

Delegated Report		Analysis sheet	Expiry Date:	1 & 2) 16/10/2014
		N/A	Consultation Expiry Date:	1 & 2) 02/10/2014
Officer		Application Number(s)		
Gideon Whittingham		1) 2014/5415/P 2) 2014/5543/L		
Application Address		Drawing Numbers		
41 Highgate West Hill London N6 6LS		601-P-1282-000, 601-P-1281-000, SJA TPP 14230-01 Rev A, Simon Jones Associates Ltd letter dated 15th December 2014.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
1) Installation of 1.8m high fence along west and north boundary. 2) Installation of 1.8m high fence along west and north boundary.				
Recommendation(s):	1) Grant Planning Permission 2) Grant Listed Building Consent			
Application Type:	1) Householder Application 2) Listed Building Consent			
Conditions or Reasons for Refusal:	Refer to Decision Notices			
Informatives:				

Consultations

Adjoining Occupiers:	No. notified	25	No. of responses	09	No. of objections No. of support	02 07
Summary of consultation responses:	<p>A site notice was erected on 05/09/2014 A notice was placed in the local newspaper on 11/09/2014</p> <p>An objection was received from the occupiers of 9 & 13 Highfields Grove regarding:</p> <ul style="list-style-type: none"> • Restrict access and servicing to existing boundary fences • Unsympathetic/eye sore • Detriment to wildlife • 3 perimeter fences enough • Loss/harm to mature trees • 1.8m not high enough to secure privacy <p>Support letters were received by the occupiers of 6, 7, 8, 11, 12, 14, 15 Highfields Grove.</p>					
CAAC/Local groups comments:	<p>English Heritage advised that the applications be determined in accordance with national and local policy guidance</p> <p>The Highgate CAAC were formally consulted. No response has been received to date.</p>					

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 and 2013/2227/L – 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). The works granted included - :

- **Erection of a 2m fence set along the western boundary, 1m behind the existing boundary line**

2013/7747/P – Granted 26/02/2014 - Variation of condition 3, in relation to approved plans, of planning permission; 2013/1795/P dated 05/06/2013, to increase height of inner fence along west and north boundary (Retrospective). The works granted included - :

- **The retention of a metal fence (painted green) measuring 2.4m – 2.6m in height, set 1m back from the western and northern boundary.**

Relevant policies

National and Regional Policy

National Planning Policy Framework (2012)

London Plan (2011)

LDF Core Strategy and Development Policies

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

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

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

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

Highgate conservation area appraisal and management strategy (2007)

Camden Planning Guidance 2011/2013:

CPG 1- Design

CPG 6- Amenity

Assessment

1. Overview and Background

1.1 The north and west boundary shared with properties on the Highfields Grove is secured by a 2.4m mesh fence. Inset by 0.9m (in the grounds of the application site), an additional mesh fence has been regularised (2013/7747/P) at 2.6m in height

2. Proposal:

2.1 This application essentially seeks to erect a single metal screen (painted green) in between the mesh fences at 1.8m in height. The fence would be inset 0.2m from the boundary fence with Highfields Grove.

Revision:

2.2 The proposal initially required the loss of 4 'C' category trees either because the proposed fence line cut directly through their trunks or would be positioned within the structural root-plates of these specimens. This has since been amended and no trees shall be removed as a result of this application.

2.3 The principal considerations material to the determination of this application are summarised as follows:

- Design
- Adjacent residential amenity
- Trees
- Wildlife

3. Design:

3.1 The surrounding buildings/gardens along the perimeter of the site are typically 2-4m away from hedges, landscaping and an existing outer 2m high grey mesh fence bounding 41 Highgate West Hill. The proposed screen would sit 0.2m behind all these elements, already considered to screen mutual views in large sections along the west and north boundary.

3.2 Within this context, it is considered the proposed inner fence at 1.8m in height would simply maintain the extent to which screening already takes place as a result of the existing boundary treatment along Highfields Grove. Although solid, rather than its adjacent fences, the proposal would not detrimentally obstruct short, medium or long views of the main house which do not otherwise occur.

3.3 Due in large part to its height and proximity to the main house, the proposal would be of no greater harm to the special architectural and historic interest of this listed building and the character and appearance of the surrounding conservation area than the permitted arrangement at 2m.

4. Amenity

4.1 Given the recessed location of the proposed screen, set behind an existing 2m high outer grey mesh fence, hedges and associated greenery, the proposal would not be overbearing to the adjoining/adjacent gardens and buildings.

4.2 It is considered the increase limited height of the screen along the western and northern boundary would not exert a materially harmful impact on the amenities of adjoining occupiers, in terms of

access to sunlight, daylight, visual bulk, sense of enclosure or privacy.

5. Trees

5.1 On the previous Tree Protection Plan submitted, the proposed screen fence was shown to the east of the eastern of the two fences located along this boundary. This was incorrect, as it is proposed that the screen fence will be located immediately adjacent to the western of the two fences, as shown on the revised plans. As a result, the proposed screen fence will not cut through the trunks of the sycamores nos. 71 & 72, or through the root plates of the apple tree no. 109 or the rowan no. 111. Where it runs through the root plates of the sycamores nos. 71 & 72, this will be at sufficient distance that no buttress roots will have to be severed, and if necessary the locations of holes for uprights can be adjusted slightly to avoid these or other structural roots. Accordingly these four trees can be retained, and no trees will be removed, subject to a condition securing such matters.

6. Wildlife

6.1 The Council's Nature Conservation Officer has assessed the scheme and is satisfied the proposal would not harm the movement of wildlife.

7. Other Material Considerations

7.1 The space between the garden fence and existing boundary fence has been designed for maintenance purposes and will not be used as a dog path. This would not therefore infringe upon privacy or result in an increase of criminal or anti-social behaviour.

Recommendation:

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