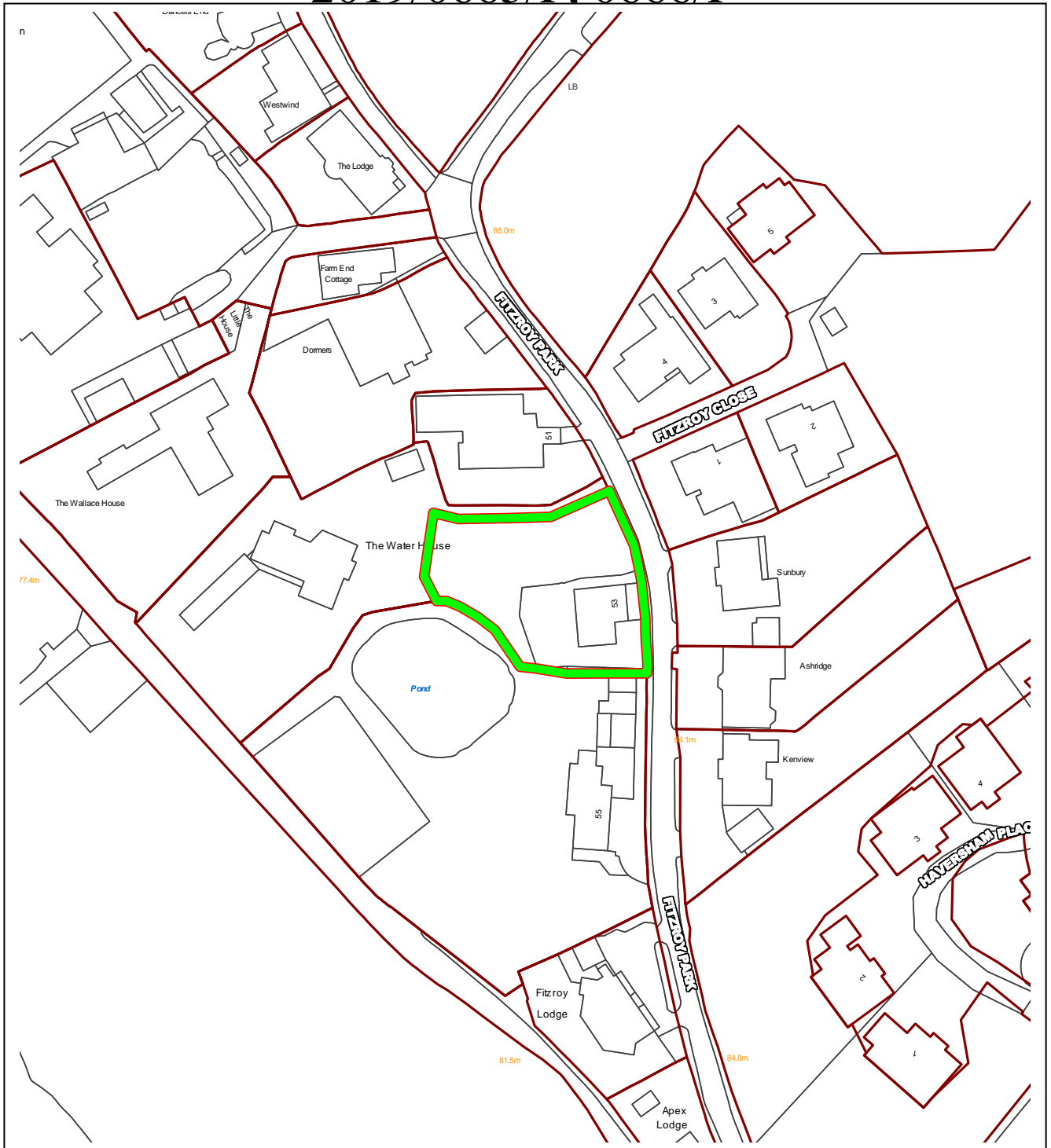


# 53 Fitzroy Park N6 6JA

## 2019/0665/P. 0666/P



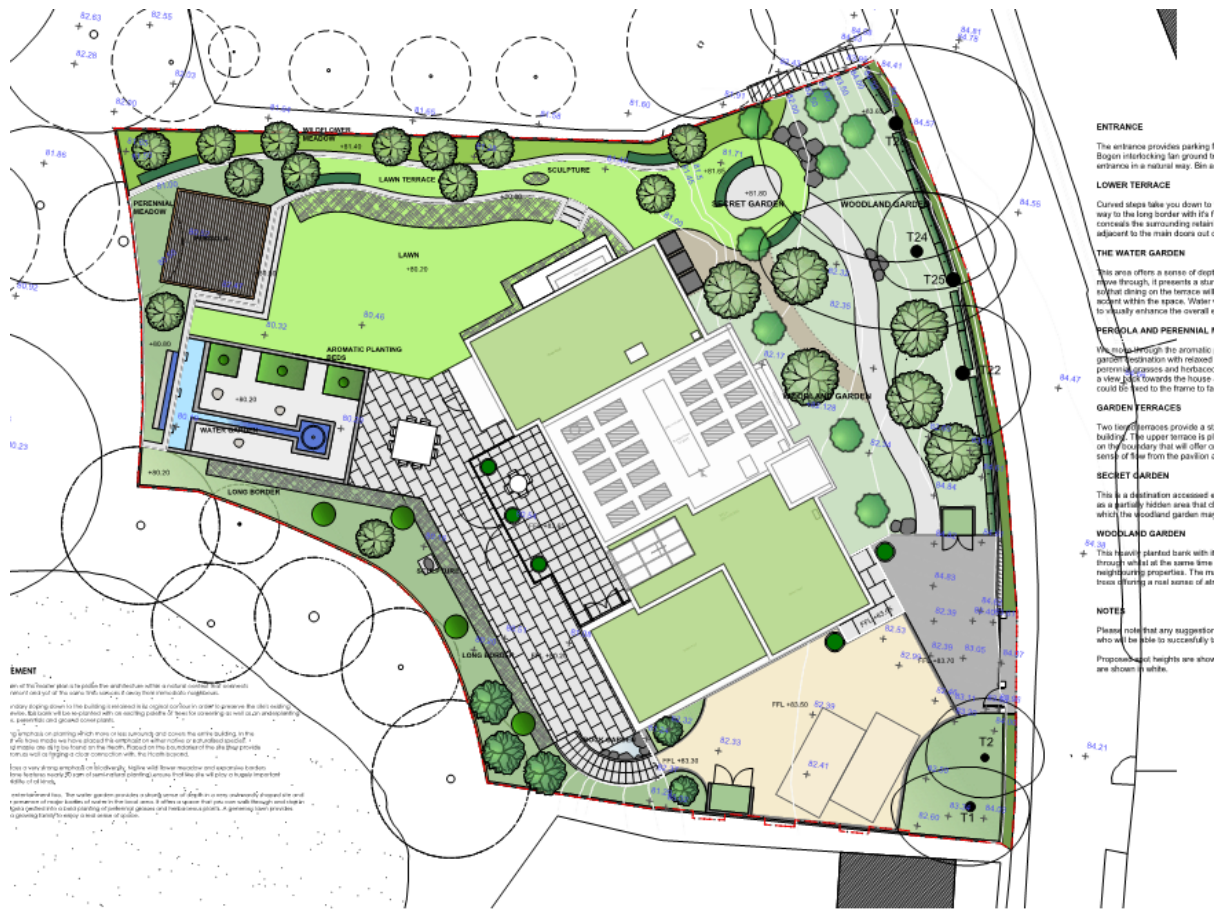
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1. Aerial view (outdated, showing cleared site of no.51 north of existing house of no.53)



