

**THE LONDON BOROUGH OF HARINGEY
(HIGH ROAD WEST PHASE A)
COMPULSORY PURCHASE ORDER 2023**

DOCUMENT CD 9.15

**WITNESS 8: MICHAEL DUNN, THE TOWNSCAPE
CONSULTANCY**

OVERVIEW PROOF OF EVIDENCE

1. INTRODUCTION

- 1.1 My name is Michael Alan Dunn. I am a heritage specialist and I hold an MA in Building Conservation from the University of York (1998) and a post-graduate degree in Building Conservation from the Universität Bamberg, Germany (*Das Aufbaustudium Denkmalpflege*, 1993). I also have a BA in History from the University of Minnesota (1990) and a post-graduate diploma in Urban Design from the University of Westminster (2000). I have been a Full Member of the Institute of Historic Building Conservation ("IHBC") since 2000.
- 1.2 I have been professionally involved with managing change to the historic environment in England for 25 years. From 2001 to 2003 I was Conservation Officer at the London Borough of Haringey ("**Council**"), before I joined Historic England as an Inspector of Historic Buildings and Areas, becoming a Team Leader in the London Region the following year.
- 1.3 Until March 2023, I led a multi-disciplinary team of five specialists for Historic England in Greater London and was accountable for their expert advice. My role included conducting pre-application negotiations with developers and considering applications for planning permission, listed building consent and scheduled monument consent. Many of the applications I led on were highly complex and/or politically sensitive.
- 1.4 During my career at Historic England, I was directly involved in advising on projects affecting heritage in Tottenham, including the Tottenham Hotspur Stadium proposals and the repair of the Grade II* listed buildings at 810 High Road and 796 High Road (Percy House). I have visited the site numerous times professionally, and am regularly in the area in a private capacity. I last visited the site professionally on 14 September 2023 for the purpose of preparing this proof of evidence.
- 1.5 In April 2023 I joined The Townscape Consultancy ("**TTC**") as a Director. TTC is a townscape and heritage consultancy formed by leading built-environment professionals, building on the experience of the Peter Stewart Consultancy, which was acquired in October 2021 and formed the basis of TTC. Since then, TTC has grown into one of the largest and most experienced consultancies in the field, combining the expertise and reputation of a team of 20 professionals that include architects, urban designers, heritage and conservation specialists, planners and building historians.

2. PLANNING CONTEXT TO THE CPO INQUIRY

- 2.1 I have prepared this proof of evidence in support of the London Borough of Haringey (High Road West Phase A) Compulsory Purchase Order 2023 ("**the Order**").
- 2.2 I understand that the Council's purpose in making the Order and seeking its confirmation by the Secretary of State is to enable the Council to acquire compulsorily the land and the new rights over land included in the Order ("**the Order Land**") in order to facilitate the delivery of the first phase ("**Phase A**") of the comprehensive residential-led mixed use regeneration of the High Road West area in Tottenham, London ("**the Regeneration Scheme**").
- 2.3 The scheme to be carried out on the Order Land ("**the Scheme**") will deliver Phase A of the Regeneration Scheme and is to be undertaken in the southern part of the High Road West area. It comprises delivery of plots A to G within planning permission HGY/2021/3175 granted on 31 August 2022 ("**the Planning Permission**").
- 2.4 The development approved by the Planning Permission is hereafter referred to as the "**Development**".
- 2.5 I understand that the Development is currently subject to a judicial review challenge ("**Judicial Review**"), one of the grounds of which alleges that the Council failed to address the heritage impacts of the elements of the Development proposed to be located on parts of the site known as the Goods Yard and the Depot. In particular, it is alleged that the Council failed to address heritage impacts on the following assets:
- (a) 819- 821 Tottenham High Road (Grade II listed building)
 - (b) 797-799 Tottenham High Road (Grade II listed building)
 - (c) 790 Tottenham High Road (Grade II* listed building)
 - (d) North Tottenham Conservation Area
- 2.6 I was instructed in July 2023 to undertake an assessment of the heritage impacts of the Development with a view to evidencing whether there is any reason why planning permission for the Development, or similar development, would be refused on heritage grounds if the Judicial Review was successful.
- 2.7 I will provide an assessment on the impacts of the Development on designated and undesignated heritage assets. My assessment is independent of the heritage impact

assessment carried out by Montagu Evans in the HTVIA to support the planning application for the Development, as well as the heritage impact assessment carried out by the Council within the Committee Report and Addendum Report prepared in respect of the Planning Permission.

