REPORT FOR CONSIDERATION AT PLANNING SUB-COMMITTEE

1. APPLICATION DETAILS

Reference No: HGY/2014/3527 Ward: Hornsey

Address: Archway Bridge, Hornsey Lane London N8

Proposal: Listed building consent for proposed anti-suicide measures by installation of

fencing to bridge parapet

Applicant: TfL

Ownership: London Borough of Haringey / London Borough of Islington

Case Officer Contact: Aaron Lau

Site Visit Date: 29/01/2015

Date received: 19/01/2015 Last amended date: 01/07/2015

Drawing number of plans and documents:

314774/C/21 Rev C – Existing Bridge Details 314774/C/31/S4 Rev PL1 – Plan, Elevation and Details 314774/C/32/S4 Rev PL1 – Elevation and Section Details 314774/C/33/S4 Rev PL1 – Option 4 3D Views

1.1 This application is being reported to Planning Committee as it is subject to significant local interest and the bridge is owned by the Council.

1.2 SUMMARY OF KEY REASONS FOR RECOMMENDATION

• This Listed Building consent is for the installation of measures to discourage the use of the bridge by those seeking to end their life. The proposals involve installation of fencing to the bridge parapets and removal of some of the existing earlier measures. Although it will cause some visual harm to the heritage asset the fact that the works are reversible means that the harm is considered to be less than substantial. This harm has been given considerable weight but it is outweighed by the public benefits of deterring and preventing future suicides from taking place at the bridge.

2. RECOMMENDATION

(1) That the Committee resolve to GRANT Listed Building consent and that the Head of Development Management is delegated the authority to issue the permission and impose conditions and informatives.

Conditions:

- 1) Development begun no later than three years from date of decision
- 2) In accordance with approved plans
- 3) Fencing and flank piers details
- 4) Removal of the modern mesh, existing spikes, CCTV and anti-suicide signage review

Informatives:

- 1) Working with the applicant
- (2) In the event that Members choose to make a decision contrary to officers' recommendation Member will need to state their reasons.

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3.0 PROPOSED DEVELOPMENT AND LOCATION DETAILS

3.1 Background

- Archway Bridge carries Hornsey Lane over the A1 Archway Road. The bridge was designed by Alexander Binnie in 1897-1900, a noted London County Council Engineer and replaced an earlier bridge by John Nash. The bridge, therefore, has historic significance and is listed Grade II. In addition, its design with cast iron side panels with decorated spandrels; elaborate cast iron railings and ornate lamp holders along Hornsey Lane gives it a high aesthetic value which can be appreciated from both Archway Road as well as Hornsey Lane. It has become a prominent landmark for the community and therefore has high communal value.
- Unfortunately, more recently, it has also been infamous for being a location where a number of suicides have taken place. The application proposals follow a number of investigations over the last decade which have sought to sensitively introduce measures that frustrate access for those seeking to use the bridge to end their life in an attempt to prevent or reduce the occurrence of similar incidents in the future.

3.2 Proposed Development

- There have been several attempts to resolve the issue of suicide and attempted suicide from the bridge over a number of years. Haringey Council has engaged with Islington Council officers, English heritage (now Historic England), TfL and the Highgate Society in an attempt to reach an appropriate solution. This has led to the application being amended following submission earlier in the year. Notably, the revisions change the design of the "fence" and remove previous "cages" to the prominent lanterns that mark the parapet to the bridge.
- The initial proposal was to increase the height of the original cast iron parapet by erecting a 2.54metre stainless steel catenary fence of stretched cables for the full width of the bridge above the parapet. The top of the proposed fence would have been 4.54 metres above the pavement. This fence would be supported by 60x60 mm stainless steel stanchions clamped with steel straps off the original cast iron parapet piers. In order to enclose the central lamp standard above the centre pier a stainless steel welded mesh cage was proposed with the top of cage being 3.23 metres above the original parapet height (and 5.77m above the pavement). The catenary fence of stretched cables would have been fixed to the cage in order to fully enclose the centre pier.
- Concerns were raised over the harm to the appearance of the bridge, and that
 alternative designs had not been adequately explored. There was also a belief
 that the proposals involving horizontal catenary wires would have been easy to
 climb and may not have been effective.
- Concerns were also raised about important views of the bridge from the A1 to the south (and north) and the height of the proposed fencing and the need for

caging around the central lantern would cause harm to the appearance of the bridge. TfL were asked to explore whether they could lower the height of the fencing and omit the caging to the central lantern.

