

18.1
EVIDENCE OF
MR FRANK DAVIS

TOWN AND COUNTRY PLANNING ACT 1990

APPEALS UNDER SECTION 78

D.O.E. REFS:

APP/N5090/A/93/224571

APP/N5090/A/93/229477

RELATING TO VARIOUS LOCATIONS IN

THE LONDON BOROUGH OF BARNET

EVIDENCE OF
COUNCILLOR MR FRANK DAVIS
ON BEHALF OF
THE LONDON BOROUGH OF BARNET
AS
LOCAL PLANNING AUTHORITY

INDEX TO PROOF OF EVIDENCE
OF COUNCILLOR MR F DAVIS

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SUBMITTED DOCUMENTS

**REF LBB/7 - PLAN OF HAMPSTEAD GARDEN SUBURB CONSERVATION AREA
SHOWING AREAS 'A' AND 'B'.**

**OTHER DOCUMENTS REFERRED TO IN THE TEXT WHICH ARE UNDERLINED WILL BE
AVAILABLE FOR INSPECTION IN THE APPEAL LIBRARY DURING THE INQUIRY**

1.0 INTRODUCTION

1.1 My name is Frank Davis. I am a Justice of the Peace. I have as a Councillor represented Hampstead Garden Suburb Ward within the London Borough of Barnet for the last 3½ years and I am currently Deputy Mayor.

Previously I have represented Finchley Borough Council and then the London Borough of Barnet at the time of amalgamation, (a total of 14 years).

I have been a Member of the Central Area Planning Subcommittee and the Town Planning and Research Committee for 3½ years, and am the only Member of the Hampstead Garden Suburb Ward to be represented on that Committee.

I have lived within the area now known as Garden Suburb Ward for 55 years and consider that I have a good knowledge of the area.

1.2 In my evidence I will firstly refer to relevant Central Government advice and local planning policies, then go on to describe the Hampstead Garden Suburb Conservation Area and Area of Special Character and then appraise the 5 locations within the Conservation Area where the poles and wire is proposed.

2.0 CENTRAL GOVERNMENT ADVICE AND LOCAL PLANNING POLICIES

2.1 The Government has made it clear within Planning Policy Guidance 1 that the planning system is an important instrument for protecting and enhancing the environment in town and country.

2.2 The concept of Conservation Areas, introduced by the Civic Amenities Act 1967, recognised the need to look beyond the listing of individual buildings to a broader form of protection. Circular 8/87 contains advice on the policies and procedures concerning listed buildings and conservation areas in England. Within para 54 the Secretary of State advises Local Planning Authorities:-

It is the character of areas rather than individual buildings that [Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990] seeks to preserve or enhance.

2.3 More recently (July 1993), the Department of Environment have circulated for consultation purposes the Draft of a new P.P.G. 15 'Historic Buildings and Conservation Areas' and a joint consultation paper entitled 'Protection of Conservation Areas'.

The Governments statements of planning policy have been held by the Courts to be material considerations which must be taken into account, where relevant, in decisions on planning applications. Within Para 20 of P.P.G.1 it is

stated that:-

Emerging policies, in the form of Draft Departmental Circulars and policy guidance, are capable of being regarded as material considerations, depending on the context.

Para. 4.3 of the Draft Guidance states:-

It is the character of areas, rather than individual buildings, which should be the prime consideration in identifying conservation areas. There has been increasing realisation in recent years that our experience of a historic area depends on much more than the quality of individual buildings - on the historic layout of property plots and thoroughfares; on a particular 'mix' of uses; on characteristic materials; on appropriate scaling and detailing of contemporary buildings; on the quality of advertisements, shop fronts, street furniture and hard and soft surfaces; on vistas along streets and between buildings; and on the extent to which traffic intrudes and limits pedestrian use of spaces between buildings. Conservation area designation should be seen as the means of recognising the importance of all these factors and of ensuring that conservation

policy addresses the quality of townscape in its broadest sense as well as the protection of individual buildings.

2.4 And within Para's 4.13 and 4.14 goes on to refer to the significance of street furniture:-

Floorscape and street furniture often make a vital contribution to the character of a conservation area..... It is also important that authorities ensure that signing and other street furniture is of an appropriate character and quality and that unnecessary duplication of signs and poles is avoided.

2.5 The consultation paper on Conservation Areas sets out the great importance the Government attaches to conservation area policy, as a means of protecting the quality of historic towns, villages and residential areas. It points out within Para.4 :-

There has been increasing recognition in recent years - partly as a result of the legislation which introduced the concept of conservation areas - that our perceptions of environmental quality depend on a wide range of factors going well beyond the quality of individual buildings.

It goes on within Para.6 to refer to:-

A number of recent reports have suggested that present controls are ineffective in preventing damage to Conservation Areas, particularly through minor changes which may seem of little importance individually, but can cumulatively damage the character and appearance of buildings and areas.

and in Para. 7:-

It has also been suggested that the appearance of many urban Conservation Areas suffer from an excessive number of advertisements and traffic signs.....

2.6 Within both the aims and policies of the Councils Adopted Unitary Development Plan (U.D.P.) the importance of the Boroughs Conservation Areas and Areas of Special Character is addressed. These designated areas may also be incorporated within extensive areas of open land, identified following advice from the Countryside Commission and the Nature Conservancy Council, known as Heritage Land. These are of strategic importance because of their combined intrinsic values for landscape, historic and nature conservation interests, and are shown on Map 3.1 on page 21 of the U.D.P.

Additionally para.70 of the Secretary of State for the Environments Strategic Planning Guidance for London says that U.D.P's should include policies to protect local views as appropriate.

General Policy G3 of the U.D.P. reads:-

The Council will preserve and enhance the special value of:-

- A. Conservation Areas**
- B. Areas of Special Character**
- D. Skyline ridges and important local views**
- I. Heritage Land**

- 2.7 The Council has designated areas of special architectural or historic interest as Conservation Areas as a preliminary to action to preserve and enhance the special character and appearance of the area defined. The Conservation Area boundaries are identified on the Proposals Map forming part of the U.D.P.

Detailed policy T3.1 of the U.D.P. states:-

The Council will not permit development or demolition proposals which conflict with the need to preserve or enhance the character or appearance of the Boroughs Conservation Areas.

- 2.8 Three areas of defined special landscape and townscape quality extend across and beyond the Borough. The Hampstead Garden Suburb forms part of one of these areas which are individually significant and collectively whose protection is considered important for London as a whole.

These areas were firstly identified in the Greater London Development Plan (G.L.D.P.), the main factors in their selection being their architectural and historic interest and their major open spaces of high landscape value. For the Hampstead/Highgate Ridge Area of Special Character the G.L.D.P. noted the major policy aims as :-

Protection of skyline, view-points, historic, architectural, village and rural character. Containment of traffic and parking. Safeguarding the planned environment of Hampstead Garden Suburb.

Detailed policy T2.1 of the U.D.P. states:-

The Council will not permit development which conflicts with the need to safeguard and enhance the landscape and townscape features which contribute to the identity of Areas of Special Character.

The Areas of Special Character are shown on Map 3.2 which is on page 24 of the U.D.P.

