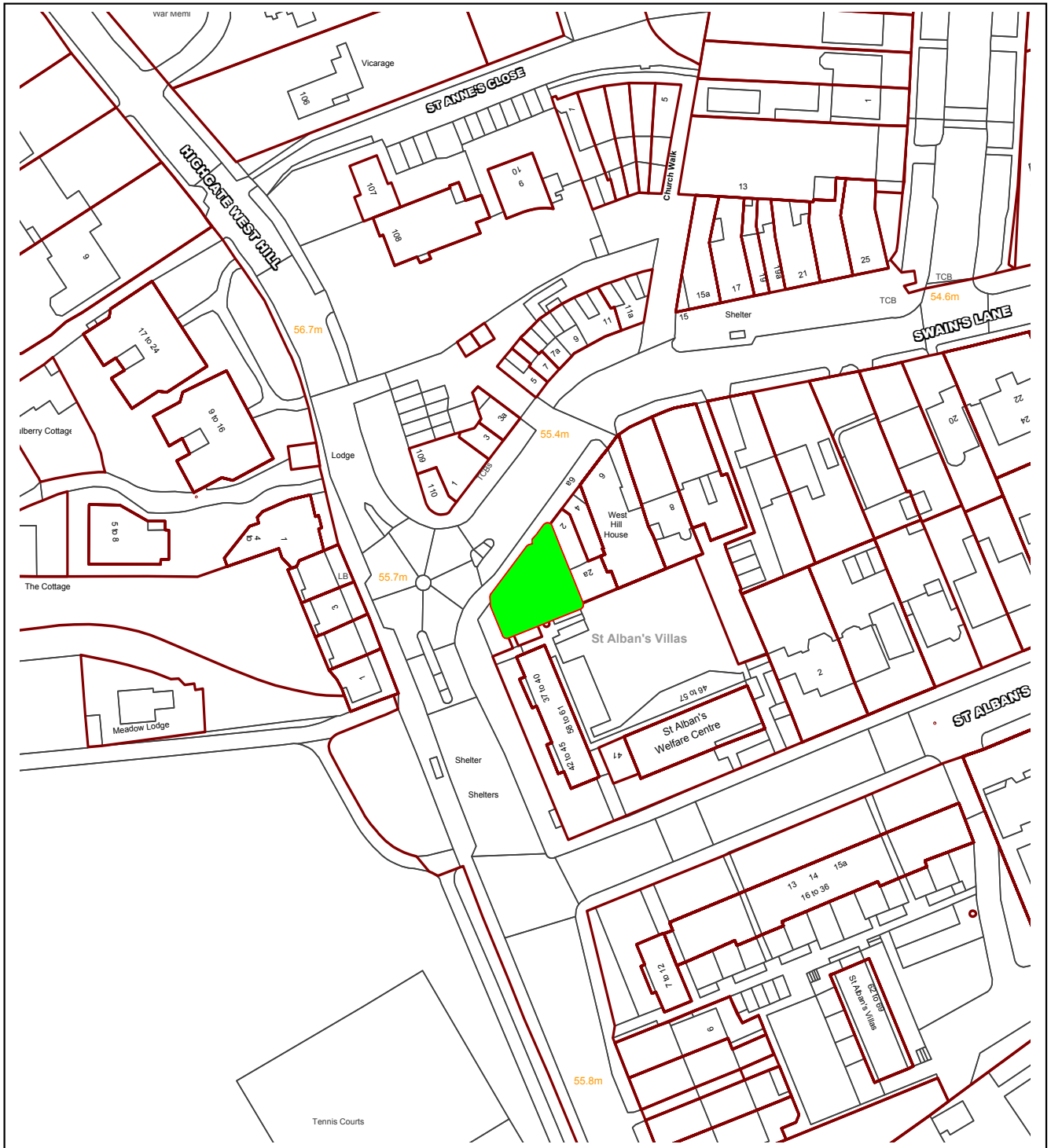


2017/2713/P 15 Highgate Road London NW5 1QX



This material has been reproduced from Ordnance Survey digital map data with the permission of the controller of Her Majesty's Stationery Office, © Crown Copyright.