2. Aerial view (showing new house at no 51 now built)



3. Landscaping master plan



<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>01/04/2019</b>
<b>(Members Briefing)</b>		N/A / attached	<b>Consultation Expiry Date:</b>	<b>23/03/2019</b>
<b>Officer</b>			<b>Application Number(s)</b>	
Charles Thuaire			2019/0665/P, 2019/0666/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
53 Fitzroy Park London N6 6JA			See 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>				
<p><b>2019/0665/P</b>- Details required by condition 5 (landscaping) of planning permission ref 2018/2104/P dated 05/02/2019 (for Variation of conditions 2 (plans), 3 (materials), 8 (noise levels) and 13 (SUDS) of planning permission ref: 2015/0441/P dated 04/07/2016 for Erection of a three storey single dwelling following demolition of existing dwelling).</p> <p><b>2019/0666/P</b>- Details required by condition 7 (tree protection) of planning permission ref 2018/2104/P dated 05/02/2019 (for Variation of conditions 2 (plans), 3 (materials), 8 (noise levels) and 13 (SUDS) of planning permission ref: 2015/0441/P dated 04/07/2016 for Erection of a three storey single dwelling following demolition of existing dwelling).</p>				
<b>Recommendation(s):</b>		<b>Grant approval of details</b>		
<b>Application Type:</b>		<b>Full Planning Permission</b>		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	n/a					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><u>Highgate Neighbourhood Forum</u> consulted on both applications- no response received.</p> <p><b>Landscaping 2019/0665/P</b></p> <p><u>Highgate CAAC</u> object-</p> <p>The majority of the replacement trees should be native species.</p> <p><i>(Officer comments in italics)-</i>  <i>A significant proportion of the replanting is native species (12 out of 28); while it would be preferable to have a higher proportion of natives, this is not considered to be a sufficient reason to refuse to discharge the condition, particularly in view of the area already containing a mix of native and non-native ornamental species.</i></p> <p><u>Fitzroy Park Residents Association</u> object-</p> <p>Significant shortfall in number of replacements; there were originally 30 mature trees on site, most have been removed and there are now only 5 to be retained.</p> <p><i>There are 28 trees proposed in the landscaping scheme which is a net gain of 3 trees. While these will not initially replace the lost canopy, they will over time and it would not be reasonable to require like-for-like canopy cover at planting stage. The approved scheme involved removal of 8 trees around the site which are not particularly good quality and do not make a significant contribution to the character of the conservation area. All trees of significance to the front of the site will be retained.</i></p> <p>The presence of attenuation tanks beneath the lawn and lawn terrace prevent planting and will create another 30% built footprint on site. This combined with the proposed hard landscaping will result in a total built footprint of 60% on site, making the private open space permanently tree-free.</p> <p><i>The drawings indicate a depth of substrate of 200mm above the attenuation tanks; the minimum recommended depth of substrate necessary to support a lawn is 150mm therefore the proposed depth is considered to be adequate. There are no attenuation tanks proposed beneath the lawn terrace. It is considered that there is adequate and ample space along the garden borders around the house for tree and shrub planting in the future- only the house itself, front driveway, rear patios and part of the rear lawn will</i></p>					

*prevent future tree planting.*

### **Tree protection 2019/0666/P**

Fitzroy Park Residents Association object-

The terms of reference are incorrect in the Arboricultural Method Statement (AMS) as they refer to the old Construction Management Plan (CMP).

*The final CMP has not yet been submitted for Council approval as required by the S106. The method statement of the existing AMS provides contingency for changes to be made subject to supervision by the arboricultural consultant and LPA tree officer.*

Site supervision inaccurate due to lack of selected contractor.

*The AMS has been amended to reflect the current situation.*

Site access and accommodation issues- proposed service platform will require backfilling around the stems of retained trees.

*The access ramp is to be supported on piles which will not require backfilling around the stems of retained trees.*

Changes in grade affecting trees.

*The trees in the position to be graded are behind a retaining wall which will have restricted root growth in this area and will limit the potential damage.*

T2 has a TPO which has not been referred to in the AMS.

*This has been amended in the most recent version of the AMS.*

The SUDS (submitted for condition 13) and landscaping plans should have been overlaid to ensure that they are consistent; it is not possible to plant trees in swales.

*The landscape plan has been amended to ensure that trees are not to be planted in the SUDS systems. No trees will be planted in swales or water retention areas.*

Third party trees on surrounding sites have not been assessed as part of the AMS.

