

Delegated Report	Analysis sheet	Expiry Date:	06/08/2014
	N/A	Consultation Expiry Date:	04/09/2014

Officer	Application Number(s)
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Gideon Whittingham	2014/4522/P
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Application Address	Drawing Numbers
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41 Highgate West Hill London N6 6LS	Refer to Decision Notice
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PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature
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Proposal(s)

Amendment to approved permission 2013/1795/P granted on 05/06/2013 for hard and soft landscaping works to lower garden and installation of plant to north west area to existing dwelling (Class C3), namely retention of plant room located 1.5m further to the west.

Recommendation(s):	Grant Non Material Amendment
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Application Type:	Non Material Amendments
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Conditions or Reasons for Refusal:	Refer to Decision Notice
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Informatives:	
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Consultations

Adjoining Occupiers:	No. notified	21	No. of responses	01	No. of objections	01
			No. electronic	00		

Summary of consultation responses:	<p>An objection has been raised from an occupier on Highfield's Grove regarding:</p> <ul style="list-style-type: none"> The application must be rejected and enforcement action taken by Camden Council to remove the current plant room The owners have a history of building without planning permission. The pump room as built has a detrimental effect <p>Officer response: See paragraph 2.1, 2.2 and 2.3</p>
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CAAC/Local groups comments:	No responses have been received
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Site Description

The application site comprises a substantial neo-Georgian detached single family dwelling house. The property was built between 1913 and 1920 by George Hubbard for Sir Arthur Crosfield and is a Grade II* Listed Building. The building has an 'L' shaped form. Several garden structures, including the pergola, garden steps, retaining walls, gateway, fountain, pond and four sculptures surrounding the pond in the Italianate garden are all Grade II listed. The tennis pavilion c 1913 (Listed Grade II), was designed by Sir Harold Peto.

The Highgate Village Conservation Area Statement specifically notes Witanhurst as being a building at risk as no viable use can be found for it. The building was placed on the English Heritage Buildings at Risk Register in 2000, and remains as such to date. The site is surrounded to the North, East and South by the residential boundaries of the Grove and Highfield Grove.

Relevant History

2009/2597/P & 2009/2595/L - Non-determination APPEAL ALLOWED (23/06/2010) - Repair and reconstruction of boundary wall with associated tree removal and replanting on southern boundary facing Highgate West Hill (Option 3 of submitted structural report).

2009/3192/P & 2009/3195/L - LB & PP refused APPEAL ALLOWED (23/06/2010) – Construction of a basement in front forecourt area for ancillary residential use as part of Witanhurst House including associated planting, forecourt reinstatement and landscaping plus permanent vehicular access from Highgate West Hill (Class C3).

2009/3171/P - PP refused APPEAL ALLOWED (23/06/2010) - Demolition of the service wing and associated remodelling of front façade, forecourt reinstatement and landscaping. Construction of a 'Orangery' building to provide ancillary residential accommodation as part of Witanhurst House with associated link to main property, terrace, garden retaining walls and landscaping of eastern garden. In addition proposal for permanent vehicular access from Highgate West Hill.

2013/1795/P & 2013/2227/L - LB & PP Granted (05/06/2013) - Hard and soft landscaping works to lower garden and installation of plant to north west area to existing dwelling (Class C3)

Relevant policies

The proposed amendments are assessed for materiality – not on the basis of their planning merits. Planning policies therefore do not apply.

Assessment

1. Introduction

1.1 Planning permission was granted on 05/06/2013 (2013/1795/P) for:

- Hard and soft landscaping works to lower garden and installation of plant to north west area to existing dwelling (Class C3) – including the excavation within the grass terrace for a plant room associated with the great pond (5.5m in height x 14.2m in width x 8.3m in depth).

1.2 A non-material amendment application is now sought to regularise the as-built plant room, located 1.5m further to the west.

2. Assessment

2.1 Whilst there is no statutory definition of what constitutes a 'non-material' amendment, Section 96A, part 2 of the Town and Country Planning Act 1990 (as amended) states that, *"In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted."*

2.2 In the context of the size and scale of the permitted scheme and the site for which it relates, it is not considered that the amendment would have any material impact on the overall design idiom, neighbour amenities, traffic generation or conservation area character. This is primarily owing to the nature of the overall approved scheme and the distance of the neighbouring residential buildings, with the proposed changes being of a relatively minor scale and nature in this context which are secured by way of condition in any case, in particular noise.

2.3 An informative is recommended which states that this permission relates only to the changes highlighted on the plans. Furthermore it shall only be read in the context of the substantive planning permission and is bound by all the conditions and obligations attached to that permission.

Recommendation: Approve non-material amendments