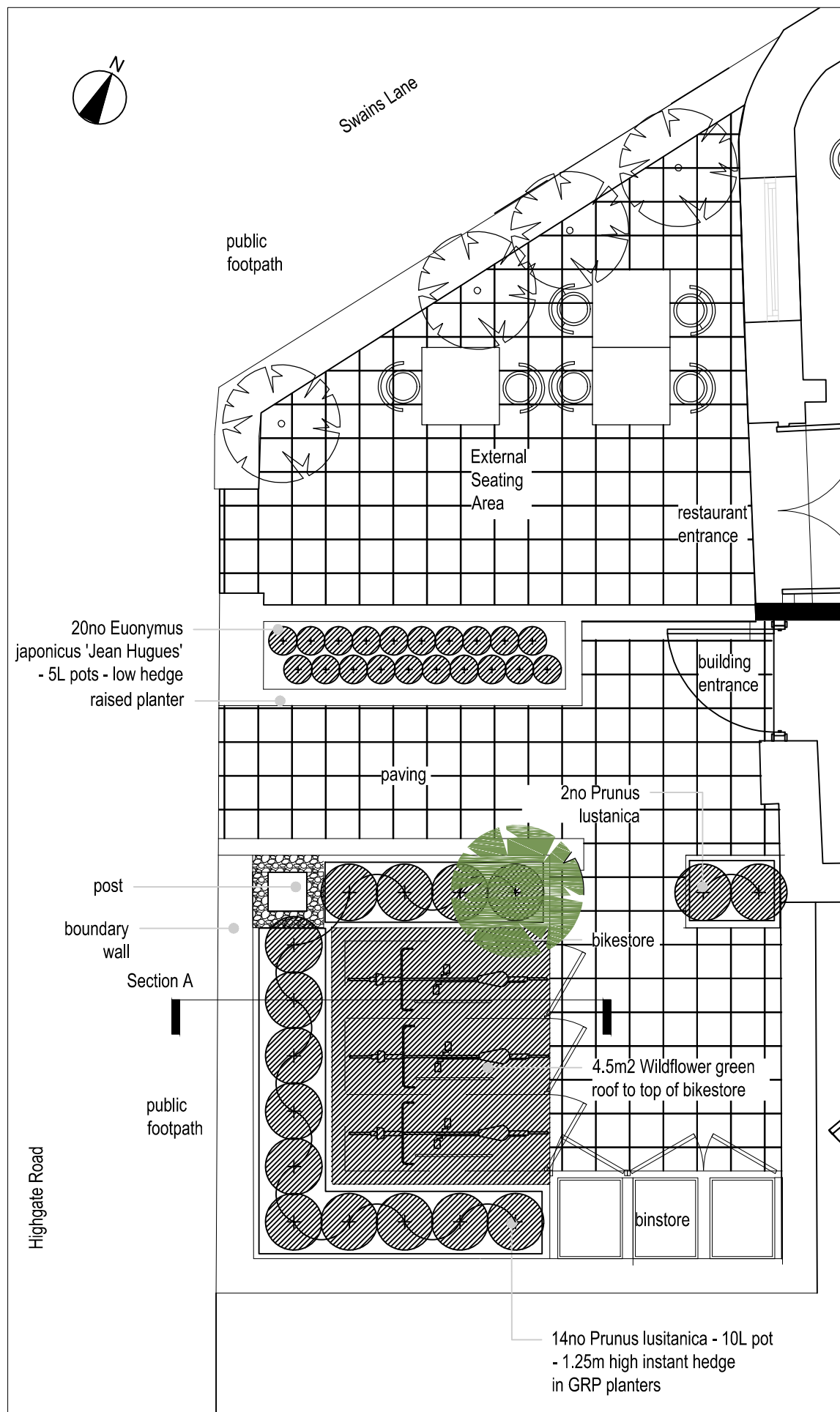
1. View from Highgate Road to the north



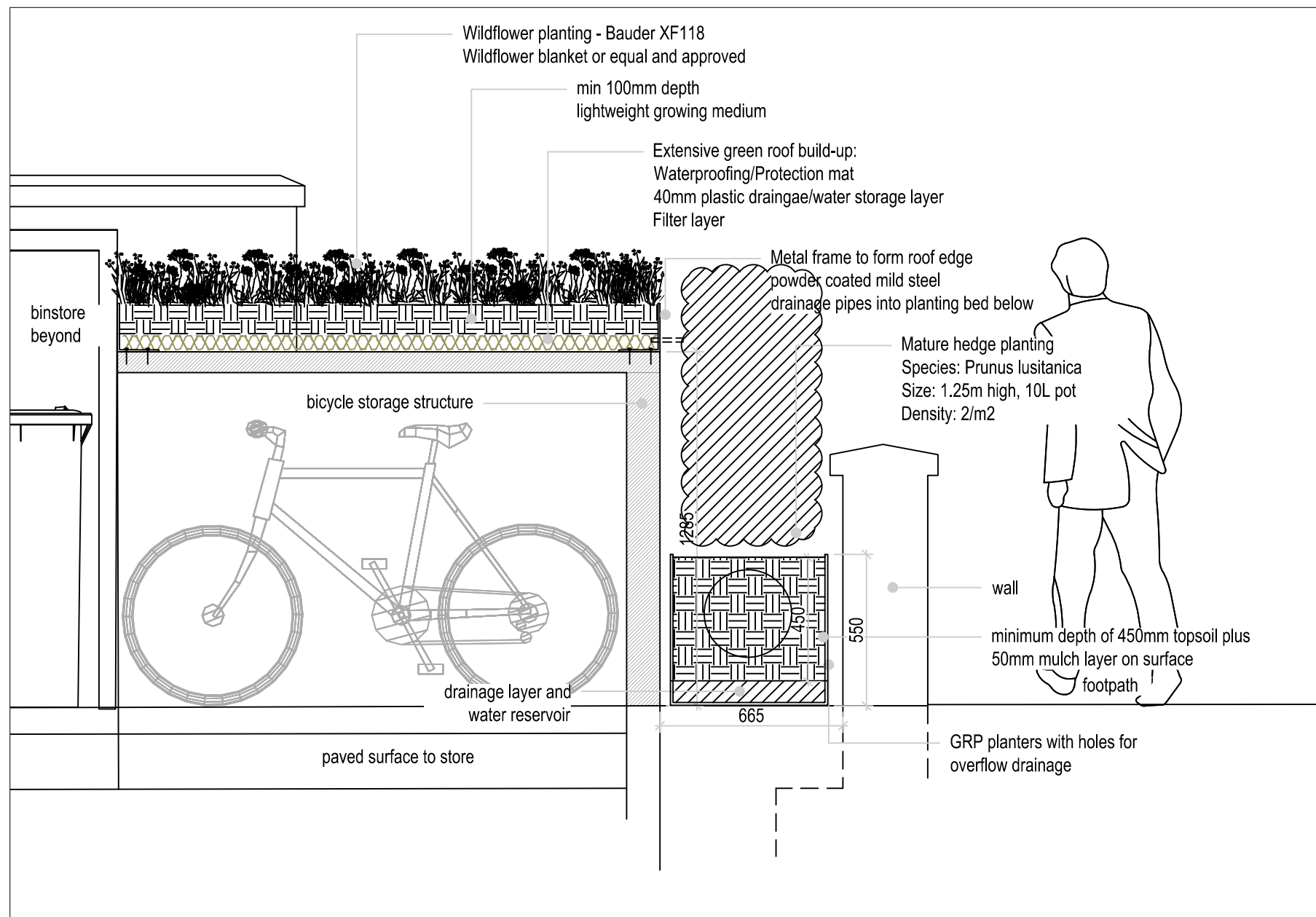
2. View from Swains Lane to the east



3. View from Highgate Road to the west



Landscape Plan 1:50



Section A: Boundary planting and bikestore 1:20

PLANT SCHEDULE

SHRUBS/HEDGES

Name	Quantity	Root protection	Density (/lin m)	Habit	Height (cm)
<i>Euonymus japonicus</i> 'Jean Hugues'	10	5L pot	4	Bushy	40-60
<i>Prunus lusitanica</i>	16	10L pot	2	Bushy	125

Notes:

