

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 25<sup>th</sup> February 2008. For further information see

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

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	01/02/2008
		N/A / attached	<b>Consultation Expiry Date:</b>	06/02/2008
<b>Officer</b>			<b>Application Number(s)</b>	
Sara Whelan			2007/5776/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
8A Fitzroy Park London N6 6HP			Please see draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Erection of a timber clad garden store and children's playhouse with a green roof in south west corner of garden to single family dwelling house.				
<b>Recommendation(s):</b>	Grant			
<b>Application Type:</b>	Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	07	No. of responses	01	No. of objections	01
			No. Electronic	00		
Summary of consultation responses:	Site notice erected between 11/1/2008 – 1/2/2008 One objection received raising the following points; - Impact upon passers by and surrounding residents <i>Officer response: The proposed outbuilding would be positioned 2m from the road, Fitzroy Park. It would be located behind an existing brick wall and have a maximum height of 2.4m. In addition it would have timber flank elevations and a curved green roof. Considering it is not thought that the proposed outbuilding would have any detrimental impacts of dominance upon passers by and surrounding residents.</i>					
	- Building has already had major changes to its character <i>Officer response: The proposed building would be 17m from the Grade II Listed dwelling. Due to the ample separation distance the proposed outbuilding would not have any demonstrable harm upon the character of the main dwelling.</i>					
	- The building will interrupt the unobtrusive view of the Listed Building within a Conservation Area <i>Officer response: The main vista of the Grade II Listed building is from the main entrance, where the road meets the drive. The location of the proposed out building is screened with semi mature trees and vegetation. It is not considered that the position of the outbuilding would have any major impacts upon the views of the Listed Building.</i>					
	- The garden of this Listed Building has rural settings now all trees and shrubs have been removed and replaced with major fences and concrete structures <i>Officer response: The shrubs which have been removed did not require any kind of permission from the Council. The proposed outbuilding would be erected using timber and a grass roof. The appearances of these materials are considered to compliment the rural appearance of the application site.</i>					
	- This application would derail from the original nature and character of this Listed Building and result in over development <i>Officer response: The proposed building would be 5m wide and 3m deep. It would be a free standing structure and would be located over 17m from the Grade II Listed Building. It is not considered that the size of the proposed outbuilding and adequate separation distance to existing built form would</i>					

	<p><i>result in overdevelopment of the site.</i></p> <ul style="list-style-type: none"> <li>- Policy HR7 states that the Council should not permit new development at densities incompatible with those in the surrounding area. The area has been cleared of shrubs, the Council should demand that these shrubs are re planted</li> </ul> <p><i>Officer response: Policy HR7 is not an adopted policy in the replacement Unitary Development Plan 2006. As discussed previously it is not considered that the proposal would result in overdevelopment of the site or development at a density which would be incompatible with the area.</i></p> <ul style="list-style-type: none"> <li>- There is more than sufficient room within the main building to accommodate children and they do not need to make further space for this</li> </ul> <p><i>Officer response: The council has no control over what planning applications are submitted to the Local Planning Authority. All applications must be assessed on their merits and in accordance with relevant planning policies. Therefore the applicants desire to erect an outbuilding and the size of the existing dwelling are not relevant to this application.</i></p>
<p><b>CAAC/Local groups*</b>  <b>comments:</b>  *Please Specify</p>	<p>Highgate Conservation Area Advisory Committee - no response received</p>

## Site Description

The application property is a detached Grade II Listed 1960s house in the Highgate Conservation Area. The house is two storeys plus basement with rooftop projections. It is listed as a rare example of a luxury house in the modern style.

The house dates from 1965-7 and was designed by Hal Higgins of Higgins Nev & Partners for Peter Epstein, engineer. It has a complex and idiosyncratic plan form: with five semi-independent pavilions bedrooms linked by internal bridges to a main central living space.

The house is constructed from hand-made brick with a concrete block inner skin, a steel-frame living room painted black; with reinforced concrete slabs and flat roofs to living room, gallery and bridge links and steep-pitched slate roofs to adjoining pavilions.

The house is located on Fitzroy Park; a road semi-rural in character that leads from Highgate Village to Hampstead Heath. The rear garden of the application site is positioned approximately 2.3m above Fitzroy Park. It is screened by tall vegetation approximately 3.5m high and an existing brick wall set back from the road and approximately 3m high.

