

Our Ref: 23086/KM/cw
Your Ref: PP-12048186
Email: kmatthews@firstplan.co.uk
Date: 19 April 2023

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

Dear Sir/ Madam,

ERECTION OF ADDITIONAL STOREY AT FIRST FLOOR LEVEL AND REAR/SIDE EXTENSION AT LOWER GROUND FLOOR, CREATION OF FRONT BASEMENT LEVEL EXTENSION UNDER GARAGE, AND VARIOUS EXTERNAL ALTERATIONS TO DWELLINGHOUSE WALLACE HOUSE, FITZROY PARK, LONDON, N6 6HT

We are instructed by our clients, Claire and Derrick Dale, to submit a householder application for the aforementioned works at Wallace House, Fitzroy Park, London, N6 6HT. Importantly, the proposed development within this application is identical to that approved on 3 September 2020 under permission 2017/4301/P, and this current application is submitted with the aim of obtaining a renewed permission.

The application comprises the following documents:

- Completed Application Forms;
- Completed CIL forms;
- Planning and Heritage Statement (contained within this letter);
- Tree Report (prepared by Crown Consultancy);
- Air Spade Investigation (prepared by Crown Consultancy);
- Structural and Civil Engineering Planning Report (prepared by Elliot Wood) (with Appendices 1 – 4)
- Basement Impact Assessment Audit (with Appendices 1 – 3)
- Construction Management Plan Proforma (Rev B)
- Construction Management Plan Figures (figures 01, 02, 03, 05, 10, 11, 12, 13, 14 Rev 01, 15 Rev 01 and 16 Rev 01)
- Site Location Plan
- Design Statement (including context analysis drawings refs: 299_01_DS00 - 299_09_DS00)
- Proposed Visualisations (refs: 299_001_VS00 - 299_004_VS00)
- Drawings:
 - Existing Site Plan, ref: 299_050_EX_00;
 - Proposed Site Plan, ref: 299_050_PL_00;

 - Existing Lower Ground Floor Plan, ref: 299_100_EX_00;
 - Proposed Lower Ground Floor Plan, ref: 299_100_PL_00;
 - Existing Lower Ground Floor Plan, ref: 299_101_EX_00;

- Proposed Lower Ground Floor Plan, ref: 299_101_PL_01;
- Existing Upper Ground Floor Plan, ref: 299_110_EX_00;
- Proposed Upper Ground Floor Plan, ref: 299_110_PL_00;
- Existing Upper Ground Floor Plan, ref: 299_111_EX_00;
- Proposed Upper Ground Floor Plan, ref: 299_111_PL_00;
- Existing Roof Plan, ref: 299_120_EX_00;
- Proposed Second Floor Plan, ref: 299_120_PL_01;
- Proposed Roof Plan, ref: 299_130_PL_00;

- Existing Section 200, ref: 299_200_EX_00;
- Proposed Section 200, ref: 299_200_PL_00;
- Existing South West Elevation Section, ref: 299_210_EX_00;
- Proposed South West Elevation Section 210, ref: 299_210_PL_00;
- Existing Section 220, ref: 299_220_EX_00;
- Proposed Section 220, ref: 299_220_PL_01;
- Existing North East Elevation, ref: 299_300_EX_00;
- Proposed North East Elevation, ref: 299_300_PL_01;
- Existing South-East Elevation, ref: 299_310_EX_00;
- Proposed South-East Elevation, ref: 299_310_PL_01;
- Existing South-East Boundary Elevation, ref: 299_315_EX_00;
- Proposed South-East Boundary Elevation, ref: 299_315_PL_01;
- Existing South West Elevation, ref: 299_320_EX_00;
- Proposed South West Elevation, ref: 299_320_PL_01;
- Proposed South West Elevation Boundary to Fitzroy Farm, ref: 299_325_PL_01
- Proposed North-West Elevation, ref: 299_330_PL_00;

The application has been submitted via Planning Portal (ref: PP-12048186) and the requisite planning fee of £206 plus £32.30 Planning Portal service charge has been paid by our clients.