- 2.8 My evidence is to be read in conjunction with evidence of Tom Horne [CD 9.5] on planning matters.
- 2.9 The information in this proof of evidence is true to the best of my knowledge and belief. I confirm that the opinions expressed are my true and professional opinions, and that these opinions are expressed in accordance with the IHBC Code of Conduct.

3. TERMINOLOGY

- 3.1 In my proof of evidence references to the core documents are by the abbreviation, for example **[CD.1]**.
- 3.2 Specific abbreviations are noted in the text on first use, and these abbreviations are also set out in the Glossary **[CD 5.10]**.
- 3.3 Other proofs are referred to by the name of the author and core document reference. For example **[CD 9.1]**.

4. THE DEVELOPMENT

- 4.1 The Planning Permission for the Development grants consent for the redevelopment of land at High Road West, Tottenham (the "**Site**"), to provide new residential homes, new retail and commercial floorspace and a generous park and public space to create a new neighbourhood on a gateway site between Tottenham High Road and White Hart Lane.
- 4.2 The Development features a range of building types and spaces with buildings ranging from contextual blocks of two and three storeys to landmark tall buildings up to 29 storeys.
- 4.3 The description of development on the face of the Planning Permission is:

Hybrid Planning application seeking permission for 1) Outline component comprising demolition of existing buildings and creation of new mixed-use development including residential (Use Class C3), commercial, business & service (Use Class E), business (Use Class B2 and B8), leisure (Use Class E), community uses (Use Class F1/F2), and Sui Generis uses together with creation of new public square, park & associated access, parking, and public realm works with matters of layout, scale, appearance, landscaping, and access within the site reserved for subsequent approval; and 2) Detailed component comprising Plot A including demolition of existing buildings and creation of new residential floorspace (Use Class C3) together with landscaping, parking, and other associated works (EIA development).

5. MONTAGU EVANS HTVIA

- 5.1 In support of the application for the Planning Permission, Montagu Evans undertook an assessment of the likely significant effects of the Development on built heritage. The assessment was contained within a Built Heritage, Townscape and Visual Impact Assessment report ("**HTVIA**") contained within Volume 3 of the Environmental Statement [**CD 4.32**].
- 5.2 Section 4 of the HTVIA identifies 86 heritage assets that could be impacted by the Development, and the likely effects of the completed development based on the maximum parameter scheme were assessed by Montagu Evans in Section 9. Some degree of adverse impact from the completed development was identified for a small proportion of the designated and non-designated heritage assets assessed.
- 5.3 The qualitative and visual assessment conclusions reached by Montagu Evans are set out in separate tables within the overall HTVIA document and summarised at the beginning of the document. The overall conclusion, after weighing adverse and beneficial impacts, and the potential for the submitted design code to mitigate impacts, was that *"the proposals will give rise to some residual harm, which would be less than substantial in the terms of paragraph 202 of the NPPF. These assets comprise the North Tottenham CA; Tottenham Cemetery CA; Bruce Castle CA; 819 and 821 High Road N17 (grade II); 7 White Hart Lane (grade II); and, 797 and 799 High Road (grade II)".*

6. CONSERVATION OFFICER ASSESSMENT

- 6.1 The Council's appointed Conservation Officer assessed the heritage impacts of the Development.
- 6.2 I am aware of and have read the Council's Conservation Officer's assessment of the heritage impacts of the Development contained within the initial report dated 13 July 2022 [CD 4.24] and the subsequent addendum dated 21 July 2022 [CD 4.39].
- 6.3 I have not relied on the Council's Conservation Officer's assessment to inform my own independent assessment set out in this proof of evidence.

