at paragraph 27, the Inspector stated: *"..... my first conclusion is that the porta-cabins are not an acceptable permanent form of development for this site. Apart from the additional built development that has resulted, their design and appearance are out of keeping with the special nature of this area"*.

Referring to a number of unresolved planning issues in relation to the Appeal Site, and granting a temporary permission for the retention of the porta-cabins, the Inspector stated at paragraph 30:

*"In my judgment the planning of this area would not be unduly prejudiced, nor would the long term character or appearance of the Conservation Area or the Area of*

*Special Character be harmed, if the porta-cabins were retained for a temporary period to give an opportunity for these matters to be settled. In saying this I take into account their relative unobtrusiveness as mentioned above. As this view is reached in the particular circumstances of this case as set out above, I do not think it implies any precedent for other development in the vicinity."*

#### **Appeal decision in relation to the residential development of the Highgate Garden Centre on 26 July 1993**

At the appeal decision in relation to the residential development of the Highgate Garden Centre on 26 July 1993 the Inspector commented that:

*"All the land in the Highgate Bowl is in private ownership but this does not reduce its value as an open space"*.

He went on to state that *"while the appeal scheme ... would have little impact on the Highgate ridge skyline"* it *"would be unrelated to existing development and would divide and dominate the existing open space in an intrusive manner"*.

He finally added that the *"proposals would extend the physical limits of the Village into this setting to the overall detriment of the listed buildings that surround it and the Highgate Conservation Area as a whole"*.

#### **The 1993 appeal decision on the café proposal at Highgate Garden Centre site.**

The Inspector did not agree with the description of the appeal site as being extensively covered by buildings structures and hardstanding. He considered that these hard-surfaced areas, structures and buildings did not appear to be disproportionate in extent having regard to the obvious need for servicing and parking and the visual impact of these areas was far outweighed by trees and other vegetation growing within and around the appeal site. He said:

*"The appeal site forms a significant break in built environment which helps to distinguish between the historic village core and more recent development which surrounds it. The particular emphasis given by the appeal site and other nearby open land to late 18th century and early 19th century development fronting the High Street is in my view an important part of the Area's special character. While the effects of the proposal would be mainly local, I consider that the contribution made by the appeal site as a whole is a special one, by reason of its essentially open character and appearance, and that the proposed café building would intrude unacceptably upon this open character and appearance".*

## **APPENDIX 4**

### **PREVIOUS STATUTORILY ADOPTED POLICY FOR THE BOWL IN THE GLDP AND HDP**

#### **The Designation of Areas of Special Character in Greater London Development Plan (GLDP).**

The GLDP formed part of the current Statutory Plan, before the Haringey UDP was formally adopted in 1998. Paragraph 6.3 of the GLDP referred to a list of Areas of Special Character. It states that one of the chief factors used in the selection of the List was the presence of areas of architectural and historic interest, but also included major open spaces of high landscape value and the most outstanding old town and village centres. In the introduction to chapter 6, on the matter of Areas of Special Character, Paragraph 6.1 stated that: *"It is a major objective of planning, not only to produce change where it is desirable, but also to consider the effect of change on areas which are already developed. ... There are two types of existing area where the effect of change is of such importance that they should be mentioned here. The first is in Areas of Special Character and the second is more specifically defined areas of architectural or historic interest, to which provisions for conservation and the retention of buildings or groups of buildings*

*apply".*

(The second area, that of architectural or historic interest, is dealt with separately, Highgate is within the Highgate Conservation Area and this together with PPG 15 is the applicable policy context.)

Areas of Special Character are defined in Table 5. The table named the Hampstead/Highgate Ridge as an Area of Special Character and stated that it comprised an area including Highgate, Highgate Wood, Queens Wood and the southern slope of Muswell Hill. Table 5 stated that the major policy aims in relation to the Hampstead and Highgate Ridge were: *"Protection of skyline, viewpoints, historic, architectural, village and rural character".*

Paragraph 6.3 of the GLDP stated that:

*"The list of Areas of Special Character have therefore been drawn up on a conservative basis. One of the chief factors used in their selection is the presence of areas of architectural and historic interest, but they also include the most important ..... major open spaces of high landscape value, and the most outstanding village centres"*

#### **Statutory Planning Policies for the Highgate Bowl: The 1982 District Plan for the London Borough of Haringey (HDP)**

The HDP was adopted on 19 April 1982 and together with the GLDP formed the Statutory plan for the Borough prior to 1998. Paragraphs 9.110-9.111 of the HDP restated the policies of the GLDP and stated that special attention will be paid to any proposals which affect the Hampstead and Highgate Ridge. A special site specific policy for the Highgate Bowl was included in reference No. 37 of Schedule 7 of the HDP, this is reproduced in the subtext of DES 8.3 in the UDP.