Site Description

Wallace House is currently a residential property with two storeys and lower ground floor level, built into the slope of the site. The property is accessed via Fitzroy Park, to the north. Kenwood Ladies Bathing Pool is located to the south west of the site, with Hampstead Heath located beyond. Photographs of the site are provided at Appendix 1.

APPENDIX 1

The site is not listed, and there are not any listed buildings within the immediate vicinity, however, the site falls within the Highgate Conservation Area.

The site also falls within the designated Highgate Neighbourhood Plan Area.

The site has a Public Transport Accessibility Level (PTAL) rating of 1a (where 0 is the worst and 6b is the best). The nearest underground stations are Highgate to the north (served by the Northern Line) and Hampstead Heath and Gospel Oak stations to the south, both served by the Overground line.

Planning History

Permission was granted for 'erection of new first floor extension above existing garage, and new lower ground floor extension to single family dwellinghouse (Class C3) – Granted subject to S106' on 2 June 2009 (planning ref: 2008/2004/P).

On 24 May 2010, permission (planning ref: 2009/4345/P) was granted for an amendment to planning permission 2008/2004/P comprising excavations to enlarge the lower ground level to the area beneath the existing garage, conversion of the garage at ground floor level into a habitable room and associated alterations to the dwelling house, in association with the original permission for 'Erection of new first floor extension above existing garage, and new lower ground floor'. extension to single family dwellinghouse (Class C3) – Granted Subject to S106.

As detailed above, planning permission was granted on 3 September 2020, subject to a S106 Legal Agreement for 'erection of an additional storey at first floor level and rear/ side extension at lower ground floor, creation of front basement level extension under garage, and various external alterations to the dwellinghouse' (planning ref: 2017/4301/P).

None of these permissions have been implemented.

Application Proposals

As stated above, the application proposals are identical to the proposals approved within planning permission 2017/4301/P, for the 'erection of an additional storey at first floor level and rear/ side extension at lower ground floor, creation of front basement level extension under garage, and various external alterations to the dwellinghouse'. The previous permission is still live, and therefore, could still be implemented.

The additional storey at first floor level would match the length and width of the northern side of the property (15.5m long by 7.1m wide). This element would be of a similar contemporary design and material finish to the host property, with large format glazing being a prominent feature. A recessed balcony is proposed to the rear of the addition, and three large rooflights are proposed.

The front basement level extension is located under the existing garage and has a length of 6.6m and a width of 7m. The addition would be entirely subterranean with no external alterations proposed.

A rear/side extension is proposed to the existing rear wing at lower ground floor level. This would have a width of 3.9m and depth of 18.1m to match the depth of the existing wing. The height will match existing and large format glazing is proposed to complement the host property. Two large flush fitting rooflights are also proposed.

Additional works would include:

- Upper ground floor alterations to rear facing windows to the Master Bedroom and Bedroom 2;
- Removing central columns to form a larger element of glazing;
- Replacement of north side facing upper ground floor wall with glazing;
- Installation of north side facing window to Bedroom 2;
- Removal of external access door to garage

The proposals will provide better quality and more usable of accommodation for our clients. The full proposals are detailed within the drawing pack, which accompanies the application.

Relevant Planning Policy and Guidance

Since the previous permission in September 2020, the London Plan, which forms part of the statutory development plan, has been updated. The London Plan (2021) now provides the spatial development

strategy for Greater London. In addition, the National Planning Policy Framework was also updated in 2021 and is a material consideration.

Camden's Local Plan has not been updated since the granting of the previous permission, however, the Council is starting work on its updated Local Plan, with public consultation scheduled for autumn 2023. The Highgate Neighbourhood Plan (2017) also forms part of the statutory development plan.

