

Planning Application Reference: PP-12317712

**Design and Access Statement (OT-94-D&A)**

Proposed Replacement of Existing Boundary Fence &  
Installation of a New Party Fence

80-90 and 94 South Hill Park

London

NW3 2SN

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Fence: 80-90 South Hill Park and 94 South Hill Park, NW3 2SN

## Introduction

This Design and Access Statement accompanies the application for Planning and Listed Building Consent made jointly by the Orchard Trust (on behalf of the owners of 80-90 South Hill Park) and 94 South Hill Park for the demolition of the existing timber fence separating the gardens to the rear of their properties from Hampstead Heath and its replacement with a new brick wall, along with the installation of new timber party fence within the gardens themselves to provide separation between the two ownerships.

While the existing boundary fence is not adjacent to a highway used by vehicles, it is greater than 2m in height, as well as being within the curtilage of a grade II listed building, being the terrace of six houses comprising 80-90 South Hill Park. For these reasons this application is for both Planning and Listed Building Consent.

## The Applicants

The Orchard Trust represents the interests of the owners of 80-90 South Hill Park in the Orchard, the communal garden which sits at the rear of the six properties and is its formal owner. The Trust is also the owner of a strip of land which continues southwards from the end of the communal garden, separating the gardens of the properties running down the west side of South Hill Park from Pond No. 1.

In April 2023 the Orchard Trust agreed to the formal transfer of ownership of that part of the Orchard sitting immediately behind the rear garden of 94 South Hill Park to that property's owners. This transfer of ownership has now completed. (Refer to Fig. 1).



Fig. 1: Location plan

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**Outline description of proposed works**

This application comprises two elements of work:

1. The demolition of the existing boundary fence separating the gardens to the rear of the Orchard and 94 South Hill Park from Hampstead Heath and its replacement with a new brick wall.
2. The demolition of the existing boundary wall separating the garden to 94 South Hill Park from land formerly owned by the Orchard Trust and the erection of a new party fence on the newly established boundary between the two properties.

**Existing boundary fence**

The section of boundary fence which is the subject of this application encloses what used to be the site of an electricity sub-station, which became redundant in 2012, at which point the land was returned to the site's freeholders, being the Orchard Trust.

The existing fence is a conventional close-boarded timber fence with a trellis extension at the southern end, ranging in height from 2.45 to 2.9m high above the adjacent ground level, and including a double-leaf gate giving access between the Heath and the Orchard. (Refer to Fig. 2)

The remainder of the boundary between the Orchard and the Heath which runs south towards Pond No. 1 is enclosed by metal railings, which replaced the previous timber fence in 2019 following Planning and Listed Building Consent being granted in 2018 (Ref: PP-06512377).



Fig. 2: Existing boundary fence



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**Proposed new boundary wall**

At the time of the 2018 applications (2017/6713/P & 2018/0367/L), the Orchard Trust considered replacing the section of timber fence now subject of this application with a London stock brick wall.

This approach was presented by the applicants to the Superintendent of Hampstead Heath as well as the Hampstead Heath Consultative Committee at a meeting on 5th November 2016, in tandem with the proposal to replace the remainder of the fence with metal railings.

No objections were raised to the principles presented but, due to the relatively good condition of this upper section of timber fence at that time, only the lower section (since replaced with railings) was included in the 2018 application for Planning and Listed Building Consent.

It is now proposed to revert to the original proposal by replacing the existing timber fence with a London stock brick wall.

A brick wall will provide a more robust, durable and attractive enclosure than the existing fence, requiring little or no maintenance, while matching the existing boundary walls enclosing the gardens to 94 and 96 South Hill Park, which line the two sides of the pedestrian passage giving access to the Heath from South Hill Park (Refer to Fig. 3).

