

Application ref: 2023/3895/P
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Date: 24 January 2024

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

Phone: 020 7974 4444

planning@camden.gov.uk
www.camden.gov.uk/planning

Atelier Gooch Ltd
Rivington House
82 Great Eastern Street
London
EC2A 3JF

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**12 Highgate West Hill
London
N6 6JR**

Proposal:

Replacement of greenhouse and shed in rear garden with timber outbuilding for ancillary residential purposes. Various external alterations including re-grading of front driveway, raising of front boundary wall with new bin store behind, and erection of metal boundary gate.

Drawing Nos:

Design and Access Statement (prepared by Atelier Gooch, dated September 2023); Arboricultural Impact Assessment and Preliminary Method Statement (prepared by MDJ Arboricultural Consultancy, dated September 2023); Location Plan; 0980_S_EX PL1; 0980-EX-S_00 PL1; 0980-PR-S_00 PL1; 0980_EX-GA-00_FG PL1; 0980_EX-GA-00_SH PL1; 0980_EX-GE_FG PL1; 0980_EX-GE_SH PL1; 0980_EX-GS_FG PL1; 0980_EX-GS_SH PL1; 0980_PR-GA-00_FG PL2; 0980_PR-GA-00_SH PL1; 0980_PR-GA-RF_SH PL2; 0980_PR-GE_FG PL1; 0980_PR-GE_SH PL2; 0980_PR-GS_FG PL1; 0980_PR-GS_01_SH PL2.

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

Condition(s) and Reason(s):

- 1 The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Design and Access Statement (prepared by Atelier Gooch, dated September 2023); Arboricultural Impact Assessment and Preliminary Method Statement (prepared by MDJ Arboricultural Consultancy, dated September 2023); Location Plan; 0980_S_EX PL1; 0980-EX-S_00 PL1; 0980-PR-S_00 PL1; 0980_EX-GA-00_FG PL1; 0980_EX-GA-00_SH PL1; 0980_EX-GE_FG PL1; 0980_EX-GE_SH PL1; 0980_EX-GS_FG PL1; 0980_EX-GS_SH PL1; 0980_PR-GA-00_FG PL2; 0980_PR-GA-00_SH PL1; 0980_PR-GA-RF_SH PL2; 0980_PR-GE_FG PL1; 0980_PR-GE_SH PL2; 0980_PR-GS_FG PL1; 0980_PR-GS_01_SH PL2.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of Policies D1 and D2 of the London Borough of Camden Local Plan 2017.

- 4 Prior to the commencement of any works on site, details demonstrating how trees to be retained shall be protected during construction work, to include a full schedule of site monitoring and supervision for the duration of development by the project arboriculturalist, shall be submitted to and approved by the local planning authority 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.

Reason: To ensure that the development will not have an adverse effect on existing trees and in order to maintain the character and amenity of the area in accordance with the requirements of Policies A2 and A3 of the London Borough of Camden Local Plan 2017.

- 5 No development shall take place until full details of hard and soft landscaping, to include details of at least six replacement trees and means of enclosure of all un-built, open areas have been submitted to and approved by the local planning authority in writing. Such details shall include details of any proposed earthworks including grading, mounding and other changes in ground levels. The relevant part of the works shall not be carried out otherwise than in

accordance with the details thus approved.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of Policies A2, A3, D1, and D2 of the London Borough of Camden Local Plan 2017.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved landscape details by not later than the end of the planting season following completion of the development or any phase of the development, whichever is the sooner. Any trees or areas of planting (including trees existing at the outset of the development other than those indicated to be removed) which, within a period of 5 years from the completion of the development, die, are removed or become seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the landscaping is carried out within a reasonable period and to maintain a high quality of visual amenity in the scheme in accordance with the requirements of Policies A2, A3, D1, and D2 of the London Borough of Camden Local Plan 2017.

- 7 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling known as '12 Highgate West Hill'.

Reason: To protect amenity of adjoining occupiers and also ensure the outbuilding hereby permitted does not become a self-contained dwelling, separate and apart from the original dwellinghouse known as '12 Highgate West Hill' in accordance with Policies H1, H6, A1, and A4 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 Reasons for granting permission:

This application seeks planning permission for the erection of an outbuilding to the rear garden in the place of an existing shed and greenhouse, as well as general works to the front area of the property. The host property is a Grade II listed semi-detached house located within the Highgate Village Conservation Area, and as such, this application is accompanied by an application for listed building consent, reference 2023/4797/L.

The proposal has been revised following officer comments which include lowering the height of the summerhouse, revising the summerhouse roof form to align with the architectural detail of the front veranda of the main dwelling, and specifying the resurfacing of the tarmac driveway to a permeable material. It is considered the amendments now better preserve the special interest of the building and Conservation Area.

The proposed works to the front of the property include the re-grading of the driveway, raising of boundary wall, installation of boundary gate, and erection of bin store. These works are generally in line with the consented works at the neighbouring property. The extension of the existing stock brick wall would match the existing wall, and due to the limited increase in height and topography of the site, and that the main dwelling already sits at an elevated position, the increase in height would not obscure or pose harm to the setting of the dwelling behind. The detail and materiality of both the gate and the boundary wall would match the neighbouring properties and surrounding area and would be historically appropriate. The driveway would be regraded with permeable bonded gravel or similar, which would be a notable heritage and conservation benefit compared to the existing hardstanding tarmac. It would further enhance the front approach to the listed building as well as the character and appearance of the Conservation Area.

To the rear garden, the existing greenhouse and shed would be removed and replaced with a new summerhouse. The summerhouse would be constructed primarily of timber with glazed openings and solid lower panels, and would stand at around a metre higher than the existing garden buildings at its highest point. Its design would take architectural cues from the front veranda of the host building with a concave tented roof form. The building would have a larger footprint compared to the existing garden structures, constituting a relatively minor increase of 14sqm to 33sqm. As such, it would be considered that the proposed outbuilding would be of an appropriate scale and location and would maintain a subordinate relationship with the host property, appearing as distinctly separate and part of the garden setting. The outbuilding would not be self-contained and is intended for use as a space incidental to the enjoyment and ancillary to the residential purposes of the main dwelling. A condition has been included limiting the use of the outbuilding as ancillary to the main dwelling.

- 2 Due to the nature of the works, it is not considered that there would be any significant impact on the amenity of residents. The outbuilding is modest in size and is situated to the rear of the garden, with some natural screening from planting and trees. Therefore, it is not considered that the structure would be overbearing or would result in any significant sense of enclosure, nor would it have any adverse impacts on levels of outlook or result in a loss of privacy through overlooking into habitable rooms of neighbouring properties. Although there may be some light spillage, the proposal includes modest amounts of glazing and no rooflights. As such, the design of the outbuilding combined with the ancillary nature of the structure is not expected to result in any significant impacts on light spill. The nature of the works to the front of the property would likely not result in any negative impact on amenity.

The proposal would involve the removal of a number of trees, most of which are located in the rear garden and are of low visibility from the public realm, and all of which are categorised as being of low quality. The loss of canopy cover and amenity can be mitigated against through replacement planting, which is secured by condition. The Council's Tree Officer has reviewed the proposal and raised no concerns.

Two objections were received concerning the proposed works, one of which related to the poor state of the party wall between the front boundaries of the host property and adjacent property. The other objection related to the proposed outbuilding, which is argued to be inappropriate and excessive in scale, likely to result in severe impacts on light pollution and noise disturbance, and potentially harmful to trees within the boundary of the adjacent property. Party wall issues are not a planning consideration and are therefore not relevant to the determination of this application. However, an informative has been added to the decision notice to remind the applicant that their proposal may require a party wall agreement. The design and amenity impacts of the outbuilding are detailed in this decision notice, but it should be noted that conditions have been recommended that would restrict the use of the outbuilding to ancillary purposes only and to secure tree protection details prior to commencement of works on site. The application site's planning history has been taken into account when coming to this decision.

Special regard has been attached to the desirability of preserving or enhancing the character or appearance of the conservation area and preserving the listed building, its setting and its features of special architectural or historic interest, under s.66 and s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

As such, the proposal is in general accordance with Policies A1, A3, D1, and D2 of the London Borough of Camden Local Plan 2017, as well as Policies OS2, DH2, DH6, and DH10 of the Highgate Neighbourhood Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2023.

- 3 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts that cover aspects including fire and emergency escape, access and facilities for people with disabilities and sound insulation between dwellings. You are advised to consult the Council's Building Control Service, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (tel: 020-7974 6941).
- 4 This approval does not authorise the use of the public highway. Any requirement to use the public highway, such as for hoardings, temporary road closures and suspension of parking bays, will be subject to approval of relevant licence from the Council's Streetworks Authorisations & Compliance Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No 020 7974 4444). Licences and authorisations need to be sought in advance of proposed works. Where development is subject to a Construction Management Plan (through a requirement in a S106 agreement), no licence or authorisation will be granted until the Construction Management Plan is approved by the Council.
- 5 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at www.camden.gov.uk) or contact the Council's Noise and Licensing Enforcement Team, 5 Pancras Square c/o Town Hall, Judd Street London WC1H 9JE (Tel. No. 020 7974 4444)

Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You must secure the approval of the Council's Noise and Licensing Enforcement Team prior to undertaking such activities outside these hours.

- 6 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building Engineer.

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 2023.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

If you submit an appeal against this decision you are now eligible to use the new [submission form](#) (Before you start - Appeal a planning decision - GOV.UK).

Yours faithfully

A handwritten signature in black ink, appearing to read 'DPope', is written over a light grey rectangular background.

Daniel Pope
Chief Planning Officer