

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>	<b>14/06/2007</b>
		N/A / attached		<b>Consultation Expiry Date:</b>	29/05/2007
<b>Officer</b>			<b>Application Number(s)</b>		
Conor McDonagh			2007/1505/P 2007/1509/L		
<b>Application Address</b>			<b>Drawing Numbers</b>		
10 Fitzroy Park Highgate London N6 6HU			Drawing Nos: Site Location Plan EKP-LOC001; EKP-100B; 101A; 102; 200A; 201A; 202; 203; 205A; 206A; 207A; 208A; 209A; 210A; 252; 300; 305; 306; 310; 315; 316A; 317A; 270210-P-01; 02C; 03; AS/04A - 15A; 16 - 19; TS/01; Services Design Statement; PPG15 Statement; Arboricultural Impact Assessment (as amended 06/06/07).		
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>		
<b>Proposal(s)</b>					
Demolition of existing two storey garage/workshop and erection of part single, part two storey side extension, open air pool and tennis court to single family dwelling house (Class C3).					
<b>Recommendation(s):</b>		<b>Grant Full Planning Permission</b> <b>Grant Listed Building Consent</b>			
<b>Application Type:</b>		<b>Full Planning Permission</b> <b>Listed Building Consent</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	<b>20</b>	No. of responses	<b>04</b>	No. of objections	<b>02</b>
			No. Electronic	<b>00</b>		
Summary of consultation responses:	<p>2 <b>objections</b> from 17 Highfields Grove and 49 Fitzroy Park</p> <ul style="list-style-type: none"> <li>Development will destroy open space and attractive area <i>Officers Response: Only the tennis court will cover an area of open space which is hidden to the southwest corner of the site and not considered harmful to the area.</i></li> <li>Development will create excessive noise to Highfields Grove <i>Officers Response: The properties in Highfields Grove are sited a significant distance from the proposed development on the application site.</i></li> <li>Development will spoil views from 17 Highfields Grove. <i>Officers Response: The proposed extension is sited at least 100 m from this property and is not significantly larger than the dilapidated timber structure; it is considered that views from this property will be improved with the proposed better designed extension and the tennis court is not visible from this property.</i></li> <li>Development will diminish the enjoyment of pedestrians in Fitzroy Park <i>Officers Response: The development is well contained within the application site as to not impact upon pedestrians.</i></li> <li>Tennis court will directly overlook a landing window to the front of 49 Fitzroy Park. <i>Officers Response: This window is sited 35 m from the closest part of the tennis enclosure therefore no significant overlooking will occur.</i></li> <li>The proposed mesh enclosure will be considerably higher than the top of the existing boundary wall to the detriment of neighbouring properties outlook. <i>Officers Response: The top of the proposed mesh fence would not be significantly higher than the top of the existing boundary wall and given the density of the vegetation on this boundary that is to be retained then no neighbouring outlook is harmed.</i></li> <li>Object to tree removal on the boundary of 49 Fitzroy Park. <i>Officers Response: An aboricultural report provided has been deemed acceptable by the Councils Tree officers and replanting is conditioned where necessary.</i></li> </ul> <p>2 <b>supports</b> from 1 and 4 The Hexagon.</p>					
CAAC/Local groups* comments: *Please Specify	<p><u>Highgate CAAC</u> <b>No Objection</b> and <b>comment</b> Neighbours views should be taken into account, especially from the proposed tennis court.</p> <p><u>Environment Agency</u> <b>No objection</b> as application has a low environmental risk.</p>					

## Site Description

The site is occupied by a Grade II listed building in the Fitzroy Park sub area of the Highgate Conservation Area situated on the south side of Fitzroy Park road, between the 1960s housing of the Hexagon (east) and 1980s housing which fronts Fitzroy Close (west) and dates from 1932, by E Vincent Harris for his own use. The building was in institutional use (D1) for a number of years but planning permission was granted in 2004 for its change of use back to a dwellinghouse. The building is currently only partially occupied. Heathfield Park lies to the south and allotments are situated on the opposite side of the road to the north.

The site in itself is larger and irregular in shape with an almost detached area that protrudes 60 metres to the southwest of the main body of the site. There is a lot of vegetation of varying maturity and density found around the site boundaries, particularly around the protruding area which abuts the rear gardens of 3, 4 and 5 Fitzroy Park.

## Relevant History

**2006/3194/P** and **2006/3197/L** Demolition of existing side additions and garden pond, construction of a new two-storey plus cellar-level side extension, construction of a single-storey guest-house, and construction of a new pool and tennis court and landscaping works at the dwelling (Class C3). **Withdrawn** 26/09/06.

*Reasons for withdrawal included unacceptable extension design and loss of trees.*

**2004/3662/P** The change of use from Class D1 (training centre) to Class C3 (residential dwelling house). **Approved** 15/10/2004.

## Relevant policies

Set out below are the UDP policies that the proposals have primarily been assessed against, together with officers' view as to whether or not each policy listed has been complied with. However it should be noted that recommendations are based on assessment of the proposals against the development plan taken as a whole together with other material considerations.

### Replacement Unitary Development Plan 2006

B1 – General design principles

B3 – Alterations and extensions

B6 – Listed Buildings

B7 – Conservation Areas, Character and Appearance

SD6 – Amenity for occupiers and neighbours

N8 – Ancient woodlands and trees

### Camden Planning Guidance 2006

Extensions, alterations and conservatories (page 81), Listed Buildings (Page 113).

### Highgate Conservation Area Statement

## Assessment

### Exterior Overview

**Extension:** The applicant seeks to demolish the existing two storey timber lap-boarded garage and workshop structure, to the northeast of the house an erect a two storey side extension constructed of black painted timber and metal framed glazed units and sliding doors. The extension is attached to the main house by a 5.1 metre wide glazed link set back 4.5 metres from the rear building line. The upper level of the extension will occupy the same footprint as the existing garage, but will be approx 350mm higher than the existing ridge height. The lower (garden) level will be the same width at 6 metres but will project 2.1 metres beyond the existing rear building line of the host dwelling.

**Pool:** It is also proposed to install a 23 metre long by 2 metre wide outdoor pool within an extended upper terraced area to the southwest corner of the house. A new 2.6 metre wide terrace abutting the north western side of the pool is proposed. The pool will be entirely contained below the level of the upper terrace.

**Tennis Court:** a 38 metre long by 20.4 metre wide tennis court enclosure is proposed to the south western area of the site which juts out from the primary site area. This area will be located with the lower slope of this area and graded into the slope as it rises north-westerly. The closest residential property to the enclosure is 5 Fitzroy Close which has a 2.5 brick wall sited 3 metres from the enclosure. The enclosure will consist of a 2.5 metre high lightweight mesh wire fence with the top of this fence being 700 mm higher than the closest neighbour's boundary wall.

### Exterior design assessment

**Extension:** Firstly, with regard to the demolition of the existing two storey timber lap-boarded garage and workshop structure, it is considered that this structure is of no particular architectural merit or historic interest, and is in poor condition. Its loss is therefore not contested.

The previously proposed extension within the withdrawn application was overly dominant, and it was sought to achieve a more modest extension, which is set away from the side elevation and joined to the main house by a discreet link, would be more appropriate as this would give the host building 'breathing space' and would allow the elegant curved wall behind to be read separately. The two levels of the extension are designed in a contemporary idiom using timber and minimally-framed glass. The detailed design is simple, with a timber fascia and fully glazed corners, and the extension will sit independently of the curved boundary wall, allowing it to be read from both sides. Where the glazed link meets the side of the curved wall, the use of glass will allow views through from the rear, as can be appreciated now.

The extension will be contained entirely behind the curved boundary wall and thus will not be visible from the front elevation. The extension is also visually separated from the historic building by the use of a low, lightweight glazed link, this separation allows for the setting of the listed building to be preserved. The height of the link and the extension are less than that of the parapet height of the main building, which will ensure that this strong parapet line is not compromised in views from the garden, nor the front elevation. The garden level projection beyond the existing rear building line is not considered to be harmful to the setting of the building as it is visually separated by the existing terrace wall and this element will also be almost wholly obscured in views from the rear garden due to this wall thus not harming the integrity of the rear building line of the house. In effect the two storey extension reads as an ancillary building, and does not seek to compete with or otherwise dominate the man house and its open setting.

In terms of materials, the use of dark painted timber boarding is intended to reflect the ancillary nature of the existing workshop/garage structure. Provided that this is a high quality timber with an appropriate finish, it is considered that this will work well with the use of large areas of glass, and provide a successful contemporary contrast to the neo-Georgian host building, and will sit happily within the rural character of this part of the conservation area. A condition will be attached which seeks more detailed drawings of the extension, particularly a section through the timber cladding which clearly demonstrates the way that the timber is to be positioned, and the dimensions of the boards, plus sectional drawings which demonstrate the depth of the reveals, and dimensions of the window / glass door frames.