*This has been addressed in a new rebuttal report (Addendum Arboricultural Impact Assessment)(AIA) submitted by the applicant's arboricultural consultant. The road and adjacent trees have withstood the traffic associated with a number of other large schemes with no ill-effect. There will be a bond agreed with the FPRA who manage the road to address any damage to the road which is considered sufficient to prevent damage to the root areas of the trees in question.*

## Site Description

1. The site has a 2-3 storey detached dwelling house set within a large garden, adjoining similar large plots with landscaped gardens and large detached houses. Fitzroy Park is a private road.
2. The site is in Highgate conservation area and on Private Open Space. It lies within Highgate Neighbourhood Plan area.

## Relevant History

2015/0441/P- permission granted 04/07/2016- Erection of a three storey single dwelling following demolition of existing dwelling (Class C3).

2018/2104/P- permission granted 05/02/2019- Variation of Conditions 2 (plans), 3 (details/samples of materials), 8 (Noise Levels) and 13 (SuDS) to planning permission ref: 2015/0441/P dated 04/07/2016, for; Erection of a three storey single dwelling following demolition of existing dwelling (Class C3), to amend fenestration; lightwell added to north side; entrance relocated to the corner; bike storage relocated to south side boundary; metal spandrel changed to natural stone; external stair removed at rear lower ground floor level; metal balustrade changed to glass; cornices changed to plain natural stone; rear curved bay squared off at lower ground level; recessed blind window omitted and recessed wall revised on south elevation.

2019/0676/P- approval of details granted 30/05/2019 for condition 9 (cycle store)

2019/0712/P- approval of details granted 30/05/2019 for condition 18 (green roof)

2019/1036/P- approval of details granted 30/05/2019 for condition 3 (design/materials)

2019/0704, 0855, 0711- Details for conditions 13 (SUDS), 14 (method statement for protected species) and 15 (lighting) submitted and currently being assessed.

## Relevant policies

### National Planning Policy Framework 2018

### London Plan 2016

### Camden Local Plan 2017

A1 Managing the impact of development  
A2 Open Space  
A3 Biodiversity  
D1 Design

### Camden Planning Guidance

CPG Design (2019)  
CPG Biodiversity (2018)  
CPG Trees (2019)

Highgate Village Conservation Area Statement 2007  
Highgate Neighbourhood Plan 2017

## Assessment

### 1. Background-

1.1 The site has permission dated 4.7.16 for the erection of a three storey single family dwelling including basement level, green roofs at first floor and roof level, solar panels at roof level and associated landscaping following the demolition of the existing part-two, part-three storey dwelling (see history above). The detailed design and layout was changed since and a variation of permission was thus granted in Feb 2019. However the overall permission is valid until 4<sup>th</sup> July 2019. The

developers are now trying to discharge the remaining pre-commencement conditions to enable a start on site before this date.

1.2 Plans and documents for both applications have been revised and updated, as well as a new AIA rebuttal report provided, to address concerns raised by the landscape/tree officer and local group.

## 2. 2019/0665- Landscaping details-

2.1 Condition 5 states- *No development shall take place until full details of hard and soft landscaping and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.*

2.2 The proposed landscaping plan follows on from the approved master plan. It proposed a paved driveway at front and paved patios at rear adjoining the house, extensive tree and shrub planting along the banked borders at front and sides, a large lawn at rear, and 2m high hedges along the front boundary. New elements introduced since then are a formal water garden area and a pergola structure in the rear garden. Associated drainage plans submitted for the SUDS condition 13 also show attenuation tanks under the rear grassed lawn. Details of the front boundary fence and entrance gates will be submitted later as part of a separate application.

2.3 The landscaping scheme is considered to be acceptable and includes sufficient replacement planting including native species that are appropriate adjacent to the Hampstead Heath. As revised, the new paving will be mainly permeable. The front hornbeam and beech hedges will create an appropriate verdant frontage to the road. The scheme is considered appropriate in design and layout and will enhance the character, appearance and biodiversity of the site, streetscene and conservation area.