To the south of the application site are numbers 2 and 3 Highfields Grove. The rear amenity spaces of these dwellings are approximately 1m lower than the ground level of the rear amenity space of the application site. There is a 2m high timber fence aligning this shared boundary. This boundary fence requires planning permission as it is within the curtilage of a Listed Building. A subsequent planning application will be submitted to the Council requesting consent for this fence. This application solely seeks planning permission for the outbuilding.

## Relevant History

2006/0440/P and 2006/0441/L – Full planning permission and Listed Building Consent for the erection of a single-storey garden pavilion within the rear garden area of the existing dwelling house (Class C3), internal alterations to main dwelling house and associated alterations to boundary treatments and garden landscaping – approved on 31/3/2006

2006/2757/L Internal alterations to dwelling house to convert part of existing play room to shower room – approved on 7/8/2006

## Relevant policies

S1 & S2 Sustainable development  
B1 General design principles  
B3 Alterations and extensions  
B6 Listed Buildings  
B7 Conservation Areas  
SD6 Amenity  
SD7 Light, noise and vibration pollution  
T7 Off-street parking, city car clubs and city bike schemes  
Supplementary Planning Guidance  
Highgate Conservation Area Statement

## Assessment

### Overview

The special interest of the Listed Building primarily lies in: a highly complex and idiosyncratic plan form of main living space with semi-independent adjoining pavilions; a distinctive bulk, and massing with projecting brick towers and steeply pitched slate roofs to the adjoining pavilions; the use of materials with hand-made brick and a concrete block inner skin; the use of warmer materials internally, with timber panelling, doors and ceilings and other features. There are no important features within the amenity space which have contributed to the merits of the Listed Building.

The proposed outbuilding would accommodate a playroom and store. It would comprise an enclosed structure and a front curved wall. The building would be 5m wide at the rear and 3m deep. It would be 2m high at the rear and 2.4m high at the front elevation, the roof would be arched. It would have a green roof planted in meadow grass. The front curved wall would be 7.7m wide, it would be erected predominately from timber panelling and would include a circular window. A single door to the store would be included in the west elevation. Amended plans have been received removing a proposed 2m high fence on the southern boundary. A subsequent planning application seeking consent for a boundary fence will be submitted to the Council.

### Design

The proposed out building would be over 17m from the dwelling known as 8A Fitzroy Park. The proposed outbuilding would be a stand alone structure it would not adjoin any existing parts of the boundary treatment or walls within the site. The principal of erecting an outbuilding on this site is considered acceptable, as it would be a sufficient distance away from the existing Grade II Listed Building to not detract from it.

The height, low roof and size of the proposed out building combined with the 2m separation distance between the flank boundary is not considered to result in an overly bulky or prominent form of development in the street scene or Conservation Area. In addition the proposed grass roof of the outbuilding would reduce the visual impact and preserve the character and appearance of the Conservation Area.

A 2m high fence would be erected on the southern boundary of the application site. This fencing could be implemented within the constraints of the Town and Country Planning (General Permitted Development) Order 1995. Therefore the proposed fencing does not require full planning permission.

### Amenity

The proposed outbuilding would be approximately 15m from the rear elevations of properties facing onto Highfield Grove. These dwellings have single storey rear conservatories. The proposed outbuilding would be 2m high at the rear; the roof would slope upwards and away from the shared boundary to a maximum height of 2.4m. Considering the low height of the proposed outbuilding and distance to the adjacent dwellings, it is not considered that any detrimental impacts of dominance or overshadowing would occur upon the rear amenity spaces of properties fronting Highfield Grove. In addition the proposed roof would be grass; it is considered that the appearance of this roof would not be visually obtrusive when viewed from properties in Highfield Grove.

The outbuilding would include a door facing onto Fitzroy Park. An existing brick wall and semi-mature vegetation exists on this boundary. Considering the ample distance to neighbouring properties and that the proposed building would not provide any habitable accommodation it is not considered that any detrimental impacts of overlooking would occur upon neighbouring properties.

### Conclusion

It is considered that the low height and size of the building would not have any detrimental impacts upon the setting of the Listed Building, character or appearance of the Conservation Area or general street scene. In addition it is not considered that the proposal would have any demonstrable harm upon the amenity of the surrounding dwelling in terms of daylight, dominance or overlooking.