3.0 THE HAMPSTEAD GARDEN SUBURB

3.1 The history of the Hampstead Garden Suburb began on 6th March 1906 when under the leadership of Dame Henrietta Barnett, the Hampstead Garden Suburb Trust Ltd., was founded for the purpose of buying from the Trustees of Eton College 243 acres of land near the Hampstead Heath Extension for residential development. An admirer of Ebenezer Howard and the Garden City movement, Mrs Barnett and her colleagues were determined to create a residential area where households of varying sizes and standards of income could be accommodated in a development where the comfort of the inhabitants and the beauty of their surroundings should not be determined by the limitations of speculative development.

To build the Suburb the restrictive byelaws of the Hendon Urban District Council had to be overcome and consequently a Private Bill was presented to Parliament which sought independent powers for the Hampstead Garden Suburb Trust. It received Royal Assent in August 1906 as the Hampstead Garden Suburb Act, becoming the first Town Planning legislation in Britain.

The Suburb is now recognised as one of the best examples of town planning and domestic architecture, on a large neighbourhood or community scale, that has been produced in Britain.

The well known architectural historian Nikolaus Pevsner, speaking of the Hampstead Garden Suburb called it,

The most nearly perfect example of that English invention and speciality, the garden suburb.

3.2 The Suburb extends roughly from Finchley Road on its western side towards The Bishops Avenue in the east bordering onto Hampstead Heath in the south and East Finchley in the north. It lies on the north side of the Hampstead/Highgate Ridge.

Fine views are afforded from almost any point of the Suburb.

The large tracts of natural landscape of Hampstead Heath Extension, Big Wood, Little Wood and Turners Wood, together with various playing fields and golf courses all make an important contribution to the open character of the area.

At a local level it is the abundance of mature trees of high amenity value, hedges, pedestrian walkways, greens, grass verges and the well kept gardens which contribute to the local landscape. The domestic scale of the architecture combined with the framework of plentiful soft landscaping gives the Garden Suburb an overall rustic quality.

3.3 The Hampstead Garden Suburb was designated a Conservation Area in December 1968 being one of the first five Conservation Areas within the London Borough of Barnet. The special importance of the Suburb was further recognised by the Secretary of State for the Environment in January 1977 when the early part of the Suburb was declared to be a Conservation Area of Outstanding Architectural or Historic

Interest, under Section 10 of the Town and Country Planning (Amendment) Act 1972.

The two parts of the Conservation Area are referred to as Hampstead Garden Suburb "A" and "B" and are identified on submitted document Ref: LBB/7.

- 3.4 The major part of the Hampstead Garden Suburb Conservation Area is subject to a Direction under Article 4 of the Town and Country Planning General Development Order which enables planning control to be exercised over certain classes of development which would otherwise have constituted 'permitted development' therefore not requiring express planning permission, in order to protect the special character of the suburb.

The following kinds of development are covered by the Direction;-

- i) the enlargement of dwelling houses and the alteration of doors, windows, walls and roof so as to change the external appearance.
- ii) the construction of a hardstanding for a vehicle in the garden of a house.
- iii) the placing within front gardens of tanks for oil storage and the erection of sheds within curtilages of dwellings.
- iv) the erection or construction of gates, walls or fences to any property, or the raising in height of an existing wall or fence.
- v) the formation of a means of access from a property to a highway.
- vi) the painting or other similar treatment of the walls or roof of any building.

The existence of the Direction emphasises the special attention which both the Council and Secretary of State consider needs to be paid to many kinds of development within the area which in other locations are normally regarded as being of a minor nature.

The area covered by the Article 4 Direction is identified on the Proposals Map forming part of the U.D.P.

- 3.5 The Council has also designated visually sensitive areas under The Town and Country Planning (Control of Advertisements) Regulations which require special protection with regard to the display of advertisements. These Special Control of Advertisement Areas include the Hampstead Garden Suburb Conservation Area and are identified on Map 3.4 on page 29 of the U.D.P.

4.0 THE LOCATIONS WITHIN THE HAMPSTEAD GARDEN SUBURB
CONSERVATION AREA

4.1 The proposed Eruv would introduce poles and wire to 5 locations within the Hampstead Garden Suburb Conservation Area.

I will now examine each of these in turn.

The accompanying plans identify the locations of the proposed poles, the existence of street furniture in the vicinity and indicate trees which are likely to be affected.

INDEX TO LOCATIONS AND SITE PLANS

ITE REF	LOCATION		POLES NO	TYPE	SPAN/M OF WIRE
01	LICHEFIELD ROAD	NW2	2	MEDIUM	14
2	FARM AVENUE	NW2	2	MEDIUM	22
3	HENDON WAY	NW2	3	TALL	31
04	LYNDALE AVENUE	NW2	2	MEDIUM	15
5A	SUNNYSIDE	NW2	2	MEDIUM	14
05B	RIDGE ROAD	NW2	2	MEDIUM	10
6	FINCHLEY ROAD	NW2	2	TALL	15
7	DEVONSHIRE PLACE	NW2	2	MEDIUM	11
08C	HERMITAGE LANE	NW2	2	MEDIUM	15
9	WEST HEATH ROAD	NW3	2	MEDIUM	14
12	NORTH END ROAD/WAY	NW11	2	MEDIUM	18
3	WILDWOOD ROAD	NW11	7/2	MEDIUM	250
14	HAMPSTEAD LANE	N6	2	MEDIUM	19
5	AYLMER ROAD	N2	3	TALL	30
6	BANCROFT AVENUE	N2	2	MEDIUM	11
17	CHERRY TREE HILL	N2	2	TALL	30
8A	EAST END ROAD	N2	2	MEDIUM	11
18B	PROSPECT PLACE (footpath)	N2	2	SMALL	9
	CHURCH LANE	N2	2	MEDIUM	20
20	NORTH CIRCULAR ROAD	N2	2	TALL	23
21	SQUIRES LANE	N3	2	MEDIUM	9
22	REGENTS PARK ROAD	N3	2	TALL	14
23	DEVONSHIRE ROAD	NW7	2	TALL	30
4A	GREAT NORTH WAY (north)	NW4	2	1 TALL 5 SMALL	41
24B	GREAT NORTH WAY (south)	NW4	2	1 TALL 5 SMALL	17
25	WATFORD WAY	NW4	3	TALL	55
6	COLINDEEP LANE	NW4	2	MEDIUM	18
7	STATION ROAD	NW4	2	MEDIUM	16
28	PARK ROAD	NW4	3	MEDIUM	37
9A	TEMPLEHOF AVENUE, RIVER BRENT	NW4	2	MEDIUM	10
29B	TEMPLEHOF AVENUE, RIVER BRENT	NW4	2	MEDIUM	10
0	TEMPLEHOF AVENUE/TILLING ROAD	NW4	2	MEDIUM	11
2	CHILDS HILL WALK (footpath)	NW2	2	MEDIUM	11
33	STANLEY ROAD (footpath)	N2	2	SMALL	9
4	ASHLEY LANE (footpath)	NW4	2	SMALL	7
35	GREAT NORTH WAY (footpath)	NW4	2	SMALL	25
36	GREAT NORTH WAY, COPTHALL (footpath)	NW4	2	SMALL	20
37	BRENT TERRACE (industrial estate)	NW2	2	TALL	20
	TOTAL LOCATIONS - 38		85/80		942M

SMALL = 3.5M, MEDIUM = 5.5M, TALL = 6.5M

Location 13 Wildwood Road NW11

Eruv 1 - 7 poles, 5.5m high

Eruv 2 - 2 poles, 5.5m high

SITE APPRAISAL

The location is within the Hampstead Garden Suburb Conservation Area, and an Area of Special Character (also identified as Heritage Land).

