



Appeal Decisions

Inquiry opened on 15 February 2011

Site visits made on 8 February & 21 March 2011

by Paul Jackson B Arch (Hons) RIBA

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

Decision date: 21 April 2011

Appeal Refs: APP/X5210/E/10/2135359 & APP/X5210/A/10/2135357 Athlone House, Hampstead Lane, London N6 4RU

- The appeals are made under sections 20 and 74 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant conservation area consent and under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeals are made by Athlone House Ltd against the decisions of the Council of the London Borough of Camden.
 - The applications Ref 2009/3413/P and 2009/3422/C, dated 19 October 2009, were refused by notices dated 12 April 2010.
 - The development proposed is demolition of Athlone House and the erection of a replacement 8 bedroom house together with ancillary staff and guest accommodation and underground car parking.
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Preliminary matters

1. The inquiry sat on 15-18 and 22-25 February and on 15-18 March 2011.
2. A pre-Inquiry meeting was held on 13 December 2010. The Corporation of the City of London were granted 'Rule 6' status. The Athlone House Working Group (AHWG) an umbrella organisation representing local amenity groups, declined Rule 6 status but advised that they would be represented for part of the Inquiry and would be calling 2 witnesses.
3. A signed and dated Section 106 (S106) Agreement was submitted during the Inquiry. This would ensure the provision of off-site affordable housing, an energy efficiency and renewable energy strategy and a sustainability plan. It would also ensure the continuing involvement of Robert Adam as project architect. I have considered this later in the decision letter.
4. An accompanied pre-inquiry site visit was made to Athlone House and the agreed viewpoints on 8 February 2011. A further accompanied site visit took place on 21 March, followed by an unaccompanied visit to Highgate village and other parts of Hampstead Heath.

Decisions

5. The appeals are dismissed.

Main Issues

6. Prior to the Inquiry, the Council withdrew the reason for refusal relating to protected species following the receipt of further survey information on bats. The provision of affordable housing and the achievement of an appropriate level of sustainability in terms of construction are covered by the S106

Agreement and are not at issue between the parties. Accordingly, the main issues are as follows:

- Whether the proposed demolition and development constitutes inappropriate development in Metropolitan Open Land (MOL) for the purposes of Planning Policy Guidance (PPG) Note 2 *Green Belts* and development plan policy;
- Whether the proposed demolition and development would preserve or enhance the character or appearance of the Highgate Conservation Area;
- The effect of the proposed development on the character, appearance and setting of surrounding open space; and
- If the proposed development is inappropriate development in Metropolitan Open Land, whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

Background

7. Athlone House is a brick and stone Victorian mansion completed in 1871 as Caenwood Towers. It was designed by Edward Salomons and John Philpot Jones in a richly eclectic Victorian style reflecting a variety of architectural traditions. It lies on high ground amongst trees just beyond the northern edge of Hampstead Heath and is visible to varying degrees from parts of the Heath and from Hampstead Lane. A prominent square tower projects above the skyline in longer views. After being requisitioned by the RAF during the war it was handed back to its previous owner, but was never occupied as a private dwelling again, being purchased by the new National Health Service. It was used as a hospital and then as a geriatric home before becoming surplus to the requirements of the NHS in 2002.
8. Private owners adjusted the interior to some extent, but the building remained much as it was originally built until the 20th century. Around 1900, a distinctive copper roofed extension was added to what was the ground floor drawing room. A substantial 2 storey block was built on the north side in the 1930s. The original long conservatory and a French style garden pavilion were demolished. Under NHS ownership, significant alterations took place including the construction of an extensive single storey building containing wards and several detached nurses accommodation blocks on the central and eastern parts of the site. Internally, in the course of comprehensive changes to provide bedrooms and en-suite lavatories in accordance with the standards of the time, the majority of the remaining original fixtures and fittings were removed along with decorative features and joinery.
9. Externally, almost all of the tall Tudor style chimneys were substantially reduced, elaborate 'dutch' gables were replaced with simple sloping parapets; the verandah was removed; and crenellations and decorative finials on the tower and porte-cochère were taken down. Many of the remaining external decorative features have weathered badly, particularly Douling stone dressings, plaques and window mullions and sills. The building has never been considered to be of sufficient quality for statutory listing. In May 2010, English Heritage (EH) drew attention to the extent of alterations, the many losses

sustained by the exterior and the worn down architectural finesse 'which is the inevitable result of decades of institutional use'.

10. In 2005, planning permission was granted for the alteration, extension and conversion of Athlone House to a 7 bedroom house together with conversion of ancillary buildings and the erection of 22 flats in 3 contemporary blocks in the area formerly occupied by the nurses home. The latter are now built and occupied and are known as Caenwood Court. The approved restoration of Athlone House, the subject of a S106 Agreement, includes demolition of the hospital extensions and erection of a new conservatory containing a swimming pool and a further extension for laundry and gym facilities, together with a new garage block. The permission includes very significant changes to the interior to provide a modern living environment.

Policy background

11. The development plan includes the London Plan of 2008 (LonP), the Local Development Framework (LDF) Camden Core Strategy 2010-2025 (CS) and Development Policies (DP) adopted in November 2010; and saved policy LU1 and land use proposals of the London Borough of Camden Replacement Unitary Development Plan (UDP) of June 2006. The reasons for refusal refer to policies of the UDP, but apart from policy LU1 referred to above these have been superseded and I have considered the appeals under the current LDF policies.
12. Relevant Supplementary Planning Guidance (SPG) is provided by the *Highgate Conservation Area Appraisal and Management Plan* (CAAMP) adopted in 2007. This describes the special interest of the conservation area and the Council's approach to its preservation and enhancement. The conservation area within which the appeal site lies is not to be confused with the identically named Highgate Conservation Area in Haringey which encompasses all the land on the north side of Hampstead Lane. I have considered the effect on this conservation area separately.
13. In 1999, in anticipation of NHS use ending and to provide advice to potential developers, the Council adopted SPG in the form of a planning brief, in accordance with paragraph C4 of Annex C to PPG2 which provides advice on Major Developed Sites (MDS) in the Green Belt. The brief advises that the removal of the wards and nurses accommodation, now carried out, is desirable. Amongst other things, it identifies that redevelopment should only be in the context of guidance in PPG2 Annex C. It should be confined to replacement of existing substandard buildings and should not exceed the already established quantum of development, respecting the existing buildings, their settings and views into the site. It advises that Athlone House itself, as a positive contributor to the conservation area, must be retained.

Whether the proposed demolition and development constitutes inappropriate development in Metropolitan Open Land

14. The aims of LonP policies 3D.9, 3D.10 and CS policy CS15 in respect of MOL reflect the guidance in PPG2. The fundamental aim of policy on Green Belts is to prevent urban sprawl by keeping land permanently open; openness is their prime attribute. There is a general presumption against inappropriate development. MOL is the same as Green Belt in terms of protection.
15. There are 2 strands to the appellant's argument that the proposal would not be inappropriate development: firstly, that as a former redundant hospital, the

site remains a MDS in the adopted local plan and meets criteria set out in Annex C; and secondly, that it would not be inappropriate because the size of the replacement dwelling would not be materially larger than the original building, meeting the criteria set out in paragraph 3.6 of PPG2.