- The current scheme proposes a more robust structure to the inside of the bridge, as opposed to the slender fence installed on the outside of the bridge. This new proposal removes the 'cages' around the lamps and includes a vertical tension wiring that would be more effective than the previous solution. Whilst this would reduce the visual impact on the installation from the long distance views along Archway Road, this would certainly continue to have impact on the Hornsey Lane elevation which is perhaps the more significant of the elevations as the decorative nature and elaborate architecturally can currently be fully appreciated at close quarters.
- It is proposed to erect the 2.83m high fence set back from the inner face of the existing balustrade to the bridge. To prevent climbing of the fence it will consist of 8mm vertical stainless steel vertical rods at 108mm spacing supported by 60x60mm stanchions with a recessive matt finish. Each span of vertical rods will be welded together and independently fixed to the stanchions to allow temporary removal for maintenance and cleaning of the original parapet. The stanchions will be clamped with steel straps to the original cast iron parapet piers and the installations will be reversible.
- For additional security 6 stretched catenary cables are proposed to be erected above the fence curving inwards for 350mm to a height of 3.14m. At the stone caps to the end piers the terminal frames will be fixed by steel straps requiring fixings into the masonry. At each extremity of the bridge, there are cages with padlocked access gates to prevent access to the bridge ledges located outside the parapets. It is intended to enhance these protection measures by extending the height of the cage and the addition of painted steel spikes. These will be screened by existing vegetation to the embankments either side of the bridge.

3.3 Site and Surroundings

- Archway Bridge is listed at Grade II running along Hornsey Lane sharing the boundaries of both London Boroughs of Haringey and Islington.
- The bridge is located within the Highgate Conservation Area in Haringey and Whitehall Park Conservation Area in Islington.

3.4 Relevant Planning History

- HGY/2015/0301 Listed building consent application in connection with proposed anti-suicide measures by installation of fencing to bridge parapet (observations to L.B. Islington) – pending
- HGY/2003/0773 Listed Building Consent for refurbishment and strengthening to Archway Bridge. Reduction in carriageway width and installing of cast iron kerb. Addition of safety steel panel to bridge. – approved 24/11/2003

- HGY/2003/0771 Refurbishment and strengthening to Archway Bridge. Reduction in carriageway width and installing of cast iron kerb. Addition of safety steel panel to bridge. This application is in conjunction with planning reference: HGY 2003/0773 which is for Listed Building Consent. - Not Determined 10/09/2012
- HGY/1991/0998 Renovation of cast iron embellishments and replacing damaged or missing castings with new cast iron (Listed Building Consent).approved 23/04/1992
- HGY/1991/0901 Removal of cast iron embellishment on south and north faces of bridge and replacement with fibre glass or similar materials. - Not Determined 10/09/2012

4. CONSULTATION RESPONSE

- 4.1 The following were consulted regarding the application:
 - Highgate CAAC
 - LBH Conservation Officer
 - LBH Transportation Group
 - The Highgate Society
 - Highgate Neighbourhood Forum
 - The Victorian Society
 - Designing Out Crime Officer,
 - Arriva London
 - Health & Safety Executive
 - English Heritage
 - L. B. Islington

The following responses were received:

Internal:

- 1) LBH Conservation Officer: No objection subject to removal of existing mesh, sample panel, spikes and alternative fixing methods for the end fences conditions.
- 2) LBH Transportation: No objection.

External:

- 3) L. B. Islington: Planning Committee granted listed building consent ref. P2014/5019/LBC on 8th October 2015.
- 4) L. B. Camden: No objection.

"We understand that some people have expressed concerns about the appearance of these fences. However, the need to protect life far outweighs any negative impact on appearance."

5) TfL Heritage Advisor: No objection.

