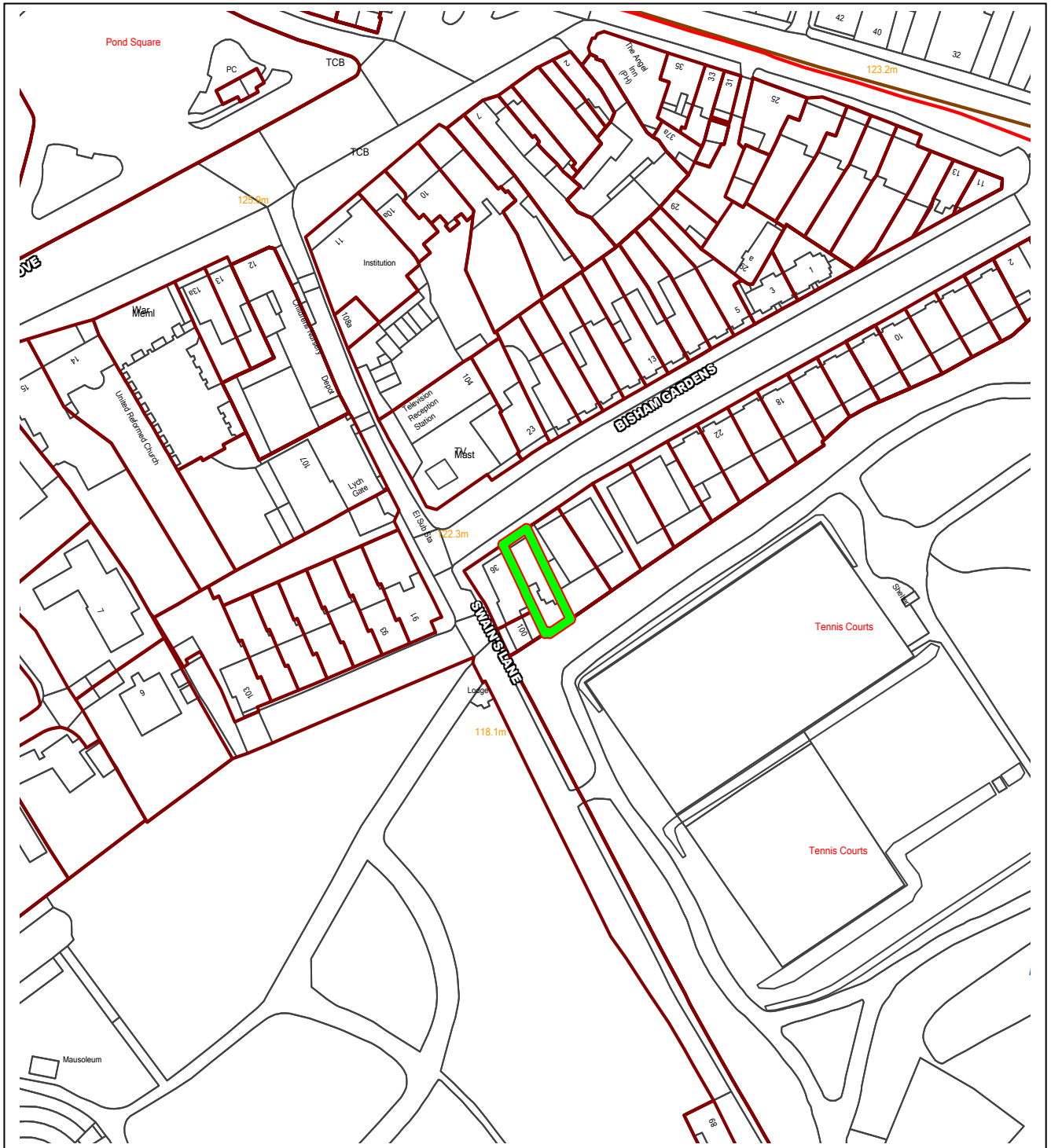


2023/2574/P - 34 Bisham Gardens, N6 6DD



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Photos for 2023/2574/P – 34 Bisham Gardens



Photo 1 (above): Aerial view (source: Google 3D)



Photo 2 (above): Aerial perspective view (source: Google 3D)



Photo 3 (above): View of the rear of the property, taken from Waterlow Park (source: Design and Access Statement)