16. Annex C advises that the redevelopment of a MDS identified in a UDP is not inappropriate development in the Green Belt (or MOL) providing (at paragraph C4) it has no greater impact than existing development on openness (and where possible has less); contributes to the achievement of the objectives for the use of land in Green Belts; does not exceed the height of the existing buildings; and does not occupy a larger area of the site than the existing buildings. The whole site including that part now occupied by Caenwood Court is designated as major developed site No. 1 on the Schedule of Land Use Proposals that forms part of saved policy LU1. The policy advises that development is expected to be in accordance with the guidance set out in the schedule, which insofar as relevant to this issue, refers to the planning brief and says that redevelopment of the site should be confined to the replacement of sub-standard existing buildings. It goes on to say that where development is proposed that is not in accordance with the guidance, planning permission will not be granted unless it can be demonstrated that changing circumstances or site specific considerations mean an alternative form of development which also accords with other UDP policies, is more appropriate.
17. The Council suggests that the site is no longer part of a MDS because its development has been resolved by the planning permission granted in 2005, but whilst works have certainly progressed in the sense that Caenwood Court has been completed, nothing else has been done to Athlone House beyond emergency repairs and basic weather protection, notwithstanding the commitment to restore in the S106 Agreement. There is no realistic prospect of forcing the owner to carry out the refurbishment, particularly as the plans approved under the 2005 permission would almost certainly require substantial changes to suit the bespoke needs of the individual type of buyer envisaged; this was recognised by the Council in 2005. Those drawings do not in any case ensure restoration of historic features such as chimneys and statuary and in my view, are no more than a holding position. Other ancillary buildings remain in poor condition and works to the Coach House are not complete. As it is, the appeal site represents just over half of the original area of the MDS. Athlone House is unquestionably also the principal building on the site.
18. Even though time has elapsed since policy LU1 was originally adopted, it is saved and attracts substantial weight. I note that the appellant has asked the Council to continue to include this MDS on the replacement 'Issues and Options' 'Shaping Camden' Site Allocations Additional Sites (consultation) list that is to be part of the LDF in 2012. I offer no view on whether it should remain a MDS in the LDF next year and little weight can be attached to that suggestion. The simple fact is that saved policy LU1 remains part of the development plan and the text recognises that changes can occur. It is right that any changes are seen in the context of the overall guidance for the entire MDS and all current development plan policies and not in isolation. In this way, an appropriate balance, as envisaged by those who wrote the policy and devised the planning brief, can be brought into play; it would be very unusual for the development of a MDS not to be the subject of some alteration during design development and procurement. In any event, the Annex to PPG2 sets out the necessary controls on the extent of footprint and the effect on

- openness; and in considering the overall balance, the extent of redevelopment already carried out must be taken into account.
19. I give little weight to the idea that the overall MDS status is in doubt because changes in ownership have occurred, including the donation of part of the original garden to the City of London as part of Hampstead Heath (under the S106 to the 2005 permission) and the completion and sale of Caenwood Court. That would not be the holistic approach that is clearly the intention of policy, which recognises that some flexibility is necessary. Many MDSs might include for instance hospital uses that continue in limited form, or enabling development that necessitates a change of ownership of part.
 20. The planning brief sets out constraints and opportunities in a proposed strategy for development of the site. The firm intention is to retain Athlone House and reinstate its historical features, but the Council accepts the principle that a replacement of the existing unlisted building can be considered.
 21. I turn then to the 4 criteria set out in paragraph C4 of PPG2. The development plan provides no assistance in defining how size is to be measured. Floor space is a reasonable starting point, which can be followed by other considerations such as volume and disposition on the site in order to reach a conclusion on size. For comparison purposes, all the original buildings comprising the hospital in 1999 had a gross external floor area (GEA) of 7192 square metres (sqm)¹ with a footprint of 4962 sqm. Whilst the overall development including Caenwood Court and the proposed house with new basement (this element measured in gross internal area- GIA) would have a much greater GEA of 12586 sqm, an increase of about 70%, the footprint would be significantly reduced at 4099 sqm. This reflects the increase in the number of floors above and below ground compared with the previous single storey wards. The proposed new basement of the appeal scheme would only be visible on the west elevation. If its internal area of 1918 sqm was to be discounted, the comparative total GEA would still be in the order of 10668 sqm, an increase of about 48%. Considered alongside the reduction in footprint, even taking into account parts of Caenwood Court that I observed below general ground levels, there would be a significant increase in built volume.
 22. The 2005 permission already represented an increase in GEA of about 35% over the 2003 floorspace (from 7418 to 10015 sqm) and the appeal proposal represents a further increase of 26%. Even subtracting the basement from this latter calculation still indicates an increase of around 8%, including a 70 sqm allowance for the extension of Caen Cottage, which is not going to take place as part of the proposal. I conclude that there would still be a significantly greater amount of visible bulk which would diminish openness. As the guidance lays emphasis on where possible, having less impact on openness, I cannot conclude otherwise than that on this point, the scheme would fail to meet the criteria in paragraph C4 (a).
 23. Briefly looking at the other criteria (b), (c) and (d), there is no dispute that the proposal would contribute to the achievement of the objectives for the use of the land in Green Belts (or MOL) set out in paragraph 1.6. It would not exceed the height of the existing buildings. The footprint would be reduced. I do not rely on this to mitigate in any way for the increase in floor area; it reflects an

¹ Docs 45 & 49

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- increase in the number of floors and hence, size. This is reflected well in the photographs of the model which show the MDS before and after.²
24. The Council prefers to consider the appeal site as a smaller planning unit separate from the MDS, whence paragraph 3.6 of PPG2 becomes relevant. The guidance says that the replacement of existing dwellings need not be inappropriate, providing the new dwelling is not materially larger than the dwelling it replaces.
 25. The existing dwelling on site is substantially curtailed following demolitions, firstly, a long time ago, of large domestic adjuncts such as the conservatory and servants' accommodation; and much more recently, large buildings associated with hospital use. What remains now is not the original dwelling nor is it a building which could be occupied without very substantial alteration. To establish a baseline, it is suggested that the building should be considered as it existed in 2003, without the single storey wards (as preferred by the appellant) or the 2005 planning permission which is partly implemented, and would include all the facilities necessary to live at the property, including garages. Those areas would be 2977 sqm or 2492 sqm GEA respectively, including basements expressed in GIA. The comparable floor area of the proposed house would be 5063 sqm. Compared to both of these measures, the new dwelling would be very significantly larger.
 26. The appellant suggests that the basement should be given significantly less weight because it would have a minimal effect on openness, but that is not part of the test of whether a development would be inappropriate in MOL, only a factor to be taken into account in assessing the effect on openness and visual harm, a separate matter. But even leaving the basements aside completely, using the same comparisons, there would be an increase from 2751 or 2268 sqm to 3145 sqm, or in percentage terms, an increase of about 14% or 39%. The increase in floor area proposed above ground would not be insignificant or marginal.
 27. Moving on to take into account other relevant matters such as design, massing and disposition on the site, the proposal would not be reticent in its appearance. Its size would be clearly perceived, not least due to the appearance of 4 main occupied floors all with windows in the west elevation seen from the gazebo in the Kenwood House Registered Park and Garden (RPG) at viewpoint (VP) 1 (albeit that the basement window would be smaller and in some views partially obscured by trees), compared to 2 at present. Three glazed floors in the south elevation would be visible from parts of the Heath, compared with 2 at present, even taking into account more intensive boundary planting. Due to the falling ground levels, the tower towards the rear would be hardly visible from close to the southern boundary and the elevation would lack the variety that the existing tower and roof provides for Athlone House in this view, appearing somewhat monumental as a result. The deliberately symmetrical, similar appearance of the 3 main elevations, the limited articulation of the facades and relatively unrelieved, flat roofline would tend to reinforce the perception of greater mass. These are not comments on the quality of the architecture. It is enough to say that the design is intended to draw the eye; to have a visual impact. In such circumstances, even a small increase in size becomes significant. All of these observations support my