This part of Wildwood Road forms a route through Hampstead Heath and the Hampstead Heath Extension although the area is visually continuous. The Heath Extension comprises of trees, hedgerows, ponds, a stream and hay meadows with a line of large trees adjoining Wildwood Road. The woodland fringe of Hampstead Heath abuts Wildwood Road to the south. The result is an area distinctly rural in character.

Within proposed Eruv 1 seven poles each 5.5m tall would be situated on the public footpath on the south side of Wildwood Road, abutting the wooded part of the Heath. The pole at the western end would be positioned near the corner of the property known as 'Wyldes Close Corner' which has a garage accessed from Wildwood Road.

At the other end of the group the pole would be located near to an existing lamp post and telegraph pole forming an unusual cluster of street furniture.

Four poles would be sited roughly equidistant between the end poles with an additional pole provided at the acute bend near Wildwood Rise. Apart from one lighting column on the north side of the road near the Hampstead Way junction and the telegraph pole, street furniture is limited to the street lighting columns on the south side of the road.

The addition of seven poles would in my view result in the

introduction of further incongruous features into the largely natural landscape and the linking of the poles by wire would highlight a visual separation of the continuous landscape of the Heath and Heath Extension.

The extra street furniture would be clearly seen when walking and driving in the area and views from the Heath Extension towards the Heath would be particularly spoilt. Furthermore the end poles would be especially intrusive to the occupiers of the properties to which they are adjacent i.e. 'Wylde Close Corner' and 1, Wildwood Rise.

It should also be anticipated that in order that the poles and wire can be constructed some work will be necessary to existing trees shown on location plan 13 and specified in the table below. In my opinion this work would further expose the proposal exacerbating its intrusive appearance.

The proposal within Eruv 2 would, I acknowledge, be less intrusive than the 7 poles and wire proposed in the first application because of the reduced number of poles, the use of thinner wire and the movement of the wire away from trees. However, the use of existing lamp posts to suspend the wire has already been refused by the Councils Public Works Committee.

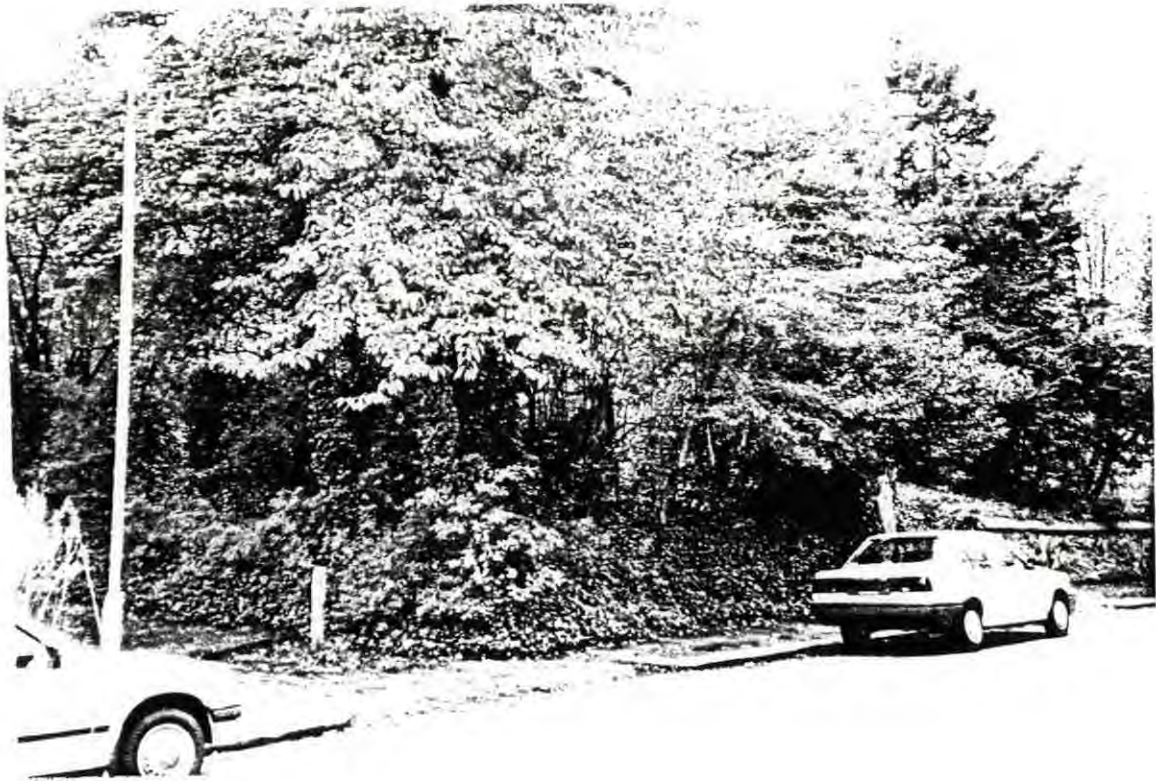
The two wooden poles would be in the same positions as the end poles in Eruv 1 and I regard their impact to be equally unacceptable. I consider this location to be the most sensitive and important of all the 38 locations included within the Eruv application. It is a largely unspoilt area free from urban clutter, which is appreciated by many people who live within and beyond the Borough.

I conclude that the proposals would in both cases seriously harm the character and appearance of this part of the Hampstead Garden Suburb Conservation Area to the detriment of the environment.

No. on plan	Species	Height	Radial Spread	Effect of Proposals - Eruv 1
1	Holly	c 6 m	c 3 m	Lopping of several branches to erect pole.
2	Hawthorn	c 5 m	c 2 m	Lopping of several small branches to erect pole.
3	Gean	c 8 m	c 5.5m	Lopping several branches to string wire.
4	Elm (3)	c 7 m	c 4 m	Lopping of most branches on roadside to erect pole.
5	Elm (2)	c 6 m	c 3 m	Some lopping of branches to string wire.
6	Hawthorn	c 7 m	c 3.5m	Lopping of branches to string wire.
7	Hawthorn	c 5.5m	c 2 m	Lopping of several small branches to string wire.
8	Elm	c 6 m	c 5 m	Some lopping of small branches to string wire.
9	Hazel (3)	c 7 m	c 6.5m	Lopping to erect pole and string wire.
10	Holly (4)	c 5.5m	c 3.5m	Lopping of several branches to string wire.
11	Oak	c17 m	c 8 m	Some lopping of small branches to string wire.
12	Hawthorn	c 6 m	c 3 m	Topping to string wire.
13	Elm	c 7 m	c 3 m	Removal of several branches to erect pole and string wire.
14	Oak	c16 m	c 8 m	Lopping of 1/2 small branches to string wire.
15	Hawthorn	c 7.5m	c 2.5m	Lopping of several small branches to string wire.
16	Willow	c 7 m	c 5 m	Topping to string wire.
17	Hawthorn	c 6 m	c 2 m	Lopping of few small branches to string wire.