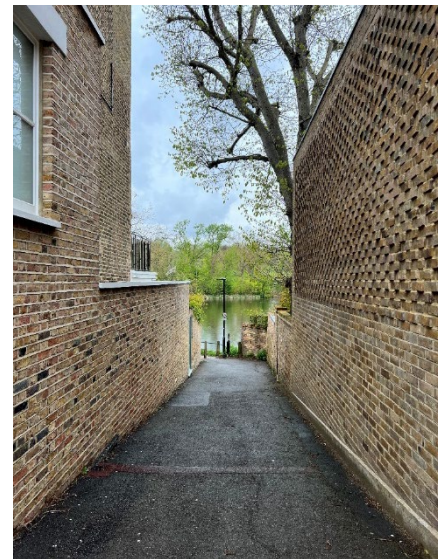


Fig. 3: Passage between 94 and 96 South Hill Park with Pond no. 2 beyond

The outer face of the proposed brick wall will, in effect, form an extension of the existing boundary wall to 94 South Hill Park, starting from the existing crank in the wall before curving around to follow the line of the timber fence it is replacing.

The height of the wall will match that of the existing boundary wall to 94 South Hill Park and will extend at this level until it meets the metal railings (Refer to fig. 4).

The existing timber gates will be incorporated into the new brick wall in approximately the same location as they currently are.

Refer to figures 5, 6, 7 and 8 overleaf.

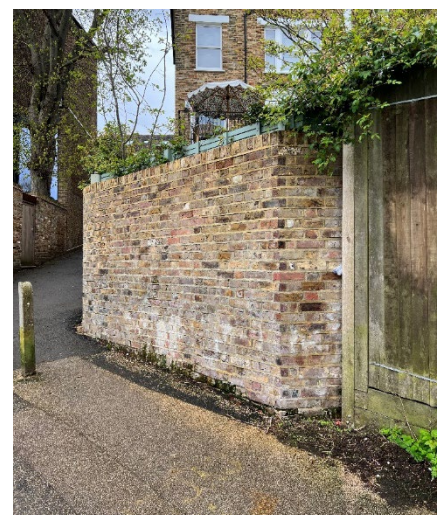


Fig. 4: Existing boundary wall to 94 SHP and boundary fence

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**Plans of existing and proposed**