Regard has been had to the planning policies and guidance detailed below.

i) The NPPF (2021)

- Chapter 2: Achieving sustainable development;
- Chapter 4: Decision-making
- Chapter 12: Achieving well-designed places;
- Chapter 16: Conserving and enhancing the historic environment

ii) The London Plan (2021)

- Policy D3 'Optimising site capacity through the design-led approach';
- Policy D4 'Delivering good design';
- Policy D5 Inclusive design;
- Policy D6 Housing quality and standards;
- Policy D10 Basement development;
- Policy D11 Safety, security and resilience to emergency;
- Policy D12 Fire safety;
- Policy HC1 Heritage conservation and growth.

iii) Camden Local Plan (2017)

Policy D1 'Design' requires high quality design which respects local context and character. Developments will also be required to preserve or enhance the historic environment and heritage assets in accordance with Policy D2 Heritage. There is also an extensive list of requirements surrounding design principles.

Policy D2 'Heritage' sets out that in order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will, inter alia:

- require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

Policy A2 'Open space' and **Policy A3** 'Biodiversity' set out the Council's requirements in order to protect and enhance the Borough.

Policy A5 'Noise and Vibrations' explains that development should have regard to Camden's Noise and Vibration thresholds. Planning permission will not be granted where it will generate unacceptable noise and vibration.

Policy CC1 'Climate Change Mitigation' explains that the Council will promote zero carbon development and will require all development to reduce carbon dioxide emissions through following the steps in the energy hierarchy.

Policy CC2 'Adapting to Climate Change' states all development should adopt appropriate climate change adaptation measures.

Policy CC3 'Water and flooding' requires development to, inter alia, incorporate water efficiency measures, consider the impact of flooding and utilise SuDS.

Policy A3 'Biodiversity' states that the Council will protect and enhance sites of nature conservation and biodiversity.

Policy A2 'Open Space' details that the Council will protect, enhance and improve access to Camden's parks, open spaces and other green infrastructure.

iv) The Highgate Neighbourhood Development Plan (2017)

Policy DH2 'Development Proposals in Highgate's Conservation Areas' states that development proposals, including alterations or extensions to existing buildings, should preserve or enhance the character or appearance of Highgate's conservation areas, and respect the setting of its listed buildings and other heritage assets. Development should preserve or enhance the open, semi-rural or village character where this is a feature of the area.

Policy DH3 'Rear Extensions' details that rear extensions on residential properties should be subordinate in scale to the original dwelling, complement its character in terms of design, proportion, materials and detail, should not harm the amenity of adjacent properties, and should retain a significant area of garden or amenity space which is proportionate to that of neighbouring properties in the surrounding area.

Policy DH4 'Side Extensions' stipulates that side extensions to detached or semi-detached properties, including the enlargement of existing garages, should be sensitive to and respect the character of the streetscape, and not block or significantly infill gaps between buildings, or otherwise disrupt the integrity of the individual architectural composition or group where these contribute to the character of the local area. They should be subordinate in scale to the original dwelling and complement its character in terms of design, proportion, materials and detail. They should not harm the amenity of adjacent properties.

Policy DH7 'Basements' states that basement development will only be supported when meeting a set of requirements in respect of impact assessments, protecting neighbours and limiting environmental/ecological impacts. These requirements are further set out within the accompanying Structural and Civil Engineering Planning Report.

v) Basements SPD (2021)

This guidance gives detailed advice on how the Council will apply planning policies when making decisions on new basement development or extensions to existing basement accommodation. The guidance supports Camden Local Plan Policy A5 and provides a framework for the preparation of basement impact assessments. This is further detailed within the accompanying Structural and Civil Engineering Planning Report.

vi) Home Improvements SPD (2021)

This SPD details that rear extensions should:

- Respect and preserve existing architectural features, such as projecting bays, decorative balconies, cornices and chimney stacks;
- Ensure the extension complies with the 45 degree test and 25 degree test as set out in the Amenity CPG – or demonstrate BRE compliance via a daylight test
- Respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space.

