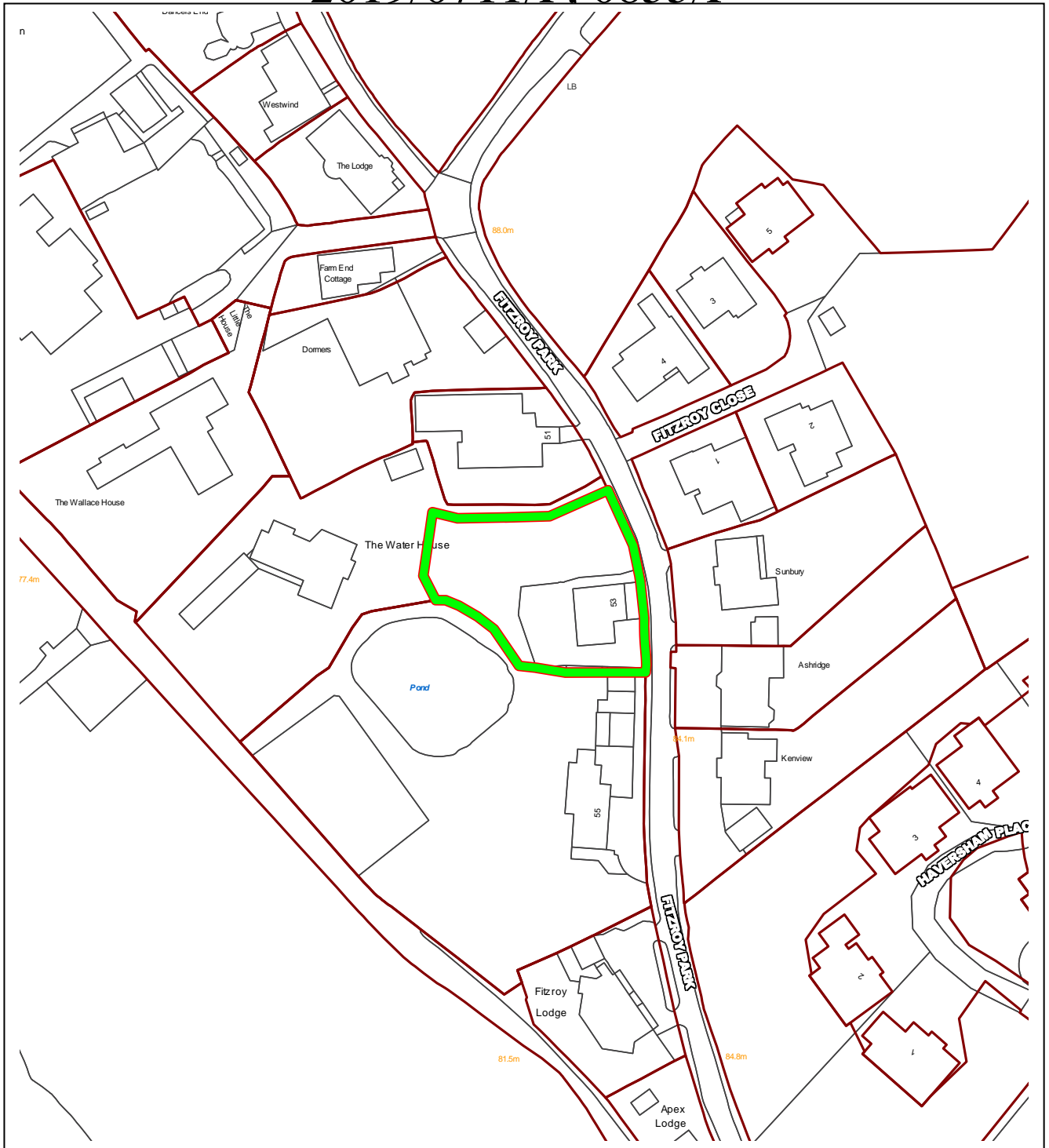


53 Fitzroy Park N6 6JA

2019/0711/P. 0855/P



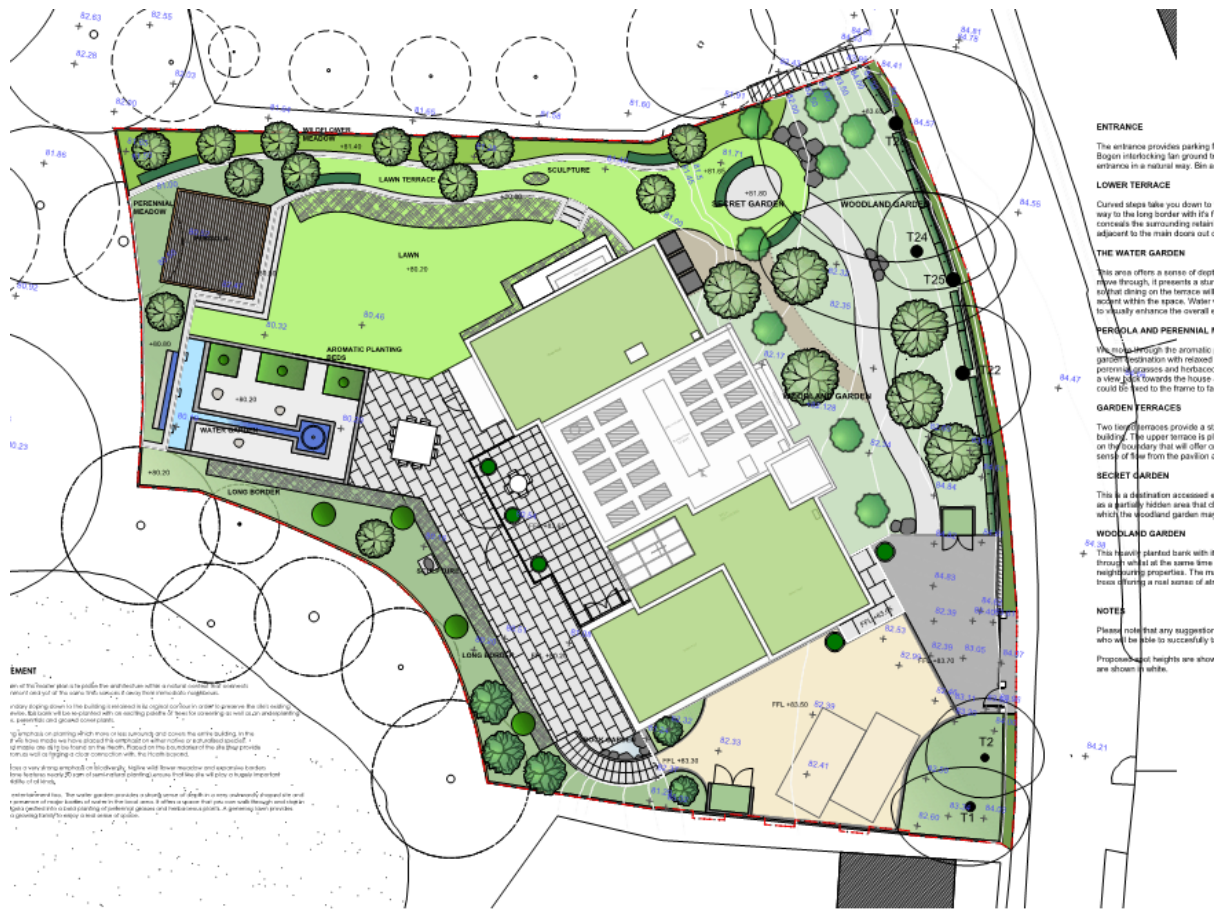
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1. Aerial view (outdated, showing cleared site of no.51 north of existing house of no.53)



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



EMENT
 The plan shows the building and its surroundings. The plan is annotated with numerous elevation points (e.g., +82.63, +81.86, +82.29) and terrace levels (T1, T2, T24, T25). The plan is surrounded by a 'LONG BORDER' and a 'WOODLAND GARDEN' area.

ENTRANCE
 The entrance provides parking for Bogen interlocking lan ground to entrance in a natural way. Site a

LOWER TERRACE
 Curved steps take you down to way to the long border with the concrete the surrounding retain adjacent to the main doors out

THE WATER GARDEN
 This area offers a sense of depth through, it presents a star that dining on the terrace will occur within the space. Water to locally entrance the covered

PERGOLA AND PERENNIAL
 The pergola through the aromatic garden elevation with reeded perennials grasses and herbaceous a view back towards the house could be used to the frame to fa

GARDEN TERRACES
 Two level terraces provide a st building. The upper terrace is pl on the boundary that will offer a sense of rise from the pavilion.

SECRET GARDEN
 This is a destination accessed a as a partially hidden area that of which the woodland garden may

WOODLAND GARDEN
 This heavily planted bank with it through what at the same time neighbouring properties. The in been offering a most sense of at

NOTES
 Please note that any suggestion who will be able to successfully's Proposed heights are show are shown in white.