² Doc 40

earlier conclusion on the effect of the proposal on openness. The scale and impact of that harm to the openness of the MOL would be substantial and is to be weighed in the balance, in addition to the harm caused by inappropriateness.

28. The appellant draws attention to other cases where larger percentage increases were sought, but the detail plans of those developments and the full circumstances surrounding them bear few similarities with the appeal proposal. In the most recent and relevant, the *Garden House* case³, the proposed floor area was 3 times and volume 4 times the original, but much of this was below ground and the architectural treatment was intended to break down its perceived bulk. It would not have been easily visible to the public eye. It bears little comparison with the present case, except in clarifying that the test in paragraph 3.6 primarily concerns whether a building would be materially larger and not whether it would have a greater visual impact, though that may affect the overall planning judgement. The general intention of policy guidance is that the new building should be similar in scale to that which it replaces. Using the word 'materially' in its normal sense, I conclude that a materially larger dwelling is proposed.
29. To clear up a point made on behalf of the Council, I discount the suggestion that because of the decades of hospital use, there is no dwelling to be replaced. The building was unarguably a dwelling for about 70 years before being taken over for military use. It clearly resembles a dwelling as opposed to a more institutional use and has an extant planning permission for residential use.
30. I have taken into account the significant reduction in the amount of hardstanding proposed. However this does not go very far to mitigate for the proposed increase in built form. I conclude that the proposed development would be inappropriate development in MOL. Inappropriate development is, by definition, harmful to MOL. The Secretary of State attaches substantial weight to the harm which arises from such development.

The effect on the character and appearance of the conservation area

31. I have considered the proposal having regard to Planning Policy Statement 5 (PPS5) *Planning for the Historic Environment* which superseded Planning Policy Guidance Note 15 (PPG15) *Planning and the Historic Environment* in March 2010. The LonP was prepared in the light of the earlier PPG15 but the CS and Development Policies were adopted in November and the heritage protection aims of policies CS14 and DP25 are consistent with PPS5. The relevant wording advises that development will only be permitted within conservation areas that preserves and enhances the character and appearance of the area; and the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms its character or appearance will be prevented, unless exceptional circumstances are shown that outweigh the case for retention.
32. The CAAMP is relatively recent and was completed at about the time when demolition of the hospital extensions at Athlone House was taking place following the 2005 planning permission. It describes the essential character of Highgate as a close-knit village on high ground with mostly 18th and 19th

³ Court of Appeal *Garden House* Case, (R (oao Heath and Hampstead Society), Camden LBC & Vlachos) CD103

century buildings though there are also significant examples from the 17th and 20th centuries. Athlone House lies at the edge of the village, at the far western end of the conservation area where Hampstead Lane passes the rear of the Kenwood Estate at the top of Hampstead Heath. There is a gradual transition from the built up intimate surroundings of the village, through Georgian and Victorian residential development with some modern infill, to a much more open aspect where the lane begins to bend and green space (MOL) extends on both sides of the road. Here, Athlone House is seen in silhouette, rather on its own, on the edge of a perceivable south and west facing slope opposite the open playing fields of Highgate School. The recently constructed Caenwood Court does not detract; its architecture is unassertive and subdued and well to the east, partially behind the old Coach House when the tower comes into view. At this point, Athlone House, despite its losses over the years, is a distinct feature due to the visual impact of its siting, tower, steep tiled roofs, prominent gables and reduced chimneys.

33. Much of the conservation area is open green space with a rural character. Seen from the south and south west, a wide tree covered slope forms the western side of the hill on which the village stands and dominates the houses which lie within much of it. This is 'Fitzroy Park' or sub-area 2 of the conservation area, within which the appeal site is situated. Fitzroy House stood on the site of Athlone House before being demolished in 1828. Fitzroy Park is now the name of a winding road from Highgate around the west side of the village down to the Heath.
34. Athlone House and its tower projecting above the trees is a prominent building seen from the Heath itself, but is less visible from Fitzroy Park or the rest of the sub-area to the south east. It is the nearest of a number of large mansions that punctuate the hillside, which is surmounted by the steeple of St Michaels Church. Not all are easily seen from public viewpoints. The others are all listed. Beechwood, on a site adjacent to Athlone House and Caenwood Court, is in a dip in the landscape. The Elms is a little more exposed. Most obvious and significant is Witanhurst, a large early 20th century mansion with a symmetrical classical frontage that dominates the higher parts of the hill. The CAAMP comments that Athlone House is a positive contributor to the conservation area because it is an elaborate property set into the hillside overlooking the Heath and in longer views.
35. Although an unlisted building by a less well known architect, Athlone House is still of heritage interest and is a heritage asset; it holds meaning for society over and above its functional quality, as a reminder of the history of the area. The representations strongly support this. However, the main elevations remain only in fundamental form and massing, without a great deal of the detail that gave the original building much more architectural interest and significance. The north elevation is particularly damaged and is unattractive seen from Hampstead Lane. Its currently dilapidated, unoccupied state is clearly visible from the Heath, and the loss of fabric and architectural detail caused by long term institutional use diminishes its contribution to the wider, designated conservation area.
36. The 2005 permission provides the means by which the Council can control, to a certain extent, the works undertaken and reinstatement of historic features, but this would not be sufficient to regain more than a suggestion of its former interest. Chimneys and gables would remain plain and curtailed, and the

previously flamboyant finials would be simple and repetitive. There would be little control over the quality of replacement windows and other repairs to the fabric that are necessary, the combined impact of which could well detract. Moreover, the new garage block proposed would be of unremarkable architectural quality but would be prominent in the view from Hampstead Lane.