- *Prunus lusitanica* hedge to be maintained at a height to screen bike shelter, but no higher than the roof.
- Plants to be established and maintained in accordance with Maintenance schedule

P1 NU 03/07/15 PLANNING ISSUE
 REV BY DATE CHK DESCRIPTION

STATUS
PLANNING

CONTRACTOR
 N/A

PROJECT
 15 Highgate Road

CLIENT
 Fruition Properties

DRAWING TITLE
LANDSCAPE PLAN & SECTION

DATE CREATED	DATE AMENDED	SCALE
09.07.15	24.09.15	As shown @ A3
DRAWN BY	AMENDED BY	CHECKED
NICKUDAL	NICKUDAL	U-LA

DRAWING NO & REVISION
 2015-010-L01-P1

Udal Landscape Architecture
 39 Adagio Point,
 London, SE8 3FJ.
 nudal@me.com
 www.u-la.com

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date:	11/07/2017
		N/A		Consultation Expiry Date:	26/07/2017
Officer			Application Number(s)		
Obote Hope			2017/2713/P		
Application Address			Drawing Numbers		
15 Highgate Road London NW5 1QX			Refer to draft decision notice.		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
Details pursuant to condition 3 (Hard and soft landscaping) of planning permission 2015/4362/P allowed on appeal dated 03/08/2016 (for bin and cycle storage along with landscaping scheme for the residential flats).					
Recommendation(s):		Grant approval of details			
Application Type:		Approval of details			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	03	No. of objections	03
Summary of consultation responses:	As the application is an approval of details there is no requirement to consult neighbouring residents.					
CAAC/Local groups* comments: <small>*Please Specify</small>	<p>One objection was received from the Dartmouth Park Conservation Advisory Committee. Their concerns are summarised below:</p> <ul style="list-style-type: none"> • The provision of 3x240L Wheelie bins would be totally inadequate Given Camden’s recycling policy of one bin for each of three large flats; • Transport for London has been consulted on refuse vehicles using a very busy bus boarder. If this construction is to go ahead, and; • It will be important that the Planting Maintenance Schedule is strictly adhered to and given this prominent site; it would be desirable to have a mock-up of what the front would look like from the West. <p><u>Officer Response:</u></p> <ul style="list-style-type: none"> • This application is to discharge the condition for details of hard and soft landscaping and does not relate to bin storage. It is also noted that the officer’s committee report for planning permission 2011/3819/P dated 30/03/2012 addressed bin storage by stating: <i>“The Council’s Street Environment Services team have considered the proposals and confirmed that there is sufficient space for the level of waste and recycling anticipated as a result of the proposals and the proposed location is suitable. There is also considered to be ample scope for recycling storage to be provided internally, with storage spaces denoted within each flat”</i>. • Notwithstanding this, it is clear that the storage facility was considered and Street Environment Service considered the 2 x 2 240l refuse bins and 240 recycling refuse storage acceptable. This was also acknowledged in the Planning Inspectors report, and no objection was raised in regards to the location of the waste storage facility in the 2015 appeal report (2015/4362/P) in terms its design and appearance being located within the forecourt in front of the electricity sub-station; 					

- Transport for London were consulted and as the site is not nor near the Transport for London or Strategic Road networks, TfL has no comment to make in this instance.
- The details of the Planting Maintenance schedule has been assessed and found to be acceptable by the Council's tree officer. Condition 3 of the appeal decision requires: *'the landscaping works shall be carried out in accordance with the approved details before any part of the development is brought into use in accordance with the agreed implementation programme. The completed scheme shall be maintained thereafter in accordance with the approved scheme of maintenance'*.
- A mock-up of what the front would look like from the west is not considered necessary as it was generally accepted by the planning inspector that the location was acceptable and the proposed development would not have a harmful effect upon the Conservation area.

2 x objections were received from Swain's Lane Residents and neighbourhood Watch Association. Their concerns are summarised below:

- Clarification to how the refuse will be collected from the site, and;
- The entrance door to the three flats is just a metre wide and there are flats on three floors above a restaurant trust that the insulation and fire protection is adequate in such circumstances. I believe the fire escape at the rear is still in place but this was due to be removed and could not remain if the restaurant is extended at the back.

