

# 147 Highgate Road - 2023/1885/P



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# Plans/elevations/sections



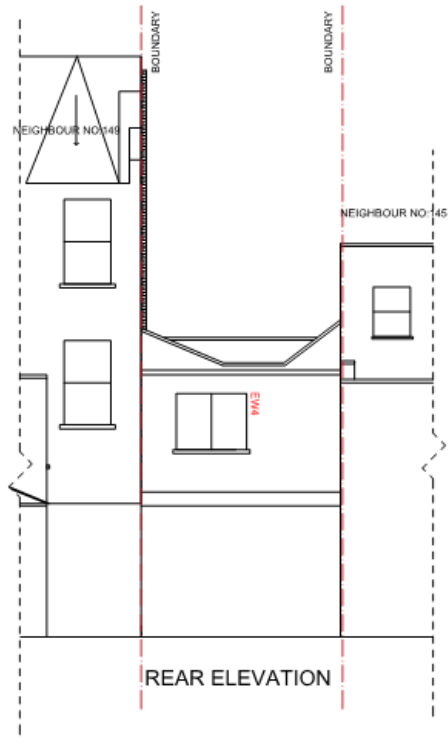
EXISTING FRONT ELEVATION

Above: Existing front elevation

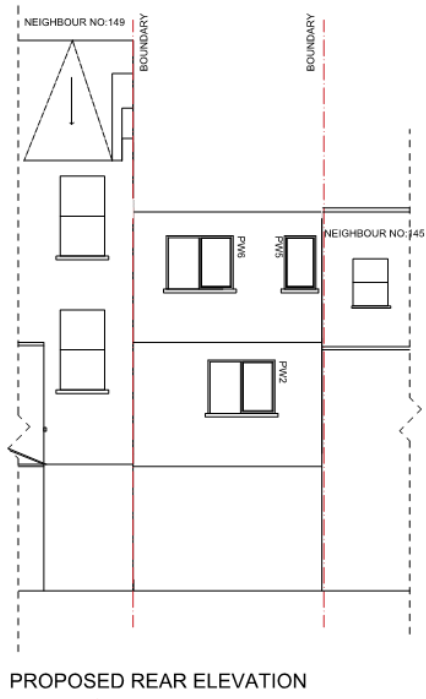


PROPOSED FRONT ELEVATION

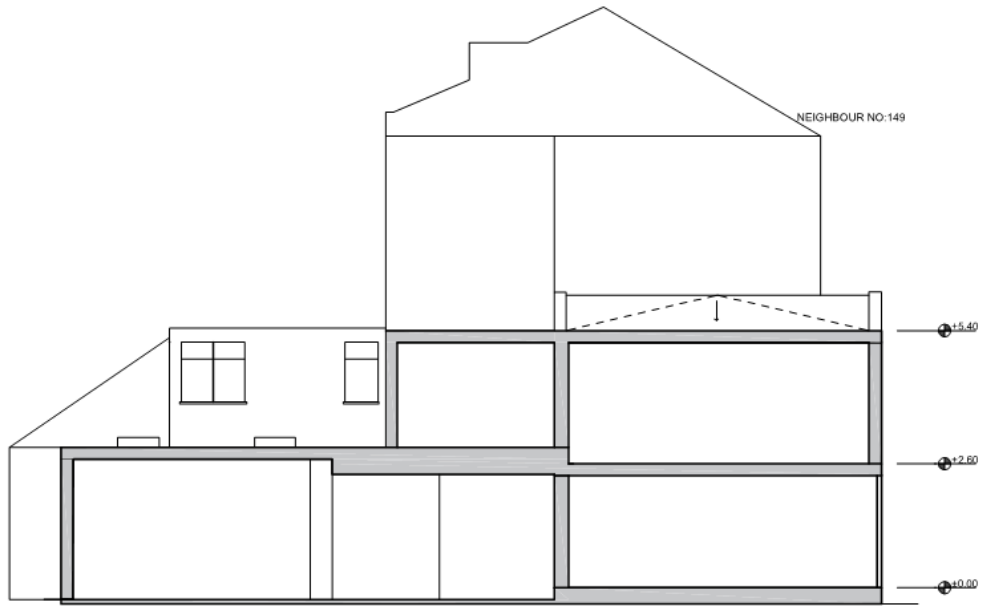
Above: Proposed front elevation



Above: Existing rear elevation



Above: Proposed rear elevation



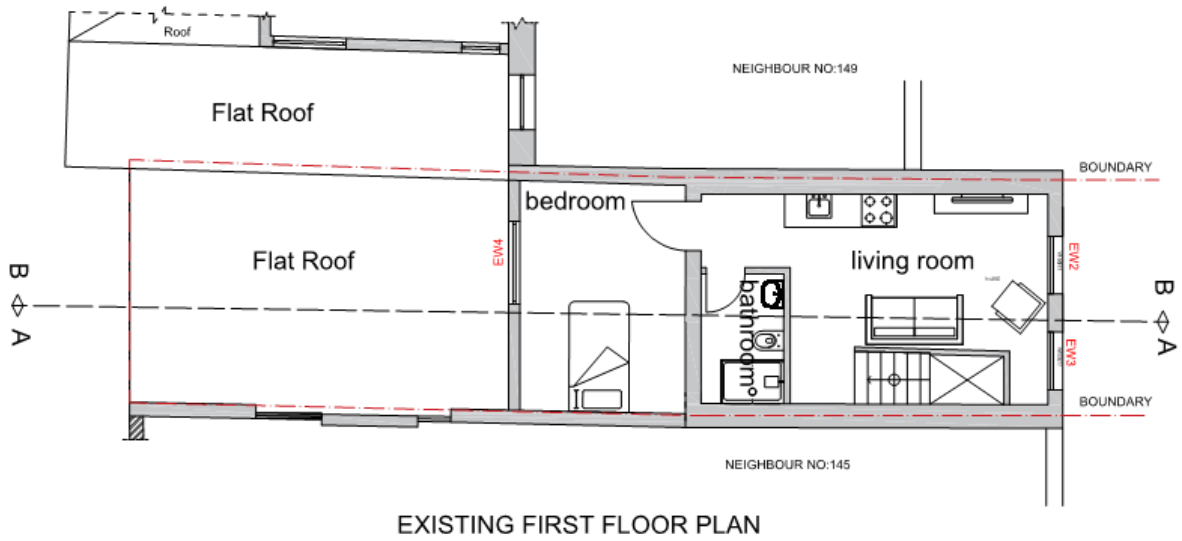
SECTION BB

Above: Cross section of existing building, looking north

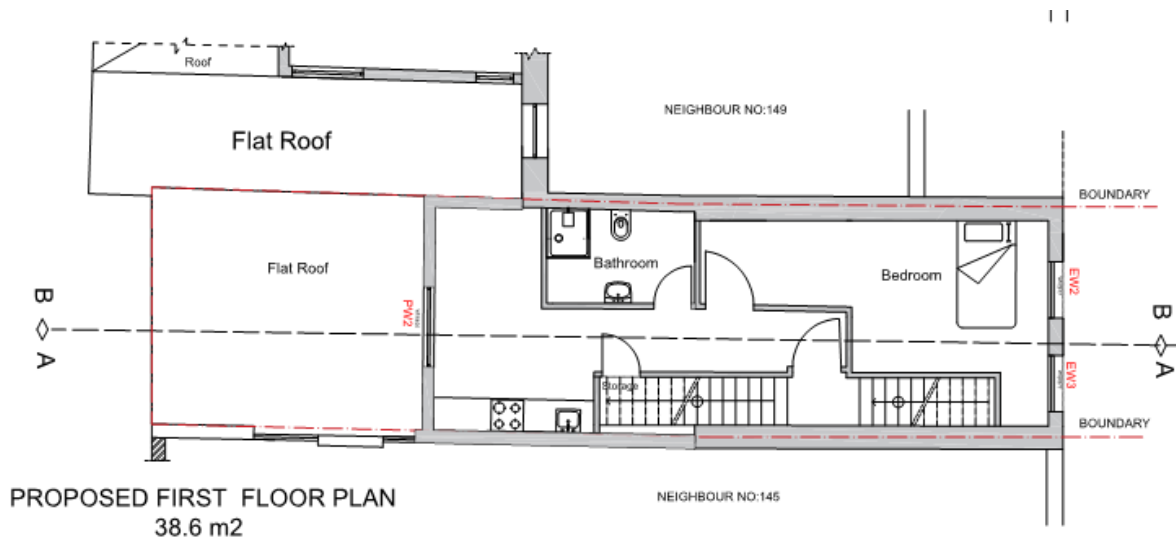


SECTION BB

Above: Cross section of proposed building, looking north



Above: Existing first floor plan



Above: Proposed first floor plan, showing the setback of the rear extension from the windows to the boundary with 145 Highgate Road



Above: View of rear elevation of existing terrace (Source: GoogleEarth)



<b>Delegated Report</b>		<b>Analysis sheet</b>		<b>Expiry Date:</b>		19/09/2023	
<b>(Members Briefing)</b>		N/A / attached		<b>Consultation Expiry Date:</b>		27/08/2023	
<b>Officer</b>				<b>Application Number(s)</b>			
Brendan Versluys				2023/1885/P			
<b>Application Address</b>				<b>Drawing Numbers</b>			
147 Highgate Road London NW5 1LJ				<i>See draft decision notice</i>			
<b>PO 3/4</b>		<b>Area Team Signature</b>		<b>C&amp;UD</b>		<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>							
