

REPORT FOR CONSIDERATION AT PLANNING APPLICATIONS SUB COMMITTEE

Reference No: HGY/2006/1358

Ward: Highgate

Date received: 06/07/2006

Last amended date: 25/08/2006

Drawing number of plans: 511 (SK) 022 (B), 001A, 002B, C, 003C, 004D, E, 005D, 006C, 007C, 008C & 009B.

Address: 14 View Road N6

Proposal: Conservation Area Consent for the demolition of the existing house.

Existing Use: Residential

Proposed Use: Residential

Applicant: Olav & Mally Helebo

Ownership: Private

PLANNING DESIGNATIONS

Road - Borough
Highgate Conservation Area

Officer contact: John Ogenga P'Lakop

RECOMMENDATION

GRANT CONSERVATION AREA CONSENT subject to conditions

SITE AND SURROUNDINGS

The site is located within the Highgate Conservation Area. The area is characterised by large houses situated within extensive gardens. There is no prevalent architectural style in the area, being a mix of Georgian, Victorian, 20th Century and contemporary designs as a visit to the area has shown. The property is situated on the corner of View Road and View Close.

PLANNING HISTORY

- 1958 – Consent refused for the demolition of the then existing house & erection of terrace of 9-3 storey houses each garage. Another proposal for the redevelopment of the site by way of the erection of 24 flats & 18 garages was also refused.

- 1959 – Consent granted for the laying out of new street & erection of 10 houses with garages and also for demolition & erection of 10 detached houses.
- 1974 – consent granted for the erection of single storey extension to provide new kitchen under existing covered way.

DETAILS OF PROPOSAL

Conservation Area Consent for the demolition of the existing house and the erection of a replacement 2 storey, three bedroom dwelling house with rooms at basement level.

CONSULTATION

Internal

Transportation Group
 Cleansing
 Building Control
 Arboriculturalist
 Conservation Officer
 Highgate CAAC
 Highgate Society
Local Residents

12a, 13, 15, 16, 1-8, 17-19 View Road

RESPONSES

Conservation Officer's Comments

The application is for the demolition of a two storey, detached property and its replacement with a two storey, detached property with rooms at basement level. The property is situated on a corner site of View Road and View Close, and is within the Highgate Conservation Area.

The existing building, which is subject to demolition, is part of a 1960s development of 10 properties within View Close. However, No.14 as the corner property, figures prominently within the streetscape of View Road. It is a modern mono-pitched property, of brick and hung tiles with timber detailing and is of little architectural or historical interest, however, the building is not considered to be detrimental to the character of the conservation area. View Road has a varied architectural character with properties of numerous periods and architectural styles, set within their own gardens with mature planting. As No.14 maintains this green feeling to the conservation area, it is considered as having a neutral impact on the conservation area.

PPG15 4.27 states that “consent for demolition within a conservation area should not be granted unless there are acceptable and detailed plans for any redevelopment”. Therefore the merits of the proposal will be weighed against

the merits of the existing property, to ensure that the development either enhances or has a neutral impact on the conservation area.

The proposed property is a two storey mono pitched building with basement, which will be rendered and clad with timber with bronze sheet detailing. The proposed building has largely remained within the existing building envelope; the height, bulk and massing of the proposed house is similar to the existing although the roof pitch has been altered so that the ridge is orientated towards the south. The external facing materials of the proposed building are also acceptable: they refer to the materials of the surrounding properties and are of a natural palate; the timber and bronze are of tones that will blend with and compliment the green, wooded character of the area. In this respect the proposed building would preserve the appearance of the conservation area.

In principle there is no objection to the replacement of No.14. Whilst it is one property of ten, uniform properties, due its corner siting it is not essential that it remains part of the group. View Close is situated directly to the rear of Nos.14 and 16, and the properties are situated behind the building line. This coupled with mature tree foliage and soft landscaping means that the views into the Close are diminished and only glimpses of the other properties are afforded and they are not viewed as a unified body such as a terrace of a row of houses. Instead, Nos. 14 and 16 View Road, whilst being architecturally identical to the properties within View Close, are orientated towards the north and have a significant impact on the streetscape of View Road. As there are diverse architectural style properties in View Road, it would not appear anomalous if No.14 no longer matched No.16, and the proposed design could even be considered as enhancing the conservation area as it could prove to be good example of modern design.