Note: Root damage will be caused to trees where pole is proposed within radial spread. Degree of damage dependent upon care taken and method of construction.

Photograph 13/1



Photograph 13/2



Photograph 13/3



Photograph 13/4

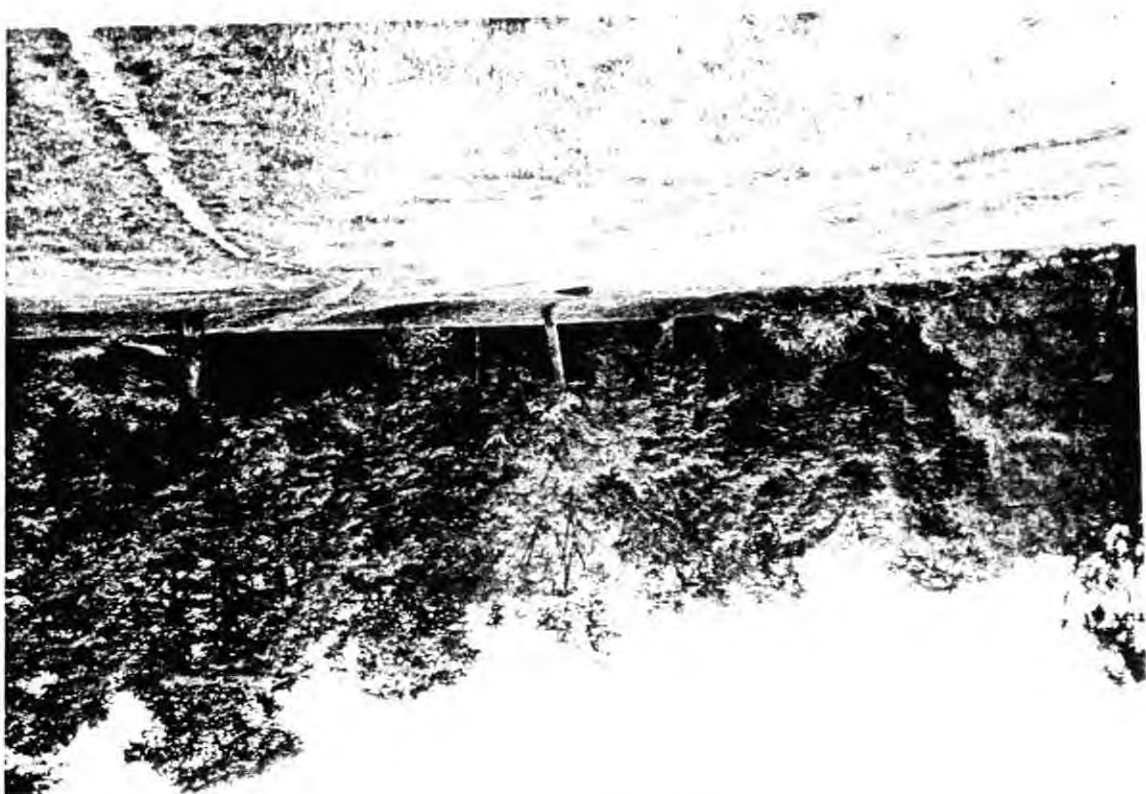


Photograph 13/5

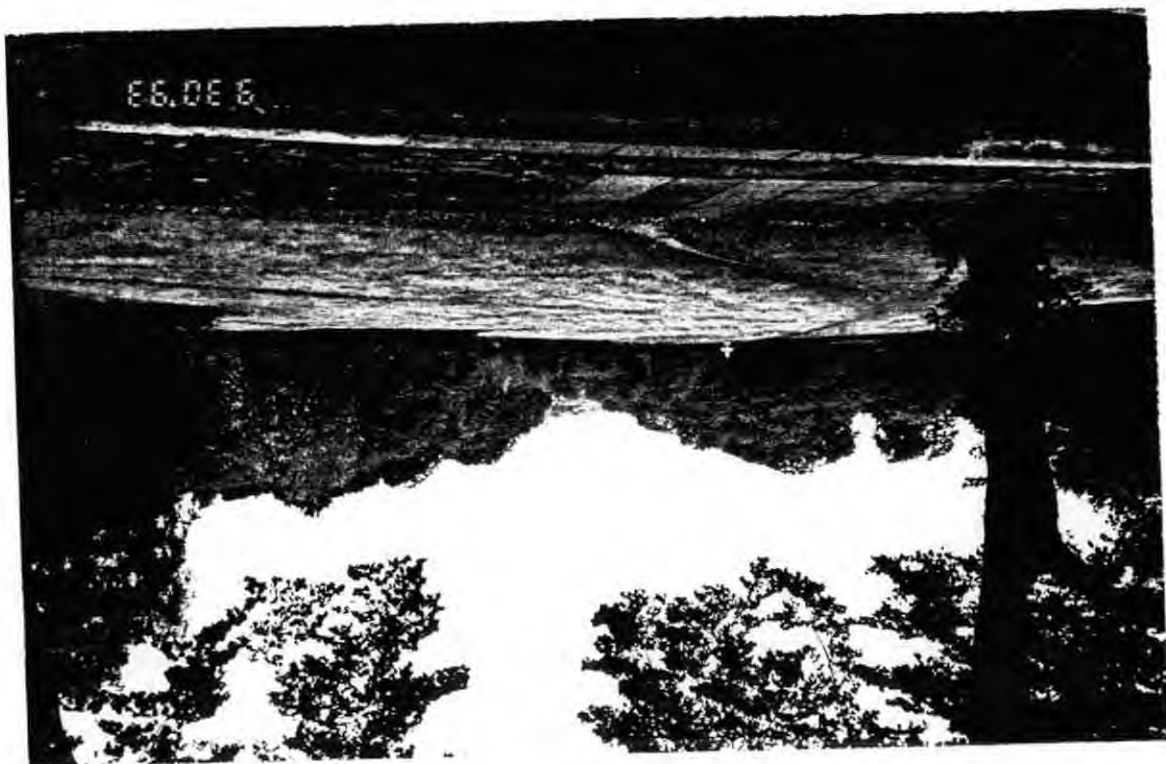


Photograph 13/6





Photograph 13/8



Photograph 13/7

LOCATION 13 WILDWOOD ROAD, N.W.11.



DRAWN AND PRODUCED BY **S&S**

- PROPOSED POLE
- EXISTING LAMP POST
- EXISTING TRAFFIC/PEDESTRIAN SIGNAL
- EXISTING TELEGRAPH POLE
- EXISTING HIGHWAY WARNING/DIRECTION SIGN
- EXISTING BUS STOP
- BELISHA BEACON
- * EXISTING TREE
- ← LOCATION AND DIRECTION OF PHOTOGRAPH

TOWN AND COUNTRY PLANNING
ACT 1990
APPEAL UNDER S.78
RELATING TO
VARIOUS LOCATIONS IN
THE LONDON BOROUGH
OF BARNET

SCALE 1:1250



TECHNICAL SERVICES, PLANNING GROUP

2 poles, 5.5m high

SITE APPRAISAL

The location is within the Hampstead Garden Suburb Conservation Area and an Area of Special Character.