3. Landscaping master plan

Delegated Report		Analysis sheet	Expiry Date:	09/04/2019
(Members Briefing)		N/A / attached	Consultation Expiry Date:	20/03/2019
Officer			Application Number(s)	
Charles Thuaire			2019/0855/P, 2019/0711/P	
Application Address			Drawing Numbers	
53 Fitzroy Park London N6 6JA			See decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature	
Proposal(s)				
<p>2019/0855/P- Details required by condition 14 (method statement to protect species) 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>2019/0711/P- Details required by condition 15 (lighting strategy) 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>				
Recommendation(s):		Grant approval of details		
Application Type:		Full Planning Permission		

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	n/a					
CAAC/Local groups* comments: *Please Specify	<p><u>Highgate Neighbourhood Forum</u> consulted on both applications- no response received.</p> <p>Method statement 2019/0855/P</p> <p><u>Fitzroy Park Residents Association</u> object (on original and revised submissions)-</p> <p>Detailed comments on method statement- no mention of impact on bats; loading strategy unacceptable; construction sequence more appropriate for a CMP which has not been drafted yet; no contractor specified – appointed one may adopt a different demolition strategy, thus statement needs to be written by actual contractor; reliance on outdated arbo and ecology reports; incorrect statements regarding lack of wildlife; recommendations for works affecting wildlife are contradicted by recent behaviour by contractors disturbing ducks when starting work on site; need details of proposed low level lighting; construction programme should be in a CMP and not agreed here; tracking diagram of lorries entering site as shown on ‘site setup’ plan are inaccurate and unworkable, given constraints of site and road.</p> <p><i>(Officer comments in italics)</i> See para 2.2. The report has been revised twice, firstly to refer to the newly appointed contractor and then to make reference to impact of lighting on wildlife. The alleged factual inaccuracies in the report are not vital to the basic aims and purpose behind it. Nevertheless the applicant’s ecologist has since resurveyed the house on 25.6.19 and confirms that there are no major changes in its condition since the original 2015 survey and that there are no signs of any protected/notable species. Similarly the reference to construction activities and sequencing is not important here and the precise details will change once a CMP is drafted and agreed. The purpose of the report is to outline the general principles, procedures and precautionary working approach recommended for the activities of demolition and construction and new lighting in order to protect wildlife only. Approval of this report does not mean that the actual construction process for a CMP is agreed. Also any future CMP will need to take account of the approved tree protection measures, regardless of any details shown in the submitted report and setup plan. It should be noted that the statement only refers to the site setup plan for the purposes of locating</p>					

the contractors parking area and for no other purpose- tracking diagrams will be assessed via the CMP process. Artificial lighting proposed within the dwelling is low level and of a domestic nature and will only be used for specific tasks.

Lighting 2019/0711/P

Highgate CAAC object-

The amount of garden lighting is excessive- why does 60% of the site need to be artificially lit? harmful impact on bats and green corridors.

(Officer comments in italics)

See paras 3.2 to 3.4. There should be a negligible impact on the surrounding residential properties and no harmful impact on bats.

Fitzroy Park Residents Association (FPRA) object (on original and revised submissions)-

RSK report wrongly states that the house is demolished and site has numerous trees forming a natural barrier; in fact the house is still there and the site is now almost completely cleared. Thus the modelling of existing light levels is based on outdated survey information and means that proposed light levels will be much higher at boundaries. No mention of impact of 70 lights on ecology and wildlife, especially bats, of surroundings including pond and heath. Light spillage at front along Fitzroy Park which is unacceptable. Not clear where the cumulative impact of the total number of actual decorative lights proposed (about 100 in the rear garden) has been modelled, in the context of no natural barrier to artificial light on the borders facing the ponds. Scheme should be revised or refused.

See paras 1.2, 3.2 to 3.4.

The applicant has responded to the allegations of errors as follows- although the reference to demolition is incorrect, this makes no difference to the report conclusions. The lighting model is based on the information contained in the architect's plans, lighting drawing and a landscape plan which shows the proposed planting for the site. The site may have been cleared now but during the construction phase, trees and other shrubs etc. will be planted which will form a natural barrier to artificial lighting. Light fittings, trees and landscaping were all modelled based on the proposed plans for the site and not based on the cleared site which is being readied for construction.

In any case, officers note that the lighting report shows that the light levels are well below maximum recommended lux levels which should give an adequate margin of error for any possible discrepancy. An additional ecological report was produced to address the issue of impact on bats. There will be negligible light spillage onto the road frontage.

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- Details for condition 13 (SUDS) 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 4th July 2019. The developers are now trying to discharge the remaining pre-commencement conditions to enable a start on site before this date. They have also issued a Notice for Deemed Consent of Discharge of Conditions that takes effect on 3rd July which means that, if the conditions have not been determined by that date, then they are deemed to have been discharged by default.