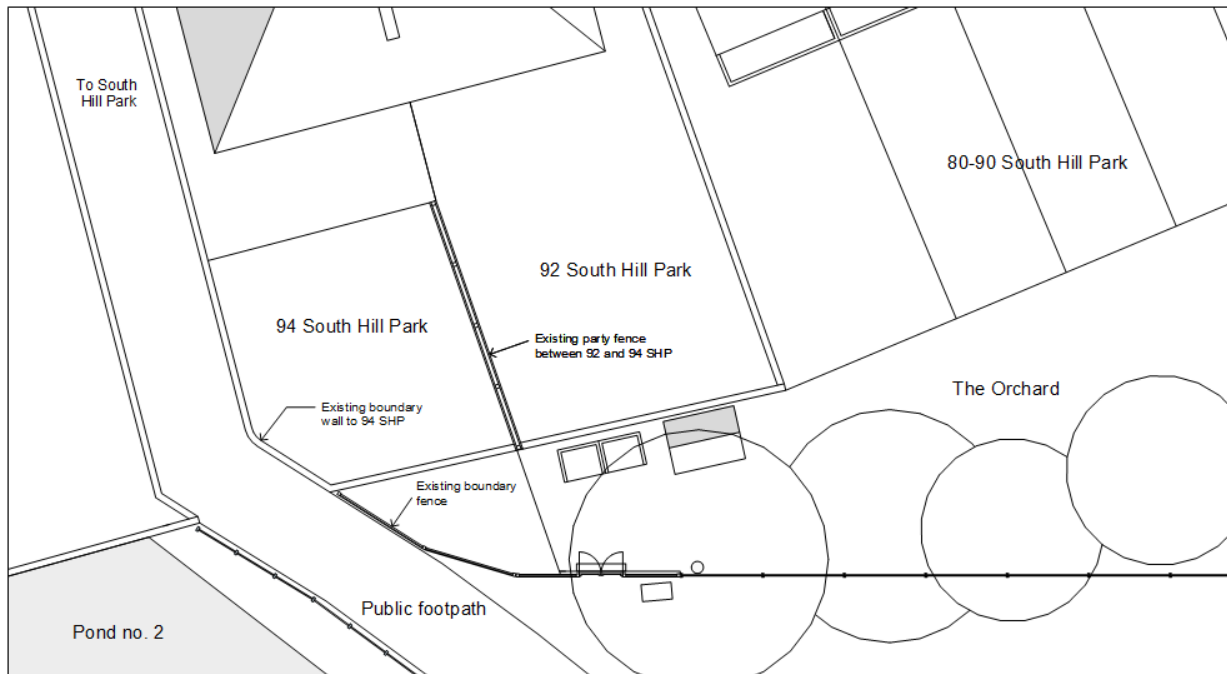


Fig 5: Plan of existing boundary fence in context

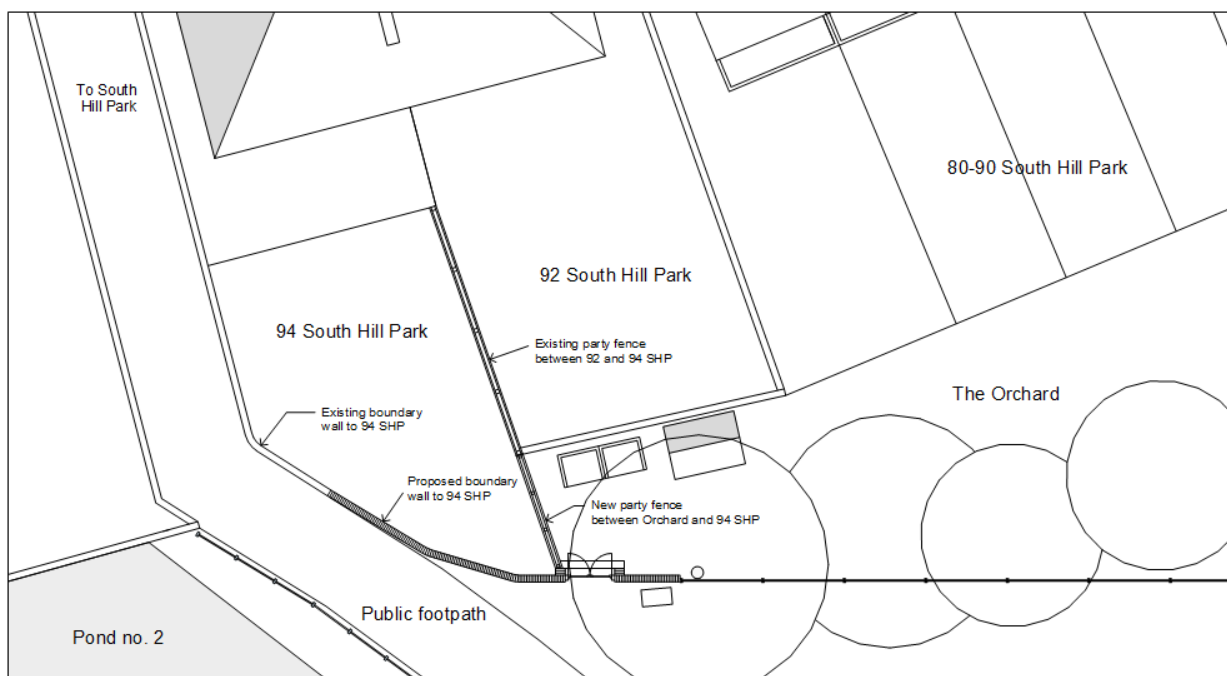


Fig 6: Plan of proposed new boundary wall in context

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**Elevations of existing and proposed**

