

Delegated Report		Analysis sheet		Expiry Date:		01/06/2011	
(Members Briefing)		N/A		Consultation Expiry Date:		12/05/2011	
Officer				Application Number(s)			
Jennifer Walsh				2011/1666/P 2011/1364/L			
Application Address				Drawing Numbers			
Witanhurst House 41 Highgate West Hill London N6 6LS				Please refer to draft decision notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal							
Relocation of existing ornamental pond and steps within lower garden of Peto Garden							
Recommendations:		Grant Planning Permission Grant Listed Building Consent					
Application Type:		Householder Application Listed Building Consent					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	<p>A site notice was displayed from 21/04/2011-12/05/2011; A press notice was displayed from 13/04/2011-04/05/2011; No objections were received.</p>					
CAAC/Local groups comments:	<p>English Heritage commented on the application as follows:</p> <ul style="list-style-type: none"> - They do not raise any objections to the proposals; - The proposals will allow for an increased planting bed that will provide a good level of screening around the end pool within the Italianate Garden, as originally intended when that garden was laid out; - They recommend that conditions are attached to any consent requiring details of the formation of the proposed planting bed (including proposed plants), a method statement relating to the proposed deconstruction of the existing pool and affected surrounding garden features and details of their proposed reinstatement and/or reuse. <p><i>(Officers response: The latter recommended condition is considered to have been dealt with under the information included within the refurbishment plan as part of the S106 and the associated documentation. Sufficient level of detail regarding the structural works and reconstruction of the new pond is considered to have been received).</i></p> <p>The Highgate Society objects to the works on the following grounds:</p> <ul style="list-style-type: none"> - This is the latest of a string of disparate and seemingly unconnected applications for works to this Listed House and Gardens, submitted to Camden over a long period with no apparent attempt to present a holistic single scheme for the supposed restoration of the Gardens. The Grade II* status of the house and gardens surely requires a full overarching plan of restoration. - In particular, they were concerned about disparate and piecemeal applications for felling trees, supposedly at English Heritage's request, to enable historic restoration, since some of these would have a major impact on the views of the Highgate slopes from Hampstead Heath. The piecemeal nature of the applications meant that the overall effect of the works on Hampstead Heath could not be adequately assessed, a major aspect of concern also to the City of London as managers of Hampstead Heath, to whom this is being copied. - In view of its Grade II* status, English Heritage should be involved in, and approve, the nature of the garden restoration. When we met the developers' landscape architects on site, about a year ago, we were advised that the works, including felling of various trees, was being carried out at the insistence of English Heritage to ensure restoration of the original gardens designed by landscape architect Harold Peto in the 1920s. - However, in correspondence with English Heritage earlier this year, into which Camden was copied, regarding this point, English Heritage advised us that they had not been involved in any proposals for felling trees, and did not satisfactorily answer our question as to the extent to which they had been involved in advising on the most appropriate scheme of restoration for the gardens. - Clearly English Heritage should be advising on, and approving or rejecting, proposals for works to a Grade II* garden. However, they have as yet been shown no evidence of their involvement, and must therefore question on what basis, or authority, any works to the historic element of the Grade II* Listed gardens are being carried out. - Until such clarification can be obtained, they regret that they must maintain their objection to the works as based on an incomplete overall scheme for the historic garden. They also request that a site visit is held with English Heritage to discuss the proposal. <p><i>(Officers response: The listed structures are Grade II listed and therefore English Heritage is not required to be consulted on application of such nature. However, due to the history of the site and the nature of the works, English Heritage were consulted in this instance and have provided comments. English Heritage also went on site prior to the application being submitted and have discussed the proposals at pre application stage.</i></p>					

In relation to the concern raised to the lack of holistic refurbishment of the gardens, this is a valid issue which the Council are dealing with separately (as part of the S106 clause for full refurbishment plan to be submitted prior to works) and is outside the scope of these specific works. The Council have requested the full refurbishment plan in relation to all the garden structures (in line with the s106 clause), and are awaiting formal submission by 31st May. The Planning Officer has passed on the request for the site visit to the agent and advised the agent to get in contact with the Highgate Society directly).