Photo 4 (above): Existing rear elevation

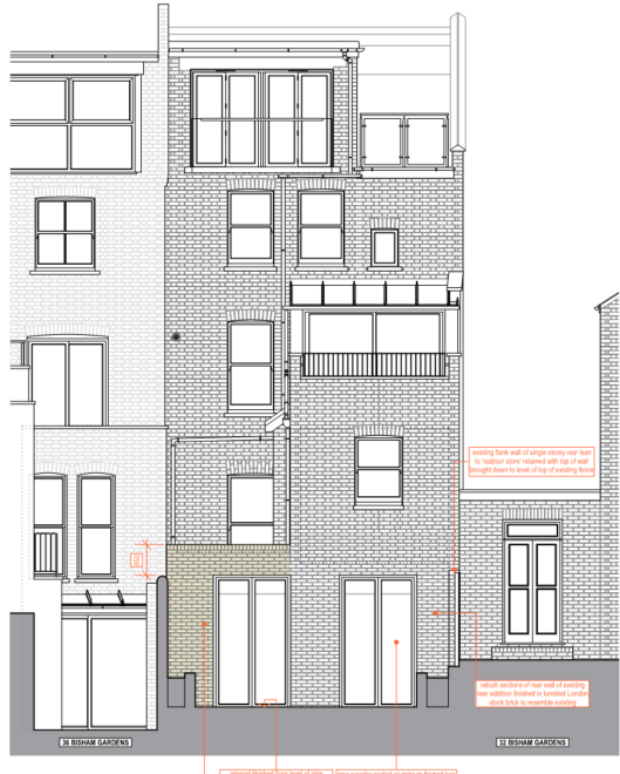


Photo 5 (above): Proposed rear elevation

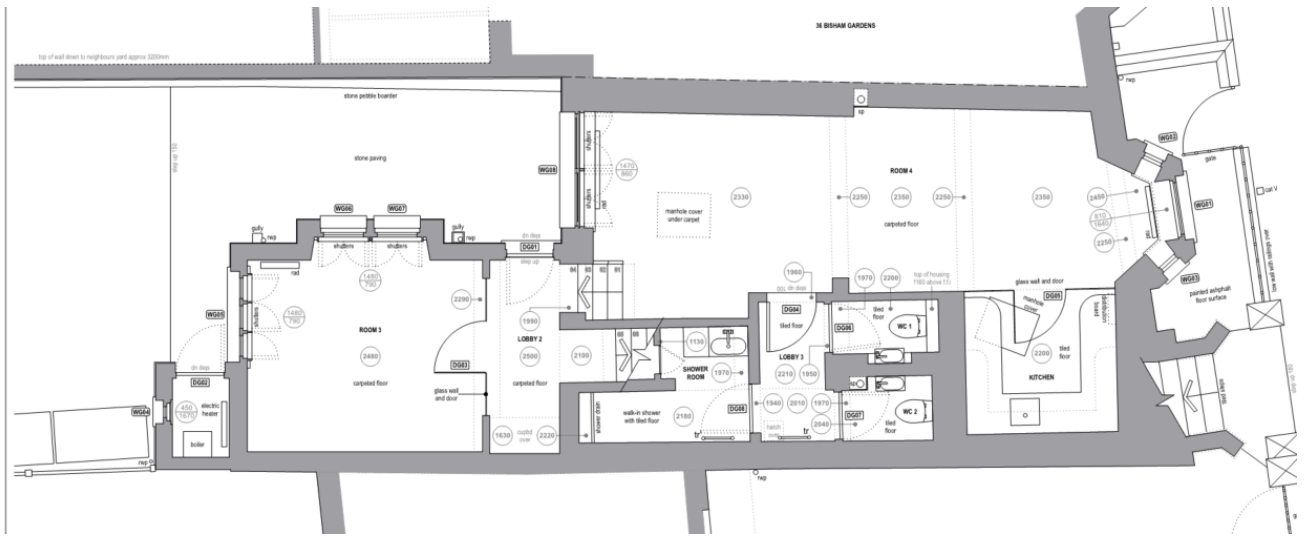


Photo 6 (above): Existing lower ground floor plan

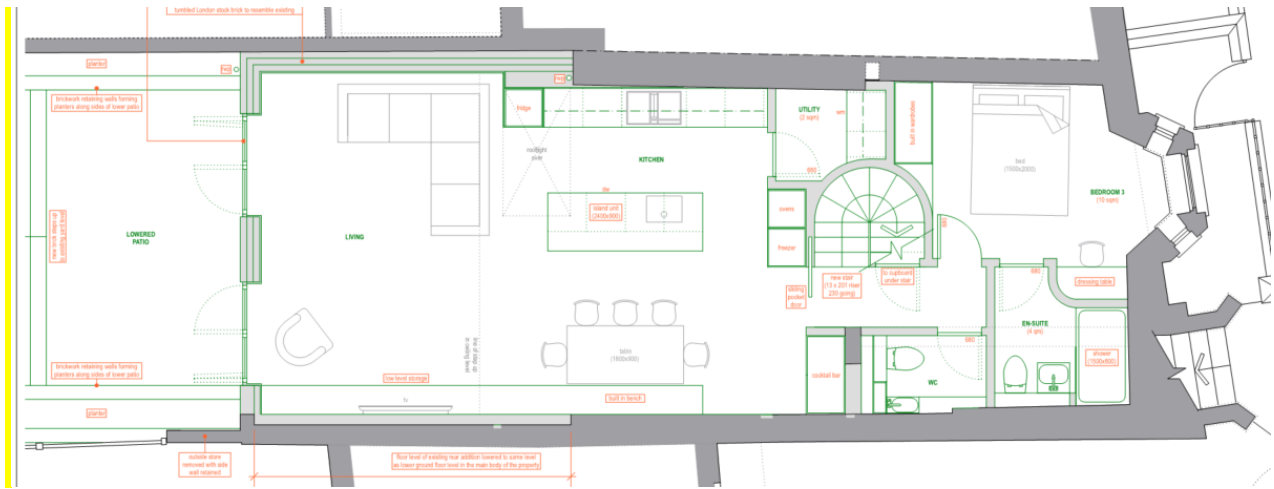


Photo 7 (above): Proposed lower ground floor plan

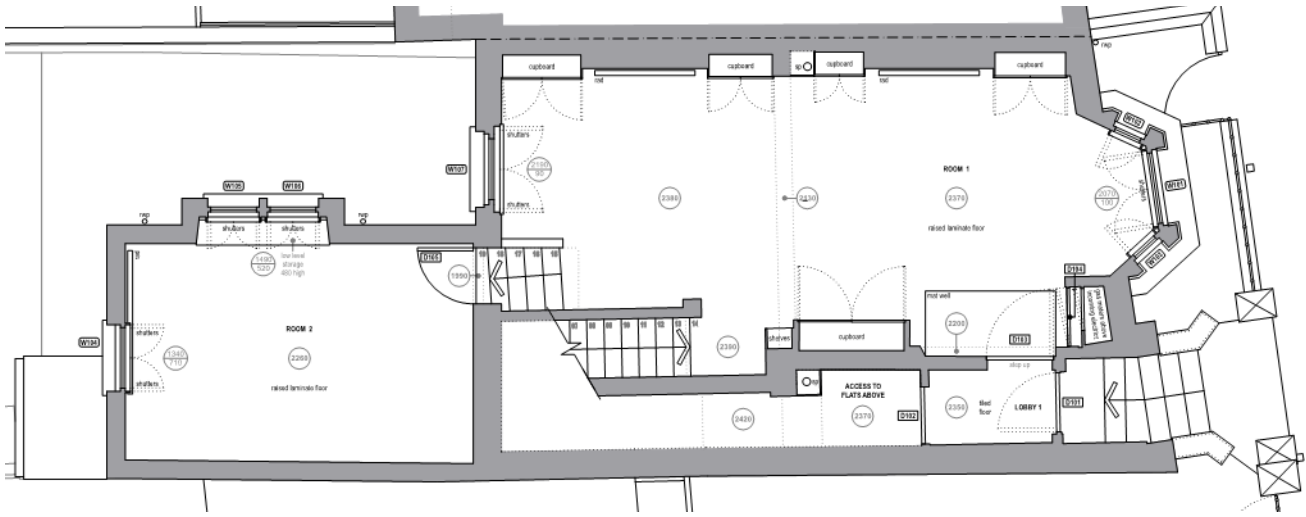


Photo 8 (above): Existing upper ground floor plan

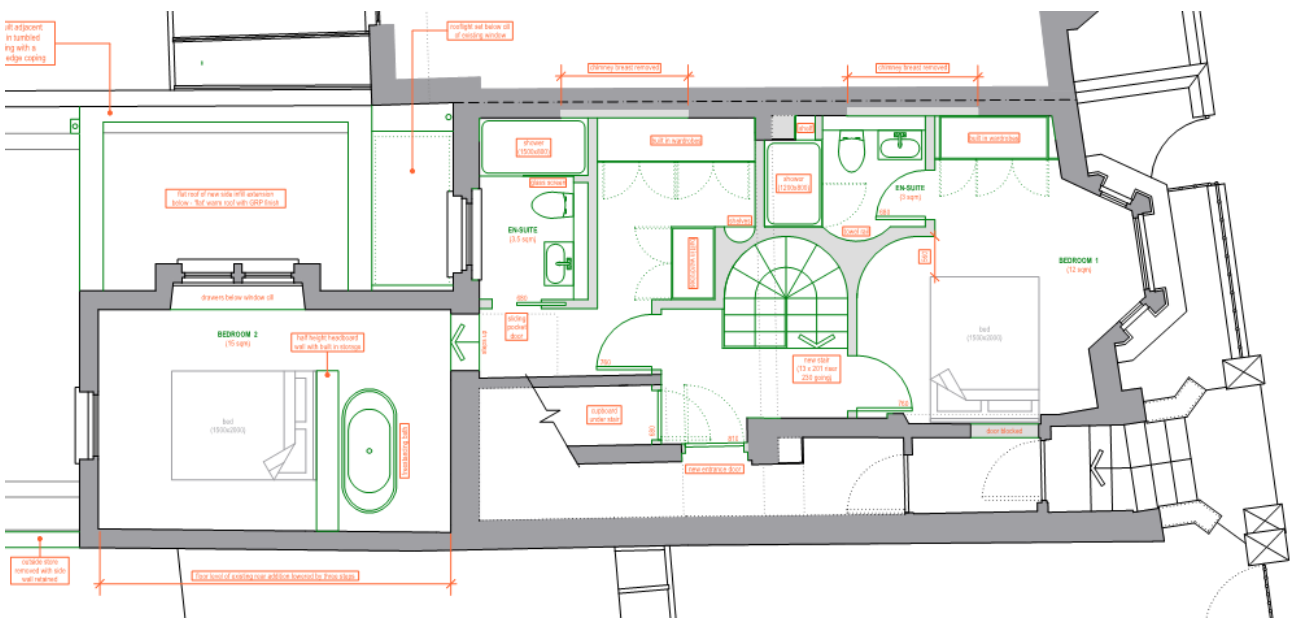


Photo 9 (above): Proposed upper ground floor plan

Delegated Report		Analysis sheet		Expiry Date:		16/08/2023	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		30/07/2023	
Officer				Application Number(s)			
Lauren Ford				2023/2574/P			
Application Address				Drawing Numbers			
34 Bisham Gardens London N6 6DD				See Draft Decision Notice			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Erection of lower ground floor side/rear infill extension.							
Recommendation(s):		Grant conditional planning permission					
Application Type:		Full Planning Permission					

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	03