This is a prominent elevated position on the Hampstead Ridge close to the junction with The Bishops Avenue and the Borough boundary.

The pole on the south side of the Lane would be located adjacent to North Wood with the likely loss of some over hanging branches. The other pole on the north side would be adjacent to the Highgate School Sports Ground.

Immediately to the west of the proposed poles around the mini-roundabout junction there exists a preponderance of necessary street lighting and highway warning/control signs. To the east of the junction there remains a pleasant part of Hampstead Lane relatively free from urban street clutter.

This section of the Lane is lined with deciduous trees which when out of leaf will further expose the proposal so that it is a conspicuous feature in the street scene to the detriment of the existing pleasant setting.

I consider that the additional street furniture would be inappropriate in this location, be visually intrusive and detract from the character and appearance of this part of the Conservation Area.

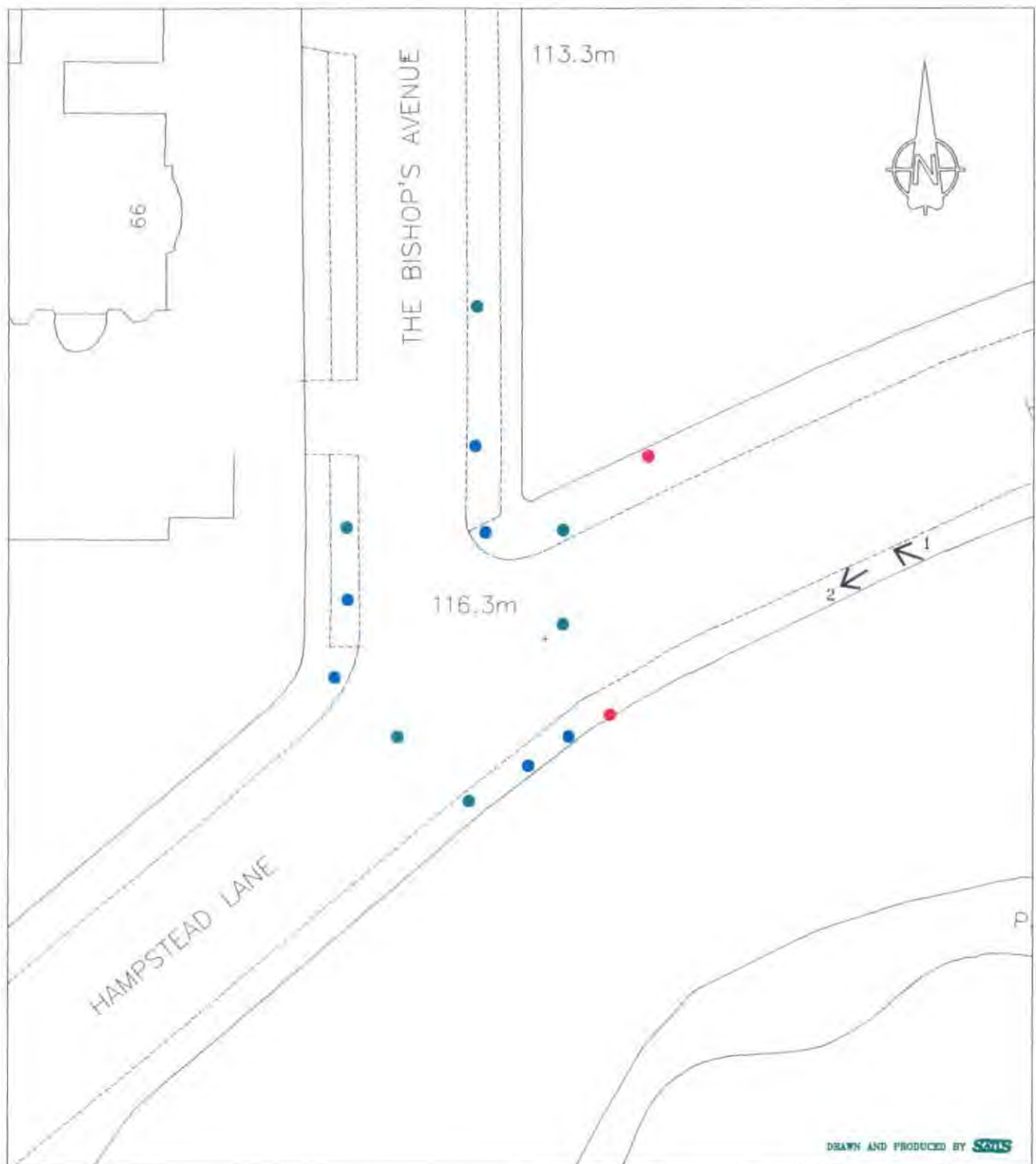
Photograph 14/1



Photograph 14/2



LOCATION 14 HAMPSTEAD LANE, N6



- PROPOSED POLE
- EXISTING LAMP POST
- EXISTING TRAFFIC/PEDESTRIAN SIGNAL
- EXISTING TELEGRAPH POLE
- EXISTING HIGHWAY WARNING/DIRECTION SIGN
- EXISTING BUS STOP
- BELISHA BEACON
- * EXISTING TREE
- ← LOCATION AND DIRECTION OF PHOTOGRAPH

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SCALE 1:500



TECHNICAL SERVICES, PLANNING GROUP

3 poles, 6.5m high

SITE APPRAISAL

The location is within the Hampstead Garden Suburb Conservation Area and an Area of Special Character.

Three poles and wire are required to span Aylmer Road. One pole would be located on the central reservation next to an existing lamp post creating an unsatisfactory double pole effect.

The pole on the south side would be located approximately 10m. from No.25 The Bishops Avenue directly in front of its flank windows. Existing trees adjacent are deciduous and whilst they would afford a degree of screening in summer, in winter the loss of leaves would make the pole conspicuous.

The pole on the northern side of Aylmer road would be located approximately 11m. from No. 2 Aylmer Road in line with its front door, 1st floor window and dormer window. In my opinion this would clearly affect the outlook and visual amenity of the occupiers of No.2 and be visually intrusive.

Furthermore the existing semi-mature tree in front of No. 2, The Bishops Avenue may be a potential problem as it grows up to the level of the wire.

The busy junction of Lyttleton Road/Aylmer Road with The Bishops Avenue already accommodates an array of lamp posts, traffic lights and signs, which are necessary for highway safety.

I consider that the additional clutter of street furniture in this location would further detract from the character and appearance of this part of the Conservation Area.