7. LONDON BOROUGH OF HARINGEY COUNCIL ASSESSMENT

- 7.1 The Council assessed the impact of the Development on heritage assets within the Committee Report [CD 4.9] as amended by the Addendum Report dated 21 July 2022.
- 7.2 The Committee Report set out the Council's detailed assessment of the most affected heritage assets, which were fewer in number than the more comprehensive list of 86 assets assessed within the HTVIA prepared by Montagu Evans. The Council's assessments of the impacts on individual assets generally put the level of harm caused at a higher level than the assessments of Montagu Evans, although the harm identified by the Council in each case was within the category of less than substantial.
- 7.3 In summary, the Council's position at paragraph 10.36 was that, overall, the Development would result in a *medium-high level of less than substantial harm to the setting of significance of designated and non-designated heritage assets, based on the Conservation Experts assessment of the maximum parameters, as set out in the parameters plans.*
- 7.4 The Council went on to consider its statutory duties at paragraph 10.37, stating that *...taking full account of the Council's statutory duty under sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, paras 202 and 203 of the NPPF this harm has been given significant weight and requires a balancing exercise against public benefit.*
8. In conclusion, at paragraph 10.45 the Council gave significant weight to the less than substantial harm caused to heritage assets, and concluded that the harm is *outweighed by substantial public benefits arising from the development, including the provision of much needed housing (including affordable housing), new community buildings, new public realm, a new energy centre, biodiversity enhancements, new jobs and positive local socio-economic impacts.*

9. HERITAGE ASSETS AFFECTED

- 9.1 Section 9 of the HTVIA contains Montagu Evans's assessment of the effect of the Development on the heritage receptors identified earlier within the HTVIA at section 5.
- 9.2 Based on my familiarity with the area and its heritage assets and my own assessment of the Development, I agree with Montagu Evans's identification of those heritage assets requiring further assessment as identified within Section 5 of the HTVIA. The location of these assets are shown on the heritage map appended to my evidence [CD 9.16.1].
- 9.3 I have considered the assessment undertaken by Montagu Evans in respect of those heritage assets requiring further assessment as set out within Section 9 of the HTVIA.
- 9.4 Having considered the assessment, I outline below the heritage assets that Montagu Evans in the HTVIA attributed some degree of adverse impact upon as a result of the Development. These heritage assets are identified and described below, and form the basis of my independent assessment. I note that the Council limited its assessment of the impact of the Development to the same heritage assets. In addition to the heritage assets identified by Montagu Evans and the Council, I include the Grade II* listed building at 790 Tottenham High Road, which was specifically referred to in the Judicial Review documents.

Listed Buildings

- 9.5 867-869 Tottenham High Road, Grade II listed: this building comprises a pair of substantial three storey early Georgian townhouses in red brick with a double-pile roof.
- 9.6 819-821 Tottenham High Road, Grade II listed within the Site: this building comprises a pair of three storey terraced houses dating from the early 18th century with rendered elevations, modern shopfronts and a modern flat roof.
- 9.7 797-799 Tottenham High Road, Grade II listed: this building comprises an asymmetric pair of three storey late Georgian (circa 1829, according to a historic plaque at 797) red brick buildings with butterfly roof structures behind parapets and modern shopfronts at ground floor.
- 9.8 790 Tottenham High Road (Dial House), Grade II* listed building: this is a prominent detached three-storey late 17th century townhouse in red brick with a hipped roof above a projecting timber cornice. Prominent chimneys rise from each gable, the southern of which is decorated with a painted sundial dated 1691. The interior was substantially reconstructed following a fire in the 1980s.

- 9.9 34 White Hart Lane, Grade II listed building within the Site: this is an early 18th century detached two storey red brick house of five bays, with a steep double-pile roof above a brick cornice and prominent chimneys at the gable ends. The building is bookended by later buildings, likely a coach house and stable block, in yellow stock brick that form part of the overall listing.
- 9.10 7 White Hart Lane, Grade II listed building: this is a small two-storey late Georgian villa with rendered elevations. It is set back from the street and originally detached, and comprises a central door with a fanlight, symmetrical six over six sash windows and a shallow pitched slate roof.

