

Delegated Report		Analysis sheet		Expiry Date:		06/10/2009	
		N/A / attached		Consultation Expiry Date:		01/10/2009	
Officer				Application Number(s)			
Neil McDonald				2009/3886/P			
Application Address				Drawing Numbers			
Kenwood Place (Formerly Athlone House) Hampstead Lane London N6 4RU				Submission Document by Hamiltons (ref 26175/3.1/090803) dated August 2009; Email from Hamiltons dated 06/10/2009.			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Details of surface and foul water drainage systems (conditions 10,11, 13 & 14) and hard landscaping (condition 17) pursuant to revised planning permission dated 19/06/08 (ref. 2006/1412/P) for alterations, extensions and conversion of Athlone House to 1 x 7 bedroom house; The Coach House to 2 x 2 -bed units; The Gate House to 1 x 1-bed house and Caen Cottage to 1 x 3-bed house: and erection of 3 new blocks -A, B and C, to provide 22 flats (4 x 2 beds, 12 x 3-beds and 6 x 4 beds) with underground parking and significant landscaping.							
Recommendation(s):		Granted					
Application Type:		Approval of Details					
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
				No. electronic	00		
Summary of consultation responses:		No adjoining occupiers consulted					
CAAC/Local groups* comments: *Please Specify		Athlone House Working Group – No objections.					

Site Description

The site comprises a 4.85 hectare estate consisting of the house itself (formerly a nursing home), various outbuildings and ancillary accommodations, together with extensive gardens. The house dates from 1871 but incorporates some unsympathetic C20th additions. It is surrounded on all sides by open or wooded land; playing fields belonging to Highgate School to the north, a private residence with extensive gardens, known as Beechwood, to the east; and Hampstead Heath to the south and west. Part of the site's northern boundary abuts Hampstead Lane from which it is screened by a brick wall, trees and shrubs. The site forms part of the Highgate Village Conservation Area and is designated private open space.

The whole of the site is Metropolitan Open land and falls within the Hampstead Heath Site of Metropolitan Nature Conservation Importance (SNCI(M)).

The ancillary structures on the site have now been cleared following approval of an application for refurbishment and change of use of the house as a 7-bedroom single dwelling together with conversion of remaining out-buildings and part redevelopment of the site for 24 flats and 2 (1x1-bed and 1x3-bed) dwellings (see below). The 3 blocks A, B and C of 24 flats are now substantially completed.

Relevant History

On 5th October 2005, planning permission (application No. 2003/2670/P & 2003/2671/C) was granted for:

Part Conversion and part redevelopment of site for 27 residential units including:

* **Alterations, extensions and conversion of Athlone House to 1 x 7 bed house, The Coach house to 2 x 2 bed units, The Gate House to 1 x1 bed house and Caen Cottage to 1 x 3 bed house:**

* **Demolition of all remaining post war buildings and erection of 3 new blocks to provide 22 flats with underground parking (9 x 2 bed, 10 x 3 bed and 3 x 4 bed)**

* **Donation of 0.98 hectare of land as extension to Hampstead Heath and**

* **Significant landscaping content.**

The planning permission was accompanied by a complex S106 legal agreement which covered the following matters:

- Delivery of 3040m² net internal floorspace Affordable Housing –to be provided off site in phases with phased occupation of on-site private housing dependent upon provision of each affordable phase;
- Donation of land as an extension to Hampstead Heath including financial contribution of £50K;
- Heath Land Landscape Management Plan
- Retained Land Landscape Management Plan;
- Restoration of Athlone House internally and externally;
- Education contribution of £157,803;
- Contribution for costs of necessary bus stop improvements;
- Car capping;
- Renewable energy plan including provision of an energy demand assessment and feasibility work for renewable energy technologies;
- BREEAM report –to secure 'very good' standard
- Named Scheme Architect to be retained throughout approval of details and build-out stages (the named architect was changed from David Chipperfield to Hamiltons by deed of variation approved by Committee in May 2007).

Approvals of details on 2003/2670/P were issued in respect of:

Condition 10 –repeat survey of great crested newts –ref. 2006/0511/P approved 05/04/06 –condition now discharged.

Condition 17 -planting throughout the areas to be donated to the Heath –ref. 2006/0652/P approved 05/04/06.

19/06/2006 - Permission granted for revised scheme (ref 2006/1412/P) entailing changes to elevations and some remodelling at roof level in respect of the new-build development only. A deed of variation was signed in respect of the above S106 agreement.

Approvals of details on 2006/1412/P have since been issued in respect of: Conditions 2 (stone cladding), 3 (samples of materials for Blocks A,B and C), 5 (details of sections, elevations and materials to Blocks A, B and C), 8 (landscape management plan); 9 (landscape management plan for post construction) (part only); 12 (soakaways); 15 (planting details) (part only); 22 (archaeological investigation); 23 (archaeological building and recording analysis).

N.B. Condition 16 (planting for the donated areas) is deemed as discharged by virtue of the details submitted under condition 17 of the previous approval and the transfer of this land to the Heath authority as part of the S106 requirements, having taken place. These details also covered the Heath Land Landscape Management Plan aspects in relation to conditions 8 and 9 and clause 3.5 of the S106 agreement.