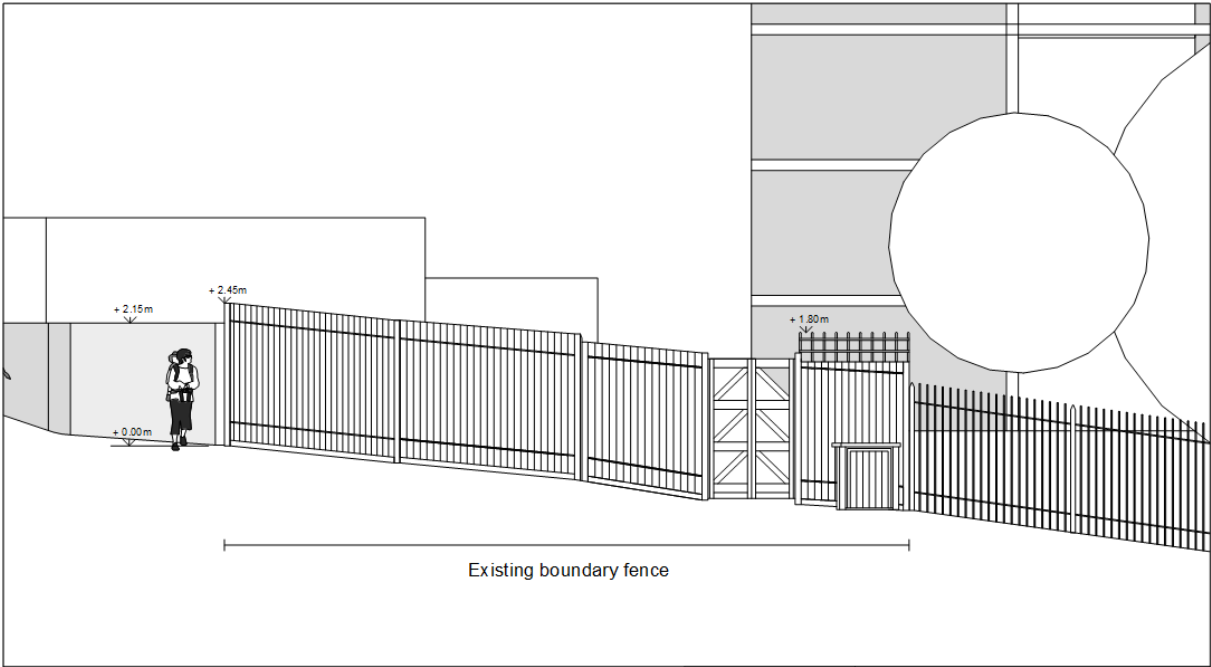


Fig. 7: Elevation of existing boundary fence

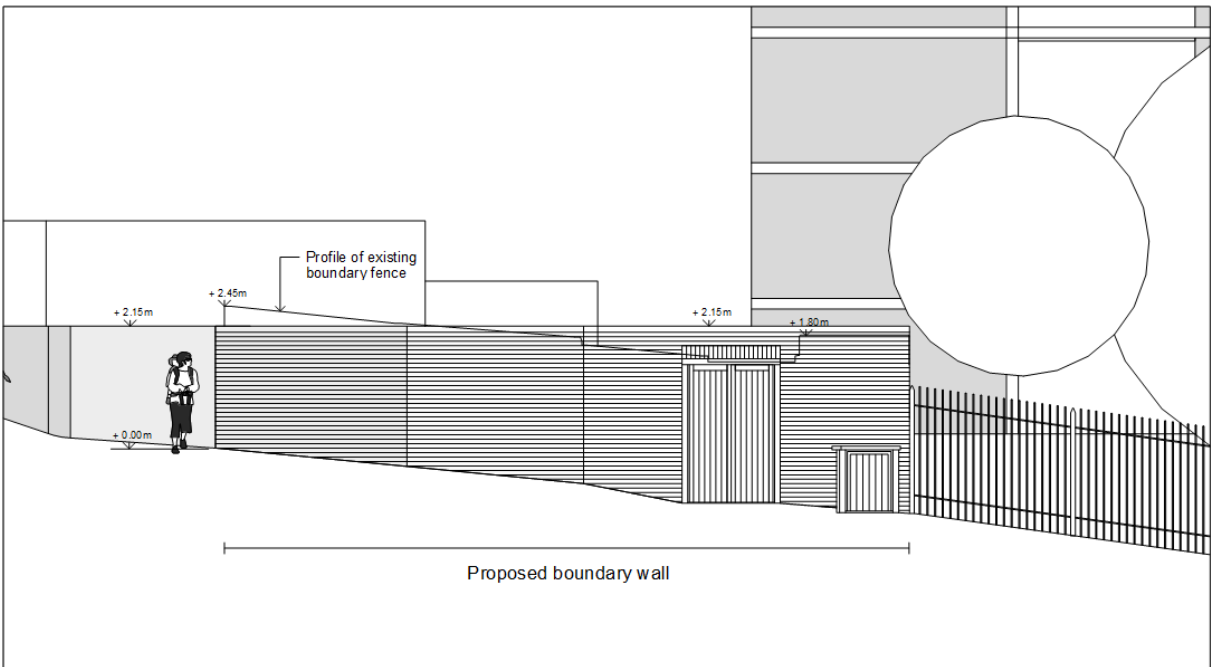


Fig. 8: Elevation of proposed boundary wall with profile of existing fence overlaid for the purposes of comparison

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**Proposed new party fence**

Following the formal transfer of ownership of part of the Orchard to the owners of 94 South Hill Park, this element of the proposed works enables 94 South Hill Park to connect their existing garden to the newly acquired land, while creating formal separation between the two properties along the new ownership boundary.

To that end the demolition of the existing brick wall to the rear of their garden is proposed, while a new party fence will be installed on the revised boundary between the Orchard and 94 South Hill Park. The line of the party fence coincides with an existing change in ground level at the northernmost tip of the Orchard, dating back to this piece of land's previous use as an electricity sub-station.

The new party fence will sit onto a retaining structure, raised above the original retaining structure by around 800mm to accommodate the increased change in ground level between the existing garden level to 94 South Hill Park and that to the Orchard.