Conservation Areas

- 9.11 North Tottenham Conservation Area, partially within the Site: North Tottenham conservation area was designated in 1972, and follows the historic corridor of the High Road, encompassing the buildings on either side of the High Road from just north of Moselle Place in the south to Brantwood Road in the north. The boundary of the conservation area includes White Hart Lane to the west as far as the railway, including the Victorian railway station along Love Lane. The conservation area is described in detail in the HTVIA, so its character will only be summarised here.
- 9.12 In summary, the character of North Tottenham High Road conservation area is principally derived from the historic linear development along the High Road, which is lined with diverse historic buildings dating from the late 17th century, 18th century, 19th century and later. The buildings have been predominantly in commercial uses since the Victorian period, and their architectural quality is mixed, but some higher status houses survive from the Georgian period and earlier. White Hart Lane to the west was historically a more open country lane connecting Tottenham and Hornsey. Apart from the detached Georgian house at 34 White Hart Lane, there are currently no traces of the semi-rural origins of this part of the conservation area.
- 9.13 Bruce Castle and All Hallows Conservation Area: Bruce Castle and All Hallows conservation area was designated in 1976, and is formed around open land associated with the Grade I listed Bruce Castle, and the churchyard of the medieval All Hallows Church to the west. The character of the conservation area is principally derived from the combination of open parkland, mature trees and the highly significant historic building group of Bruce Castle, All Hallows Church and the Priory. The southern tip of the conservation area includes the Victorian development consisting of terraced houses and almshouses along Bruce Grove, whilst the northern part of the conservation area contains smaller scale Victorian cottages, terraced houses and almshouses.

- 9.14 Tottenham Cemetery Conservation Area: Tottenham Cemetery conservation area was designated in 1976, and is formed around the Victorian cemetery. Its character is principally derived from the open space, cemetery chapels, memorials and tombs that have occupied the area since the cemetery was created in 1858.

Locally listed buildings

- 9.15 Former Catholic Chapel and Pastor's House, Chapel Place, locally listed building within the Site: this is a simple 19th century chapel in yellow stock brick with a glazed fanlight above the principal entrance.
- 9.16 52 White Hart Lane (former Station Master's House), locally listed building within the Site: this is a simple detached house in yellow stock brick dating from 1872 and contemporary with the arrival of the railway and White Hart Lane station. The house is two stories and of three bays, with a rendered classical doorway and slate roof.
- 9.17 6A White Hart Lane, locally listed: this is a modest early 19th century two storey house in yellow stock brick that was once part of a terrace (or pair). It has a very simple elevation, with one sash window on each floor to the right, with a simple brick arched doorway in the ground floor to the left.
- 9.18 865 Tottenham High Road, locally listed: this is a modern (post 1984) three storey Georgian style building that replaced a two storey Victorian block with a shopfront at ground level. The detailing of the building matches closely to that of the Grade II listed pair of townhouses at 867-869 Tottenham High Road to the north.
- 9.19 847-853 Tottenham High Road, locally listed: these are modest and much altered two storey Victorian brick buildings with projecting shopfronts.
- 9.20 841-843 Tottenham High Road, locally listed: this is a three storey late Victorian or Edwardian mock Tudor building with a prominent projecting central bay and gable.
- 9.21 823-829 Tottenham High Road, locally listed: this is a Victorian range of two storey commercial buildings. The buildings at 823-825 are in brick, painted, and decorated at the upper level with a prominent cornice and swag frieze below. Cast iron columns with Corinthian capitals survive at ground floor from the original shopfront. 827 is rendered and has a prominent gable and bay window, while 829 has a simple two bay brick upper floor and projecting shopfront at ground floor.
- 9.22 813-817 Tottenham High Road, locally listed: these form a terrace of three storey stock brick buildings with modern shopfronts. The upper floors are decorated with rusticated

quoins accentuated in stucco, along with stucco window heads with keystones, and a central projecting string course in stucco.

- 9.23 809-811 Tottenham High Road, locally listed: this is a much altered, and partially rebuilt, pair of two storey Georgian properties with modernised Victorian shopfronts and a double pile tiled roof with dormers.

- 9.24 801-805 Tottenham High Road, locally listed: these are comprised of the red brick Bricklayers Arms at 803, and the yellow stock brick buildings at either side at 801 and 805. The upper parts of the three storey buildings are characterised by symmetrical pairs of sash windows with keystones in the brick arches and decorated brick aprons below the sills. A moulded brick cornice runs along the length of the terrace, but the central Bricklayers Arms is accentuated by projecting corner pilasters with stone banding and a raised brick parapet. The ground floor of the pub is comprised of attractive blue and green glazed bricks.

- 9.25 793-795 Tottenham High Road (former Nat West Bank), locally listed: this is a prominent late Victorian corner building of three stories with a slate mansard roof. The ground floor is rendered to resemble channelled stone, and is formed of large round arch windows between classical pilasters.