#### **Extract from the Council's Proof to Public Local Inquiry into the Haringey District Plan in May 1980**

That the land to the north east of Highgate High Street should be retained as open land was the subject of detailed discussion at the Public Local Inquiry into the Haringey District Plan in May 1980. The proof of evidence, Council Reference LBH/GEN 17, dated May 1980 of the then Borough Planning Officer Mr D. W. Frith, clearly indicates the amount of discussion and gives a detailed account of the changes that took place as a result of the comments of the consultees. The matter was reported to the Planning and Development Committee on the 6 December 1979. A public meeting was held on the 24 January 1980 and on the 27 March 1980 the Planning and Development Committee agreed to make further amendments to put forward at the Local Plan Public Inquiry.

On page 3 of the Proof of Evidence described above "Description of the Site" it was made clear that the land to which the proof refers is in three ownerships with distinct uses. Sites A, B and C are defined. Site A was called Southwood Nurseries and is described as being used as a commercial nursery for growing and the sale of plants and ancillary gardening equipment, buildings, swimming pools etc. Site B was called Highgate Nurseries and was described as being unused land largely occupied by trees. Site C was land in the ownership of the Camden and Islington Area Health Authority. Approximately half the site consisted of an open grass area small secluded garden and associated out buildings and old orchard, the remainder was occupied by four buildings.

At the time the Area Health Authority had made a provisional agreement with a Housing Association for limited residential development adjacent to Furnival House. This scheme was not however subsequently pursued. The Health Authority had agreed to grant a Lease to the Harington Scheme which is a training scheme for young people with learning difficulties. The Harington still occupy this land.

In connection with this land no planning permission had been given for purposes other than ancillary to the existing uses. It was also stated in the proof that five

applications relating to the development of the land had been determined on appeal or "called in" and each time the appeal had been lost or in the case of the "call in" permission refused.

On page 5 of the proof under the heading "the Need for a Policy" the following justification appears: *"The past decisions made by this Council and the predecessor authorities and by the Minister have emphasised the importance of the open land in the context of Highgate Village, particularly Sites A and B. There has in the past been pressure for residential development and undoubtedly as long as this land remains vacant in an area of high residential value, there will be continued pressure to develop the site. Unlike the old style Development Plan the Borough Development Plan will not show land use allocations unless specific proposals are made for an area and any development proposal for an area for which no specific proposal is made would fall to be considered in the light of the policy contained in paragraph 10.2 of the Written Statement, which is now amended to read as follows:-*

*"In part of the Borough where no proposals for changes in land use are made, existing uses will remain generally undisturbed, but proposals for development which do not conflict with the Council's policies as set out in this plan will, subject to any other material consideration, be favourably considered.*

*Whilst this provision does not prevent the Council from refusing planning permission on land where there are no proposals shown on the Development Plan, in view of the pressures that are known to exist for the development of this land it is considered desirable to have guidance in the form of a policy statement in order to direct and limit those pressures. Thus the absence of a policy statement could make it more difficult to resist development proposals which meet the Council's standards in all other respects."*

On page 6 under the heading "the Policy Statement", the following statement was made:

*"The Council accepts its previous decisions and the decisions of the Minister that the open space, and in particular Sites A and B, plays an important part in the structure of Highgate and the functions of this land as set out in paragraphs i to v quoted above. The Council will adopt policies which will ensure that this land remains mainly open. The eastern part of the Area Health Authority site consists of large buildings set in well treed grounds. Whilst this part of the area makes a contribution to the general character of Highgate, it is because of its wooded nature and not because of its openness."*

The terms western, central and eastern parts of the area are unrelated to the current ownership boundaries and refer to roughly equal thirds of the reduced site shown on Plan No. 4313/1.

#### **Extract from 1980 Report of Public Local Inquiry into the HDP**

Pages 191 to 202 of the Report of the Local Inquiry concerning the Haringey District Plan, dated November 1980 indicated the level of representation and arguments put forward by interested parties in relation to the inquiry process concerning the land at the rear of Highgate High Street. In paragraph 12.206 on page 201 of the Report the Inspector stated that:

*"I am of the opinion, having heard the evidence, and inspected the site, that some limited residential development could take place on the eastern part of the site without materially impairing the functions ascribed to the open land of the western and central parts of the site. The development would have to be judged in relation to the need not to detract from the conservation area setting and to retain as many as possible of the trees which add to the character of this part of the area".*

The Council considers that the development possibilities referred to here have now been exhausted. (See UDP policy DES 8.3).

#### **Front cover photograph:**

View over Highgate Bowl from Cholmeley Park area to Highgate Village c.1870-1880. Highgate School Chapel (1867) can be seen in the background.

#### **Acknowledgement:**

Photograph of Highgate Bowl in the 1960's by John Gay.