"I am satisfied that the benefits to public health and safety will outweigh the impact upon views of the listed bridge, and that this design solution was selected to ensure that the new fencing would be as reversible as possible in terms of its affixing to the historic fabric of the bridge (i.e. clamped not welded to the original cast iron structure) and that the stainless steel cables and uprights offered the best solution in terms of the visual impact of these measures".

6) Historic England: No objection.

"On balance, it would appear that the revised proposals present a more effective solution for Archway Bridge and the removal of the caged elements is welcomed. We continue to accept that any viable scheme will inevitably cause harm to the significance of the listed bridge. However we consider the level of harm to be 'less than substantial' and therefore Paragraph 134 of the National Planning Policy Framework (NPPF) continues to apply to this case. We note that a strong 'wider public benefit' argument could be made to outweigh this harm, and we would also urge your Council to pursue additional heritage gains such as the removal of the modern mesh from the railings, and any additional conservation work to bridge. As with the previous scheme, your Council should also consider requesting the installation of a section of fence prior to any approvals being granted to fully assess the level of visual impact, and to ensure that a consistent approach is taken through the planning process".

5. LOCAL REPRESENTATIONS

- 5.1 The following were consulted:
- 5.2 The application has been publicised by way of a site notice displayed in the vicinity of the site and press notices were placed in the local newspaper.
- 5.3 The number of representations received from neighbours, local groups etc in response to notification and publicity of the application were as follows:

ORIGINAL CONSULTATION (22/12/2014)

No of individual responses: 37

Objecting: 5 Supporting: 32

RECONSULTATION (24/08/2015)

No of individual responses: 5

Objecting: 2 Supporting: 3

- 5.4 The following local groups/societies made representations:
 - The Victorian Society (objection)
 - Highgate CAAC (objection)
 - The Heritage Property Foundation (objection)
 - SANE (support)
- 5.5 The following issues were raised in representations that are material to the determination of the application and are addressed in the next section of this report:
 - Impact on listed bridge;
 - Justification for the proposed installation;
 - Effectiveness of the proposal;
 - Attract graffiti and fly-posting (Officer comments: there is no evidence of this);
- 5.6 The following issue raised is not material planning considerations:
 - Impact on property values
 - Impact on traffic and buses during installation (Officer comments: it is recognised that there will be some disruption to the local highway during the installation process)

6 MATERIAL PLANNING CONSIDERATIONS

- 6.1 The main planning issues raised by the proposed development are:
 - The impact of the proposed development on the special architectural and historic significance of the Listed Structure and the character and appearance of the conservation area
 - 2. Whether there is a public benefit that justifies approval of the application, having regard to Para 134 of the NPPF and section 66 and 72 of the Planning and Listed Building Conservation Areas Act 1990.
- 6.2 The impact of the proposed development on the statutorily listed structure and the character and appearance of the conservation area

Statutory test

6.2.1 Sections 66(1) and 72(1) of the Planning Listed Buildings and Conservation Areas Act 1990 provides:

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of

- preserving the building or its setting or any features of special architectural or historic interest which it possesses".
- 6.2.2 "In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area." Among the provisions referred to in subsection (2) are "the planning Acts".
- 6.2.3 The Barnwell Manor Wind Farm Energy Limited v East Northamptonshire District Council case tells us that "Parliament in enacting section 66(1) did intend that the desirability of preserving listed buildings should not simply be given careful consideration by the decision-maker for the purpose of deciding whether there would be some harm, but should be given "considerable importance and weight" when the decision-maker carries out the balancing exercise."
- 6.2.4 The Government in the case of the Queen (on the application of The Forge Field Society) v Sevenoaks District Council says that the duties in Sections 66 and 72 of the Listed Buildings Act do not allow a Local Planning Authority to treat the desirability of preserving of listed buildings and the character and appearance of conservation areas as mere material considerations to which it can simply attach such weight as it sees fit. If there was any doubt about this before the decision in Barnwell, it has now been firmly dispelled. When an authority finds that a proposed development would harm the setting of a listed building or the character or appearance of a conservation area or a Historic Park, it must give that harm considerable importance and weight. This does not mean that an authority's assessment of likely harm to the setting of a listed building or to a conservation area is other than a matter for its own planning judgment. It does not mean that the weight the authority should give to harm which it considers would be limited or less than substantial must be the same as the weight it might give to harm which would be substantial. But it is to recognise, as the Court of Appeal emphasized in Barnwell, that a finding of harm to the setting of a listed building or to a conservation area gives rise to a strong presumption against planning permission being granted. The presumption is a statutory one, but it is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. An authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 6.2.5 In short, there is a requirement that the impact of the proposal on the heritage assets be very carefully considered, that is to say that any harm or benefit needs to be assessed individually in order to assess and come to a conclusion on the overall heritage position. If the overall heritage assessment concludes that the proposal is harmful then that should be given "considerable importance and weight" in the final balancing exercise having regard to other material considerations which would need to carry greater weight in order to prevail.