- 9.26 773-779 Tottenham High Road, locally listed: this is a mid-late Victorian terrace formed of four three storey yellow stock brick buildings with commercial shopfronts. The architecture is generally plain, but the windows are decorated with stucco keystones, and there is a prominent stucco cornice that hides shallow butterfly roofs.

- 9.27 769-771 and 771A Tottenham High Road, locally listed: this is a mid-late Victorian terraced formed by two three storey buildings. They are similar in style to 773-779 but are smaller and set further back from the street.

- 9.28 St. Francis de Sales Catholic Church: locally listed: this is a simple and rather austere late Victorian neo-Gothic church in yellow stock brick with red brick banding. The site includes a vicarage and church hall that are contemporary with the church.

10. MY ASSESSMENT

- 10.1 I have undertaken an independent assessment of the likely impacts of the Development on those heritage assets outlined in Section 9 of this proof of evidence. These assets are also identified by Montagu Evans in its HTVIA and the Council in paragraph 10.19 of its Committee Report.
- 10.2 I acknowledge that the Development would, apart from a small area within North Tottenham Conservation Area, not have any physical impacts on these heritage assets, and any impacts on their significance would be through the effect on their settings. A small part of the Order Land is contained within the North Tottenham Conservation Area, where the poor quality buildings at 8-18 and 24-30 White Hart Lane are proposed for demolition. They would be replaced by high quality new buildings that respond to their context.
- 10.3 I assess the impacts below based on the basis of a worst case scenario (i.e. the maximum parameters of the Development), but note that the terms of the Design Code [CD 4.5] are designed to mitigate any harm caused by the Development to nearby heritage assets.
- 10.4 The setting of a heritage asset is defined in the NPPF as: *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral”*
- 10.5 Historic England Good Practice Advice #3 (Second Edition) provides advice on understanding setting and how it may contribute to the significance of heritage assets. It sets out a five-step staged approach to taking decisions when a heritage asset is affected by development proposals within its setting. The five steps are:
- (a) Step 1: Identify which heritage assets and their setting are affected.
 - (b) Step 2: Assess whether, how and to what degree these settings make a contribution to the significance of the heritage asset(s).
 - (c) Step 3: Assess the effects of the proposed development, whether beneficial or harmful, on that significance.
 - (d) Step 4: Explore the way of maximising enhancement and avoiding or minimising harm.

(e) Step 5: Make and document the decision and monitor outcomes.

- 10.6 I have assessed the impacts on the settings of the heritage assets listed below based on Steps 1 to 3 set out in the Historic England Good Practice Advice Guide. Step 4 would be addressed through the Design Code, whereas Step 5 is for the decision maker and therefore falls outside of the scope of this proof of evidence.
- 10.7 Where harm is caused to the significance of a heritage asset through the impact upon its setting, that harm is less than substantial in each case. I therefore go on to describe the harm within the range of less than substantial harm.

Listed buildings

- 10.8 867-869 Tottenham High Road, Grade II listed: the special interest of this prominent pair of early 18th century townhouses is primarily architectural and contained within its fabric. The current setting consisting of large carparks and industrial sheds contributes little to the significance of the listed building, although those elements are of a scale that does not compete with the scale of the listed building. The Development will introduce much larger buildings in the backdrop of the listed building when viewed from the High Road, reducing and competing with its visual prominence (View 41 of the HTVIA), thereby causing some harm to its significance. Overall the Development would result in a low level of less than substantial harm caused to the significance of the listed building through the impact upon its setting.
- 10.9 819-821 Tottenham High Road, Grade II listed within the Site: the special interest of this pair of early 18th century townhouses is mostly architectural and contained within its fabric, although the setting within the historic linear built form of the High Road when viewed from the High Road contributes to the significance of the listed building to a small degree. The Development will introduce much larger buildings in the backdrop of the listed building when viewed from the High Road, and from Northumberland Park opposite, contrasting with the traditional scale of the building (View 42 of the HTVIA) and thereby causing some harm to its significance. Overall the Development would result in a low level of less than substantial harm caused to the significance of the listed building through the impact upon its setting.
- 10.10 797-799 Tottenham High Road, Grade II listed: the special interest of this pair of late Georgian buildings is primarily architectural, and contained within its fabric, although the setting within the historic linear built form of the High Road when viewed from the High Road near the junction of White Hart Lane contributes to the significance of the listed building to a small degree. The Development will introduce much larger buildings in the

backdrop of the listed pair when viewed from the High Road, contrasting with its traditional scale (View 32 of the HTVIA) and interrupting its historic silhouette, thereby causing some harm to its significance. Overall the Development would result in a low level of less than substantial harm caused to the significance of the listed building through the impact upon its setting.