Officer Response:

- This application is to discharge the condition for details of hard and soft landscaping and does not relate to bin storage. The commercial waste storage facilities remain unchanged from the existing facility in the service area accessed from Swain's Lane. The detail of the waste and cycle storage was approved under application reference 2011/3819/P dated 26/07/2011 and the officer accepted that the refuse storage would be acceptable as stipulated within the Officer's Committee report. It was further acknowledged that the refuse provision complied with the standards set out in Camden Planning Guidance: Design - Waste recycling and storage, namely (CC5) of the Local Plan 2017.
- This application is to discharge the condition for details of hard and soft landscaping and does not relate to the entrance door of the flats. In regards to insulation and fire protection measures, these matters would be assessed under building control regulations.

Site Description

The application site comprises the existing Carob Tree Restaurant (previously known as The Duke of St Albans Public House), located on the junction of Highgate Road, Swain's Lane and Highgate West Hill. The building is predominantly three-storey and basement in height, although a section on the Swain's Lane (north) elevation is single storey with an existing balcony area above. The site falls within the Dartmouth Park Conservation Area.

Relevant History

2011/3819/P: Planning permission was granted subject to a Section 106 Agreement on 30/03/2012 for the "Change of use of upper floors from ancillary restaurant accommodation (Class A3) to create three (2x 2-bed and 1x 3-bed) self-contained flats (Class C3) including rear (south) extensions at first and second floor level and roof extension to create new third floor level with external terrace areas and associated alterations including new entrance on Highgate Road (west) elevation".

2013/5645/P: Planning permission was refused on 08/04/2014 for the "Erection of single storey side extension at ground floor level of restaurant (Class A3)". **A subsequent appeal was allowed** on 22/09/2014 under APP/X5210/A/14/2221154.

2014/0409/P, 2014/0416/P, 2014/0422/P and 2014/0738/P: 4 separate Approval of Details applications were submitted to discharge conditions 9 and 10 of 2011/3819/P. They were all refused and subsequent appeals were dismissed.

2014/3461/P: Details were approved for conditions 9 and 10 of 2011/3819/P on 07/07/2014. The proposal differs from the refused schemes in the paragraph above as the cycle and refuse storage would be located within an area of open land to the side of the building which would be within the footprint of the approved extension under 2013/5645/P.

2014/6953/P: An Approval of Details application relating to conditions 9 and 10 of 2011/3819/P was refused with a recommendation to issue a Breach of Condition Notice under Section 187A of the Town and Country Planning Act 1990 on 05/03/2015.

2015/4362/P: Full Planning permission for: Bin and cycle storage along with landscaping scheme for the residential flats. Refused on 02/11/2015 and the **subsequent appeal was allowed** under APP/X5210/W/16/3147661 on 26/04/2015.

Relevant policies

NPPF 2012

The London Plan March 2016

Camden Local Plan 2017.

A1 Managing the impact of development

D1 Design

D2 Heritage

CC1 Climate change mitigation

Camden Planning Guidance

CPG 1 - Design

CPG3 - Sustainability

Dartmouth Park Conservation Area Appraisal and Management Statement (Adopted 22 January 2009)

Assessment

1. Proposal

- 1.1. The applicant has submitted details of the proposed hard and soft landscaping required by condition 3. Condition 3 requires the following:
 2. a statement setting out the design objectives and how these will be delivered;
 3. earthworks showing existing and proposed finished levels or contours;
 4. details of the green roof above the cycle storage including species; planting density, substrate and a section at scale 1:20 showing that adequate depth is available to facilitate the construction and long term viability of the green roof;
 5. a detailed method statement for the relocation of the existing tree on site (as annotated on plan Ref 15HR/P/140/6);
 6. means of enclosure, retaining structures and boundary treatment;
 7. pedestrian and cycle access and circulation areas;
 8. hard surfacing materials;
 9. proposed and existing functional services above and below ground; [e.g. drainage, power, communications cables, pipelines etc. indicating alignments, levels, access points, supports as relevant];
 10. proposed lighting, floodlighting and CCTV;
 11. an implementation programme; and
 12. a scheme of maintenance.