Summary of consultation responses:	<p>Site notices were displayed near to the site on 05/07/2023 (consultation end date 29/07/2023).</p> <p>The development was also advertised in the local press on 06/07/2023 (consultation end date 30/07/2023).</p> <p>One objection was received from a neighbouring property (36 Bisham Gardens), which can be summarised as follows:</p> <ul style="list-style-type: none"> • The height of the extension above the adjoining boundary wall at 36 Bisham Gardens is too high and will impact light, enjoyment of their rear garden and privacy • A privacy screen with a minimum height of 1.8m should be provided on the side of the balcony. • There should be no use of the newly created flat roof as a balcony or for plants or other objects. • Concerns regarding ground works and impact on foundations on neighbouring properties. <p><i>Officer response:</i></p> <ul style="list-style-type: none"> • <i>Design and heritage are discussed in Section 3 below.</i> • <i>Amenity is discussed in Section 4 below.</i> • <i>The balcony has now been omitted from the proposal.</i> • <i>A condition has been included requiring that the flat roof created by the extension is not to be used as a balcony.</i> 					
Highgate CAAC comments:	<p>Highgate CAAC object on the following grounds:</p> <ul style="list-style-type: none"> • Concerned about the large window opening proposed at first-floor level of the original rear projection to No. 34 which would detract from the elevation and from the group as a whole. • Could set an unfortunate precedent for similar alterations in this prominent and sensitive location. • Concerned about potential overlooking issues regarding neighbouring properties. • Proposal unacceptable in its current form. <p><i>Office response:</i></p> <ul style="list-style-type: none"> • <i>Changes at first floor level have now been omitted from the proposal.</i> • <i>Amenity is discussed in Section 4 below, noting that overlooking issues have been addressed through the removal of the components of the proposal at first floor level.</i> • <i>It is considered that the revised proposal would not set an unacceptable precedent.</i> 					