- 10.11 790 Tottenham High Road (Dial House), Grade II* listed: the significance of this late 17th century townhouse is primarily architectural and contained within its fabric, although it is also significant due to its early date and rarity. Its setting is partly derived from the group of Georgian townhouses to the north, of which Dial House forms the southern extent. Here the setting of the Grade II* listed building is dominated by the much larger Tottenham Hotspur Football Stadium, which is located directly to the south and east. The Development is located on the opposite side of the Tottenham High Road some distance away and would have little impact on the setting of Dial House in views of the building and the rest of the Georgian terrace from the High Road. As a result, the Development would have a neutral effect on the significance of the listed building.
- 10.12 34 White Hart Lane, Grade II listed building within the Site: the significance of this early 18th century house is primarily architectural and contained within its fabric. Its setting contributes slightly to its significance, where the pleasing silhouette of the building's early 18th century roof form and chimneys is apparent in views from White Hart Lane. The current setting is, however, also characterised by the industrial estate to the north and large scale post-war housing blocks to the south. The historic semi-rural setting of the Georgian building has changed beyond recognition. In addition, the heavily altered Victorian terrace at Nos 24-30 White Hart Lane is built hard up against the listed building, exposing a blank elevation to it and further harming its setting.
- 10.13 The Development contains a series of taller buildings that would appear in the backdrop of the listed building when viewed from White Hart Lane/Love Lane (View 39 of the HTVIA). The poor quality terrace at 24-30 White Hart Lane will be replaced by a more sensitively designed building set back to match the building line of the listed building, thereby improving its immediate setting. In my view, the loss of the listed building's historic silhouette through the encroachment of much larger buildings in its backdrop would cause some harm to the significance of the listed building through the impact upon its setting. The removal of the terrace at 24-30 White Hart Lane and its replacement with a better designed building set back from the street would improve the setting, but overall, on balance, my view is that the Development would result in a low level of less than substantial harm to the significance of the listed building through the impact upon its setting.

- 10.14 7 White Hart Lane, Grade II listed: the special interest of this early 19th century house is primarily architectural and contained within its fabric. Its setting is currently very poor, and is dominated by the adjacent large post-war residential estate. The setting contributes very little to the significance of the listed building. Whilst the Development will add buildings of a much larger scale within the setting, they would also hugely improve the surrounding urban realm. Overall the Development would cause a very low level of less than substantial harm to the significance of the listed building through the impact upon its setting.

Conservation Areas

- 10.15 North Tottenham Conservation Area, partially within the Site: a very small area of the Development is within the conservation area, but no listed or locally listed buildings are proposed for demolition. A limited number of high quality new buildings are proposed within the conservation area to replace the poor quality buildings at 8-18 and 24-30 White Hart Lane, Therefore the impact of the Development on the conservation area relates to change to its setting. The setting of North Tottenham Conservation Area is mostly very poor, and characterised by very large buildings such as those within the post-war Love Lane Estate and the recent Tottenham Hotspur Stadium and associated development. Much of its setting to the north-west is characterised by poor quality industrial buildings or open, disused land. The Development will introduce more large scale buildings into the setting of the conservation area, but will also hugely improve the urban realm of the Site. In the limited areas within the Conservation Area where new development is proposed, it is sensitively designed. For example, the loss of the poor quality buildings at 8-18 and 24-30 White Hart Lane, and the proposed replacement buildings on that site would, in my view, enhance this part of the conservation area. Overall, on balance, the Development would cause a low level of less than substantial harm to the significance of the conservation area as a whole through the impact upon its setting.
- 10.16 Bruce Castle Conservation Area: when viewed from the south towards the Development site, the setting of the conservation area is characterised by open space, trees and low scale development. The Development will introduce large scale buildings into the setting of the conservation area when viewed from the south, resulting in a visual contrast in scale and character between the tall buildings of the Development and low scale buildings and trees of the conservation area. Overall, given the distance to the Development, a low level of less than substantial harm to the significance of the conservation area as a whole would occur through the impact upon its setting.