It also provides guidance on external alterations.

vii) Design SPD (2021)

With specific regard to heritage assets, this SPD sets out that the Council will make a balanced judgment having regard to the scale of any harm or loss and the significance of the asset/s affected, taking account of:

- The desirability of sustaining and enhancing the significance of any heritage asset/s and putting them to viable uses consistent with their conservation;
- The positive contribution that the conservation of heritage assets can make to sustainable communities including their economic vitality and health and wellbeing;
- The desirability of new development that affects heritage assets to preserve and enhance local character and distinctiveness.

viii) Amenity SPD (2021)

This SPD sets out general amenity requirements for new development.

Planning Considerations

Importantly, the previous planning permission (application ref: 2017/4301/P), which was approved on 3 September 2020, is still live and could be implemented. Given that the proposed development replicates the approved scheme, regard has been had to the planning considerations put forward within the Council's Delegated Report. As detailed below, it is considered that in the light of the material considerations now relevant to this application, the proposed development remains acceptable and should be granted planning permission.

If for any reason the Council does not consider the application proposals to be acceptable, the previous permission provides our clients with a 'fall back' position and it would be their intention to implement that permission.

i) Basement Development

When assessing the basement development, officers stated within the Delegated Report that:

"...the independent BIA Audit summarises the following- the BIA identifies the site to be within an area of very low flood risk. The site is underlain by Made Ground overlying Head Deposits and London Clay. Ground Movement Assessment calculates damage to

be limited to Category 0 (Negligible) to neighbours. The revised batter angle, in conjunction with the proposed propping and temporary works, is considered to mitigate stability issues and structural monitoring is proposed. The basement proposal does not increase impermeable site area or impact the wider hydrological or hydrogeological environment. Temporary surface water flows will be dealt with via mitigation measures. In conclusion, they state that the BIA meets the criteria of CPG4”.

It went on to confirm that the proposal was considered to be in complete compliance with Policy A5 of the Local Plan. On this basis, it is considered that the proposed development accords with the statutory development plan.

ii) Impact on Neighbouring Amenity

In assessing the potential amenity impacts of the previous application, officers considered the impact on visual privacy and outlook; sunlight, daylight and overshadowing; artificial light levels; noise and vibration (in accordance with Policy A1 of the Local Plan).

Officers stated at Paragraph 5.2 of the Delegated Report:

“The increased roof height over the existing building and garage, at 2.8m above the existing, would not be visible from the south-west, Hampstead Heath side of the property, due to the screening of existing large trees, fencing and the slope of the subject site. Whilst the extension would be partially visible from the residential properties at the north east, and south east, the extension will only be partially visible and will not constitute a dominant feature of the application site. The application site is largely screened from surrounding neighbours by existing large fencing and large trees surrounding the property. It is considered that the modest height of the addition ensures that it would not have an adverse impact on the adjoining properties’ access to sunlight, daylight or visual bulk. The proposed windows of the extension over the garage block will be glazed with a louvre screening. Whilst some partial overlooking to neighbouring properties may be afforded as a result of the works, any potential overlooking would be limited due to the distance of the windows from the neighbouring property and the existing large fencing, trees and foliage. It is therefore not considered necessary to require the windows to be obscure glazed”.

It was considered that the proposal would have an acceptable in terms of its impact on privacy, outlook, sunlight, daylight, overshadowing, artificial light levels, noise and vibration. Given the proposals have not been altered, and that the site remains to be ‘largely screened from surrounding neighbours by existing large fencing and large trees’, the proposed development should still be considered acceptable and in accordance with the statutory development plan.

iii) Transport

Within the Delegated Report for the previous application, officers set out their assessment in respect of the construction management plan (CMP), swept path analysis, potential highway damage, parking suspension and cumulative construction impacts and confirmed that the proposed development was considered acceptable, subject to a S106 Agreement in respect of:

- Submission of a CMP and a CMP implementation support contribution;

- Formation of a Construction Working Group, including representation by the FPRA, NLBC, and any other local groups with an interest in seeing the amenity and transport impacts of any development being mitigated. The group would need to be formed prior to any submission of a more detailed CMP prior to works commencing on site.
- A financial contribution for highway works (repairs following any possible damage);
- Any damage to Fitzroy Park and Bowling Club Lane shall be repaired to the satisfaction of the FPRA and NLBC at the expense of the applicant (or the appointed contractor). This will require the applicant to provide evidence of a legal agreement between the appropriate parties prior to any works commencing on site.