At present, the site has a very 'green' feel; there are three mature oak trees to the east of the site, a magnolia tree and the several areas of hedging around the boundary, which preserves the character of the conservation area. The proposed development will have no adverse impact on the existing oak trees to the east of the site; the arboricultural report states in Para 5.2 "The proposed basement has been restricted to beyond the BS root protection area of the oaks, especially T1 [the closest tree to site] at 12m. Excavation for this element of the proposal will therefore have no detrimental effect upon the trees". Concerns have also been raised effect of rebuilding of the eastern part of the house on the roots of the trees; the arboricultural report also states that "following advice, it is proposed to construct the eastern part of the house upon slab foundations with shallow ground beams, such construction will not impinge on the condition or appearance of the trees" (Para 6.2). The application does not include further details for the soft landscaping scheme, however it would be preferable if the magnolia tree was retained (as it is both healthy, and established) and that planting is used to soften the view of the light wells. There are also objections to the increase in the parking to a double space; only a single space should be permitted on site, as per SPG1B "Parking in front gardens" as cars are visually intrusive within the conservation area. The front boundary treatment should be maintained to minimise the visual impact of the car.

PPG15 Para. 4.20 confirms that “the objective of preservation can be achieved by either development which makes a positive contribution to the areas character and appearance or by development which leaves the character and appearance unharmed”. Therefore, the proposed replacement building would preserve the character of the conservation area by its positive contribution to the diversity architectural styles. The mature trees surrounding the site will be preserved, however it should be conditioned that a soft landscaping scheme and scheme for the boundary treatment is submitted for approval by the design and conservation team to ensure that the green nature of the site is maintained. With this provision, the application should be granted as there will be no demonstrable harm to the character and appearance of the conservation area.

Arboriculturalist's Comments

The following comments and observations relate to the proposed development on the trees on site and in neighbouring properties. Drawing numbers 513/SK/002 and 004 were used for identification purposes. An Arboricultural report prepared by ACS Consulting was also used for reference.

Tree coverage

Located at the front of 14 View Road is a Magnolia tree. It is a young specimen, appearing healthy for its age and species. Located at the side of the property is a row of Cypress trees maintained as a hedgerow. It is proposed to retain these trees.

Located in 12 View Road, adjacent to the boundary with no 14, are three significant Oak trees. All appear healthy for their age and species and have deadwood within their crowns. This is a common occurrence in mature Oak trees.

Tree Protection

B.S. 5837:2005 Trees in relation to construction recommends a minimum Root Protection Area (RPA) for trees on development sites. The RPA is an area around each tree to be left undisturbed.

For T1, this distance is 12m square, For T2 and T3, the distance is 7.2m square. However, the assessment of the RPA must take into consideration many factors, including the soil type and structure and the distribution of roots when influenced by past or existing site conditions.

There is a 1m difference between the existing ground levels of the two properties. 12 View Road is approximately 1m higher. A 1m high retaining wall exists within 14 View Road between the garage and the boundary. This will limit the distribution of the Oak trees roots.

Due to the influence of existing site conditions, it can be assumed that the majority of the trees roots will be located within the boundary of 12 View Road where conditions are more favourable.

Protective fencing must be erected around the Magnolia and Cypress trees. It must be designed using 2.4m Hoarding and installed as recommended in the Arboricultural report (Appendix 4) and at the distance indicated on the Tree Protection Plan (Appendix 2)

Proposed Site Layout

The footprint of the existing structure extends to the retaining wall between no 12 and 14 View Road. The eastern elevation of the proposed new structure is to be constructed within the same footprint along the retaining wall.

Careful consideration must be given to the design and construction of the foundations for the eastern elevation. To mitigate any possible detrimental effects, these foundations must be designed using piles and ground beams. A planning condition must be used to ensure this.

A new basement is to be excavated at a distance of 12m; this is outside of the recommended minimum RPA for T1. Grading of the soil will require excavations at 8m, even at this distance it is highly unlikely that roots from T1 will be encountered due to the site conditions.

Planning conditions to ensure tree protection.

Robust planning conditions must be used to ensure protective measures are implemented for the safe retention of the existing trees. The following are minimum requirements:

A pre-commencement site meeting must be specified and attended by all interested parties, (Architect, Consultant Arboriculturist, Planner Officer, LA Arboriculturist and Contractors) to confirm the protective measures to be installed for trees.

A Consultant Arboriculturist must be retained to supervise the excavation of foundations within the Root Protection Area of T1.

Robust protective fencing must be installed prior to commencement of construction activities on site and retained until completion. It must be designed and installed as recommended in the Arboricultural report. The fencing must be inspected by the Local Authority Arboriculturist, prior to any works commencing on site.

A method statement must be produced detailing the design and construction of the foundations for the new structure.

Conclusions

In my opinion, the proposed new development can be constructed without any detrimental effects on the existing trees within 14 View Road and those in the adjacent property, 12 View Road.

Transportation Officer's Comments

The Proposal was amended inline with the requirements of the transportation and highways authority. The applicant has reduced the width of the crossover to 4.1m in order to minimise the impact of the new driveway on the highways.

Consequently the transportation and highways authority would not object to this application.

Informative: The new development will require numbering. The applicant should contact the Transportation Group at least six weeks before the development is occupied (tel. 020

Highgate Conservation Area Advisory Committee's Comments

HCAAC has received your letter of 1.9.06 enclosing what are described as amended drawings. As far as we can see, there are no material changes from those originally submitted and about which we lodged an objection on 20 July, saying that the present house and matching number 16 form the entrance to a cohesively designed group at the entrance to View Close. The increased bulk and stridently different form and materials as proposed would be damaging to the group of houses and to the Conservation Area. Removal of hedging on the south boundary and the proposed upper terrace would cause overlooking. The perimeter lightwell serving a separate basement dwelling would be out of character with the surroundings and contrary to UDP policy. There has been no assessment of impact on trees, particularly the large oak on the east boundary (TPO?), which would be severely damaged by such development. If there is anything materially different in the amended drawings, could you kindly identify these for us? As we believe that any changes have not dealt with the objections raised by HCAAC, we wish to record our continued objection to this application.

A number of objections have been raised by nearby residents. The main issues raised are:

- Loss of amenity
- Development out of keeping
- Traffic congestions and
- Effect on trees.

RELEVANT PLANNING POLICY

NATIONAL POLICIES

Planning Policy Guidance (PPG) and the new style Planning Policy Statements (PPS) provides Government guidance on the main planning issues. PPG 15 is particularly relevant to this application.

PPG 15: PLANNING AND THE HISTORIC ENVIRONMENT

PPG 15 lays out government policies for the identification and protection of historic buildings, conservation areas and other elements of the historic environment.

The frequent close link between controls over 'listed' buildings and conservation areas and development control decisions means that development and conservation generally need to be considered together.

Conservation Areas

A designated conservation area introduces a general control over the demolition of unlisted buildings and provides a basis for policies designed to preserve or enhance all the aspects of character or appearance that define and area's special interest.

Conservation area control over demolition

LPAs are required to pay special attention to the desirability of preserving or enhancing the character or appearance of the area in question.....however, account should clearly be taken of the part played in the architectural or historic interest of the area by the building for which demolition is proposed, and in particular the wider effects of demolition on the building's surroundings and on the conservation area as a whole.

The general presumption should be in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area...where a building makes little or no such contribution – the local planning authority will need to have full information of what is proposed for the site after demolition. Consent for demolition should not be given unless there are acceptable and detailed plans for any redevelopment.

REGIONAL POLICIES

THE LONDON PLAN

Regional policies have been developed in line with national policies to promote sustainable development. The policies which affect the proposed development are as follows:

Sustainable Development

Policy 2A.1 sets out the criteria for sustainability including: optimise use of previously developed land and vacant or under-used buildings; the use of design led approach to optimise the potential of sites and; ensuring that

development occurs in locations that are accessible to town centres, employment, housing, shops and services.

Regeneration

Policy 2A.4: The development or redevelopment of available sites and the exploitation of potential for regeneration have been identified as a significant potential for increases in residential, employment and other uses in the Regional Development Strategy

Housing

Future residential development needs to be located so as to maximise the use of scarce land, to conserve energy and to be within easy access of jobs, schools, shops and public transport.

Policy 3A.1 seeks to increase London's supply of housing from all sources.

Policy 3A.2 aimed at Borough housing targets requires boroughs to intensify housing provision through development at higher densities.