Photograph 15/1



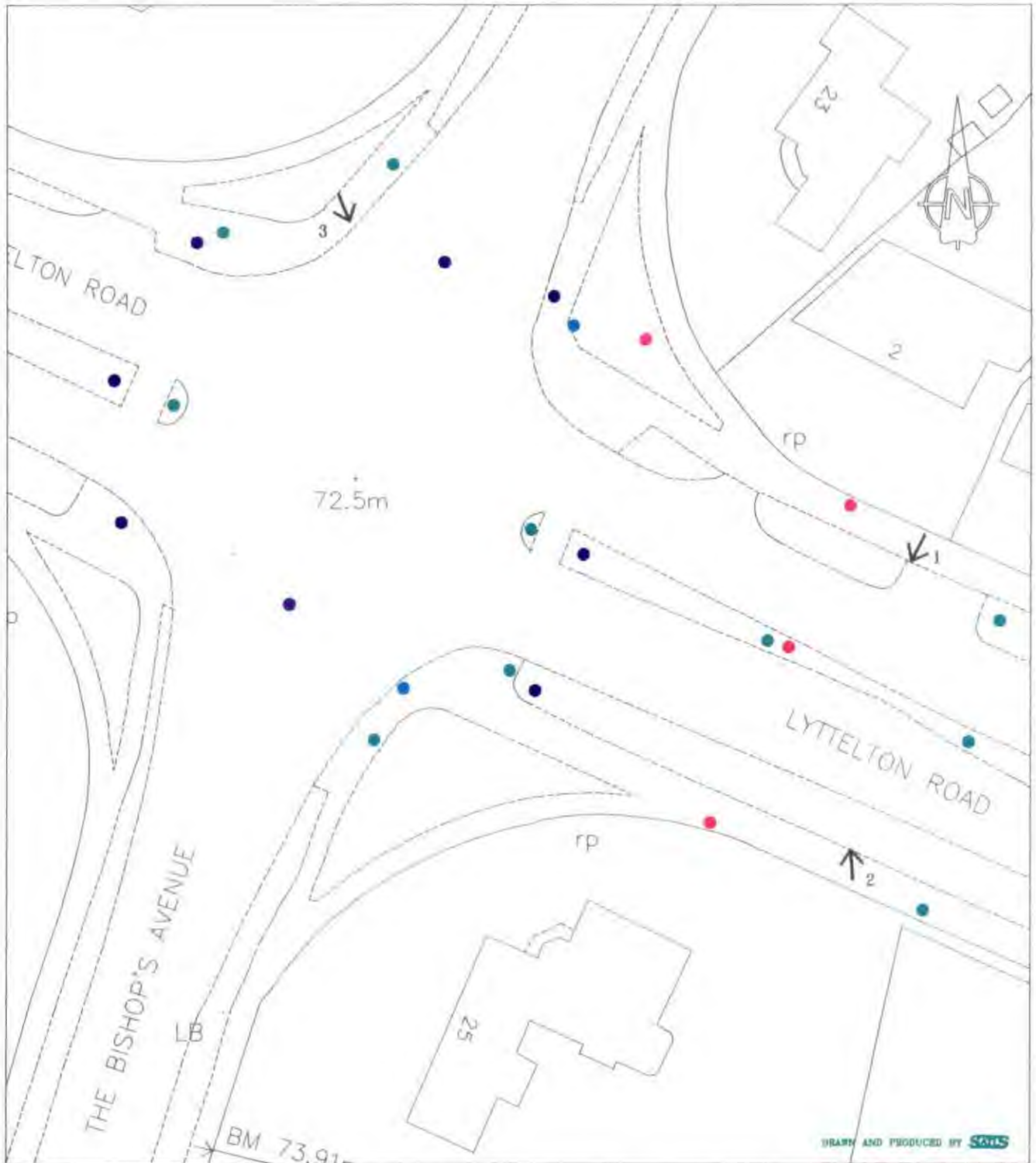
Photograph 15/2



Photograph 15/3



LOCATION 15 AYLMER ROAD, N2



- PROPOSED POLE
- EXISTING LAMP POST
- EXISTING TRAFFIC/PEDESTRIAN SIGNAL
- EXISTING TELEGRAPH POLE
- EXISTING HIGHWAY WARNING/DIRECTION SIGN
- EXISTING BUS STOP
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SCALE 1:500



TECHNICAL SERVICES, PLANNING GROUP

2 poles, 5.5m high

SITE APPRAISAL

The location is within the Hampstead Garden Suburb Conservation Area and an Area of Special Character.

One pole would be located 4m. south-east of the vehicular access to 'Esher House' with the other perpendicularly opposite.

The proposal would be clearly seen from both 'Esher House' and 15, The Bishops Avenue to the detriment of the occupiers visual amenity.

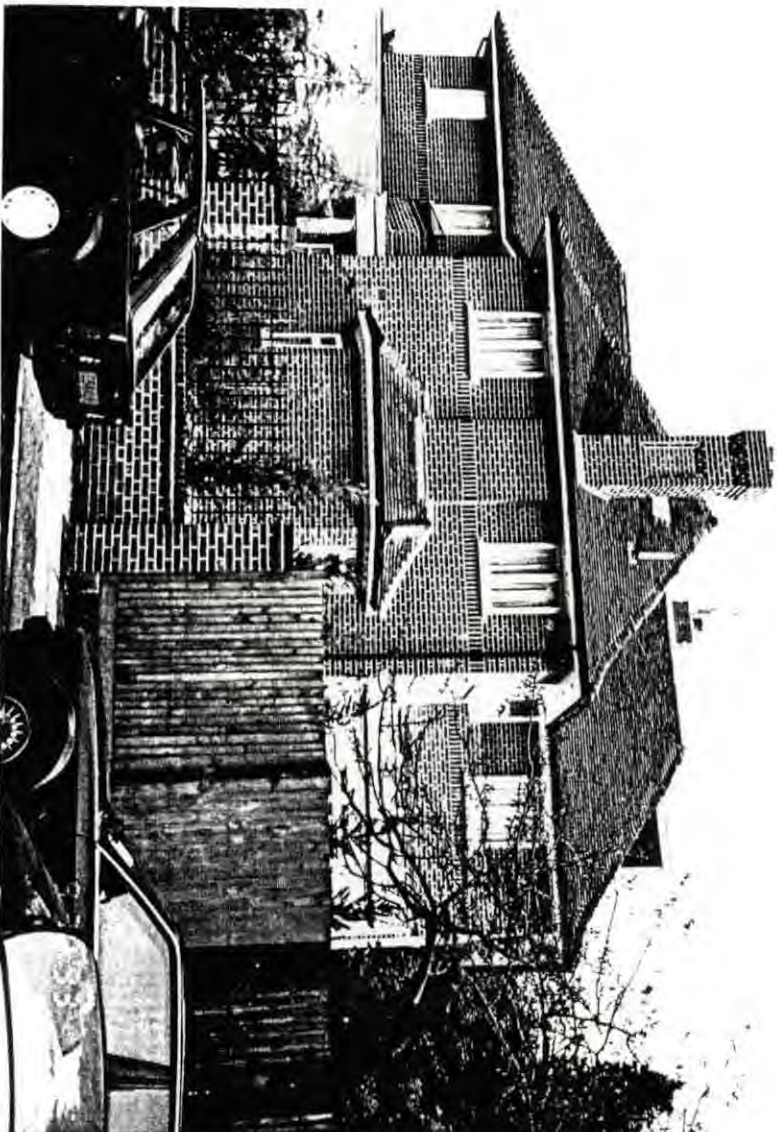
Street furniture has been kept to a minimum in this part of Bancroft Avenue contributing to the pleasant ambience of the area.