As such, our clients are willing to enter into a new S106 agreement on the basis of the previously signed agreement.

iv) Trees

A tree report was submitted with the previous application, and officers went on to request an air-spade report to demonstrate no harm to a particular tree. Ultimately, the tree officer considered that the proposed works were acceptable subject to a condition requiring the protection of existing trees. It is proposed a similarly worded condition could be attached to a new permission.

An updated tree report has been commissioned by Crown Consultants and accompanies this application. Crown Consultants also confirmed that the air spade investigation, which was submitted with the previous application, was still valid and did not need to be repeated. The updated tree report demonstrates that the proposed development is still acceptable in terms of the impact on surrounding trees.

In addition, a green roof was previously proposed, and a condition was attached requesting further details of the design. It is proposed that a similar worded condition be attached to a new permission.

Heritage and Design Statement

The Highgate Conservation Area Appraisal and Management Strategy (October 2007) sets out that the essential character of the Highgate Conservation Area, which was designated in 1968 (and later extended in 1978 and 1992) is of a close-knit village crowning one of the twin hills to the north of London. Highgate's proximity to London, combined with the benefits of its elevated position, providing clean air, spring water and open spaces, has ensured that from its earliest beginnings in about the 14th century, it has been a very popular place to live or visit.

Wallace House is defined as a 'positive building' – which makes a positive contribution to the area. The Highgate Conservation Area Appraisal and Management Strategy describes Wallace House as a low-lying and low-key modern residence set into the slope of the land, a lightweight and highly glazed pavilion within generously planted gardens.

Within the Delegated Report, officers made specific reference to Policy DH3 of the Highgate Neighbourhood Plan, which requires rear extensions to be subordinate to the host property, not to harm neighbouring amenity, and to retain a significant amount of garden space.

The proposed development was previously considered by officers to be appropriate in terms of siting, scale and design. Specifically, it was considered that the addition would also not be immediately visible in public views and would not be visible from Hampstead Heath, given the dense vegetation and boundary treatment of the site and rear boundary area. Ultimately, it was concluded that the proposal would preserve the character and appearance of the conservation area.

Given that the site conditions haven't changed and the proposals are identical to those previously approved, it is considered that the proposed development would preserve the character and appearance of the Highgate Conservation Area, as required by planning policy at national, London-wide and local level.

Conclusions

The application proposals are identical to the proposals approved within planning permission 2017/4301/P, for the 'erection of an additional storey at first floor level and rear/ side extension at lower ground floor, creation of front basement level extension under garage, and various external alterations to the dwellinghouse'. The previous permission is still live and could still be implemented, and provides a 'fall back' option.

The approved development is now being re-applied for under a new planning application in order for our clients to benefit from an extended expiration date.

It has been demonstrated through the submission of a number of updated reports and a review of the Council's previous assessment of the planning issues, that the development proposed within this current application remains acceptable and fully accords with the development plan. It is proposed that a new S106 Agreement could be made and conditions, with similar wording to the previous conditions attached to permission 2017/4301/P, could be attached to a new permission.

We trust that you have everything required in order to validate the application, however, please do not hesitate to contact us should you require any additional information.

Yours faithfully



KATE MATTHEWS
Director

Enc.

Appendix 1

**Wallace House
Site Photographs 2023**

Photograph 1: Entrance to Wallace House from Fitzroy Park



Photograph 2: Front Entrance and Existing Garage



Photograph 3: Front Entrance



Photograph 4: Rear Elevation with Rear Wing



Photograph 5: Side Elevation of Rear Wing



Photograph 6: Rear Elevation to left of Rear Wing



Photograph 7: Existing Boundary with The Little House