2. Background

- 2.1. Planning permission was granted on 30/03/2012 under 2011/3819/P to create three (2x2 and 1x3 bed) self-contained flats; rear extensions at first and second floor level and a roof extension to create a third floor. Planning permission was refused on the 08/04/2014 (2013/5645/P) for the erection of single storey side extension at ground floor level for ancillary restaurant floorspace (Class A3) which was subsequently allowed on appeal (APP/X5210/A/14/2221154) dated 18/08/2014. The planning Inspector felt:

“The waste and storage arrangements were subjects of Appeals B and C could only be made satisfactory if further details of landscaping and a covered cycle storage area were to be provided, something which cannot be achieved through an appeal under s.78. As these are necessary in order to arrive at a satisfactory provision of cycle and waste storage, Appeals B and C must also be dismissed”.

- 2.2. A subsequent application was submitted for approval in 2014 (2014/3461/P) associated with the discharge of conditions 9 and 10 pertaining to the details of the waste and cycle storage sited within the service yard accessed from Swains Lane.
- 2.3. Notwithstanding this, it should be noted that the waste storage details were approved under planning permission 2015/4362/P on 26/04/2015 following a successful appeal. The inspector's report concluded that the 2 x 240L refuse bins and a 240L recycling bin would be adequate and there is no underlining safety concerns as the refuse collection would be sited in close proximity to the street to facilitate collection. The details of the waste and cycle storage facility were assessed on two separate occasions and the Planning Inspectorate raised no objection to the location of the waste storage area in 2014 and nor did the Planning Inspectorate find the design to be inappropriate in 2015.

3. Assessment

- 3.1. The supporting documents include the implementation programme and the method statement. The Council's Tree Officer has reviewed the details submitted and confirmed that the quality and sustainability of the proposed landscaping, including the earthworks, boundary treatment, maintenance and lighting details at the site is sufficient to satisfy the requirements of condition 3. The proposed green roof has a wide variety of plant species, which are considered to enhance the biodiversity of the site.

- 3.2. The proposed maintenance programme has been assessed by the Council's Tree Officer and is considered appropriate. On balance, the proposed works to this open area are considered an improvement and would comply with the requirements of Condition 3. It is noted that the provisions of condition 3 allow for the replacement of any dead vegetation and on-going maintenance of this area in the near future. The details submitted are considered sufficient and ensure that an area that is visible to the public would be significantly improved and would contribute towards the enhancement of the Dartmouth Park Conservation Area.
- 3.3. The details, specification and materials of the hard and soft landscaping are considered acceptable and would achieve a high quality of landscaping that would contribute to the visual amenity and character of the area.

4. Conclusion

- 4.1. Grant approval of details

DISCLAIMER

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 31st July 2017, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to www.camden.gov.uk and search for 'Members Briefing'.

Mr Simon Watkins
HUB Architects and Designers Ltd.
15 Hoopers Yard
Kimberley Road
London
NW6 7EJ

Application Ref: **2017/2713/P**
Please ask for: **Obote Hope**
Telephone: 020 7974 **2555**

25 July 2017

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Approval of Details Granted

Address:
15 Highgate Road
London
NW5 1QX

DECISION

Proposal:

Details pursuant to condition 3 (Hard and soft landscaping) of planning permission 2015/4362/P allowed on appeal on the 03/08/2016 for: Bin and cycle storage along with landscaping scheme for the residential flats.

Drawing Nos: 1226-GA-101 REVD, 1226-GA-102 REVD, 1226-GA-103 REVD, 1226-WD-200 REVD, 2015-010-L02, 2015-010-L03-A, 1226-WD-200-REVD Detail 2, 1226-WD-201-REVD Detail 4, Method Statement for Relocation of Existing Tree on Site, Method Statement for Green Roof no date, Planting Maintenance Schedule no date and Implementation Programme no date.

The Council has considered your application and decided to grant approval of details.

Informative(s):

Executive Director Supporting Communities



- 1 You are advised that all conditions relating to planning permission (ref: 2015/4362/P) allowed on appeal (ref: APP/X5210/W/16/3147661) dated 03/08/2016 which need details to be submitted, have been approved.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION