



10A SOUTH GROVE  
HIGHGATE  
LONDON  
N6 6BS

John Diver,  
Planning Solutions Team  
Camden Town Hall Extension  
Argyle St  
London WC1H 8EQ

23rd November 2017

**By email only**

Dear Mr Diver,

**RE: Planning Application Reference 2017/5178/P – 26 West Hill Park, London N6 6ND**

On behalf of the Highgate Society, I would like to submit the following objection to the above application for the following reasons:-

1. This application must be judged in conjunction with the application 2017/5176/P for a two storey side extension on the basis that if granted both could and quite probably would be built so it is the combined effect that should be what is judged. There is a worrying tendency to divide applications into a number of smaller applications, each of which might be acceptable on its own but collectively they become completely unacceptable. By dividing applications into two or more smaller ones the applicants avoid presenting the overall effect of what they might actually get consent to build. It is our belief that such multiple applications should be strongly discouraged pre-application by the guidance given on your website.
2. This application appears to be creating a potential separate dwelling at lower ground floor level with its own front door. This could be a guest wing, servant's quarters or a granny flat but what would be less acceptable would be an entirely self-contained dwelling. If this were to be granted then we would recommend a S106 agreement preventing separate ownership. The plan shown in Appendix 10 of the Arboricultural Report suggests a much larger dwelling at this lower level, and even a separate dwelling in the garage, see plan below. This may be a scheme which has been dropped or it may be an accidental vision of future intentions, bearing in mind our concerns over creeping expansion through multiple applications. Even as currently proposed this has the potential to increase pressure on services and parking on and off the site.



3. The new front extension replaces an existing planted retaining structure. In this planter there is an existing tree with a trunk diameter greater than 75mm which grants it protection within the conservation area. The existing landscape plan and arboricultural report make no mention of this tree. The submitted site photographs avoid showing this planter or indeed the large mature oak in the back garden.
4. HNP policy OS2: Protection of Trees and Mature Vegetation states “veteran and mature trees and mature vegetation, which have townscape, ecological or amenity value should be retained where possible” and “development should not harm the local network of ecological corridors and stepping stones, unless the need for, and benefits of, the development in that location clearly outweigh the loss.” This proposal involves the potential for significant damage to the existing oak tree on the Merton Lane boundary. The arboricultural report states that the RPA has been adjusted to take account of the 1.2m high retaining wall but makes no adjustment for the much higher retaining wall on Merton Lane, see photo below.



This taller retaining wall will have prevented feeder roots from spreading across Merton Lane so that the majority will be spread through the garden of no 26 to a significantly larger radius than if the wall were not there. The report mentions that there are several  $\leq 50\text{mm}$  roots passing through the trench below the 1.2m retaining wall. The suggestion that roots of this diameter and length from such an old tree can just be dug out and bent around is unlikely to happen in reality. Any contractor building such a deep retaining structure will simply cut through them causing considerable harm to the tree. The 1.2m high retaining wall does not go all the way to the boundary so there will be many roots passing between the Merton Lane end of this wall and the larger wall on Merton Lane itself. These will all be

cut through as well. The Council's tree officer must comment on the effect of the 2.3m high retaining wall on the size and shape of the RPA. There has also been a Sycamore tree cut down recently, possibly to make way for future development.

5. The HNP goes on to say "in the light of the current pressure for rebuilding of houses in large gardens to a significantly increased footprint, often with extensive basements, the protection of mature trees is essential to help reduce the impact on the local hydrology and water table." This development, with the potential loss of this mature oak and with no obvious planning benefits should not be permitted.
6. BSI 5837/201 states that:
  - 7.1 General
    - 7.1.1 Construction within the RPA should accord to the principle that the tree and soil structure take priority, and the most reliable way to ensure this is to preserve the RPA completely undisturbed. Soil structure should be preserved at a suitable bulk density for root growth and function (of particular importance for soils of a high fines content), existing rootable soil retained and roots themselves protected.
    - 7.1.2 The ability of a tree to tolerate some disturbance and alteration of its growing conditions depends on specific circumstances, including prevailing site conditions, and in general, the older the tree, the less successfully it will adapt to new conditions. This fine oak tree is very old and it forms part of a line of such mature trees that defines the character of Merton Lane and this part of the Highgate conservation area. It must not be threatened by such unnecessary over-development.
  7. A tree protection zone during construction is proposed, but part of this is the area between the Merton Lane boundary and the rear of the proposed structure, which is identified in the Design and Access statement as the entrance for all the work for both applications. Such building access will further damage what roots remain in this area.
  8. HNP policy OS4: Biodiversity and Highgate's Green Grid. The proposal sits within a possible ecological corridor and the narrowing of the gap between properties caused by this proposal will seriously affect this ecological corridor.
  9. HNP policy DH7: Basements. The policy states "There will be no individual or cumulative impact of development on the character and biodiversity of gardens and adjacent open spaces, particularly in designated conservation areas and those areas adjacent to Highgate's Major Open Spaces." This level of excavation and construction cannot help but have a significant impact and no ecological studies or construction management plans will help with the inevitable near total destruction of this corner of the site.
  10. HNP policy DH10: Garden land and Backland Development states "there will be a presumption against the loss of garden land in line with higher level policies" and "Existing mature trees and landscaping shall be retained wherever possible". This proposal by its excessive size will inevitably take up a considerable amount of existing garden area with the potential loss of a mature oak tree. Camden policy DP25 also sets out a presumption against the loss of garden land. The green roof will not be deep enough to allow for future tree planting.

On the basis of the above, therefore, the Highgate Society strongly objects to this application to extend the dwelling at 26 West Hill Park on the grounds that they will cause substantial and irreparable harm to the Conservation Area.

Yours sincerely,



David Richmond,

## Highgate Society Planning Group

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