- 6.2.6 Paragraph 132 of the NPPF states that, 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.'
- 6.2.7 Paragraph 134 of the NPPF goes on to say, 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use'.
- 6.2.8 The NPPF should be considered alongside with London Plan 2011 Policies 3.5 and 7.6 and Local Plan 2013 Policy SP11, which identifies that all development proposals should respect their surroundings by being sympathetic to their form, scale, materials and architectural detail.
- 6.2.9 London Plan Policy 7.8 requires that development affecting heritage assets and their settings to conserve their significance by being sympathetic to their form, scale and architectural detail. Haringey Local Plan Policy SP12 requires the conservation of the historic significance of Haringey's heritage assets. Saved Haringey Unitary Development Plan Policy CSV5 requires that alterations or extensions preserve or enhance the character of the Conservation Area.
- 6.2.10 Saved UDP Policy CSV4 require that alterations or extensions to listed buildings: a) are necessary and are not detrimental to the architectural and historical integrity and detailing of a listed building's interior and exterior; b) relate sensitively to the original building; and c) do not adversely affect the setting of a listed building.
- 6.2.11 The London Borough of Camden, SANE and a number of residents have supported the proposals.
- 6.2.12 Local residents and amenity groups have objected to the original and to the revised design on the basis of a concern regarding the adverse impact on the appearance of the listed bridge and doubt surrounding the effectiveness of the proposals in preventing suicides. The Victorian Society, CAAC and Heritage Foundation have expressed a concern that, "The height of the proposed fence is enormous, and consequently the damage done to views of the bridge from both Hornsey Lane and Archway Road would be great, causing substantial harm to the setting of the listed bridge", "would also be damaging to the appearance of this important landmark", and "the 'suicide fences', if installation would be permitted, permanently and completely ruin the view of the landmark Archway Bridge whether it is viewed from far away or at close proximity". Historic England (formerly English Heritage) have taken a balanced view, having regard to Paras 132 and 134 of the NPPF and concluded that the proposals result in less than substantial harm to the heritage assets.

- 6.2.13 London Borough of Islington Planning Committee granted listed building consent ref. P2014/5019/LBC for the same amended proposal on 8th October 2015.
- 6.2.14 The proposal has been subject to a number of meetings including the installation of a mock-up of the original scheme on site between L.B Islington Officers, L.B Haringey Officers, Historic England and the applicant. This has failed to reach an overarching consensus amongst all interests with concerns continuing to be expressed by the local CAAC, the Highgate Society and others. The original proposals and the latest, revised proposals will have a harmful impact upon the listed bridge and the appreciation of the bridge in different viewpoints. The impact of the original and revised proposals is different depending upon viewpoint the new scheme merely displaces the visual harm from the Archway Road elevation to Hornsey Lane.
- 6.2.15 Hornsey Lane is part of Highgate conservation area. The bridge is a distinctive and notable feature within the conservation area which is defined primarily by its suburban/residential character. Long distance views of the bridge are available along Archway Road and form a landmark within this part of the conservation area. The Highgate Character Appraisal describes Archway Bridge as, "originally designed by John Nash in 1813 and replaced by the current bridge designed by Alexander Binnie in 1900" The proposals will impact upon the appearance of the bridge in views along Hornsey Lane – particularly at more oblique angles when the gaps between the steel uprights will be less apparent. The function and role of the bridge, (as a break in the pattern of building along Hornsey Lane) will not, Officers consider, change significantly. The proposals will also continue to allow for an appreciation of views from the bridge parapet towards the city and northwards, towards Highgate. From Archway Road, the bridge is seen as an elevated structure and the revised proposals will be less intrusive than the earlier proposals. Overall, the impact of the revised proposals on both the character and appearance of the conservation area, and upon the listed bridge structure will continue to be harmful. That said, the proposed works to the structure are reversible. Officers and Historic England consider that the harm caused by the proposals can be judged as less than substantial.
- 6.2.16 Having regards to the proposal's long history and to the background materials provided within the application and discussed during the processing of the application, Officers are of the view that all of the potential options identified that might provide an effective means to frustrate/prevent suicides would involve harm to the heritage asset. Doubts about the effectiveness of the measure remain although in discussion all parties have recognised that absolute prevention is likely to be unachievable. The revisions are nevertheless considered to improve upon the original submitted proposals in this regard and are considered to provide a significant additional burden/barrier for those seeking to use the bridge for such purposes. This will allow more time for detection and responses to such attempts by the emergency services.
- 6.3 Whether there is a public benefit that justifies approval of the application, having regard to Para 134 of the NPPF and the statutory test

6.3.1 Underpinning this application is an aspiration to prevent the significant personal and public distress caused by loss of life at the bridge. This is considered to amount to a public interest that is capable of outweighing the less than substantial harm arising from the works. The application records that since 2010, 4 lives have been lost at the site and that the location continues to be a place where attempted suicides take place. The Archway Road (A1) beneath the bridge comprises a primary route into London. Disruption to traffic caused by incidents at the bridge is considerable. There is therefore considered to be a clear public benefit (interest) in preventing future suicides at this bridge. Officers (and Historic England), together with Islington Council, are of the view that the weight given to this public interest, in this case, outweighs the less than substantial harm to the heritage interested identified.

6.4 Conclusion

- 6.4.1 This Listed Building consent for anti-suicide measures results in "less than substantial harm" to the heritage interests identified above. Strong views, for and against the proposals have been expressed and despite attempts to resolve these matters over recent years, support for the proposals is not universal. The less than significant harm to the listed structure and the conservation area has been given significant weight but is considered by officers to be outweighed by the overall public benefits of the proposal detailed. The less than significant harm to the listed structure and the conservation area would therefore satisfy the statutory duties set out in Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, and accord to the design and conservation aims and objectives as set out in the NPPF, London Plan Policies 7.4, 7.5 and 7.6, saved UDP Policy UD3, Local Plan Policies SP11 and SP12 and SPG2 'Conservation and archaeology'.
- 6.4.2 Consent should accordingly be granted for the reasons set out above. The details of the decision are set out in the RECOMMENDATION

7.0 CIL

The proposed development will not be subject to Mayoral or Haringey CIL.

8.0 RECOMMENDATIONS

GRANT PERMISSION subject to conditions

Subject to the following condition(s)

 The development hereby authorised must be begun not later than the expiration of 3 years from the date of this permission, failing which the permission shall be of no effect.

Reason: This condition is imposed by virtue of Section 91 of the Town & Country Planning Act 1990 and to prevent the accumulation of unimplemented planning permissions.

2. The development hereby authorised shall be carried out in accordance with the following approved plans and specifications and all new external and internal works and finishes and works of making good to the retained fabric, shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile unless shown otherwise on the drawings or approved documentation:

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314774/C/21 Rev C – Existing Bridge Details
314774/C/31/S4 Rev PL1 – Plan, Elevation and Details
314774/C/32/S4 Rev PL1 – Elevation and Section Details
314774/C/33/S4 Rev PL1 – Option 4 3D Views
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Reason: In order to conserve the significance of the heritage asset and in order to avoid doubt and in the interests of good planning.

- 3. No development shall commence until the following details have been submitted to, and approved in writing by the Local Planning Authority:
 - In situ installation of a sample section of fencing;
 - Justification for the extended spikes to the flank piers; and
 - Details for a reversible fixing method that can be used to the end plinths or demonstration that it is not possible

Reason: In order to conserve the significance of the heritage asset.