The form, height and detailed design of the extension has taken on board previous comments following the last withdrawal, and is now considered to be acceptable in terms of its scale, height, bulk, position, and form. It is not considered to detract from the setting of the building nor the character or appearance of this part of the Conservation Area.

**Pool:** The house itself is modest in size given the extent of its curtilage. The setting of the building is characterised by its soft landscaping, secluded atmosphere and dramatic rising gradient, and this must be taken into account when seeking to introduce new structures such as an external swimming pool.

The position and size of the proposed swimming pool have altered since the last submission. It is now proposed to form an outdoor pool within an extension to the existing terrace area, rather than forming a structure to house an enclosed pool. The existing upper terrace will be extended to the southeast, to match the width of the lower terrace, and the pool will be accommodated within this. This extension to the terrace is not considered to detract from or otherwise interfere with the setting of the main house. The pool itself is contained entirely below the level of the upper terrace so will not be visible in longer views from the garden, thus preserving the building's setting.

A condition will be attached which seeks clearer details of the materials at the junction between the pool and the retained

and extended terrace, to ensure that it does not appear incongruous.

**Tennis Court:** The tennis court is now proposed to be positioned further away from the main house, and is now no longer proposed to be screened by a solid timber fence. It will be sunk into the site below the level of the lower terrace, with, where necessary, shallow retaining walls which will be constructed in brick to match the terrace. The enclosure is proposed to be achieved using a more open, chain link type fence. The cypress trees which visually divide the grounds into two parts are to be retained, and the tennis court positioned behind this green screen, which will help to retain the secluded feel of this part of the garden.

The revised position and type of enclosure of the tennis court is considered to preserve the listed building's setting. A condition will however be attached which seeks full details (including samples) of the materials of the enclosure, retaining wall, and the colour and materials of the court itself.

#### Amenity

**Extension:** Essentially the extension maintains the same footprint at first floor level to the timber structure to be demolished in that it will still abut the common boundary with 1 The Hexagon and will be set back 1.2 metres from this neighbour's rear elevation. The proposed extension will however be 350 mm higher than the existing, but this is insignificant given that the new roof will still remain 1.7 metres below this neighbour's roof height. It is therefore considered that this neighbour will not suffer any loss of outlook or light from the works this level. The extension at ground level will project by a further 4.1 metres than the existing southeast elevation of the structure, however given the modest 3.6 metre height of this projection coupled with the dense/high vegetation on the boundary then this projection will not cause any harm to this neighbour's amenity. In terms of privacy none of the glazed areas on the extension will overlook any of this neighbour's habitable or non-habitable room windows and is therefore considered acceptable.

**Pool:** The pool is well contained within the confines of the site and will not impact upon any neighbouring amenities.

**Tennis Court:** The tennis court and enclosure is to be sited within the south western area that juts out from the main body of the site. There are 3 detached properties, 3, 4 and 5 Fitzroy Close, whose rear gardens abut the south-eastern boundary of this area. In terms of outlook and light the enclosure will cause not harm to any of these neighbours given the separation distance from the proposed mesh fencing from the rear elevations of these properties, furthermore there is an area of dense and high vegetation abutting the rear boundary of 3 and 4 Fitzroy Park which acts as an excellent buffer to these properties. With regard to no.5, this property's rear boundary is closest to the enclosure and there is no vegetation buffer, only a 2.5 metre high brick wall acting as screening, from the proposed court. Notwithstanding this, the proposed court level is 2 metres below this property's boundary wall and the rear elevation of the house is sited 13 metres from the closest point of the enclosure. It is therefore considered that this neighbour would not suffer any significant amenity loss from the tennis enclosure.

#### Interior of listed building design and assessment

As in the withdrawn scheme, the reconfiguration of the 'domestic' spaces (former servants' quarters / kitchen area) in the northeast portion of the house (adjacent to the proposed extension) is considered to be acceptable. These spaces are of lesser interest architecturally, although of some significance historically in terms of illustrating the domestic arrangement of the original owners. However, they have been heavily altered and the small rooms are of little use in the context of a contemporary home. As such, incorporating the necessary changes within these areas, whilst leaving the principal spaces broadly unaffected, is considered to be the most sensitive approach.