Site Description

The application site comprises a substantial neo-Georgian detached single family dwelling house. The property was built between 1913 and 1920 by George Hubbard for Sir Arthur Crosfield and is a Grade II* Listed Building. It is located on Highgate West Hill and is located within the Highgate Conservation Area.

Relevant History

2009/3192/P: Construction of a basement in front forecourt area for ancillary residential use as part of Witanhurst House including associated planting, forecourt reinstatement and landscaping plus permanent vehicular access from Highgate West Hill (Class C3). **REFUSED 16/12/2009 – APPEAL ALLOWED 23/06/2010**

2011/0511/P and 2011/0514/L: Reconstruction of the upper section of boundary wall forming curtilage of Witanhurst House (Class C3) with associated tree removal and planting. **GRANTED 01/04/2011**

Relevant policies

LDF Core Strategy and Development Policies

- CS1 (Distribution of growth)
- CS14 (Promoting high quality places and conserving our heritage)
- CS15 (Protecting and improving our parks and open spaces & encouraging biodiversity)
- DP22 (Promoting sustainable design and construction)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)

**Highgate Conservation Area Statement
Camden Planning Guidance 2006**

Assessment

Proposal

1.1 This application seeks permission for the relocation of the existing pond and steps within the Italianate Garden (lower garden). The existing pool is semi-circular in shape and the steps are either side of the pond, providing access to the upper level which surrounds the ornate gardens. The Italianate Garden is in a poor state of repair and restoration works are necessary. Due to changes in the ownership of the land over the years, the pond no longer sits in the centre of the site. The rear boundary is very close to the rear of the pond and therefore there is inadequate room for planting and circulation space behind the pond, as was originally intended when first designed.

1.2 Revisions have been received to the application to ensure the symmetry of the existing rectangular beds is replicated within the lower section of the garden. The pond is now to be moved 1m forward closer in towards the garden and away from the rear boundary. Further details in respect to the structural works and the reconstruction for the new pond have also been submitted in support of the application.

Design

2.0 The Italianate garden comprises of wall, retaining walls, steps, a sunken pond paving and a pergola. Built in 1913 by Harold Peto, the design formed part of his overall garden design for Sir Arthur Crosfield within the grounds of Witanhurst House. The lower garden is rectangular in shape with small rectangular beds separated with paving and a segmental-shaped reflecting pond at the end of the garden closest to the boundary.

2.1 The proposal seeks to move the pond forward by 1m off the boundary of the site. Such an alteration would result in the loss of the long rectangular beds closest to the pond. The pond is to remain exactly the same size but is just being relocated to a new position. The two existing rectangular beds are considered to be dissimilar to the other symmetric beds and as such as are visually separated from the equilibrium of the lower garden. The revised position of the pond has been amended to better preserve the symmetry of the central beds. There are proposed to be four rectangular beds read vertically and horizontally which retains the historic value of the original garden design.

2.2 The proposals will allow an increased planting bed that will provide a good level of screening around the segmental shaped reflecting pond within the Italianate Garden, as originally intended. Therefore, it is not considered that the relocation of the existing pond, as well as associated alterations to the Peto Gardens, would have a detrimental impact on the Listed Structure nor the wider conservation area and is therefore considered acceptable in design terms.

2.3 Additional detail in relation to the proposal has been submitted during the course of the application. Such detail has been assessed by the Council's Conservation officer and it is considered that sufficient level of detail regarding the structural works, and reconstruction of the new pond has been submitted. It is therefore considered that the additional information as recommended by English Heritage has been submitted and it is unnecessary to attach a condition requiring further details to be submitted. The details demonstrate how the new pond would be constructed and that existing materials will be reused where possible and replaced to match original where missing or beyond repair which is encouraged and considered acceptable in this location.

Amenity

3.0 As the proposed works are located to the rear and side of the property, approximately 15m from the closest residential property and located on a higher ground level, it is considered that the relocation of the pond and steps would not have any adverse impact on the amenities of the adjoining residents in terms of loss of daylight, sunlight, outlook or privacy.

Recommendation: Grant Planning Permission

DISCLAIMER

Decision route to be decided by nominated members.

For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>