<p>The Friends of Waterlow Park comments:</p>	<p>The Friends of Waterlow Park object on the following grounds:</p> <ul style="list-style-type: none"> • Concerned about the impact this proposal will have on the setting of Waterlow Park. • The increased fenestration and proposed balcony will overlook the park and tennis courts, and reduce the privacy of park users. • Reflections from the glass may impact the park negatively. • Changes in the level of patio and the floor level in the house may have an adverse effect on the hydrology of the Park and may impact on the structural boundary wall of the Park. • Concerns about increased light pollution affecting the wildlife in the Park. <p><i>Officer comment:</i></p> <ul style="list-style-type: none"> • <i>The balcony has been omitted from the proposal.</i> • <i>Heritage is discussed in Section 3 below.</i> • <i>The hydrology of the park would not be significantly affected by a single residential extension.</i> • <i>It is considered that the revised proposal would not result in any unacceptable effects to the park with respect to light pollution or reflective glare from this extension.</i>
<p>Highgate Neighbourhood Forum:</p>	<p>The Highgate Neighbourhood Forum were consulted and did not comment on the proposal.</p>
<p>Historic England</p>	<p>Historic England were consulted and responded stating the following:</p> <p><i>Historic England provides advise when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.</i></p>

Site Description

The application site comprises a three storied (plus loft) semi detached property located on the southern side of Bisham Gardens. The rear of the site is adjacent to the north western boundary of Waterlow Park, a Grade II* registered landscape (listing 1000849), and the rear elevation of the property is visible from the park. The site is located within the Highgate Village Conservation Area. No listed or locally listed buildings are on or near to the site. The site is identified as being a positive contributor in the conservation area statement.

Relevant History

Application Site:

2008/1834/P: Creation of new roof terrace with glazed balustrade at 3rd floor level within the existing rear roofslope. **Granted, 19/08/2008.**

2015/5643/P: Erection of a single storey rear extension with 2 x rooflights, alterations to front steps and new front door. **Granted, 16/11/2015.**

2020/4455/P: Replacement of rear conservatory with first floor rear extension. **Granted, 24/03/2021.**

2021/5434/P: Change of use of ground and basement from office (class E) to residential (Class C3) and alteration of rear window to door. **Granted subject to a Section 106 legal agreement, 01/11/2022.**

Neighbouring Properties:

2007/3430/P (100 Swain's Lane): Removal of existing conservatory and erection of a rear extension at ground floor level above existing basement extension with two solar panels on new flat roof to maisonette. **Granted, 23/10/2007.**

Relevant policies

The London Plan (2021)

The National Planning Policy Framework (2023)

Camden Local Plan (2017)

D1 Design

D2 Heritage

A1 Managing the impact of development

Camden Planning Guidance (CPG)

CPG Design (2019)

CPG Amenity (2018)

CPG Home Improvements (2021)

Highgate Conservation Area Appraisal and Management Strategy

Highgate Neighbourhood Plan 2017

DH2 Development Proposals in Highgate's Conservation Areas

DH3 Rear Extensions

DH4 Side Extensions

DH10 Garden land and Backland Development

Assessment

1. Proposal

- 1.1. Planning permission is sought for a lower ground floor side infill extension to the rear with associated rooflight. The infill extension would fill the area up to the boundary with 36 Bisham Gardens and the rear extension would extend out 0.2m further than the existing rear wall.
- 1.2. The proposed materials include tumbled London stock brick and new aluminium framed two lead double glazed sliding folding doors.
- 1.3. Following feedback from officers the following elements were removed from the scheme:
 - Upper ground floor rear extension
 - Addition of balcony at upper ground floor level to the rear of the existing rear addition

2. Considerations

- 2.1. Key planning issues to be considered are as follows:
 - Design & Heritage
 - Neighbouring Amenity