37. Before turning to the merits of the appeal proposal, it is necessary to consider the guidance in PPS5 and its accompanying Practice Guide. Whilst the aim of national policy is to conserve heritage assets, that is not to be at all costs. The individual contribution made by Athlone House as a damaged unlisted building to the significance of the conservation area is positive, but is limited. Its demolition would harm the conservation area, but if a replacement is of sufficiently high quality, a greater contribution might be possible. The important objective is to manage the process of change to the conservation area in a way that preserves, or sustains, and where appropriate enhances its significance. Following the additional guidance on interpretation of policy HE9.5 issued by EH on 11 July 2010⁴, the heritage significance of Athlone House and its potential loss (or refurbishment) has to be judged against the impact of the proposed replacement building on the significance of the designated conservation area, in accordance with the criteria set out in policy HE9.2.
38. The character of the conservation area is sufficiently diverse to absorb much modern development alongside the old. It has a remarkable degree of contrast within it which defines its eclectic nature; between flat/sloping, woodland/urban, regular plots/irregular, classical/utilitarian. In many places, well designed modern development has blended successfully with older architectural styles. That is no different at the appeal site, where the restrained Caenwood Court sits comfortably between Beechwood and Athlone House. As such, in principle, a replacement contemporary building of sufficient quality could preserve and enhance the character and appearance of the conservation area at least as much, if not much more than the building which exists at present.
39. The replacement building is intended to be a combination of a traditional or classical vocabulary with a design which could only exist in the current day. A series of disciplined interlocking orders, with specific proportions and combinations of detail, are assembled in a way which reflects the development and interpretation of classical architecture in previous centuries. There is considerable disagreement over the merits of this approach but common ground however, in recognising the qualifications and track record of the architect in developing a repertoire of classically inspired buildings. There is also an acknowledgement by all of the quality of the design proposed here, if not its suitability for this particular site.
40. It is not the Government's aim to attempt to impose architectural styles or particular tastes, but overall scale, massing, height, landscaping, alignment, form, materials and layout in relation to the local area are matters of proper concern. The scheme would occupy a similar footprint to the building which previously existed. Its tower, although set further back on the site, would perform a similar function to the existing tower in punctuating the wooded hillside. The main elevations of the house itself would be symmetrical with a

⁴ Para 2.20 of KM rebuttal

strong architectural presence and increased volume. In this regard, the building would contrast strongly with the existing house and I do not doubt that this would be apparent to most observers looking at the building from the Heath, despite the abundant trees. The view from the important viewpoint within and near to the gazebo, in particular, would be of a full 3 storey building with an additional obvious basement level, with a much more horizontal roof profile.

41. Notwithstanding its increased bulk and assertive architectural form, the building's influence on the conservation area would be positive. The existing building is a similarly strong architectural statement but has an entirely different historical inspiration typical of its time including classical, gothic, tudor and 'swiss cottage' elements, cloaked in a colourful, effusive envelope. It was intended to impress when it was built. The current proposal, of completely different appearance, could be said to be following in its footsteps as a built expression of opulence. That is not unusual in this area or in London as a whole, and has a long tradition. Moreover, it would not appear out of place seen in the same context as Witanhurst, which also has a symmetrical (but different) main elevation.
42. I have taken account of the proposal seen from Fitzroy Park. The CAAMP notes that Fitzroy Park is a main pedestrian approach to Hampstead Heath with a rustic character enhanced by its informal, unmade style; and advises that this quality is important to the setting of the conservation area and the Heath. I consider that the character and appearance of this part of the conservation area would not be affected by the appeal proposal, the main bulk of which would be hidden behind trees.
43. Returning then to policy HE9.2, dealing with each of the criteria in turn. The substantial public benefit of the replacement building consists of the creation of a significant new home that would be a positive contributor to the conservation area, together with the comprehensive repair and refurbishment of the historic gardens, for the long term. Whilst the existing building could become a dwelling (and that would also include the benefit of occupation and work to the gardens) the implications for the existing fabric of the necessary repair and modernisation to suit a new occupier could not be effectively controlled because it is not listed. For instance, there would be nothing to prevent changes resulting from compliance with current building regulations, with all that that implies. In any event, at best, the contribution it makes to the conservation area at present would be only marginally improved. More uncertainty would result if, as the Council acknowledges is likely, a new occupier sought to change the approved plans and increase the amount of accommodation. In this respect, I appreciate that modern extensions to older buildings can be successful, as suggested by Mr Lowe; but there would still be little control over the works carried out to the original fabric which is regarded as the heritage asset. These concerns are a significant risk.
44. There is no viable use for the building in the medium term, given the extent of repairs necessary; whatever solution is appropriate requires a major investment for the long term. There is no other money available from charities or through public ownership that I have been made aware of. Finally, the loss of the limited contribution the building currently makes to the conservation area, with all the risks attached to repair and refurbishment, would be outweighed by the long term contribution made by the appeal scheme.

Leaving aside matters of individual taste, the new building would benefit from a thoughtful design and high quality finishes, which will mellow in time as those of Athlone House have done.

45. Having said that, its scale and massing would be greater. But the house would not, in my view, be so much larger in visible bulk as to conflict with the aim of preserving and enhancing character and appearance; the building would be on a unique site in substantial grounds. It would still be subservient to the wooded setting. The restoration and enhancement of the historic landscaped grounds would complement its appearance. It would define the edge of the conservation area in spacious surroundings.
46. I have had regard to the effect on the character and appearance of the Highgate Conservation Area in Haringey. The tower would be closer to the road than that of Athlone House, but there would be significant trees between the new house and Hampstead Lane, some of which would be new and some existing on land belonging to the Heath. I have remarked on the poor quality of the northern elevation of the existing building. The development would preserve and enhance the character and appearance of this conservation area. However, MOL extends across Hampstead Lane to encompass the playing fields of Highgate School. The increase in the volume of built form and the repositioning of the tower nearer to the road would diminish openness.
47. I conclude on this issue that although the proposed development would conflict with the requirement of the planning brief to retain Athlone House, it would preserve and enhance the character and appearance of the Highgate Conservation Area and would not conflict with the heritage protection aims of policies of the LonP, policy CS14 of the CS, policy DP25 of the DP or advice in the CAAMP.

The character, appearance and setting of surrounding open space

48. Hampstead Heath is owned and managed by the City of London. The City works with the London Boroughs of Camden and Barnet, within which the Heath lies, on matters including protection of its views. The Kenwood Estate including Kenwood House (listed Grade I) and its RPG (listed Grade II*) west of Athlone House is owned and managed by English Heritage. Highgate and Hampstead villages form an urban backdrop to the northern fringes of the Heath and there are extensive, well known views over much of London and the North Downs beyond.
49. Camden's CS policy CS15 seeks to preserve and enhance the historic, open space and nature conservation importance of Hampstead Heath and its surrounding area by various measures, including protecting MOL, public and private open space and protecting views from the Heath and across it and the surrounding area. The City's Hampstead Heath Management Plan Part 1 *Towards a Plan for the Heath 2007-2017* advises that Hampstead Heath is the largest area of open space in north west London and that the natural qualities of the Heath are its richest asset. The document advises that not everything has to stay the same, but threats to the Heath including planning applications for development adjacent to or visible from the Heath could erode or adversely affect its atmosphere or landscape setting.
50. It is common ground that the existing building makes a positive contribution to the character of the Heath. The City submits that the positive contribution is a

result of its asymmetric, picturesque form and profile, providing an incident in views; particular features of the building being glimpsed, catching the eye among the trees. The intention of the architect of the appeal scheme is to perpetuate the quality of the development as a picturesque incident in views from the Heath. I concur that if the building is to be acceptable in views from the Heath, that is a valid approach, though many others could meet that objective. However it is important to record that the principal focus from the Heath is downhill to the wide expanse of London. From the nearest viewpoint, the gazebo (VP1) the panorama of London is the main focus and Athlone House appears as an incident in the setting of the Heath surrounding that experience.