- 10.17 Tottenham Cemetery Conservation Area: when viewed from the west towards the Development site, the setting of the conservation area is characterised by open space, trees and funereal monuments. Buildings visible in the distance tend to be low scale. The Development will introduce large scale buildings into the setting of the conservation area when viewed from the west, resulting in a visual contrast in scale and character between the tall buildings of the Development and the open space and trees of the conservation area. Overall, given the distance to the Development, a low level of less than substantial harm to the significance of the conservation area as a whole would occur through the impact upon its setting.

Locally listed buildings

- 10.18 Former Catholic Chapel and Pastor's House, Chapel Place, locally listed building within the Site: the setting of this modest Victorian chapel is currently very poor, and is dominated by the large post-war industrial estate directly behind it. The setting contributes very little to the modest significance of the unlisted building. Whilst the Development will add buildings of a much larger scale within the setting, they would also hugely improve the surrounding urban realm. Overall the Development would cause a very low level of less than substantial harm to the significance of the unlisted building through the impact upon its setting.
- 10.19 52 White Hart Lane (former Station Master's House), locally listed building within the Site: this locally listed former Station Master's House from 1872 is of interest for its simple Victorian architecture and how it illustrates the development of the railway in Tottenham. Its setting is currently very poor, and is dominated by the large post-war industrial estate to the north-east and large expanses of car parking. The setting contributes very little to the modest significance of the unlisted building. Whilst the proposals will add buildings of a much larger scale within the setting, they would also hugely improve the surrounding urban realm. Overall the Development would cause a very low level of less than substantial harm to the significance of the unlisted building through the impact upon its setting.
- 10.20 6A White Hart Lane, locally listed: this locally listed modest early 19th century house is of interest primarily for its architecture and how it illustrates a presumably once common form of housing in the area. Its setting is currently very poor, and is dominated by the large post-war residential estate opposite and an industrial estate behind. The setting contributes very little to the modest significance of the unlisted building. Whilst the Development will add buildings of a much larger scale within the setting, they would also hugely improve the surrounding urban realm. Overall the proposals would cause a very

low level of less than substantial harm to the significance of the unlisted building through the impact upon its setting.

- 10.21 865; 847-853; 841-842; 823-829; 813-817; 809-811; 801-805; 793-795; 773-779; 769-771 and 771A Tottenham High Road, locally listed: these locally listed buildings are primarily of interest for their traditional architecture and how they help illustrate the historic development of the High Road. When viewed from the High Road, the poor quality setting beyond this group of mostly Victorian buildings is not readily apparent, as little is visible beyond their silhouettes. The maximum parameter Development will introduce much larger buildings in their backdrop when viewed from the High Road, contrasting with their traditional scale. Overall, the Development would result in a very low level of less than substantial harm caused to the significance of the locally listed buildings through the impact upon their setting.
- 10.22 St. Francis de Sales Catholic Church, locally listed: the local interest of this building is primarily contained within its late Victorian architecture. The current setting of the church and its associated vicarage and school detracts from the local interest of these late Victorian buildings. The setting is dominated by the much larger Tottenham Hotspur football stadium across the High Road to the east, but the surrounding townscape directly adjacent to the church on the west side of the High Road is fragmented and generally of poor quality, dominated by a large car park to the south and the larger scale post-war library to the north. The maximum parameter Development would, however, introduce much larger buildings in the backdrop of the church when viewed from the High Road, contrasting with its traditional scale. Overall, the Development would result in a very low level of less than substantial harm caused to the significance of the unlisted building through the impact upon its setting.
- 10.23 In summary, I identify a low level of less than substantial harm to the significance of the following heritage assets through the proposed impact upon their settings:
- (a) 867-869 Tottenham High Road (Grade II listed)
 - (b) 819-821 Tottenham High Road (Grade II listed)
 - (c) 797-799 Tottenham High Road (Grade II listed)
 - (d) 34 White Hart Lane (Grade II listed)
 - (e) North Tottenham Conservation Area
 - (f) Bruce Castle Conservation Area

(g) Tottenham Cemetery Conservation Area

10.24 I identify a very low level of less than substantial harm to the significance of the following heritage assets through the proposed impact upon their settings:

(a) 7 White Hart Lane (Grade II listed)

(b) Former Catholic Chapel and Pastor's House, Chapel Place (locally listed)

(c) 52 White Hart Lane (former Station Master's House) (locally listed)

(d) 6A White Hart Lane (locally listed)

(e) 865; 847-853; 841-842; 823-829; 813-817; 809-811; 801-805; 793-795; 773-779; 769-771 and 771A Tottenham High Road (locally listed)

(f) St. Francis de Sales Catholic Church (locally listed)

10.25 With regard to the heritage assets which the current Judicial Review alleges were not adequately assessed by the Council in their consideration of the Development, I reiterate my assessment of the impact caused by the Development on these assets below.