Erection of one additional storey & a rear first floor extension ancillary to the existing first floor flat							
<b>Recommendation:</b>		Grant conditional planning permission subject to a s106 legal agreement					
<b>Application Type:</b>		Full Planning Permission					



<b>Conditions or Reasons for Refusal:</b>	<i>Refer to Draft Decision Notice</i>			
<b>Informatives:</b>				
<b>Consultations</b>				
<b>Summary of consultation:</b>	<p>Site notices were displayed near to the site on the 3/08/2023 (consultation end date 27/08/2023).</p> <p>A press notice was advertised 28/07/2023 (consultation end date 21/08/2023).</p>			
<b>Adjoining Occupiers:</b>	No. of responses	<b>18</b>	No. of objections	<b>18</b>
<b>Summary of consultation responses</b>	<p><u>Objections:</u></p> <p>18 objections have been received.</p> <p>A summary of responses are as follows:</p> <p>Amenity:</p> <ul style="list-style-type: none"> <li>• The first floor rear extension would adversely affect privacy and affect natural light to adjacent properties, in particular 145 and 149 Highgate Road.</li> <li>• Adjacent properties would be adversely affected by; odour from the kitchen window of the rear extension, and noise from the window of the main living room.</li> <li>• Uncertainty around changes to the use of the ground floor (previously occupied by a café) and changes to rubbish storage.</li> <li>• Building noise and disruption associated with the works would affect the well-being of neighbouring residents.</li> <li>• Uncertainty around construction method (how materials would be delivered to the site etc).</li> </ul> <p>Design:</p> <ul style="list-style-type: none"> <li>• The standard of the proposed accommodation is poor quality and not in accordance with the National Space Standards.</li> <li>• The plans fail to show the rear elevation of 1a Wesleyan Place that runs perpendicular to the proposed rear extension, and therefore a complete assessment of amenity effects to this property can not be undertaken.</li> <li>• The drawings are not accurate in depicting the relationship with neighbouring properties, in elevation, section and setting.</li> <li>• There is no information on how the applicant will service the existing ground floor unit as currently the substantial ventilation system runs to the back of the site at first floor level. This is not shown on the existing or proposed information.</li> <li>• To the front of the site the proposed second floor extension is set back from the main ground and first floor building line and creates an incongruous addition to the historic Conservation Area streetscene.</li> </ul> <p><u>Officer's response:</u></p> <p>Design and heritage effects are assessed in section 3 of this report.</p>			