51. The design can be assessed objectively in order to reach a conclusion as to whether the effect of the building on surrounding open space would be acceptable. The proposed Bath stone external finish would be brighter than the existing building but would darken and subdue with time, as would the copper domes. The existing building was constructed as a flamboyant brightly coloured mansion which has weathered over 150 years. Any cleaning would be likely to restore that. I do not give a great deal of weight to the alleged brightness of the new house as a negative factor.
52. The height of the tower would be lower than that existing. Although it would be set back further on the site this would not seriously diminish the contribution it makes to the Heath's surroundings or materially affect enjoyment of the Heath by visitors.
53. The symmetrical form of the elevations of the main house would be perceived in views from the upper parts of the Heath (VPs 1, 2 and 4) but would be partly hidden by trees for much of the year. The main bulk of the house underneath the tower would be virtually out of sight from the ponds and from viewpoints south of VP5. Symmetricality adds to an impression of rigidity, bulk and dominance, whereas an asymmetric and/or an eclectic, more romantic scheme could be said to have an opposite effect. However, the building would be seen mostly in a kinetic or moving experience, as walkers move across the landscape. The tower would be a constant in this view, much as the existing Athlone House tower is a focal point of reference above the trees. The house beneath this would appear to revolve around the tower and bearing in mind the surrounding vegetation which forms its setting, elevations would seldom be seen as they are on an architect's drawing. The building would have a similar footprint to earlier incarnations of Athlone House in its heyday as a private dwelling and although larger and more prominent, would still be only an incident in the broad expanse of woodland that encompasses Highgate Hill. The trees would remain the dominant feature in the view. Moreover, symmetricality is a feature of Kenwood House and Witanhurst, which have very different settings; and do not raise objections. I accept that there would be a change that people would notice, but I am not convinced that the impact would be so significant that views from the Heath or other nearby open space would be unacceptably affected.
54. The articulation of the facades and the roof profile would not display the same eclectic variety or interest as Athlone House, but there would still be some differences in planes, especially between the corner turrets or 'pavilions' and at second floor level, which would reflect and absorb sunlight and create interest. The building would rely on its classical compositional qualities rather than on an exuberance of different styles. I do not consider that the differences amount to

- a reason to conclude that users of the Heath would find their enjoyment compromised, particularly as the appearance of Athlone House is not assured.
55. The City lays store by a perceived gap in the process of design development as illustrated in the Design and Access Statement, suggesting that the proposed design has been 'dropped in' without any obvious derivation from the peculiar qualities of the location; and is almost a design that could be put anywhere. I do not place great weight on this argument; the written text describes a thought process based on the unique opportunities and constraints of the site. The preference for a symmetrical scheme as opposed to an asymmetrical, similarly classically derived design suggested by some seems to be largely academic. It is no less valid an approach in seeking to improve the character and quality of the area. I would not expect the explanation of the design process to always smoothly connect together in an evolutionary way, though it might; a designer must be able to bring in other influences and perhaps inspiration in the final synthesis or solution. In all of this, there are the requirements of the individual client to consider and there is nothing in planning policy that seeks to influence architectural style beyond insisting it is of high quality. Opinions are divided on that point, but I heard no persuasive arguments for concluding that the design, in itself, would not be of a high quality. It may well be self-referential in concept, but that characteristic could be expressed in many architectural styles and is the reason Athlone House was built on the site in the first place, as a vehicle for self expression and as a demonstration of one individual's industrial success.
56. Athlone House cannot be seen from Kenwood House, only from the eastern side of its RPG. There is a broad measure of agreement that it would not be affected to any degree by the proposal. That house lies in its own dedicated valley beyond a ridge.
57. I conclude on this issue that the proposed scheme would not diminish the character, appearance or setting of surrounding open space and would not conflict with LonP, CS or City of London policies that aim to protect Hampstead Heath.

The S106 Agreement

58. I have given consideration to the S106 Agreement having regard to information provided at the Inquiry and the guidance in *Camden's Planning Guidance*, a Supplementary Planning Document adopted in 2006. This provides advice on details to be covered by planning obligations. The provisions of the Agreement are directly related to the proposed development, fairly and reasonably related in scale and kind, and would be necessary to make the development acceptable. They meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations (2010).

Other considerations

59. The effect on the openness of the MOL is primarily a matter of the nature, scale, bulk and site coverage of the development and its physical effect on the appeal site and the MDS, whereas the effect on the character and appearance of the conservation area and the visual amenities of MOL is primarily its impact on the wider area as seen from public viewpoints. Nothing in any other PPG or PPS overrides the general approach to development set out in PPG2. The site is unlike the rest of Fitzroy Park or other parts of the conservation area, in

being designated as MOL along with Beechwood, The Elms and land on the opposite side of Hampstead Lane. The positive contribution that the development would make to the character and appearance of the conservation area, the lack of harm to the character, appearance or setting of surrounding open space, and any other considerations, are factors to be weighed in the balance. The absence of harm is not a positive factor. If minimal or no additional harm is caused by a material consideration, this does not add weight in favour of the proposal or diminish the harm by reason of inappropriateness. It merely adds little or no additional weight against it.

60. In addition to the harm caused by inappropriateness and to the openness of MOL, together with the positive contribution that the scheme would make to the conservation area and the lack of harm to surrounding open space, weight is attributed to other matters as follows.
61. The costs of extending, repairing and refurbishing the existing building would be very substantial, bearing in mind the extent of deterioration of the fabric, particularly damp penetration. I consider it is extremely likely that a new owner would wish to take advantage of its unlisted status by replacing existing features with new in a way which would ensure a reasonable maintenance-free life. This adds to my concerns that the appearance of the building could change significantly and unpredictably. Having said that, I do not exclude the possibility that a refurbishment of the existing Athlone House might be attractive to some investors; but on balance, the evidence suggests that at the level of expenditure required of between £14-21 million, a new owner would be unlikely to find it worthwhile to restore an unlisted building which has already lost a substantial amount of fabric and much special interest, and which would be unlikely to provide the space or room layout demanded. However none of this constitutes a persuasive argument in favour of a significantly larger building which would be inappropriate in MOL.
62. The appellant considers the scheme to be an architectural masterpiece. As stated above, opinions are divided on whether the development would be of high quality in all its aspects. I am conscious that the lack of unanimous support may not mean such an accolade is undeserved. The merits of the design are supported by some learned practitioners, but their views are not shared by others. In any case, it is not clear that the house needs to be of such substantial bulk to achieve a high level of architectural quality, which could take many forms. In the planning balance that has to be made, the positive weight that would attach to a development of high architectural quality is reduced by these concerns.
63. The restoration of the grounds and gardens including notable features such as the ornamental Pulhamite pond and the Milner folly are real benefits of the proposal but the restoration of historic features forms part of the 2005 permitted scheme along with improvement of the garden, lawn and similar nature conservation measures. I accept there would be differences, but they are not so significant as to give this aspect a great deal of weight.
64. There is evidence that large houses suitable for entertainment do contribute to London's role as a world city but it is also clear that a wide variety of properties are available in the metropolis with individual qualities of location and accommodation, not least in the immediate locality. Whilst the appeal property would provide an unusually spacious resource and would be a further example