The fence itself will be of timber construction, similar in design to the existing party fence between numbers 94 and 92 South Hill Park, though will be lower in height such that it is no higher than the new brick boundary wall.

Consequently, the new party fence will not be visible from the Heath.

Refer to figures 9 and 10 below.

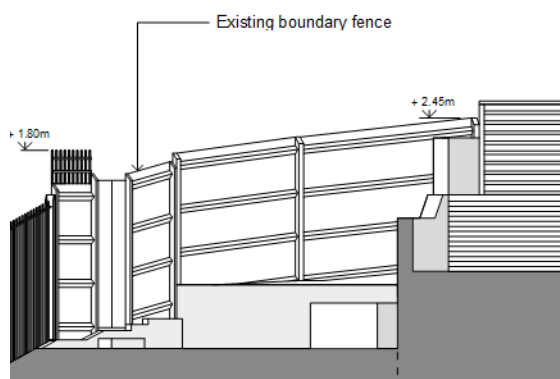


Fig. 9: Existing section looking towards 94 SHP

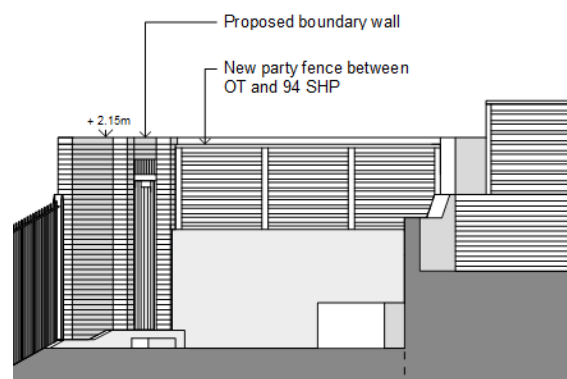


Fig. 10: Proposed section looking towards 94 SHP

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**Schedule of drawings accompanying this application**

<b>Drawing no.</b>	<b>Title</b>	<b>Scale</b>
OT-94-001	Location Plan	1:1250 @ A3
OT-94-002	Existing Plan	1:100 @ A3
OT-94-003	Proposed Plan	1:100 @ A3
OT-94-004	Existing Elevation	1:100 @ A3
OT-94-005	Proposed Elevation	1:100 @ A3
OT-94-006	Existing Plan	1:50 @ A3
OT-94-007	Proposed Plan	1:50 @ A3
OT-94-008	Existing Elevation	1:50 @ A3
OT-94-009	Proposed Elevation	1:50 @ A3
OT-94-010	Proposed Elevation with existing profile	1:50 @ A3
OT-94-011	Existing Section	1:50 @ A3
OT-94-012	Proposed Section	1:50 @ A3
OT-94-013	Proposed Section with existing profile	1:50 @ A3