3. Design & 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 policy D1 are relevant to the application: development should respect local context and character; comprise details and materials that are of high quality and complement the local character; and respond to natural features. Policy D2 'Heritage' states that in order to maintain the character of Camden's conservation areas, the Council will not permit development within conservation areas that fails to preserve or enhance the character and appearance of that conservation area.
- 3.2. The proposal has been scaled back with elements removed as set out in paragraph 1.3, with the proposed works now being confined to the lower ground floor, to ensure no unacceptable impact when viewed from the Grade II* listed Waterlow Park to the rear of the site. The lower ground extension would be subordinate to the main building, retains sufficient garden space, and is keeping with the pattern of development in this location due to a number of surrounding properties having existing side infill extensions.
- 3.3. The proposed materials are sympathetic to the existing building and conservation area, and the proposed fenestration responds to the existing building, respecting the proportions and vertical emphasis on the façade.
- 3.4. The works are considered to preserve and enhance the character of the host building and conservation area. 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 Listed Buildings and Conservation Areas Act 1990 as amended by the Enterprise and Regulatory Reform Act (ERR) 2013.
- 3.5. Overall, the proposal is not considered harmful the character or appearance of the host building, Highgate Village Conservation area or the Listed Waterlow Park to the rear, and is thus in accordance with policies D1 and D2 of the Camden Local Plan and policies DH3, DH4 and DH10 of the Highgate Neighbourhood Plan 2017.

4. Neighbouring Amenity

- 4.1. Policy A1 seeks to protect the quality of life of occupiers and neighbours by only granting permission to development that would not harm the amenity of residents. This includes factors

such as privacy, outlook, light, artificial light spill, odour and fumes as well as impacts caused from the construction phase of development. Policy A4 seeks to ensure that residents are not adversely impacted upon by virtue of noise or vibrations.

- 4.2. An objection has been received from 36 Bisham Gardens which raises amenity-related concerns. While the proposal would extend 0.65m above the height of the existing boundary wall with No.36, it is considered that the existing extension at No.36 would continue to receive a sufficient amount of light due to that extension comprising a glass roof and doors. The proposed extension would extend out approximately 1.3m beyond the rear wall of the existing extension at No. 36, and while this would have some limited impact on enclosure and outlook, this would not be significantly adverse. No.36 already benefits from a relatively large rear garden area meaning that the overall impact of the limited additional enclosure would be further reduced.
- 4.3. Due to the scale, nature and location of the proposed development it is not considered that it would result in any unacceptable amenity-related impacts relating to the likes of privacy or overlooking. A condition will also be placed on the application to ensure the flat roof will not be used as a roof terrace to ensure privacy and overlooking is mitigated against.
- 4.4. Overall the proposal complies with Policy A1 of the 2017 Camden Local Plan

5. Recommendation

- 5.1. Grant conditional planning permission.

The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 4th March 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 and search for 'Members Briefing'.

Application ref: 2023/2574/P
Contact: Lauren Ford
Tel: 020 7974 3040
Email: Lauren.Ford@camden.gov.uk
Date: 26 February 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
www.camden.gov.uk

Russell Hunt Architects
19 Batcliffe Drive
Leeds
LS6 3QB

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**34 Bisham Gardens
London
N6 6DD**

Proposal:

Erection of lower ground floor side/rear infill extension.

Drawing Nos: L(-1)02, L(-1)12A, L(-2)01, L(-2)02, L(-2)11A, L(-2)12A, L(-3)01, L(-3)03, A(-3)11A, L(-3)13A, L(-4)01, L(-4)02, L(-4)03, L(-4)11A, L(-4)12A, L(-4)13A, Location Plan 21-Jun-2023, Design & Access Statement, Existing Site Photos.

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 L(-1)02, L(-1)12A, L(-2)01, L(-2)02, L(-2)11A, L(-2)12A, L(-3)01, L(-3)03, A(-3)11A, L(-3)13A, L(-4)01, L(-4)02, L(-4)03, L(-4)11A, L(-4)12A,

L(-4)13A, Location Plan 21-Jun-2023, Design & Access Statement, Existing Site Photos.

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 policy DH3, DH4 and DH10 of the Highgate Neighbourhood Plan 2017.

- 4 The flat roof created through the side infill extension is not to be used as a roof terrace.

Reason: In order to prevent unreasonable overlooking and privacy related effects of neighbouring premises in accordance with the requirements of policy A1 of the London Borough of Camden Local Plan 2017.

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) 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 2021.

You can find advice about your rights of appeal at:

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

Yours faithfully

Chief Planning Officer

DRAFT

DECISION