	<p>Amenity effects are assessed in section 4 of this report.</p> <p>There is no balcony proposed at second floor level.</p> <p>A new residential unit is no longer proposed, the roof extension would be additional residential accommodation in association with the existing first floor flat.</p> <p>The drawings are considered accurate in so far as they relate to the development proposed at the application site. Any depictions of neighbouring buildings as depicted in elevations and sections have not been relied on as part of this assessment.</p> <p>The continued use of the ground floor as a café and any ancillary equipment/plant required to service the café is not a material consideration for this application.</p>
<p><b>Dartmouth Park Conservation Area Advisory Committee (DPCAAC):</b></p>	<p>A letter of objection on behalf of the Dartmouth Park Conservation Area Advisory Committee was received.</p> <p>The objection objects to:</p> <ul style="list-style-type: none"> <li>- The setback of the proposed second floor from the existing front elevation building line and creation of a balcony.</li> <li>- The rear extension would result in unacceptable amenity effects to adjacent properties.</li> <li>- The applicant's Daylight and Sunlight Impact Report contains inaccuracies.</li> </ul> <p><u>Officer's response:</u></p> <p>Design and heritage effects are assessed in section 3 of this report.</p> <p>Amenity effects are assessed in section 4 of this report.</p> <p>There is no balcony proposed at second floor level.</p> <p>The Daylight and Sunlight Impact Report has not been relied upon as part of this assessment as the proposed rear extension has been substantially reduced in depth.</p> <p>The Daylight and Sunlight Addendum confirms adequate sunlight (in compliance with BRE Guidance) would be maintained to the upper floor rear window of 145 Highgate Road.</p>

## Site Description

The site accommodates a two-storey, mid-terrace building, comprising a vacant retail unit at Ground floor and a one-bedroom residential unit at the First floor level.

The ground floor has a larger floor plate and occupies the full extent of the site, with the First floor being set back from the rear boundary in line with the upper floor at the adjoining 149 Highgate Road.

The site lies within the Dartmouth Park Conservation Area and is identified in the Dartmouth Park Conservation Area Appraisal and Management Statement as a positive contributor. The site also lies within the boundaries of the Dartmouth Park Neighbourhood Area and Forum.

## Relevant History

**2021/372/P** - Erection of first floor rear extension and replacement shopfront, formation of flat roof and alterations to first floor windows. **Granted 27/09/2021**

## Relevant policies

### National Planning Policy Framework (2023)

### The London Plan (2021)

### Camden Local Plan (2017)

- **A1** Managing the impact of development
- **D1** Design
- **D2** Heritage

### Dartmouth Park Neighbourhood Plan 2020

- **DC1** Enhancing the sense of space
- **DC2** Heritage assets
- **DC3** Requirement for good design
- **DC4** Small residential extensions

### Camden Planning Guidance:

- CPG Amenity (2021)
- CPG Design (2021)
- CPG Home Improvements (2021)

### Dartmouth Park Conservation Area Appraisal and Management Strategy (2022)

## **Assessment**

### **1. The proposal**

The proposal seeks to extend the flat on the upper level by:

- Erecting a first floor rear extension, for a depth of approximately 1.8m. The extension would provide additional habitable space.
- Erect a roof extension (proposed second floor). The extension would be within the footprint of the proposed extended first floor and comprise a living room and a bedroom.