- of a long tradition of extravagant mansions in the capital, there is no evidence of a shortfall. The particular requirements of one occupier may only exist for a short time and should not overrule more general planning concerns. I give this very limited weight.
65. The provision of further affordable housing, over and above that provided as part of the 2005 permission, is a positive aspect that flows from many new developments. The demand for affordable accommodation is acknowledged but must be viewed with other planning considerations. It is not a unique feature that deserves significant positive weight.
66. The commitment of the appellant to increased levels of sustainability in terms of the Code for Sustainable Homes is a positive feature but the standard of any new residential construction is required to meet increasingly high sustainability measures under the Building Regulations. I give this aspect minimal weight.
67. The ending of a long period of uncertainty during which Athlone House has been empty and deteriorating is welcome but in my view, it is extremely unlikely that the site would remain undeveloped given its unique location. This is not a strong factor in favour of giving permission to a larger building which would conflict with other planning policies.
68. I have taken into account the 2011 Budget in which the Chancellor of the Exchequer published proposals to help rebuild Britain's economy, including a 'Plan for Growth'. I give significant weight to the need to support sustainable economic recovery, but that must be balanced against the key development principles set out in national planning policy including those which seek to protect MOL. I regard it as unlikely that the site will remain undeveloped and benefits to the economy would also result from a refurbishment scheme or a new build of lesser size.
69. I have taken into account all the other matters raised. I do not consider that moving the entrance to the north side provides any appreciable advantages in terms of landscaping. Notwithstanding the reduction in hardstanding, the process by which visitors approach large dwellings is an important part of the experience and the earlier 19th century arrangement allowed a glimpse of the extensive grounds. I appreciate that many interested persons expected the S106 agreement attached to the 2005 consent, and its successors, to ensure the future of Athlone House as a refurbished dwelling. However, there was nothing in that agreement to prevent the new apartments at Caenwood Court being completed and occupied without completing the refurbishment of Athlone House; and nothing to prevent sale of part of the site. There was nothing to prevent the submission of a new planning application in what the appellant considered were changed circumstances. These were fully aired at the Inquiry.
70. I have found that the proposal would preserve and enhance the character and appearance of the conservation area. That benefit weighs cumulatively in favour along with other positive factors such as the quality of the design. The scheme would not adversely affect the atmosphere or landscape setting of Hampstead Heath, but this adds no weight in favour. Other considerations favour the scheme but have little or minimal weight. None of the material considerations, singly or cumulatively weigh sufficiently in the balance to clearly outweigh the substantial harm that attaches to inappropriate development in MOL and the harm to openness.

Very special circumstances

71. Very special circumstances to justify inappropriate development in MOL will not exist unless the harm caused by inappropriateness, and any other harm, is clearly outweighed by other considerations. I find that the other considerations in this case do not clearly outweigh the harm I have identified and the very special circumstances necessary to justify the development do not exist.
72. I conclude that the proposed development would conflict with the MOL protection objectives of LonP policies and policy CS15 of Camden's Core Strategy, and planning permission must be refused. In the lack of an acceptable replacement for the existing building, the appeal against refusal of conservation area consent must also fail.

Paul Jackson

INSPECTOR

APPEARANCES

FOR THE LOCAL PLANNING AUTHORITY:

Peter Harrison	Queen's Counsel, instructed by the Head of Legal Services of the London Borough of Camden
He called	
Kevin Murphy B Arch MUBC RIBA IHBC	Principal, KM Heritage
Alex Hutson MLPM MRTPI TechArborA	Tree and Landscape Officer, London Borough of Camden
Andrew Jones BSc MRICS	Partner, BPS Chartered Surveyors
Charles Thuaire BA Dip TP MRTPI	Senior Planner, London Borough of Camden
Neil Powling Dip BE FRICS DipProjMan(RICS)	Chartered Surveyor

FOR THE APPELLANT:

Robin Purchas	Queen's Counsel, instructed by Withers LLP
He called	
Professor Robert Adam	Principal, Adam Architecture
Robert Chitham RIBA IHBC	Consultant to Chapman Taylor
Professor David Watkin	Professor Emeritus of the History of Architecture at the University of Cambridge
Catherine Bickmore BSc MSc CMLI MIHort	Managing Director, Catherine Bickmore Associates Ltd, Environmental Consultant
Dr Mervyn Miller	Chartered Architect and Town Planner, specialising in the historical built environment
Jacquelin Fisher BSc MSc CMLI FAE	Expert Witness on landscape matters
Sean Monie BSc MRICS	Director, Building and Project Consultancy, Savills Commercial Ltd
Ian McCoy BSc MRICS	Partner, Selway Joyce Partnership
David Peters BSc FRICS MAE	Head of Residential Valuation, Knight Frank LLP
Roger Hepher BA MTP FRICS MRTPI FRSA	Head of Planning Consultancy Division, Savills

FOR THE CITY OF LONDON CORPORATION:

Guy Williams	Of Counsel, appointed by the Comptroller and City Solicitor of the City of London Corporation
He called	
Professor Robert Tavernor	Emeritus Professor of Architecture and Urban Design, London School of Economics and Political Science

FOR THE ATHLONE HOUSE WORKING GROUP:

David Altaras	Of Counsel, instructed by Hunt & Lisners, assisted by Geoffrey Sullivan, of Counsel
He called	

Professor Joseph
Rykwert
Deborah Wolton

Paul Philippe Cret Professor of Architecture
Emeritus at the University of Pennsylvania
Local resident

INTERESTED PERSONS:

Ian Harrison	On behalf of the Vale of Health Society
Selwyn Lowe	PKS Architects
Terence Ewing	On behalf of the Camden Association of Street Properties
Jeremy Wright	Local resident

