

<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		<b>30/10/2014</b>	
		N/A		<b>Consultation Expiry Date:</b>		<b>23/10/2014</b>	
<b>Officer</b>				<b>Application Number(s)</b>			
Gideon Whittingham				1) 2014/5604/P 2) 2014/5788/L			
<b>Application Address</b>				<b>Drawing Numbers</b>			
41 Highgate West Hill London N6 6LS				Refer to 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>							
1) Erection of gazebo located adjacent to western boundary. 2) Alterations associated with the erection of gazebo located adjacent to western boundary.							
<b>Recommendation(s):</b>		1) Grant Planning Permission 2) Grant Listed Building Consent					
<b>Application Type:</b>		Householder Application					
<b>Conditions or Reasons for Refusal:</b>		Refer to Decision Notice					
<b>Informatives:</b>							
<b>Consultations</b>							
<b>Adjoining Occupiers:</b>		No. notified	<b>07</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
				No. electronic	<b>00</b>		
<b>Summary of consultation responses:</b>		A site notice was displayed from 01/10/2014 and a public notice was published in the Ham & High from 02/10/2014.  To date, no consultation responses have been received.					
<b>CAAC/Local groups comments:</b>		<b>English Heritage</b> advised that the applications be determined in accordance with national and local policy guidance  The Highgate CAAC were formally consulted. No response has been received to date.					

## 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.

2011/0511/P & 2011/0514/L - PP & LB granted (01/04/2011) - Reconstruction of the upper section of boundary wall forming curtilage of Witanhurst House (Class C3) with associated tree removal and planting.

2011/3037/P & 2011/3038/L - PP & LB granted (04/08/2011) - Dismantling and reinstatement of the lower garden retaining wall, including repair/replacing existing balustrades and steps, to the side elevation of existing residential dwelling (Class C3).

2011/5721/P - Construction of a replacement tennis court, new tennis pavilion, glasshouse, tool shed, garage and service area within the grounds (northern west part) of existing house. (Class C3). This application was withdrawn to amend the design of the scheme, specifically moving the tennis pavilion away from the site boundary and the consolidation of the pergola design, in addition to submitting an acceptable Construction Management Plan, to form part of a subsequent application.

2012/0266/P & 2012/0335/L – PP & LB Granted (19/03/2012) - The construction of a retaining wall and refacing of the existing boundary wall shared with 1 The Grove.

2012/2068/P – PP Granted (29/05/2012) Construction of a replacement tennis court, new tennis pavilion, glasshouse, tool shed, garage and service area within the grounds (northern west part) of existing house (Class C3).

2013/1795/P & 2013/2227/L – PP & LB 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).

2013/4759/P - PP Granted (18/09/2013) Erection of 2 x Portland Stone columns in association with the extension of the existing porch to front facade of house (Class C3).

2013/5060/L - LB Granted (03/12/2013) Construction of changing room facilities and associated plant beneath the north west corner of the replacement tennis court in association with the outdoor swimming pool at Witanhurst (Class C3).

2014/6083/P –Construction of a 2 x service yard stores within the grounds of 41 Highgate West Hill (west of tennis court). This permission is yet to be determined.

## **Relevant policies**

### **National and Regional Policy**

National Planning Policy Framework (2012)

London Plan (2011)

### **LDF Core Strategy and Development Policies**

**CS1** (Distribution of growth)

**CS5** (Managing the impact of growth and development)

**CS13** (Tackling climate change through promoting higher environmental standards)

**CS14** (Promoting high quality places and conserving our heritage)

**CS15** (Protecting and improving our parks and open spaces and encouraging biodiversity)

**DP21** (Development connecting to the highway network)

**DP22** (Promoting sustainable design and construction)

**DP23**(Water)

**DP24** (Securing high quality design)

**DP25** (Conserving Camden's heritage)

**DP26** (Managing the impact of development on occupiers and neighbours)

**DP28** (Noise and vibration)

### **Highgate conservation area appraisal and management strategy (2007)**

#### **Camden Planning Guidance 2011:**

CPG 1- Design: Chapters 1, 2, 3, 4 & 5

CPG 6- Amenity: Chapters 1, 4, 6, 7 & 9

CPG 8- Planning obligations

## **Assessment**

### **1. Proposal:**

#### **1.1 The applications propose:**

- The erection of a single storey gazebo (5.4m in height (ridge) – 2.7m (eaves) x 4m in width and length). The gazebo would comprise a slate clad roof, stone columns and timber panelling to the rear. The purpose of the gazebo has been depicted on plan for cooking/barbeques.
- The alterations would essentially alter an area of works permitted under reference (2009/3192/P & 2009/3195/L), including enlarging the paving area (matching materials) beneath and around the gazebo proposed.

#### **1.2 The principal considerations material to the determination of this application are summarised as follows:**

- Design
- Adjacent residential amenity
- Trees
- Transport

### **2. Design:**

2.1 When viewed in context of the size of the host building and its substantial grounds and permission extant (see relevant history), it is considered the single storey gazebo would represent a subordinate

structure, ancillary to the use of the private open space as a garden

2.2 In terms of design, the proposed gazebo would use timber for framing and slate for the roof, similar to those approved as part of permissions ref: 2012/2068/P, 2012/5497/P and 2014/6083/P (albeit under assessment at time of writing). It is considered, by virtue of its size, scale and materials, the proposed gazebo would represent a functional outbuilding for garden activities, thereby preserving the character and appearance of the host building and the surrounding conservation area.

2.3 The works would also amend the hardstanding adjacent, namely enlarging the York stone paving area associated with the lower garden swimming pool. The simple form and detail proposed would reflect that existing and would be of a limited coverage increase.

2.4 The proposals will not cause harm to the significance of the Listed building or its setting and will enhance those elements of the setting that make a positive contribution to the significance of the assets.

### **3. Adjacent residential amenity**

3.1 The proposal would be located 13m from the gardens and 23m from the rear elevation of houses on the Grove.

3.2 In addition to the natural screen of mature trees and vegetation which forms the boundary between the proposal site and those buildings along the Grove, it is considered no undue harm would be caused in terms of access to sunlight, daylight, sense of enclosure or overlooking, to the adjacent occupants.

3.3 With regard to noise/odour and disturbance, it is considered the level of activity (including plant/machinery) associated with the reasonable use of the outbuilding proposed for domestic purposes would not result in noise/odour levels or disturbance that would be harmful to the neighbouring residential amenities.

### **4. Trees**

4.1 The applicant has submitted details regarding the quality of trees on site and the implications of the proposal. No trees are to be removed as part of this proposal, nor pruned. There are no incursions into the root protection areas (RPAs) of any of the trees to be retained.

4.2 The Council's Trees and Landscape Officer has assessed all relevant submitted details and is satisfied no trees shall be removed as part of this application and a condition shall secure all trees are protected from the associated works.

### **6. Transport**

6.1 In the context of works taking place on site, the nature and size of this particular scheme and those works already held by an existing Section 106 agreement for a Construction Management Plan (CMP), a CMP will not be required in this instance.

### **Recommendation:**

- 1) Grant Planning Permission
- 2) Grant Listed Building Consent