### **Revisions**

The following revisions have been made to the proposal:

- Due to officers raising concerns relating to external amenity effects to adjoining properties, the depth of the proposed rear extension has been reduced from approximately 6m to 1.75m, to not extend past the side elevation glazing on the adjoining property at 145 Highgate Road.
- Due to officers raising concerns relating to the quality of accommodation for the proposed second floor studio (forming part of the original scheme), the proposal no longer seeks to create an additional studio unit at 2<sup>nd</sup> floor, instead the roof extension would remain ancillary to the existing first floor flat. It would accommodate a bedroom and a living room.

### **2. Assessment**

2.1. The principal considerations material to the determination of this application are as follows:

- The visual impact upon the character and appearance of the host property, streetscene, local area (Design and Heritage)
- The impacts caused upon the residential amenities of any neighbouring occupier (Residential Amenity)

### **3. Design and Heritage**

3.1. The Council's design policies are aimed at achieving the highest standard of design in all developments. The following considerations contained within policies D1 and D2 are relevant to the application: development should respect local context and character; preserve or enhance the historic environment and heritage assets; comprise details and materials that are of high quality and complement the local character; and respond to natural features. In addition, Policy DC2 2 Heritage assets of the Dartmouth Park Neighbourhood Plan, only permits development designed to a high standard, and ensures new developments preserves or enhances the character or appearance of the conservation area and makes a positive contribution to local distinctiveness.

3.2. The Dartmouth Park Conservation Area Character Appraisal & Management Plan outlines that roof alterations or additions are likely to be unacceptable where a building forms part of a complete terrace or group of buildings which have a roof line that is largely unimpaired by alterations or extensions, or where its architectural style would be undermined by any addition.

3.3. In this case the building is part of a complete terrace, however, being a two storey building, the existing building's roofline sits well below the rooflines of the adjoining properties at 145 and 149 Highgate Road, which are both three storeys (and 149 Highgate Road having a pitched roof which gives it additional height). The proposed third storey at the application site would result in the building's roofline sitting slightly above the roofline of 145 Highgate Road, and comfortably below the roofline of 149 Highgate Road. The proposal would maintain a flat roof at the application site, remaining in character with the existing building and maintaining a high degree of visual consistency with 145 Highgate Road which also has a flat roof and would have a very similar

roofline as proposed for the application site. Overall, there is a high degree in variance in roofline heights and forms at the wider terrace of the street block, however the prevailing building typology is three storeys. Therefore, the proposal for an additional storey at the application site would not appear out of character with the bulk and height of the immediate built-form.

- 3.4. In terms of the rear extension, the Dartmouth Park Conservation Area Character Appraisal & Management Plan outlines that the original historic pattern of rear elevations within a street or group of buildings is an integral part of the character of the area and as such rear extensions will not be acceptable where they would diverge significantly from the historic pattern. With regard to the application site, the rear elevation of the wider terrace has been altered over time and the rear elevation does not retain the original, historic pattern. Therefore, the rear elevation of the terrace is less sensitive to change and new rear additions. Notwithstanding, the depth of the rear addition is small, limited to a single-storey, and would be inset to the existing rear additions 145 and 149 Highgate Road. The rear addition would therefore cause negligible harm to the host building and wider conservation area.
- 3.5. The extensions would be constructed with brick to match the existing building fabric. With regard to the fenestration, the 2 x multi-pane sash windows at roof extension's front elevation, would match the existing first floor front elevation windows. The 2 x two pane window units on the rear elevation would also match the existing window on the first floor rear elevation. Conditions are attached securing a brick sample to ensure that it matches the host property, and securing the fenestration of the new rear elevation windows to be constructed with timber.
- 3.6. Council's Conservation Officer has raised no issue with the proposed works.
- 3.7. For the reasons outlined above, the proposal would preserve the character and appearance of the site and its wider surrounds, including the Dartmouth Park Conservation Area.
- 3.8. Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act [ERR] 2013.

