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Your Ref: 2013/6955/P

Our Ref: TJJT/MNR/35974.1

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Dear Ms Litherland

40 Froggnal Lane, London, NW3 6PP – Application Reference 2013/6955/P

We are instructed by the owner of Manor Farm, No. 42 Froggnal Lane, in connection with the revised drawings that have been submitted by the owner of Manor Lodge, 40 Froggnal Lane. We are pleased to note that the vehicular access that was previously proposed has now been abandoned, however, the current proposal for a new pedestrian entrance is still an unnecessary interference with this listed boundary wall and will have a detrimental impact on the character of the area, the setting of a listed building and the amenity of our client. Accordingly most of the concerns expressed in our previous letter remain.

Impact on the setting of a Listed Building and espaliered trees

We have reviewed the new drawings and note that they are misleading and incomplete. They do not show the three pedestrian entrances to 40 Froggnal Lane/Manor Lodge, which already exist on this lane, neither do they show the lower branches of the pleached trees which will be damaged by the use of the new access. The drawings show the branches at 240cm from the ground while, in actual fact, the lower branches are only 180cm from the ground and with foliage will form a block of greenery which will be lower than the height of an adult. Please see the attached photograph marked "GS 1".

The tree-lined lane provides the setting for the listed building, Manor Farm. The trees along the boundary wall are pleached and provide a pleasing aspect as one turns into the lane. It leads the eyes to Manor Farm, a listed building of some considerable architectural merit. Please see our previous letter regarding its history. The new entrance will break up this line of view and will cause irreversible harm to the tree by the entrance. Not only will damage be caused to the tree during construction, the lower branches and foliage will be destroyed by people using the entrance. The tree will gradually be lost leaving a gap in this line of trees. These trees are an intrinsically essential part of the character of this conservation area. Anything that increases the chances of these features being lost should be resisted.

Although these trees are not protected by Tree Preservation Orders, they are subject to planning control as they lie within a conservation area.

We would like to draw your attention to the recent decision by the planning inspector in the Hampstead case, where planning permission for the full scheme including the basement was refused because of the unacceptable harm likely to be caused to the health of a tree which, as a result of the development, would have its life shortened significantly. The Inspector concludes that any resulting loss of that tree would not preserve the character and appearance of the conservation area.

Detriment to Conservation Area and Heritage Asset.

The photographs also show the three entrance points to 40 Froggnal Lane/Manor Lodge, which currently exist on this lane. There is an entrance from the basement, there is an entrance from the ground floor via the black door, shown on the attached photograph, and there is a third entrance which is the wooden door to the rear garden.

As you are aware, the boundary wall which they propose to partially demolish to provide this new entrance is a listed structure. The proposed works, the piers and gate, will break up the continuous line of this wall.

Our client has taken great care in maintaining the pleached trees and drive, as it provides the setting for Manor Farm, which is a listed building. This house is also a historical asset, as it was the home of Basil Champney, a world renowned architect. It is reported in many historical books and attracts many visitors.

The proposed works are unnecessary and there is no planning justification which outweighs the detrimental impact on the character of the area and the setting of Manor Farm.

Safety

As the proposed pedestrian entrance will be the fourth entrance on to this narrow lane, it will necessarily increase pedestrian movement on this lane. As this fourth access is directly opposite the main vehicular entrance to 44 Froggnal Lane, it would interfere with the current access enjoyed by the owners of number 44, causing conflict between pedestrians and drivers. In respect of drivers coming out of Manor Farm/No. 42, it creates a potential hazard at this point as the new entrance is obscured from view by the main house. There is no proper footway for pedestrians unlike on Froggnal Lane.

The existing pedestrian entrance on Froggnal Lane is a much safer entrance for pedestrians as it has the benefit of opening on to a wide footway. As every pedestrian coming out of the new entrance will have to get on to Froggnal Lane anyway, it would be much safer for the access to be directly on to the footway on Froggnal Lane rather than create a hazard to the current users of the lane. It would be perverse to move the existing pedestrian access from its safe location on Froggnal Lane to this new location.

National Planning Policy Framework considerations.

The National Planning Policy Framework (NPPF) emphasises the need to protect heritage assets and requires local planning authorities to preserve and enhance the natural environment. It states that local planning authorities should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance.

The planning system needs to protect the natural environment and in particular, unnecessary new development in conservation areas.

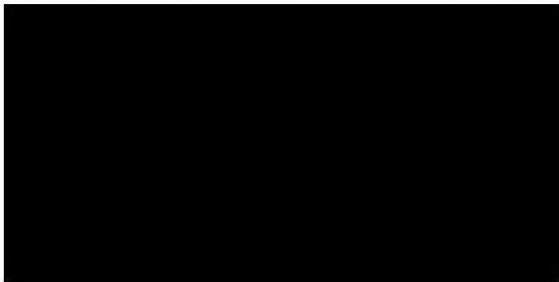
To conclude, there are at present three pedestrian entrances to Manor Lodge from the lane, in addition there is a vehicular access and a separate pedestrian entrance from Frogmal Lane. These entrances have been designed to preserve the character and amenities of the area. In the current instance, not only will harm be caused to the espaliered trees, the proposed works such as the gate and piers would destroy an original boundary feature and irrevocably change the character and appearance of this lane and would have a detrimental impact on the setting of Manor Farm and Manor Lodge which are both Grade II Listed buildings.

We believe a substantial part of our previous letter is still relevant in respect of the impact the proposed fourth entrance would have on the listed buildings and the Conservation Area. Rather than repeat these paragraphs we ask that you read our previous letter in conjunction with this.

On the basis of the harm to the listed building and the character of the area, the impact on amenity and the safety of the users of the lane, we ask that this application be refused.

In the event that this matter is to be considered by the planning committee, we ask that this letter is reported to the committee and that we are notified of the date and time of the meeting so that we can make appropriate representations at that meeting.

Finally, we would be grateful for an extension of the objections period, as we only received your letter dated 5th March on 11th March and understand that some of the adjoining property owners have also received the letter late and therefore would not have the benefit of 14 days to respond.



G.S. 1.