1.2 Plans and documents for both applications have been revised and updated, to address concerns raised by the ecology officers. Notably the method statement was updated to give more information on the contractor's appointment, demolition and a programme of works and to address the impact of lighting during the works. The lighting strategy report was expanded to show light fixture specifications and a new supporting ecological report was produced to address the issue of impact on bats.

1.3 The local group FPRA were advised of these revisions and have commented further, as summarised above.

2. 2019/0855- Method statement details-

2.1 Condition 14 states- *Prior to implementation a method statement for a precautionary working approach to demolition and construction should be submitted to the Local Authority and approved in writing. This shall include approaches to mitigate the impact on protected species, including impact of lighting during works. All site operatives must be made aware of the possible presence of protected species during works. If any protected species or signs of protected species are found, works should stop immediately and an ecologist should be contacted. The applicant may need to apply for a protected species licence from Natural England, evidence of which should be submitted to the Local Authority*

2.2 The Council's ecology officer has reviewed the method statement details, as revised and updated, and considers them sufficient to demonstrate that wildlife will be adequately protected throughout development by adopting certain principles and procedures for demolition and construction including lighting. It is concluded that the essential methodology and precautionary working approach, regardless of the actual construction programme and timetable, should not cause any harm to local biodiversity and protected species. More details of the construction process will be worked up for a Construction Management Plan (CMP) which has yet to be drafted and submitted for approval by the Council, as required by the S106.

3. 2019/0711- Lighting strategy details-

3.1 Condition 15 states- *Full details of a lighting strategy, to include information about potential light spill on to buildings, trees and lines of vegetation to minimise impact on bats, shall be submitted to and approved by the Local Planning Authority, in writing, before the development commences. The development shall not be carried out otherwise than in accordance with the details thus approved and shall be fully implemented before the premises are first occupied.*

3.2 The LED lighting design consists of numerous uplighters and light fittings ranging from 2W to 12W located around the external courtyard areas at low level. No lighting is to be located on the building façade. General recommendations for the detailed lighting scheme have been followed; these include lighting designed to minimise horizontal spill of light to the site border, lighting directed away from site borders and lighting designed in accordance with national guidance on reduction of obtrusive light and minimising sky glow and with guidance notes on Bats & Artificial Lighting. The strategy demonstrates that the existing area is dark with an average illuminance of 0.15 lux; the proposed lighting will result in a negligible increase in light levels, resulting in an average of 0.32 lux and a maximum of 0.62 lux at

only one point- this is well below the recommended illuminance range of 1 to 5 lux for 'E2 zones' (rural residential areas) such as this road. The additional ecological report states that a pragmatic approach is to limit the light spill onto the potential bat commuting areas to that of a full moon on a clear night (ie. between 0.25 lux and 1 lux). It concludes that the lighting design should have no adverse effects on bats using the area.

3.3 The Council's ecology officer has reviewed the lighting details, as revised and updated, and considers them sufficient to demonstrate that the strategy will not harm bats.

3.4 The proposed variety of light fixtures around the garden are small and discreet at low level and will not be visible outside the site. Only the entrance gates will have 3 external uplighters visible from the road. Although much vegetation has been cleared from the site, the existing trees and hedges bordering the site and the proposed new landscaping scheme with new trees and hedges planted along the site boundaries will help screen any light spillage. Thus there should be no light pollution with a negligible impact on the surrounding residential properties and no harmful impact on bats. It is concluded that the lighting and the light fittings themselves will cause no harm to the character and appearance of the site, streetscene and conservation area and no harm to local biodiversity and protected species.

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 1st July 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 and search for 'Members Briefing'.

Application ref: 2019/0855/P
Contact: Charles Thuairé
Tel: 020 7974 5867
Date: 25 June 2019

Development Management
Regeneration and Planning
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Michael Burroughs Associates
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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 14 (method statement to protect species) 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: Method Statement in relation to Precautionary Approach to Demolition and Construction, revision C dated 12.4.19 by Oakbridge; E322-02 (site setup plan)

The Council has considered your application and decided to grant permission.

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 condition 13 (SUDs) are currently being assessed.

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>

Yours faithfully

Director of Regeneration and Planning

DRAFT

DECISION

Application ref: 2019/0711/P
Contact: Charles Thuairé
Tel: 020 7974 5867
Date: 25 June 2019

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Hampton Hill
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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 15 (lighting strategy) 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: Lighting impact assessment ref 712940R02 dated 19.6.19 by RSK;
Biodiversity lighting support letter from RSK dated 18.6.19

The Council has considered your application and decided to grant permission.

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

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DECISION