Refusal of submitted details (under ref 2007/0317/P) in respect of conditions 10, 11, 13 and 14 relating to site drainage was issued due to a lack of information regarding tree protection although the drainage details were acceptable to the Environment Agency and Thames Water.

A refusal was also issued (ref 2007/5583/P) regarding condition 17 due to the lighting aspects of the submitted hard landscaping details.

Details are therefore still outstanding in respect of the following conditions: 6 (detailed drawings and materials for Athlone House), 7(detailed drawings and materials for The Coach House, Gate House and Caen Cottage), 9 (Landscape Management Plan for post construction in respect of The Coach House and The Lodge), 10 (surface water drainage), 11 (surface water source control), 13 (surface and foul water drainage system), 14 (sewerage infrastructure), 15 (planting details for ancillary residential areas in respect of The Coach House and The Lodge), 17 (hard landscaping), 18 (parking layout for Athlone House, The Coach House, Gate House and Caen Cottage), 21 (waste storage and removal for Athlone House, The Coach House, Gate House and Caen Cottage parts of the development).

Relevant policies

London Borough of Camden Replacement Unitary Development Plan –Adopted June 2006

SD9B (Resources and energy -water), B1 (General design principles), B7 (Conservation areas), B9B (Important local views), T7 (Parking), N8 (Ancient woodlands and trees).

Assessment

The submitted details are to address those aspects of outstanding conditions relating to the new-build part of the development only –i.e. blocks A, B and C. The buildings are now substantially complete and the details submitted are to regularise aspects that had previously not been the subject of applications for formal approval; namely-

Condition 10:

Surface water drainage works shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding in accordance with policy EN9 of the adopted Camden UDP 2000 and SD9B of the Revised Deposit Draft Unitary Development Plan as amended January 2006.

Condition 11

Surface water source control measures shall be carried out in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: To prevent the increased risk of flooding and to improve water quality in accordance with policy EN9 of the adopted Camden UDP 2000 and SD9B of the Revised Deposit Draft Unitary Development Plan as amended January 2006.

Condition 13

The construction of the surface and foul water drainage system shall be carried out in accordance with details submitted to and approved in writing by the Planning Authority before the development commences.

Reason: To prevent pollution of the water environment in accordance with EN9 of the adopted Camden UDP 2000 and SD9B of the Revised Deposit Draft Unitary Development Plan as amended January 2006.

Condition 14

No development approved by this permission shall be commenced until the Local Planning Authority is satisfied that adequate sewerage infrastructure will be in place to receive foul water discharges from the site. No buildings (or uses) hereby permitted shall be occupied (or commenced) until such infrastructure is in place.

Reason: To prevent pollution of the water environment in accordance with policy EN9 of the adopted Camden UDP 2000 and SD9B of the Revised Deposit Draft Unitary Development Plan as amended January 2006.

Condition 17

No development shall take place until all details of Hard Landscaping throughout the site including boundary fencing and walls, all other walls and retaining walls, surfaces, lighting and other structures have been submitted and approved by the Local Authority.

Reason: To ensure all hard landscaping details are appropriate to the character of the site and surrounding area in accordance with HR1, HR2, HR4, HR7, EN31, EN33, of the adopted Camden UDP 2000 and B1, B7 and B9B of the Revised Deposit Draft Unitary Development Plan as amended January 2006.

Drainage systems (conditions 10, 11, 13 & 14)

Conditions 10-14 were all imposed at the request of the Environment Agency in order to protect the site from environmental damage due to poor drainage and reduced water quality. Both the Environment Agency and Thames Water were consulted in regard to the drainage proposals when submitted previously under reference 2007/0317/P. Both confirmed that the details were acceptable although approval of the details was withheld by the Council due to a lack of information regarding tree protection.

It has now been confirmed by the applicant that repairs to a drainage pipe within the root protection zones of trees to be retained will not entail any excavations and will take place in situ. Officers are satisfied with these measures and consider the drainage details acceptable. Whilst conditions 10 and 11 have not been formally referred to in the applicants main submission document, it is considered that the details submitted to date are satisfactory in regard to these as well as 13 and 14 and therefore all the outstanding drainage conditions are now considered to have been discharged.

Hard landscaping and lighting (condition 17)

Hard landscaping details have been considered previously on 2 occasions (under ref nos 2007/5883/P and 2008/4929/P) and refused on both. This was due firstly, to contradictory information about paving materials within the submitted information, and secondly the proposed lighting both creating light pollution and potentially harming tree root systems through the associated cabling.

The submitted details now confirm porphyry paving to the roadways designed to compliment the

tones of the building facades. Retaining walls to the boundaries are in Kentish Ragstone.

It has been confirmed that any incursion into the root protection zones for lighting cabling will not be any more than minimal. In regard to the visibility/impact of the lighting on the character of the surrounding heath, it is considered that this is unlikely to be visible above ambient light at night, particularly during the summer time when it will be screened by vegetation. During the winter time there may be some visibility but this would be mitigated by there being less people using the Heath at that time of year and lighting from other sources also being visible at the same time.

It is considered that all aspects of the hard landscape details (materials, layout etc, as well as lighting) are now acceptable and condition 17 may be discharged.

Recommendation: Discharge conditions 10, 11, 13, 14 and 17.

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