#### **4. Amenity**

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development.
- 4.2. The proposals are not considered to cause harm to the adjoining neighbouring properties in terms of loss of light, privacy, overlooking or noise disturbance.
- 4.3. The depth of the first floor extension is very modest and would not extend past the windows of the adjacent flank wall at 145 Highgate Road. The extension may cause a small loss of light to two of the upper floor windows at 149 Highgate Road, however the extent of light reduction would be very minor and acceptable due to the amount of open space remaining between the extension and to the rear and northern side of 149 Highgate Road, in combination with the modest depth of the extension.
- 4.4. An adequate separation distance would be maintained between the first floor extension and the adjacent facing windows of nearby properties to the south-west. Noting the extension would partly enclose the adjacent upper window at 143 7 145 Highgate Road, a Daylight and Sunlight addendum has been prepared assessing the impact of the extension on sunlight access to this window. The report has found that the extension is designed such that the window would still receive sunlight access which is in compliance with BRE Guidance. In addition, second floor

levels are common for the adjacent buildings on Highgate Road. Therefore, any overlooking from the second floor level would be commensurate with the level of overlooking already enabled from adjacent residential second floors.

4.5. Policy A1 on Amenity states in para 6.12 that 'Disturbance from development can occur during the construction phase. Measures required to reduce the impact of demolition, excavation and construction works must be outlined in a Construction Management Plan.' The applicant has agreed to prepare and adhere to a Construction Management Plan in relation to the construction works and has also offered an associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000, which would be secured via a s106 agreement. Implementation of the CMP will minimise the impact of construction works on the transport network and surrounding residential properties. Overall, construction effects will be acceptable and will be appropriately mitigated via implementation of the CMP.

4.6. Overall, the proposal would result in acceptable amenity effects.

## **5. S106 Legal agreement**

- Construction Management Plan and associated Implementation Support Contribution of £4,194 and Impact Bond of £8,000

## **6. Recommendation**

6.1. Grant conditional Planning Permission subject to a s106 legal agreement.

***The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 5<sup>th</sup> February 2024, 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](http://www.camden.gov.uk) and search for 'Members Briefing'.***

Application ref: 2023/1885/P  
Contact: Brendan Versluys  
Tel: 020 7974 1196  
Date: 31 January 2024

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

Phone: 020 7974 4444

[planning@camden.gov.uk](mailto:planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Urastar Construction Ltd  
74 Manor Road  
London  
N16 5BN

Dear Sir/Madam

**DRAFT**  
**FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION**  
Town and Country Planning Act 1990 (as amended)

**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**

Address:  
**147 Highgate Road**  
**London**  
**NW5 1LJ**

Proposal:

Erection of one additional storey & a rear extension at first floor level, as an extension to the existing first floor flat

Drawing Nos: 002, 21.03.2023; E\_001, 21/03/2023; E\_002, 21/03/2023; P\_003, 21/03/2023; P\_001, 21/03/2023; P\_002, 21/03/2023; Daylight and Sunlight Impact Report, Mar 2023, Planning for Sustainability; Daylight and Sunlight Report Addendum, December 2023, Planning for Sustainability

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.

The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 002, 21.03.2023; E\_001, 21/03/2023; E\_002, 21/03/2023; P\_003, 21/03/2023; P\_001, 21/03/2023; P\_002, 21/03/2023; Daylight and Sunlight Impact Report, Mar 2023, Planning for Sustainability; Daylight and Sunlight Report

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, and DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 4 Before the brickwork is commenced, a sample panel of the facing brickwork demonstrating the proposed colour, texture, face-bond and pointing shall be provided on site and approved in writing by the local planning authority. The development shall be carried out in accordance with the approval given. The approved panel shall be retained on site until the work has been completed.

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, and DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.

- 5 The proposed rear elevation windows shall be constructed with timber framing to match the existing property.

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, and DC2 and DC3 of the Dartmouth Park Neighbourhood Plan 2020.



Informative(s):

- 1 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).
- 2 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.
- 3 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](http://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.

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.](https://www.gov.uk/appeal-planning-decision)

Yours faithfully

Supporting Communities Directorate