

Delegated Report		Analysis sheet	Expiry Date:	04/12/2009
		N/A / attached	Consultation Expiry Date:	30/10/2009
Officer			Application Number(s)	
Anette de Klerk			2009/3884/P	
Application Address			Drawing Numbers	
39 Holly Croft Avenue London NW3 7JQ			Refer decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
Erection of tree house in the rear of garden of residential dwelling (Class C3)				
Recommendation(s):		Refuse Planning Permission		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	7	No. of responses	0	No. of objections	0
			No. electronic	0		
Summary of consultation responses:	A site notice was displayed between 09/10/2009 – 30/10/2009. One letter of support was received stating the following: <ul style="list-style-type: none">- A welcome amenity for children living at the address. English Heritage commented as follows: <ul style="list-style-type: none">- The present proposals are not considered to have an affect on any significant archaeological remains.- Advised that any requirements for pre- or post-determination archaeological assessment/evaluation of this site in respect to the current application could be waived.					
CAAC/Local groups comments:	Redington/Frogna! CAAC – objected to the proposal on the following grounds: <ul style="list-style-type: none">- Disingenuous plans – tree house 6m up the tree will overlook all neighbours.- Any childrens’ noise (music etc.) will be projected over all the neighbours.					

Site Description

The application site is located on the east side of Hollycroft Avenue. The building is one of a pair of semi-detached property dating from 1905 and comprising three storeys. It was designed by CHB Quennell. The property is not listed but is located within the Redington and Frognal Conservation Area and the Hampstead Heath Archaeological Priority Area 2006.

Relevant History

No relevant history.

Relevant policies

Camden Unitary Development Plan 2006

SD6 – Amenity for occupiers and neighbours
B1 – General design principles
B3 – Alterations and extensions
B7 – Conservation Areas
N8 – Ancient woodlands and trees

Camden Planning Guidance Redington/Frognal Conservation Area Statement

Assessment

Proposal:

The proposal seeks planning permission for the erection of tree house in the rear garden of No. 39 Hollycroft Avenue.

Design, scale and appearance:

The applicant site has a large landscaped garden measuring approximately 28m in depth and 10m in width with retaining walls and a 4m high fence along both the rear boundary and its side boundary with No. 37 Hollycroft Avenue. A raised decking platform is located along the rear boundary with a single storey summer house/gazebo located in the north eastern corner. A 1.8m high fence is located along the boundary with the adjoining property at No. 41 Hollycroft Avenue increasing slightly in height towards the rear south eastern corner of the property. The adjoining property at No. 41 Hollycroft Avenue also has a single storey summer house located near the rear boundary of the garden. The rear elevations of No's 67 and 65 Redington Road located to the rear of the application property are clearly visible from the garden.

The proposed tree house will have a hexagon shape measuring approximately 3.8m in width when viewed from the front, 3.8m in depth and will be constructed with a conical roof measuring approximately 1.9m in height to eaves level and 4.4m to the top of the roof. To the front of the proposed tree house there will be a varendra with timber posts and rope balustrade supported by 6 no. posts secured into the ground. The varendra will measure 0.8m in depth and 1.8m in height from ground level with balustrade measuring 1.1m in height along the edge. The overall height of the proposed tree house will be approximately 6.3m from the ground level. Access to the proposed tree house will be via a winding timber staircase, a rope ladder to the front of the structure and a fireman's pole. The external cladding of the tree house will be tongue and groove timber stained golden brown with cedar shingles in natural reddish colour. The tree house would be located approximately 18.5m from the original rear elevation of the house.

As stated in the paragraph above, the overall height of the proposed tree house will be approximately 6.3m from the ground level and it will project 4.5m higher than the 1.8m high fence along the

boundary with the adjoining property at No. 41 Hollycroft Avenue. The proposed tree house will be highly visible when viewed from the properties located at No. 41 Hollycroft Avenue and No's 65 and 67 Redington Road. When considered in relation to the established modest scale of the single storey outbuildings located in the rear gardens of properties along Hollycroft Avenue, the bulk, overall height and highly visible location of the proposed tree house will result in an overbearing structure in the rear garden to the detriment of the character and appearance of the conservation area.

Amenity:

The tree house will be located approximately 0.9m from the boundary with the adjoining property at No. 41 Hollycroft Avenue. The boundary fence to No. 41 Hollycroft Avenue measures approximately 1.8m in height. No 41 Hollycroft Avenue has been converted into maisonettes with the windows on the rear elevation serving the bedrooms and living rooms of the two units. Two windows are proposed to the front elevation and one window to the side/rear elevation of the proposed tree house. A varena is to be located to the front of the tree house measuring approximately 1.8m in height from the ground level. The edge of the varena will be located approximately 15m away from the original rear elevation of No. 41 Hollycroft Avenue and approximately 6m away from the rear elevation of the single storey rear extension. Given the elevated height of the tree house, the windows and varena would lead to direct overlooking of the habitable rooms and rear garden of No.41 Hollycroft Avenue. It is therefore considered that the proposed tree house will result in a detrimental loss of privacy to the adjoining property.

Trees:

The proposed tree house will not be fixed to the tree in any way and a gap of 75mm will be left around the tree so that it can move and grow. The gap can be increased in later years if required. A tree report has been submitted with the application outlining the tree protection methods proposed. The method for providing foundations for the supporting stilts is through the use of screw piles onto which the stilts will be bolted. This method will minimise any root disturbance to the oak tree. The proposed tree house will therefore not have any detrimental impact on the tree.

Recommendation: Refuse Planning Permission.

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