Policy 3A.3 requires boroughs to promote the efficient use of existing stock by reducing the number of *inter alia*, unsatisfactory dwellings. Strategies should include targets for bringing properties back into use.

LOCAL POLICIES

Haringey's adopted Unitary Development Plan, 2007 (HUDP) and Supplementary Planning Guides (SPGs) have been developed in line with national and regional policies, but are specific to the Borough. The following policies are from the adopted HUDP 2007 and are considered relevant to the application:

HARINGEY UNITARY DEVELOPMENT PLAN

Design

Policy G2: Development and Urban Design

Development should be of high quality design and contribute to the character of the local environment in order to enhance the overall quality, sustainability, attractiveness and amenity of the built environment.

Policy UD3: General Principles

Council will require development proposals to demonstrate that:

- a) there is no significant adverse impact on residential amenity
- b) the proposals complements the character of the local area and is of an appropriate scale

- c) the proposal would not significantly affect public and private transport networks
- d) there is access to and around the site
- e) opportunities for soft landscaping, tree retention and tree planting have been taken into account.

Policy UD4: Quality Design

Any proposed developments are expected to be of high design quality, taking into account the spatial and visual character of the site and surrounding area, and with respect to a variety of elements which should be addressed in a positive way. Elements include, *inter alia*, height and scale; building lines, form, rhythm and mass; architectural style, detailing and materials; living frontages and public realm.

Housing

HSG 3 states that the demolition of housing will be permitted if replacement housing of an appropriate type is provided.

Conservation areas

Policy CSV1 concerns development in conservation areas. The Council requires proposals affecting Conservation Areas to:

- a) preserve or enhance the historic character and qualities of buildings and/or the Conservation Area;
- b) recognise and respect the character and appearance of Conservation areas; and
- c) protect the special interest of buildings or architectural or historic interest.

Policy CSV5: Alterations and Extensions in Conservation Areas

The Council will require that alterations or extensions or buildings in conservation areas preserve or enhance the character of the conservation area and retain or reinstate characteristic features such as doors, windows or material of buildings.

Policy CSV7: Demolition in Conservation Areas.

The Council will seek to protect buildings within Conservation Areas from demolition if it would have an adverse impact on the character and appearance of the Conservation Area.

In some cases, if substantial community benefit would result from development, demolition or alteration of buildings in Conservation Areas may be acceptable. Each case will be judged individually.

ANALYSIS AND ASSESSMENT OF THE APPLICATION

The main planning issues are considered to be:

1. justification for demolition
2. design
3. height and scale
4. elevation
5. materials
6. access
7. parking
8. amenity
9. landscaping
10. sustainability
11. response to the objections raised

PRINCIPLES OF USE

The proposal is for the demolition of the current dwelling and the erection of a new family dwelling. As such, there will be no material change to the property in terms of its use.

Justification for demolition of current dwelling: architectural merit

The current dwelling is not a listed building; however, the fact that it is situated within a conservation area means permission for its demolition is partially dependent on the suitability of its replacement building.

The current dwelling is considered to be of little architectural merit or historic interest, whereas the proposed dwelling has been designed in such a way that it is high standard with unusual materials. The building is contemporary and is of high architectural merit. It is considered that it will enhance and add character to the area, as well as adding to the already considerable variety of styles and types of houses in the neighbourhood.

The demolition would be in accordance with PPG 15 and SPG 2, both of which allow for the demolition of a building in a conservation area that does not contribute to the area and which will be replaced with a building of equal or enhanced architectural merit, subject to approval of the design. It also adheres to Policy CSV7 of the HUDP which lists various criteria to be used in assessing proposals for demolitions in conservation areas. Although policy HSG3 of the HUDP states that existing dwellings in the borough should be retained, it allows for the demolition of a building that fails to make a valuable contribution to the character of the local area or townscape. In this case, it is clear that the contribution of the current building to the local character is at best, neutral.

In addition, I consider that the proposal also adheres to Policy CSV7 of the HUDP, which states that demolition will be acceptable in cases where substantial community benefit would result from development. This is because the current building is considered to be of little architectural merit,

whereas the proposed development will provide a building with contemporary design that will be welcomed by the community.

I therefore considered that permission to for the demolition of the existing building should be given in light of the minimal contribution it currently makes to the area and because the proposed development will add a unique, contemporary and exciting element to the character of the conservation area, enhancing the visual amenity and providing a fine example of 21st century design as a legacy for future generations to admire.