## 3. 2019/0666- Tree protection details required by condition 7-

3.1 Condition 7 states- *Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work shall be submitted to and approved by the Council in writing. Such details shall follow guidelines and standards set out in BS5837:2012 "Trees in Relation to Construction". All trees on the site, or parts of trees growing from adjoining sites, unless shown on the permitted drawings as being removed, shall be retained and protected from damage in accordance with the approved protection details.*

3.2 The Council's tree officer has reviewed the tree protection details, as revised and updated, and considers them sufficient to demonstrate that the trees to be retained along the road frontage as well as on neighbouring sites, will be adequately protected and unharmed throughout development in line with BS5837:2012. Thus the character and appearance of the site, streetscene and conservation area will not be harmed.

## 4. Recommendation

Grant approval of details.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 24<sup>th</sup> June 2019, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***



Application ref: 2019/0665/P  
Contact: Charles Thuaire  
Tel: 020 7974 5867  
Date: 18 June 2019

**Development Management**  
Regeneration and Planning  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 9JE

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk](http://www.camden.gov.uk)

Michael Burroughs Associates  
93 Hampton Road  
Hampton Hill  
TW12 1JQ

# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Approval of Details Granted

Address:

**53 Fitzroy Park  
London  
N6 6JA**

# DECISION

Proposal:

Details required by condition 5 (landscaping, excluding means of enclosure) of planning permission ref 2018/2104/P dated 05/02/2019 (for Variation of conditions 2 (plans), 3 (materials), 8 (noise levels) and 13 (SUDS) of planning permission ref: 2015/0441/P dated 04/07/2016 for Erection of a three storey single dwelling following demolition of existing dwelling).

Drawing Nos: Master plan 002- rev 002 dated 1.6.19; hard landscape details 002 rev 003 dated 1.6.19; soft landscape details 003 rev 001 dated 1.6.19; Tree proposal dated 3.9.19 by John Davies Landscape, Plant schedule, Maintenance notes by John Davies Landscape

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

Informative(s):

- 1 You are reminded that conditions 11 (bird/bat boxes), 12 (PV panels), 17 (replacement tree planting) and 20 (water use evidence) of planning permission ref 2018/2104/P dated 05/02/2019 are outstanding and require details to be submitted and approved.  
Details already submitted to discharge conditions 13 (SUDs), 14 (method statement) and 15 (lighting) are currently being assessed.
- 2 Details of the front boundary fence and entrance gates shall be submitted for separate approval prior to their installation on site.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:  
<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

**DRAFT**

Yours faithfully

Director of Regeneration and Planning

**DECISION**

Application ref: 2019/0666/P  
Contact: Charles Thuairé  
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Date: 18 June 2019

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Michael Burroughs Associates  
93 Hampton Road  
Hampton Hill  
TW12 1JQ

# DRAFT

Dear Sir/Madam

**DECISION**

Town and Country Planning Act 1990 (as amended)

## **Approval of Details Granted**

Address:

**53 Fitzroy Park  
London  
N6 6JA**

# DECISION

Proposal:

Details required by condition 7 (tree protection) of planning permission ref 2018/2104/P dated 05/02/2019 (for Variation of conditions 2 (plans), 3 (materials), 8 (noise levels) and 13 (SUDS) of planning permission ref: 2015/0441/P dated 04/07/2016 for Erection of a three storey single dwelling following demolition of existing dwelling).

Drawing Nos: Arboricultural Method Statement, ref WFA/53FZP/AMS/02b dated 4.6.19 by Landmark Trees; Addendum AIA, ref FA/53FZP/RSP/01a dated 5.6.19 by Landmark Trees

The Council has considered your application and decided to grant permission subject to the following condition(s):

Condition(s) and Reason(s):

Informative(s):

- 1 You are reminded that conditions 11 (bird/bat boxes), 12 (PV panels), 17 (replacement tree planting) and 20 (water use evidence) of planning permission ref 2018/2104/P dated 05/02/2019 are outstanding and require details to be submitted and approved.

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Yours faithfully

Director of Regeneration and Planning

**DRAFT**

**DECISION**