I consider that the introduction of further street furniture at this location would be visually intrusive to the detriment of the street scene and the character and appearance of this part of the Conservation Area.

Photograph 16/1



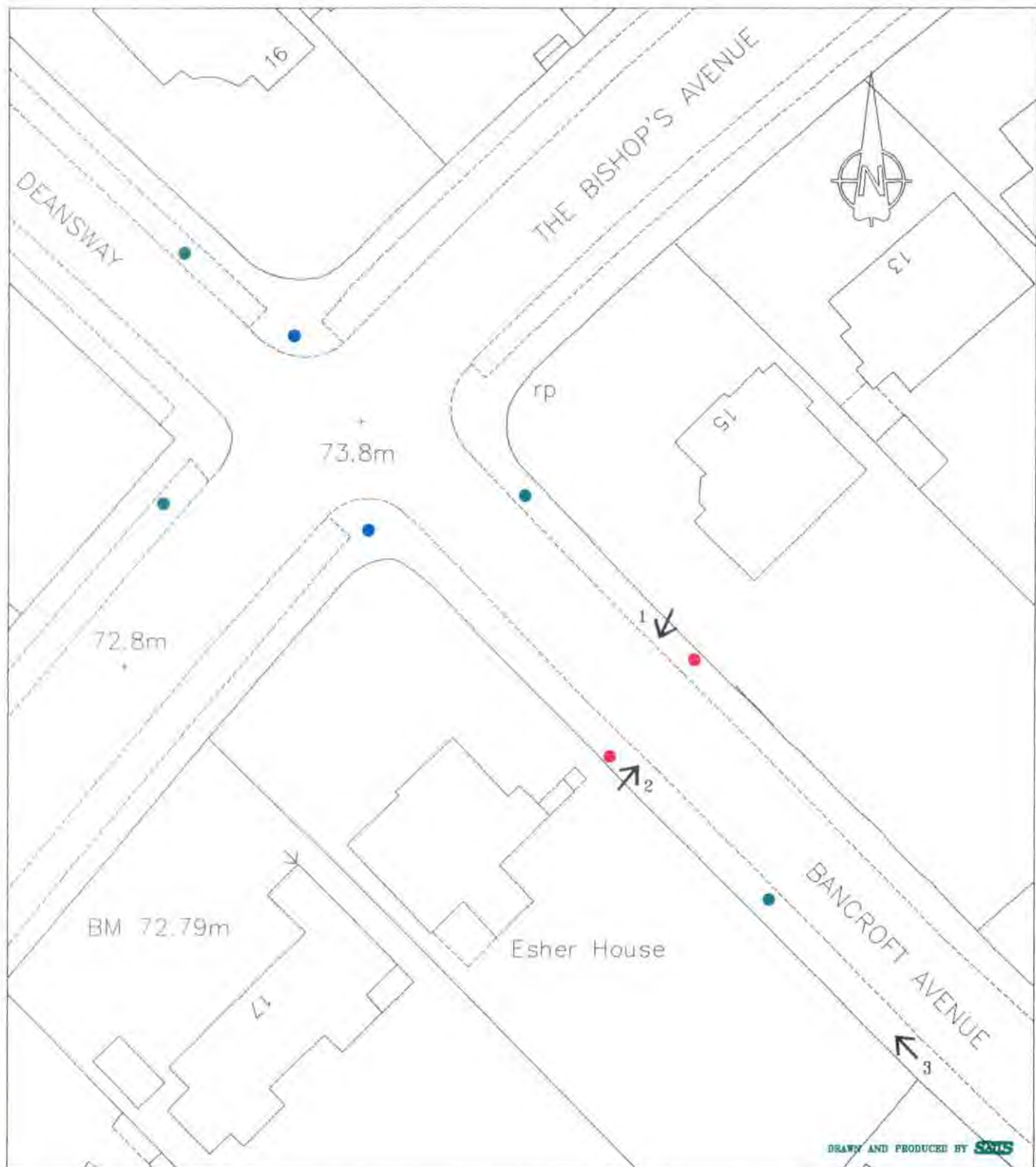
Photograph 16/2



Photograph 16/3



LOCATION 16 BANCROFT AVENUE, N2



- PROPOSED POLE
- EXISTING LAMP POST
- EXISTING TRAFFIC/PEDESTRIAN SIGNAL
- EXISTING TELEGRAPH POLE
- EXISTING HIGHWAY WARNING/DIRECTION SIGN
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SCALE 1:500