DESIGN

The proposed development is situated within the Highgate Conservation Area and therefore careful consideration should be given to its design to ensure that it adds to the character of the streetscape/area and that it will complement adjoining properties.

The present dwelling is a building built in the mid 20th Century. It is a predominantly brick building that has little to recommend other than the fact that it does not impact negatively or positively on the surrounding character of the area.

Conversely, the proposed dwelling is a modern building that is an example of contemporary architecture. The use of natural and relatively unusual materials and the extensive use of timber and bronze create a building that is unusual and exciting and one that adds to the variety and mix of architectural styles in the street. In this respect, the choice of materials adheres to policy CSV5 of the HUDP.

The design of the building conforms and adheres in all aspects to policies G2, UD3, CSV1, CSV5, CSV7 of the HUDP and SPG2, "ensuring a high aesthetic design standard for new buildings", by ensuring the building is in keeping with and sensitive to the character of the area, particularly neighbouring properties.

Height and Scale of the Development

The proposed development is comparable in height to the existing building. It will be a two storey mono pitched building with basement. The building would largely remain within the existing building envelope with the only variation being the mono pitched roof tilting south.

The footprint will actually be decreased, enabling more hard and soft landscaping of the property and therefore adding to the visual and environmental amenity of the street. A comparison of the footprint of the proposed dwelling with surrounding dwellings shows that it is relatively smaller, or of similar size to them and therefore will not be bulky , or create any new impact on neighbouring properties.

Elevations

Each elevation presents a different facade, adding to the uniqueness of the design and creating an interesting and visually exciting building.

Materials

One of the special features of design is the use of unusual and high quality natural materials. Bronze, wood, brick and glass are used for instance to create a dazzling effect. The use of these materials ensures conformity with policy CSV5 of the HUDP.

HOUSING PROVISION

The proposal is for a three bedroom house. The development will also include rooms in the basement, living/dining, study and playroom on the ground floor with the three bedrooms on the first floor.

There will be no loss of housing as the demolition of the existing house will be replaced by a house of an appropriate type, as required by policy HSG3 of the HUDP which requires the protection of existing housing stock.

TRAFFIC/PARKING

Vehicular Access

The current access will be retained.

Parking

There will be parking spaces for 2 vehicles. This complies with SPG7a: Parking Standards, which requires 3 spaces per 2 units. The Council's transportation Officer commented that the Proposal was amended inline with the requirements of the transportation and highways authority. The applicant has reduced the width of the crossover to 4.1m in order to minimise the impact of the new driveway on the highways. Consequently the transportation and highways authority would not object to this application.

AMENITY

Privacy and overlooking

There will be no negative impact on the amenities of neighbouring properties or other residents in the surrounding area, as required by policy UD3: General Principles of HUDP 2007. Due to the decrease in the footprint of the proposed dwelling, the distance between this and the adjoining property, property number 12 will in fact increase.

To protect the privacy of the nearby property, it is considered that there would not be any additional overlooking than is already there from the side, rear front façade. More over the proposed building would still remain two storey.

There will be no effect on sunlight or daylight and no increase in noise for adjacent properties.

LANDSCAPING

A landscaping proposal will have to be submitted. No trees on the site will be removed. Soft and hard landscaping will add visual amenity to the site and area as a whole as required by policy SPG8d. The Council's arboriculturalist have commented that the footprint of the existing structure extends to the retaining wall between no 12 and 14 View Road. The eastern elevation of the proposed new structure is to be constructed within the same footprint along the retaining wall.

Careful consideration must be given to the design and construction of the foundations for the eastern elevation. To mitigate any possible detrimental effects, these foundations must be designed using piles and ground beams. A planning condition must be used to ensure this.

A new basement is to be excavated at a distance of 12m, this is outside of the recommended minimum RPA for T1. Grading of the soil will require excavations at 8m, even at this distance it is highly unlikely that roots from T1 will be encountered due to the site conditions.

SUSTAINABILITY

All sustainability issues listed in the Haringey Sustainability Issues have been considered in the design of the proposed dwelling. Provisions would be made for appropriate waste storage and recycling facilities, water-conserving devices. It is considered that care has been taken to select materials that are of excellent quality and are not detrimental to the environment.