DOCUMENTS

- 1 Letter of notification.
- 2 Revised soft landscape drawings JF-102 rev B and JF-103 rev B supplied by the appellant.
- 3 Statement from Petra Dando representing the Camden Association of Street Properties.
- 4 Corrected drawing, part of Appendix 3 to rebuttal of Robert Adam, supplied by the appellant.
- 5 Supplemental note to evidence of Robert Tavernor, supplied by the City Corporation.
- 6 'The New Provost's Lodgings at Queen's' by Mark Girouard, provided by David Watkin.
- 7 Note from David Watkin quoting Mark Girouard on the replacement designs for St George's Hall at Windsor Castle.
- 8 Letter dated 26 November 2009 from English Heritage to Camden Council, provided by the appellant.
- 9 Standing Building Assessment of Athlone House dated December 2005 prepared by the Museum of London, provided by the Council.
- 10 Note to neighbouring residents dated February 2011, provided by the appellants.
- 11 'An alternative to demolition' scheme supplied by Selwyn Lowe.
- 12 Extract from 'Hampstead Heath' by Deborah Wolton and David McDowall, provided by the appellants.
- 13 Statement from the Vale of Health Society, submitted by Ian Harrison.
- 14 Extract from 'Hampstead Heath: The Walker's Guide' by Deborah Wolton and David McDowall.
- 15 Response to Neil Powling's Report by the Selway Joyce Partnership, dated February 2011.
- 16 Statement of Agreement following meeting between Neil Powling and Ian McCoy on 11 February 2011.
- 17 Notes of meeting of 11 February 2011.
- 18 Budget estimate dated January 2011 for alterations and extensions to Athlone House, prepared by Selway Joyce.
- 19 Views from footpath between Hampstead Land and Hampstead Heath, provided by the appellants.
- 20 Paragraphs 7.38-7.49 from Guidelines for Landscape and Visual Impact Assessment (Second Edition) (GLVIA).

- 21 Copy of letter from the Mayor of London dated 30 November 2010 to the Council objecting to the application, provided by the Council.
- 22 Athlone House Model Photographs, provided by the appellant (see Doc 40 below).
- 23 Copies of drawings of proposals for ancillary buildings, by David Chipperfield Architects.
- 24 Coloured elevations of the original Athlone House (Appendix 3 to Robert Adam's proof of evidence) revised to indicate existing features (see Doc 35 below).
- 25 Agreed schedule of areas (see Doc 45).
- 26 Proposed Camden Local Development Framework Development Policies Submission, 2009, provided by the appellant.
- 27 Extract from transcript of 27 February 2011 (cross examination of Dr Miller) provided by the appellant.
- 28 Revised schedule of areas provided by Mr Hepher (see Doc 45 below).
- 29 Plans and photographs of Witanhurst, provided by the appellant.
- 30 Replacement Robert Adam drawings (CD65)
- 31 Comparative plans of the grounds of Athlone House and Witanhurst, provided by the appellant.
- 32 Comparative areas of hardstanding.
- 33 Boundary Planting- Explanatory Note, provided by the appellant.
- 34 Notes on the costs allowance made for the flagpole, crenellations and original tower features, provided by the appellant.
- 35 Further revised and corrected versions of the existing Athlone House elevations with comments by Dr Miller, provided by the appellant.
- 36 Hampstead Heath leaflet referring to over 10 million visitors, provided by the Council.
- 37 Paragraphs 2.27-2.31 from the GLVIA relating to the sensitivity of the landscape to change, provided by the appellant.
- 38 Second rebuttal by Neil Powling of the Selway Joyce Partnership response, provided by the Council.
- 39 Landscape Institute Advice Note 01/11 *Photography and photomontage in landscape and visual impact assessment*, provided by the appellant.
- 40 Updated Athlone House model photographs, provided by the appellant.
- 41 PKS scheme estimate, provided by the appellant.
- 42 Extract from Supplementary Planning Report by RPS, dated March 2004, submitted by the appellant.
- 43 'Shaping Camden' Site Allocations Additional Sites (consultation) submitted by the appellant.
- 44 Aerial view of appeal site in hospital use, provided by the appellant.
- 45 Revised Roger Hepher area tables, provided by the appellant.
- 46 Bundle of submissions from Mr Ewing of the Camden Association of Street Properties.
- 47 Law Report, Heath & Hampstead Society v. London Borough of Camden, April 2007, provided by the Council (The Garden House case, ref CO/1454/2006).
- 48 Statement of common ground on biodiversity, historic landscape

- and landscape management, dated 22 February 2011.
- 49 Statement of common ground on features and measurements of pre-existing, existing, consented and proposed scheme, dated 23 February 2011.
- 50 Final statement of common ground on planning matters and viewpoints, dated 22 February 2011.
- 51 Signed and dated S106 Agreement

CORE DOCUMENTS

Previous planning applications and decisions

2003/2670/P

CD1 Application for planning permission

CD2 Officer's Report

CD3 Decision dated 5 October 2005

2006/1412/P

CD4 Application for planning permission

CD5 Officer's Report

CD6 Decision dated 19 June 2006

Section 106 Agreement

CD7 Section 106 agreement dated 4 October 2006

CD8 Deed of Variation to Section 106 agreement dated 19 June 2006

CD9 Deed of Variation to Section 106 agreement dated 10 October 2006

CD10 (Tabs A - W) Phase 2 renovation plans - Lincoln Campbell Associate drawing numbers 930/30 - 52

Instant applications and decisions

2009/3413/P (planning permission) and 2009/3422/C (conservation area consent)

CD11 Pre-application meeting report dated 6/12/2006

CD12 Application for planning permission

CD13 Application for conservation area consent

CD14 Officer's Report and addendum

CD15 Decision (2009/3413/P) dated 12 April 2010

CD16 Decision (2009/3422/C) dated 12 April 2010

Supporting documents for applications

CD17 Design and Access Statement, July 2009 - Robert Adam Architects

CD18 Landscape Design Statement, July 2009 - Randle Siddeley Associates
document number: LN58537/0001-EU-6558138/3

CD19 Historic Architecture Report, July 2009 - Dr Mervyn Miller

CD20 Landscape Visual Impact Assessment, July 2009 - Randle Siddeley Associates

CD21 Historic Landscape Report, May 2009- Catherine Bickmore Associates

CD22 Tree Survey, May 2009 - Catherine Bickmore Associates

CD23 Ecological Survey, May 2009 - Catherine Bickmore Associates

CD24 Archaeological Report, June 2009 - Wessex Archaeology

CD25 Planning Statement and Sustainability assessment for M&E Services Design, May 2009 - Slender Winter Partnership