TECHNICAL SERVICES, PLANNING GROUP

2 poles, 6.5m high

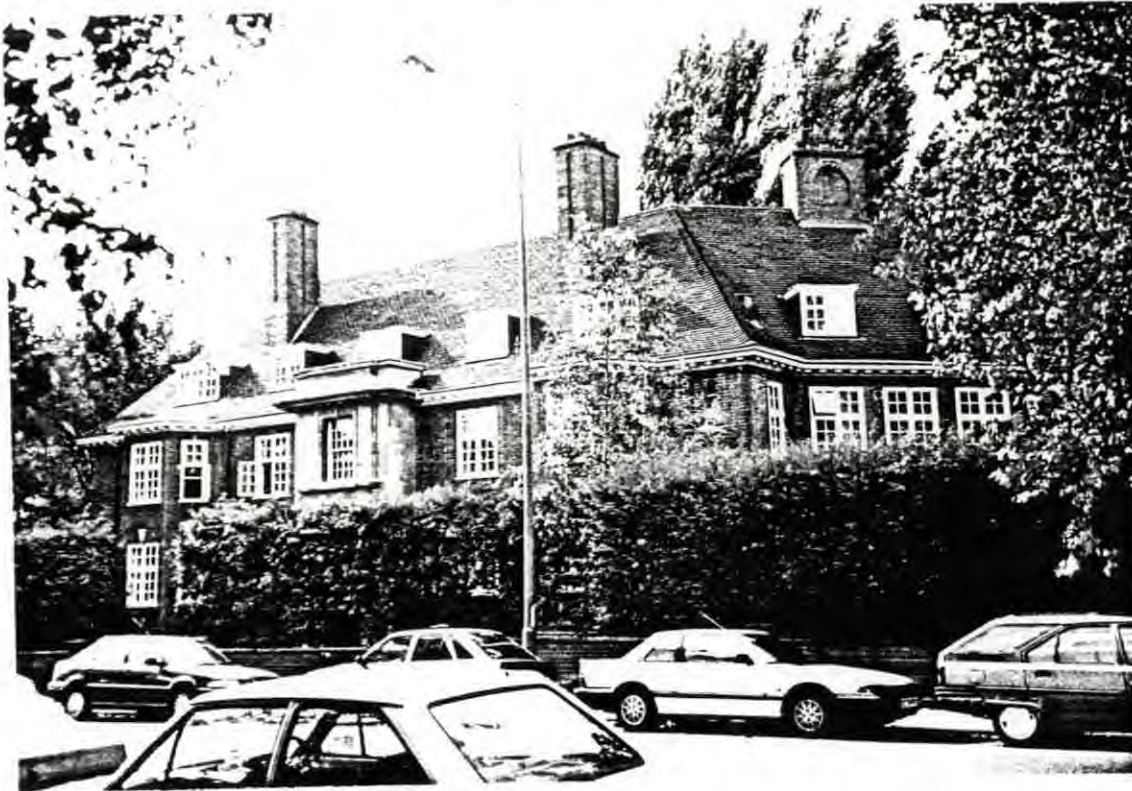
SITE APPRAISAL

The location is partly within the Hampstead Garden Suburb Conservation Area and wholly within an Area of Special Character. The proposed pole on the western side of the road would be located in line with the corner of Bishops Court, a three storey block of flats with accommodation in the roof. It would be situated at the back edge of the pavement opposite an existing lamp post, thereby narrowing the pavement area creating an additional obstacle to passers by and a further visual intrusion. If moved to the north or south of the existing lamp post the new pole would be clearly visible from windows in Bishops Court. The pole on the eastern side of the road would be located just south of an existing telegraph pole and set 15m. from the road to the edge of an expansive green verge. I consider that the proposal would form a visually intrusive feature in this otherwise uncluttered and open setting, with some work necessary to an existing sycamore tree shown on location plan 17 and specified below. It is my opinion that the additional street furniture would be detrimental to the street scene, detracting from the character and appearance of the Conservation Area.

No. on plan	Species	Height	Radial Spread	Effect of Proposals
1	Sycamore (Young)	c12 m	c 5 m	Removal of all branches on north side up to a height of at least 6.5m to erect pole. Removal of branches on north side to string wire.

Note: Root damage will be caused to trees where pole is proposed within radial spread. Degree of damage dependent upon care taken and method of construction.

Photograph 17/1



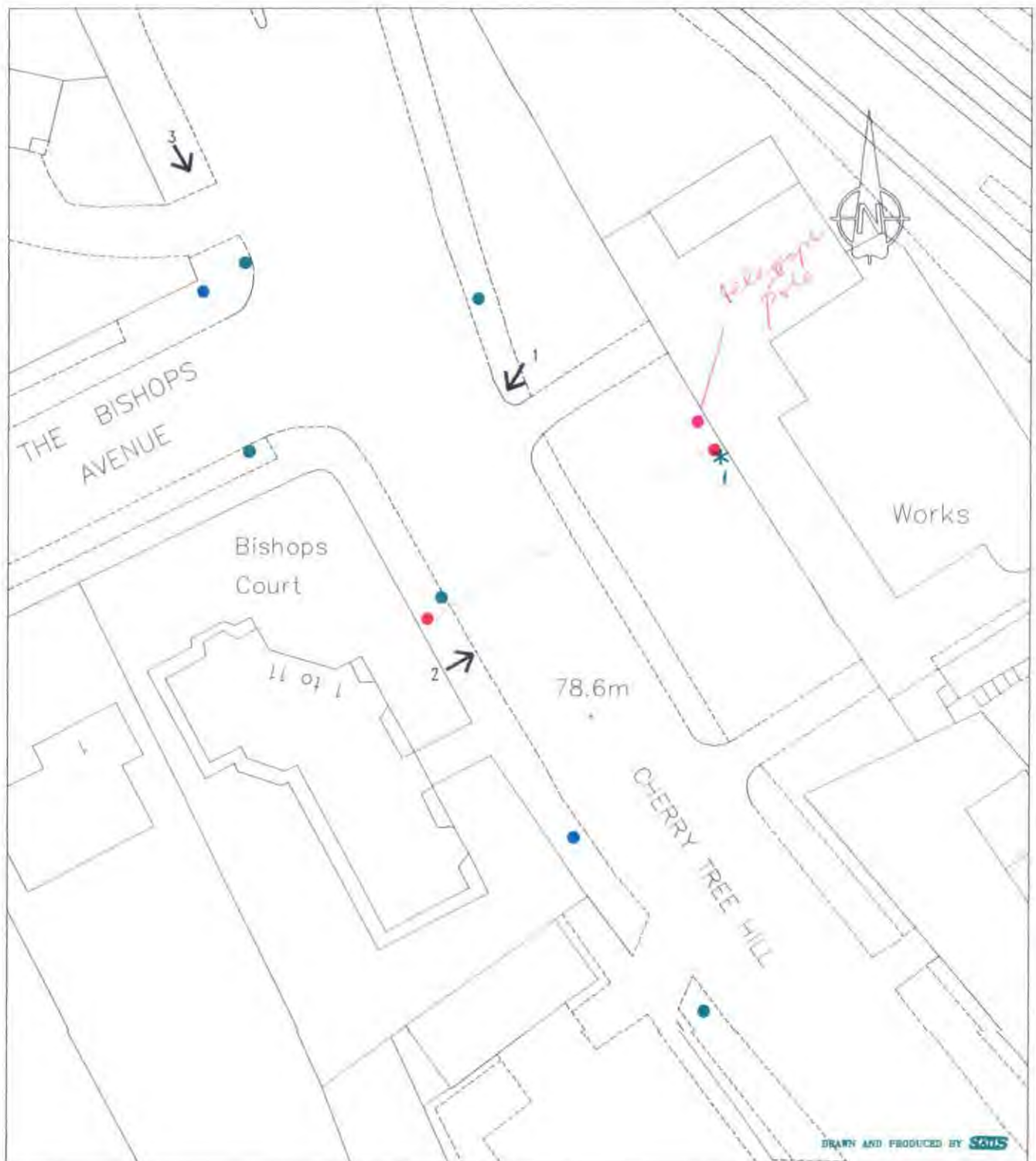
Photograph 17/2



Photograph 17/3



LOCATION 17 CHERRY TREE HILL, N.2.



DRAWN AND PRODUCED BY S&S

- PROPOSED POLE
- EXISTING LAMP POST
- EXISTING TRAFFIC/PEDESTRIAN SIGNAL
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VARIOUS LOCATIONS IN
THE LONDON BOROUGH
OF BARNET

SCALE 1:500



TECHNICAL SERVICES, PLANNING GROUP

5.0 CONCLUSION

5.1 A Conservation Area is by definition an area of special architectural or historic interest the character or appearance of which it is desirable to preserve or enhance, and Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty on all persons exercising powers under the 1990 Planning Acts to pay special attention to the desirability of preserving or enhancing the special character or appearance of the area.

5.2 Conservation Areas are vitally important to the environmental quality of life and public opinion is in favour of conserving and enhancing local scenes which are familiar and appreciated.

The Local Planning Authority is the true custodian for the environment and if it does not exercise that role then no one else has the authority to do so.

5.3 Both proposals would I conclude neither preserve nor contribute to the enhancement of, the character and appearance of the Hampstead Garden Suburb Conservation Area. They would add further clutter on the street, be clearly visible and intrusive at all locations causing serious harm to the special character and appearance of the Conservation Area, and particularly impair the continuous landscape of Hampstead Heath and the Heath Extension.

5.4 The appellants have raised the question of need and this has been referred to by Councillor Scott in para 2.5 of her evidence. I would add that I am also not in a position to make any comment on the case of need. Based on the material before them the Town Planning and Research Committee formed no view on this matter

5.5 In the public interest the Secretary of State is requested to support the Local Planning Authority and dismiss the Appeals.