(a) 819-821 Tottenham High Road: low level of less than substantial harm

(b) 797-799 Tottenham High Road: low level of less than substantial harm

(c) 790 Tottenham High Road: neutral effect

(d) North Tottenham Conservation Area: low level of less than substantial harm

11. RECENT CONTEXT

- 11.1 Planning permission for the redevelopment of the Goods Yard and Depot sites which sit within the Site was granted on appeal on 24 October 2022 (reference HGY/2021/1771) (the "**Appeal Scheme**"). As part of the appeal, the applicant, Tottenham Hotspur Football Club ("**THFC**") submitted an addendum to its Environmental Statement which considered the impact of the Appeal Scheme on heritage assets in combination with the Development for the S278 agreement. The addendum determined that the additional built form of the Appeal Scheme seen in conjunction with the Development would be distant and marginal, and would not cause any additional cumulative impacts to those assessed by Montagu Evans within the HTVIA. Extracts of the addendum are appended to this proof of evidence [CD 9.16.2].
- 11.2 Planning application (reference HGY/2022/0563) received a resolution to grant on 18 July 2023. The planning application seeks consent for a slightly different form of development of the Goods Yard and Depot sites within the Site ("**Amended Scheme**") as compared to the Appeal Scheme. As part of the application THFC submitted an addendum to its Environmental Statement which considered the impact of the Amended Scheme on heritage assets in combination with the Development. The addendum set out a comparison between the Environmental Statement and the Montagu Evans assessment within the HTVIA and concluded no additional effects. Extracts of the addendum are appended to this proof of evidence [CD 9.16.3].
- 11.3 For the purpose of preparing the addendums to the Environmental Statements THFC relied on Montagu Evans's assessment of the Development within the HTVIA. THFC considered the degree to which the Appeal Scheme and Amended Scheme would exceed the maximum parameters of the Development or be more visible than the Development within the selected views contained within the HTVIA. As such, the Montagu Evans assessment within the HTVIA provided the baseline of the further assessments contained within the addendums prepared and submitted by THFC.
- 11.4 Paragraph 4.5 of the Statement of Case submitted on behalf of THFC states that due to the "*significant amount of variability in physical parameters*" of the Development "*the harms and benefits of the Scheme are very difficult to assess, particularly in relation to the numerous heritage assets in the local area that will be affected*". In response to this I note that THFC assessed the impacts of the Development in combination with the Appeal Scheme and Amended Scheme for the purpose of the determination of those applications. As such, THFC clearly considered it possible to assess the harms and benefits of the Development on heritage assets. Furthermore, in assessing the maximum parameters of the Development (i.e. the worst case scenario), as I have done

within this proof, I consider that it is possible to undertake an assessment of the harms and benefits of the Development on the relevant heritage assets. This is a standard and common means of undertaking heritage impact assessments in respect of developments granted in outline.

12. CONCLUSION

- 12.1 I have considered the content of the HTVIA by Montagu Evans submitted as part of the application for the Development, and have noted their assessment on a range of designated and non-designated heritage assets likely to be affected by the Development.
- 12.2 I have considered the Council's Committee Report and note the assessment of heritage impacts derived from the Development in the Committee Report and Addendum Report.
- 12.3 I am very familiar with the site and have visited many times, most recently in a professional capacity on 14 September 2023, and carried out my own independent assessment of the impact of the maximum parameter version of the Development on the heritage assets I identified. My conclusion is that there will be some less than substantial harm to the significance of heritage assets through the impact of the proposals upon their settings, and that the level of harm ranges from very low to low on the scale of less than substantial harm in the language of the NPPF.
- 12.4 Whilst my assessment differs in some respects from the assessments carried out by Montagu Evans and the Council, the conclusion amongst the three parties is that the Development would, in the language of the NPPF, result in less than substantial harm to the significance of heritage assets within and near the development site by virtue of the impact upon their settings.