- 4. Within three month of the works of the approved scheme commencing, the following shall be undertaken:
 - Removal of the modern mesh to the existing balustrade
 - Removal of the existing spikes placed to the external face of the central plinth
 - Agreed plan submitted for CCTV surveillance of the bridge in conjunction with Council and the London Borough of Haringey
 - Review undertaken of the anti-suicide signage on the bridge in conjunction with the Samaritans.

Reason: In order to conserve the significance of the heritage asset.

Informatives:

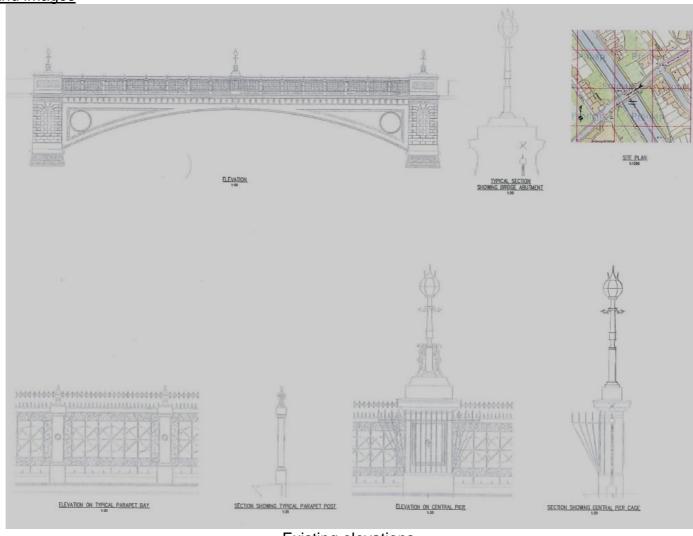
a) Positive and proactive manner

In dealing with this application, Haringey Council has implemented the requirements of the National Planning Policy Framework and of the Town and Country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2012 to work with the applicant in a positive and proactive manner. As with all applicants, we have made available detailed advice in the form of our statutory policies, and all other Council guidance, as well as offering a full pre-application advice service, so as to ensure the

applicant has been given every opportunity likely to be considered favourably.	to	submit	an	application	which	is