CD26 Sustainability Assessment, July 2009 - Price & Myers

CD27 Structural Report and Site Set-Up Plan, May 2009 - Price & Myers
CD28 Preliminary Budget Estimate, July 2009 - Selway Joyce
CD29 Market Report, July 2009 - DTZ
CD30 Community Involvement Statement - Quatro
CD31 Planning Report, July 2009 - Derek Horne
CD32 Randle Siddeley drawing: 851.040.003 Rev C (superseded - see CD65M)
CD33 Randle Siddeley drawing: 851.001.003 Rev D (superseded - see CD65L)
CD34 Randle Siddeley drawing: 851.001.002 Rev B
CD35 Randle Siddeley drawing: 851.002.001 Rev A
CD36 Randle Siddeley drawing: 851.002.002 Rev A
CD37 Randle Siddeley drawing: 851.002.003 Rev A
CD38 Randle Siddeley drawing: 851.002.004 Rev A
CD39 Randle Siddeley drawing: 851.001.001 Rev C
CD40 Robert Adam Architects drawing: 5021/09 H (superseded - see CD65B)
CD41 Robert Adam Architects drawing: 5021/08 F
CD42 Robert Adam Architects drawing: 5021/07 F
CD43 Robert Adam Architects drawing: 5021/06 G
CD44 Robert Adam Architects drawing: 5021/04 G
CD45 Robert Adam Architects drawing: 5021/05 F
CD46 Robert Adam Architects drawing: 5021/03 D
CD47 Robert Adam Architects drawing: 5021/02 Rev A
CD48 Robert Adam Architects drawing: 5021/01 Rev A
CD49 Robert Adam Architects drawing: 5021/28 A
CD50 Robert Adam Architects drawing: 5021/30 A
CD51 Robert Adam Architects drawing: 5021/32 B
CD52 Robert Adam Architects drawing: 5021/34 Rev A
CD53 Robert Adam Architects drawing: 5021/35
CD54 Robert Adam Architects drawing: 5021/33 Rev A
CD55 Robert Adam Architects drawing: 5021/31 Rev A
CD56 Robert Adam Architects drawing: 5021/20
CD57 Robert Adam Architects drawing: 5021/26 D
CD58 Robert Adam Architects drawing: 5021/25 A (superseded - see CD65C)
CD59 Robert Adam Architects drawing: 5021/24 D
CD60 Robert Adam Architects drawing: 5021/23 D
CD61 Robert Adam Architects drawing: 5021/22 D
CD62 Robert Adam Architects drawing: 5021/21 E
CD63 Robert Adam Architects drawing: 5021/29
CD64 Robert Adam Architects drawing: 5021/27 D
CD65 Robert Adam Architects drawing: 5021/19 A
CD65A Robert Adam Architects drawing: 5021/03F
CD65B Robert Adam Architects drawing: 5021/09J
CD65C Robert Adam Architects drawing: 5021/25B
CD65D Robert Adam Architects drawing: 5021/36
CD65E Robert Adam Architects drawing: 5021/37
CD65F Robert Adam Architects drawing: 5021/38
CD65G Robert Adam Architects drawing: 5021/39
CD65H Robert Adam Architects drawing: 5021/40
CD65I Robert Adam Architects drawing: 5021/41
CD65J Robert Adam Architects drawing: 5021/42 i
CD65K Robert Adam Architects drawing: 5021/43
CD65L Randle Siddeley drawing: 851.001.003 Rev J
CD65M Randle Siddeley drawing: 851.040.003 Rev D
CD66 Planning Appeal Form (reference APP/X521 0/A/1 0/135357)

CD67 Listed Building Consent or Conservation Area Consent Appeal Form (reference APP/X5210/E/10/2135359)
CD68 Grounds of Appeal (APP/X5210/A/10/2135357 and APP/X5210/E/10/2135359)
CD69 Statement of Case of Athlone House Limited
CD70 Statement of Case of Camden Council
CD71 Statement of Case of the City of London Corporation
CD72 Athlone House Working Group letter dated 10 November 2010
CD73 Planning Policy Statement 1: Delivering Sustainable Development
CD74 Planning Policy Guidance Note 2: Green Belts
CD75 Planning Policy Statement 3: Housing
CD76 Planning Policy Statement 4: Planning for Sustainable Economic Growth
CD77 Planning Policy Statement 5: Planning for the Historic Environment
CD78 PPS 5 Practice Guide
CD79 Planning Policy Statement 9: Planning for Biodiversity and Geological Conservation
CD80 Planning Policy Guidance Note 13: Transport
CD81 Planning Policy Guidance Note 17: Planning for Open Space, Sport and Recreation
CD82 The London Plan (2008)
CD83 The Draft Replacement London Plan (2010)
CD84 Camden Unitary Development Plan (2006)
CD85 Camden LDF Proposals Map 2010
CD86 Camden Core Strategy (2010)
CD87 Athlone House Planning Brief (February 1999)
CD88 Highgate Conservation Area Appraisal and Management Proposals (2007)
CD89 Camden Development Policies DPD (2010)
CD90 Camden Planning Guidance (2006)
CD91 Camden Local Biodiversity Action Plan (2008)
CD92 Circular 11/95: The Use of Conditions in Planning Applications
CD93 Circular 05/05: Planning Obligations
CD94 English Heritage: Understanding Place
CD95 English Heritage: Guidance on the Management of Conservation Areas (2006)
CD96 English Heritage: Guidance on Conservation Area Appraisals (2006)
CD97 English Heritage: Conservation Principles, Policies and Guidance (2008)
CD98 English Heritage: The setting of Heritage Assets: English Heritage Guidance (consultation draft 2010)
CD99 English Heritage/CABE: Building in Context: New development in historic areas (2001)
CD100 English Heritage: Durability Guaranteed: Pulhamite rock work - its conservation and repair (2008)
CD101 Listing report, Athlone House, 1 March 1999
CD102 Listing report, Athlone House, 17 February 2004
CD103 R (on the application of Heath and Hampstead Society) v Vlachos 2008 EWCA Civ 193
CD104 Hobson v SSCLG 2009 EWHC 981
CD105 Feather v Cheshire East Borough Council (2010) EWHC 1420
CD106 General Public Use of Hampstead Heath Map
CD107 Pedestrian and Cycle Observation Study, 2007, Executive Summary
CD108 Hampstead Heath Management Plan Part 1, November 2007
CD109 Hampstead Heath Act 1871
CD110 Local Government Reorganisation (Hampstead Heath) Order

- CD111 City of London Hampstead Heath Management Plan 2006 - 2008
- CD112 The Significance of Hampstead Heath
- CD113 Register of Parks and Gardens of Special Historic Interest - Kenwood House
Miscellaneous
- CD114 Catherine Bickmore, Bat Survey, 2009
- CD115 Approved Landscape Management Plans (January 2007 and July 2007)
- CD116 Guidelines for Landscape and Visual Impact Assessment, Second Edition,
The Landscape Institute/Institute of Environmental Management & Assessment
(part only)
- CD117 Wirtz landscape plan
- CD118 Letter from Dwyer to London Borough of Camden, 25 February 2005
- CD119 Letter from Dwyer to London Borough of Camden, 30 March 2005
- CD120 Letter from English Heritage to London Borough of Camden, 26 April 2006
- CD121 Site plan accompanying planning applications 2009/3413/P and
2009/3422/C
- CD122 London View Management Framework, Section 1
- CD123 Savills' representations on Camden's Site Allocations Additional Sites
- CD124 Savills' representations on Camden Planning Guidance Phase 1
- CD125 Standing Building Assessment
- CD126 David Chipperfield plans
- CD127 Mayor of London letter to Camden Council, 30 November 2010
- CD128 Photographs of Athlone House model - South West and North East