The site lies in a conservation area; consequently, the design of the proposed dwelling reflects the established architectural character of surrounding properties in height, density, bulk and massing. As a contemporary interpretation, the building will visually contribute to the area. The scheme is considered appropriate as such this report recommends that planning permission should be granted.

RESPONSE TO THE OBJECTIONS RAISED

As mentioned above, there have been a number of objections from nearby residents. While this has been addressed already in the preceding paragraphs, it is worth pointing here in summary that the proposed development would not have a significant adverse impact on the amenity of the local area. It would be comparable in height to the existing building and fits in the same footprint. Further, with most of these buildings having different architectural styles, it is considered that each elevation of the proposed building presents a different façade that would not promote overlooking.

Another issue raised also is that the proposed building would be out of keeping. To the contrary, it is considered that the two storey building would complement the character and appearance of Highgate conservation area. Similar proposals have been granted consent recently. For instance a proposal to for the demolition of existing building and erection of part 2/part3 storey five bedroom dwelling house with habitable rooms and swimming pool at basement level and balconies at first floor and roof level at 8 View Road was granted consent. Other examples include;

Reference No: HGY/2004/0528: Palladio, Compton Avenue

Demolition of existing dwelling and erection of a 3 storey 8 bedroom house with balcony at rear, pool in basement and garage to side of property. Permission granted 6 April 2004.

Reference No: HGY/2005/1771: Courtenay House, Courtenay Avenue

Demolition of existing house and erection of new 2 storey seven bedroom dwellinghouse with rooms in roof, garage at basement level and linked part single storey and part two storey addition. Permission granted 24 November 2005.

Reference No: HGY/2005/0853: Ridgemount, Courtenay Avenue

Conservation Area Consent for the demolition of existing house, swimming pool enclosure and greenhouse and erection of new replacement detached two storey dwelling house with accommodation in roofspace and garage and swimming pool in basement. Permission granted 31 January 2006.

Reference No: HGY/2005/0198: Three Oaks, Courtenay Avenue

Demolition of existing building and erection of a three storey building with garage and ancillary accommodation within the lower ground floor. Landscaping and patios at rear. Permission granted 16th June 2005.

Reference No: HGY/2006/0270: Heathways, Courtenay Avenue

Demolition of existing building and erection of 1 x 3 storey eight bedroom dwelling house with habitable rooms and gym at basement levels, guest suite at 2nd floor and double garage at ground. Permission granted 21 April 2006

Reference No: HGY/2004/0594: 38 Hampstead Lane

Demolition of existing property and erection of a three storey house including rooms in the roof and the provision of basement. Erection of new entry gates to front boundary. Permission granted 8 December 2004.

Reference No: HGY/2005/0866: 57 Sheldon Avenue

Conservation Area Consent for demolition of existing house and erection of a two storey 6 bedroom house with rooms in roof and at basement level. Permission granted 6 July 2005.

The issue of traffic congestion as a result of the creation of a new driveway is also highlighted in the objection raised. The Council's transportation officer

here however observed that a crossover with a width of 4.1m would minimise any potential impact on the highways.

The final objection which I considered was raised was the effect on trees within the development site. The Council's arboriculturalist commented that the proposed new development can be constructed without any detrimental effects on the existing trees within 14 View Road and those in the adjacent property, 12 View Road.

SUMMARY AND CONCLUSION

In dealing with this proposal, regard have been had to the provision of the above relevant policy. It is considered that the proposed new development would be detrimental to the amenity or character and appearance of Highgate conservation area. The new house would be two storey just like the existing and surrounding properties. The design would not detract from the character of the area since the area is characterised by different form of architectural styles and types. I recommend that planning permission be granted.

RECOMMENDATION

GRANT CONSERVATION AREA CONSENT

Registered No. HGY/2006/1358

Applicant's drawing Nos. 511 (SK) 022 (B), 001A, 002B, C, 003C, 004D, E, 005D, 006C, 007C, 008C & 009B.

Subject to the following condition:

1. The demolition hereby permitted shall not be undertaken before a contract for the carrying out of the works for redevelopment of the site has been made and planning permission granted for the redevelopment for which the contract provides.

Reason: In order to ensure that the site is not left open and vacant to the detriment of the character and visual amenities of the locality.