9.0 APPENDICES:

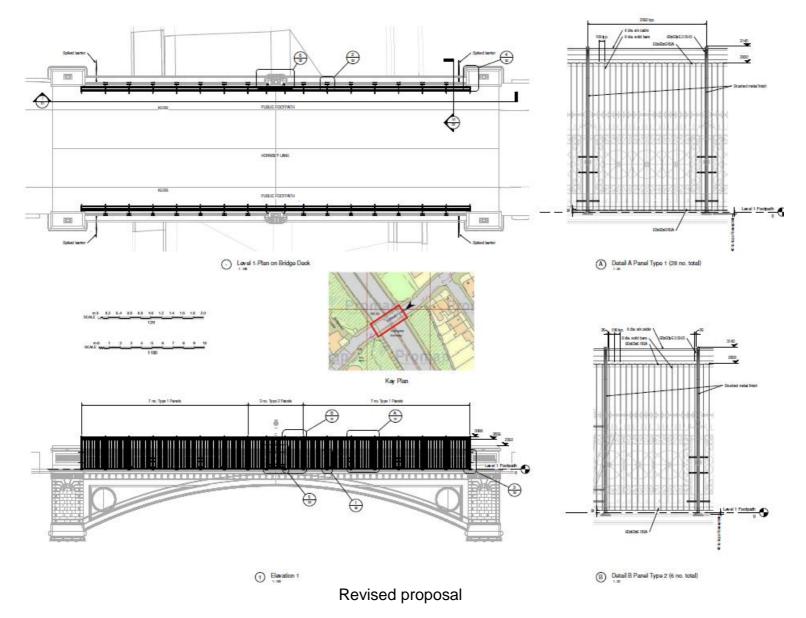
Appendix 1: Plans and images

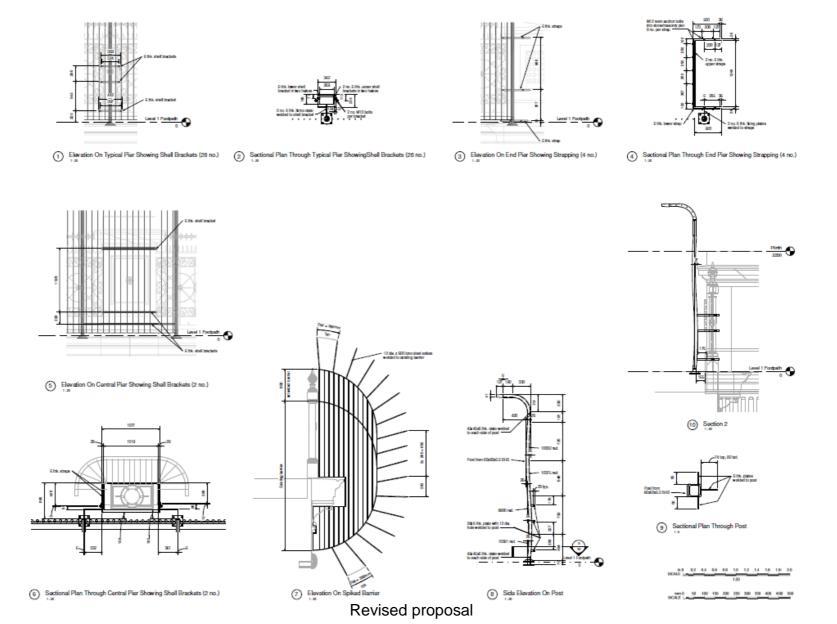


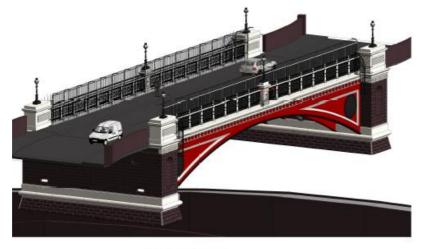
Existing elevations



Original proposal



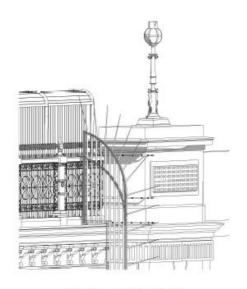






(2) 3D Porspective View At Central Pier

3D View On Bridge Deck



(3) 3D - Perspective View On Spiked Railings



(4) View From Road Below

Revised proposal

Appendix 2: Comment on objections

(As set out and summarised in Section 5 – Local Representations)

Objection	Response
Impact on listed bridge	The impact of the revised proposals on both the character and appearance of the conservation area and upon the listed bridge structure will cause harm to the structure, however such works are reversible. Officers and Historic England consider that the harm caused by the proposal can be judged as less than substantial. This has been given significant weight but is considered by Officers to be outweighed by the overall public benefits of the proposal. The proposed works will continue to allow for an appreciation of views from the bridge parapet towards the city and northwards, towards Highgate.
Justification for the proposed installation	As set out in the report underpinning this application is an aspiration to prevent the significant personal and public distress caused by loss of life at the bridge. This is considered to amount to a public interest that Officers consider is capable of outweighing the less than substantial harm arising from the works.
Effectiveness of the proposal	While no anti-suicide measures will be 100% successful in preventing suicides other similar schemes (for example to the Clifton

	Suspension Bridge) have shown that such measures have a significant impact on reducing the incidence of suicide at a particular location.
Attract graffiti and fly-posting	There is no evidence to suggest that placing of the proposed fencing here would increase the likelihood of graffiti and fly-posting. There are a number of pieces of legislation under which fly-posting can be controlled. The principle mechanism is s.224 and s.225 of the Town and Country Planning Act 1990. However, other powers exist under the Highways Act 1980 and local legislation.
Impact on traffic and buses during installation	It is recognised that there will be some disruption to the local highway during the installation however this would not be significant and no greater than that associated with typical road improvements works/ resurfacing works. Given this is a temporary issue related to construction this not a material planning consideration.
Impact on property values	The value of property is not a material planning consideration.