

22nd February, 2020

for the attention of Josh Lawlor, Camden Development Management

Dear Sir,

**45 Highgate West Hill, N6 Application numbers: 2020/5960/P and 2020/5997/L**

The Highgate Society wishes to register its strong objection to the above applications for the following reasons:

Summary:

1. **Similar Applications/Workshop.** This application for an “outbuilding” is for permission to construct a building of almost exactly the same massing and height as the pending applications for a garage (2020/3067/P and 2020/3397/L) registered on 3/8/20, which have not been withdrawn by the applicant or determined by Camden.
2. **Inconsistencies** relating to the entranceway and the door design in the *Design & Access Statement* and the *Proposed Drawings*, plus the size of the proposed “outbuilding”, suggest to us that this “outbuilding” could at some future point be used as a garage.
3. **Aesthetic Value.** The *Heritage Appraisal* states that the proposed building “would cause no harm to the aesthetic value of the site.” We consider that the plans show otherwise; for much of the year the building will be visible to the public and it will dominate this small, but critical, piece of undeveloped woodland, highly visible from the public realm.
4. **The Public Realm.** The application does not address the issue that the surrounding land (apart from the pavement frontage on Highgate West Hill) is, we believe, unregistered land.
5. Camden’s Pre-Application Advice for the previous application.

**1. Similar Applications/Workshop:** The letter accompanying the application states that the proposed building is to be used for ‘storage of cycles and other equipment incidental to the maintenance of the property, and as a workshop’. Whilst it is quite reasonable to request permission for a building large enough for equipment and cycle storage, this would be a completely inappropriate location for a workshop, within the curtilage of listed buildings, in a Conservation Area and so close to a public footpath in a predominantly residential area. Neither does the application indicate the nature of the processes to be carried out within the “workshop”, or whether they will cause disturbance to neighbours or other undesirable impacts to the private or public realm. We suggest that the building proposed in this second application is excessively large for cycle and equipment storage and consider the massing completely inappropriate both for this prominent small wooded site and for the wider Conservation Area.

**2. Inconsistencies**: Page 5 of the *Planning Application Design and Access Statement (0417\_DOC\_006 Rev 00, June 2020)* has two CGIs (Elevation B and 3D Massing Proposal) which illustrate the front of the building. We interpret both as appearing to show garage doors and the latter has a paved driveway wide enough for a car.

The *Heritage Appraisal–Proposed Outbuilding* (November 2020) states in paragraph 1.8: ‘The entranceway from the driveway has been narrowed to reflect the fact that parking would no longer be provided on the site.’ However, as far as we can calculate, from both the CGIs in the *Planning Application Design and Access Statement* and the *Proposed Drawing* (A 1110 03), the proposed driveway does not appear to have been narrowed.

Whilst some of the drawings show a small door into the building, there appears to be little to prevent the building being constructed, or altered, so that the whole front is hinged on one side (or both), enabling it to be opened to allow a car (or cars) to use it as a garage.

**3. Aesthetic Value.** *The Heritage Appraisal* accepts that ‘the proposed site has aesthetic and some historic value, although the latter is less tangible than the former.’ (para 3.2). It argues that the site has strong aesthetic value, but then states that ‘the proposed scheme would cause no harm to the aesthetic value of the site” because ‘the proposals would not be seen from the public realm’ and they would not affect the aesthetic quality of the site’. We consider that the proposed building would be seen from the public realm, unless the applicant intends to entirely surround the building with dense, mature conifers, which would surely make the building inaccessible. In addition, in a Conservation Area, we submit that it is invalid to argue that a proposal should be permitted because it cannot be seen from the public realm; and it will in any case be seen from the private realm, which is shared by other householders, whom we trust have been notified of this application and been given the opportunity to comment. Further, since the land has clearly been open since time immemorial, and may well be a remnant of the old historic Highgate Green, we consider that it has significant heritage value, and that the proposed shed-like buildings will cause substantial harm to this part of the Conservation Area as a consequence.

**4. The Public Realm.** Various documents accompanying this application, including the photographs of the site, give the impression that the only view that the public has of this site is immediately facing it on Highgate West Hill. This is incorrect. The land immediately abuts the pavement and is open on either side; therefore the interior and sides of the land are clearly visible when walking along the pavement in either direction, and from both sides of the road. Furthermore, the application suggests that the surrounding land (apart from the pavement frontage on Highgate West Hill) is not in the “public realm”, but we have always understood it to be unregistered land; if this is the case, then it would be land over which the applicant may have no greater rights than other members of the public. We would therefore ask that your legal department ascertain the exact status of this land.

**5. Extract from Pre-application advice, date 02/05/2019, Camden reference: 2019/0227/PRE - Contact: Josh Lawlor**

*5. Garage*

*5.9. Policy A3 states that the Council will resist the loss of trees and vegetation of significant amenity, historic, cultural or ecological value including proposals which may threaten the continued wellbeing of such trees and vegetation. The Council will also require trees and vegetation which are to be retained to be satisfactorily protected during the demolition and construction phase of development in line with BS5837:2012 ‘Trees in relation to Design, Demolition and Construction’ and positively integrated as part of the site layout.*

*5.10. Given the proximity of the proposed garage to mature trees any future planning application would need to include the submission of an arboriculture report to demonstrate that no harm would be caused.*

*5.11. The proposed wooden garage would be located within the triangular piece of land with trees and shrubbery which fronts the main road.* ***It is considered that the garage would cause harm to the setting of the listed building. Although the woodland to the front of the property is not designated open space, its unaltered nature is considered to hold townscape and amenity value that contributes to the setting of the listed building and the wider Highgate Conservation area. The introduction of vehicle parking would intensify the use of this currently untouched woodland which could not be supported.*** [our emphasis]

*6. Transport*

*6.1 The proposal would include the construction of a garage with the capacity to accommodate two private motor vehicles, which would be contrary to the principles of Policy T2 (Parking and car-free development) which seeks to restrict vehicular parking within the borough****. The summary page of Policy T2 states that Camden will: limit on-site parking to: spaces designated for disabled people where necessary, and/or essential operational or servicing needs; resist the development of boundary treatments and gardens to provide vehicle crossovers and on-site parking****.* [our emphasis]

*6.2 As noted above the proposed garage would be considered unacceptable in heritage terms however should the garage be included in a formal planning application it should be shown that additional parking spaces are not being created. It would need to be demonstrated that two existing parking spaces are being removed elsewhere within the site.*

**Conclusion. T**he Highgate Society is therefore concerned that this second application remains the same size as a garage, which, according to the Council’s own *pre-application advi*ce (for the initial garage application) it opposes, and which could subsequently be the subject of a later application for a garage use. Whatever its proposed usage, however, it will cause substantial harm to this part of the Conservation Area, and we therefore urge that it should be refused.

Yours sincerely,

Michael Hammerson,

for and on behalf of the Highgate Society Planning Committee

*Disclaimer: The Highgate Society is an unincorporated association established for the public benefit.  It endeavours to ensure that the information it provides as a free service is correct, but does not warrant that it is accurate or complete.  Nothing in its correspondence, or discussed verbally at any time with representatives of its Planning Group, constitutes professional or legal advice and may not be relied on as such.*