##### *Ground/Garden level*

A large kitchen will occupy the area of the domestic quarters, which will then lead to the link to the extension. It is proposed to form two door-width openings to either side of the fireplace in the adjacent panelled room. Whilst a small element of the panelling will be removed, the links are considered reasonable in allowing the functional area of the house to be connected to the more formal living area. The openings will be properly framed, with architraves to match the others in the room, and lined reveals. The panelling within area above the opening will be amended to match that of the other door openings, to ensure architectural integrity and visual consistency. This alteration therefore is not considered to be detrimental to the special interest of this part of the building.

No other alterations are proposed here.

##### *Upper level*

It is also proposed to reconfigure the domestic area at this level, to form two bedrooms. A corridor will be formed which gives access to these rooms, this will be accessed from the main staircase landing via a newly formed door opening. An existing, poorly constructed jib door adjacent will be removed and the panelling made good. The new door and architrave will be a reused piece of joinery (relocated from the rear room at this level, where the opening between two rooms is to be blocked up, see below) which will match the others exactly in terms of height, detailed design etc. The appearance of the landing will be improved as a result.

It is proposed to remove the door opening between the rear bedroom and its adjacent ensuite (which is unlikely to be an historic opening), reusing this door within the hallway, and instead to link the front and rear rooms to form a master suite. Following negotiation on site, the existing fireplaces within both rooms are to be retained, and a door width opening formed

to either side of the fireplace. Two small WCs in the front room, which are a later addition and of little interest, will be removed (and the doors are architraves reused in the newly formed bedrooms in the NE wing), and built in cupboards installed within the middle of the front room. These will not be full height, and as such will allow the proportions and volume of the room to be appreciated. They represent a piece of furniture, which is a reversible intervention. This element of the scheme is considered to be acceptable in listed building terms as the plan form and room volumes are not detrimentally affected, and there will be no loss of significant historic fabric.

#### *Main staircase*

It is proposed to remove a layer of false floor which has been installed at the ground floor landing level, as well as the various wires, cables etc, and the carpet and applied nosings. The removal of these incongruous elements will improve the character and appearance of the stair compartment, which is a fine feature within the building.

#### *Miscellaneous elements*

It is now proposed to repair the fenestration, replacing like for like (i.e. in single glazing) only where windows are beyond repair which will respect the historic interest of the listed building.

Treatment of panelling: this feature is now proposed to be retained in situ and not covered up. Further details of any alteration to the finish will be the subject of a condition.

#### Biodiversity

An amended Arboricultural Impact Assessment has been submitted as part of the application which now complies with BS: 5837 (Trees in relation to construction 2005). The original report failed to assess the impact of the swimming pool on two protected Lombardy Poplars within the site. It is considered that the amended report is a true reflection of the impact the development will have on trees within the boundary of the site, and providing the recommendations within the report are followed, trees to be retained will be adequately protected throughout the development.

The majority of trees to be removed are poor quality specimens or specimens of low visual amenity. The Lime tree (T9) shown to be removed is considered to provide a significant level of visual amenity within this part of the conservation area, however there is severe decay as a result of fire damage within the base of the tree which is likely to be affecting its structural integrity. It is therefore considered that the tree should be removed and replaced. The replacement can be conditioned as part of the landscaping proposals.

It is considered the proposed development of the tennis court and swimming pool will not have a negative impact on the rooting system of the two Lombardy Poplars (T19 and T20), which are covered by TPO C660. These trees are considered to provide a significant level of visual amenity within this part of the conservation area and have been key factors in the withdrawal of previous planning applications on the site. The proposed pathways to be constructed within the Root Protection Area of these trees are considered acceptable providing their construction follows the recommendations provided in the Arboricultural Report. Details of construction methods can be conditioned.

The tennis court development will result in the removal of some of the screening between 10 Fitzroy Park and properties along Fitzroy Close. It is recommended new planting is implemented in this area to recreate a decent screen. This should be identified on the landscape design details to be conditioned.

#### Conclusion

The proposed extension, interior alterations, external pool and tennis court will not harm the character and appearance of the conservation area or the setting of this Grade II Listed Building. The amenities of the neighbouring properties will remain unharmed as will the biodiversity within the site.

Planning and Listed Building Consent should **granted**.