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04 December 2024

Planning Department
LB of Camden Council
5 Pancras Square
London
N1C 4AG

Dear Sirs,

**25 – 56 BROOKFIELD MANSIONS, 5 HIGHGATE WEST HILL, N6 6AT
PLANNING APPLICATION FOR REPLACEMENT BALCONIES**

We have been instructed by our client, Brookfield Mansions (Freehold) Limited, to submit the enclosed planning application at Brookfield Mansions for the replacement of the existing balcony structures within the entrance lightwells along the northern elevation of the building. This application has been submitted via the Planning Portal under reference PP-13446098.

A separate application has been submitted seeking consent for the installation of 4no. lifts together with alterations to the balconies within the same lightwells along the northern elevation of the building (app ref: PP-13448068). These submissions represent two different schemes in the same location and should therefore be determined separately, with only one of the proposed developments to be implemented by the Applicant.

The following documents are submitted in support of this application:

- Completed application forms, including Certificate A;
- Completed CIL form 1;
- Planning statement (contained within this letter);
- Design and Access Statement (contained within the letter)
- Balcony Inspection Report by AKS Ward
- Heritage statement, prepared by The Heritage Practice Ltd;
- The following plans:

Existing

- 3010 & 3011 A05 - OS Site Plan
- 3010 & 3011 A06 – Existing Block Plan
- 3010 & 3011 A10 – Existing Plans & Elevation
- 3010 & 3011 A20 – Existing Elevation & Sections
- 3010 & 3011 A21 – Existing Elevation & Sections
- 3010 & 3011 A40 – Existing Photographs
- 3010 & 3011 A41 – Existing Photographs
- 3010 & 3011 A42 – Existing Photographs
- 3010 & 3011 A43 – Existing Photographs
- 3010 & 3011 A44 – Existing Photographs

Proposed

- 3011 A60/B – Proposed Balconies – Block Plan

- 3011 A100/B – Proposed Balconies – Plans & Elevation
- 3011 A200/B – Proposed Balconies – Elevation & Sections
- 3011 A201/B – Proposed Balconies – Elevation & Sections
- 3011 A400/B – Proposed Balconies – Typical Upper Floor Plan
- 3011 A405/B/A – Proposed Balconies – Section A
- 3011 A800/B/A – Proposed Balconies – 3d Views and materials (incl. Fire Safety Strategy)

The requisite fee of £579 has been paid via the Planning Portal, together with the £70 admin fee. The proposed works will not impact on any area of greenspace onsite and therefore will qualify for a de-minimis exemption from Biodiversity Net Gain.

The site and surrounding area

Brookfield Mansions is a four-storey residential apartment building comprising 32 apartments split over four linked blocks. The development is divided as follows:

- Block 1 – Nos. 25-32
- Block 2 – Nos. 33-40
- Block 3 – Nos. 41-48
- Block 4 – Nos. 49-56

The property was built circa 1902 and is situated at the bottom of Highgate West Hill. The property is set back from the road and is accessible via a private service road. The building's main frontage is along the southern elevation and this is where the main decorative features are located. In contrast, the northern elevation hosts 7no. lightwells. 4no. of these host communal entrances, which are recessed within the external lightwells. With balconies incorporated at each level apart from Block 4, as there are no balconies at ground floor level. The remaining 3no. lightwells separate the blocks and only host windows along the back wall.

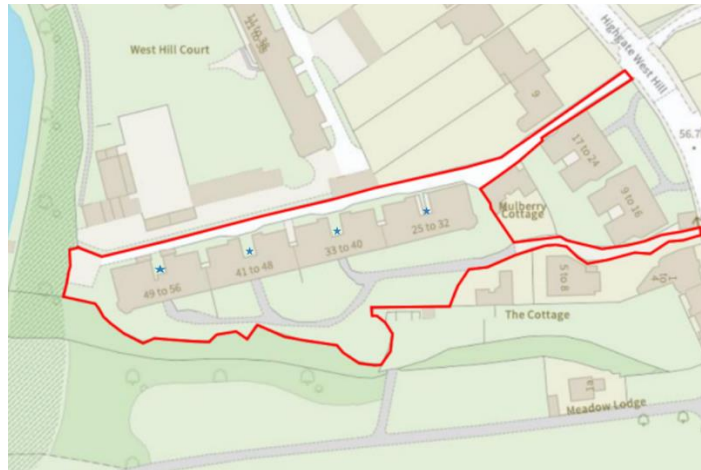
The proposed works solely relate to the 4no. entrance lightwells. Most of the balconies in these areas have been enclosed over time, either through the use of timber or polycarbonate enclosures and either retaining or replacing the mesh balustrade. These structures now tend to form ancillary storage space for the individual flats. The structures on the top floor have mono pitched roofs.

There are signs of decay on some of the balconies, and a scaffold has been erected in the lightwell for Block 4 as a safety precaution. Several of the existing structures have also been regarded as in a poor state of repair by a structural engineer as detailed in the AKS Ward Report.

The windows within the lightwells serve the communal stairs, internal hallways of the flats, and, closest to the rear elevation, habitable rooms (kitchens or bedrooms). Some also have a small window to a WC where the balcony is not enclosed.

The site's location is depicted at Figure 1 below, with the 4no. lightwells in question highlighted by blue stars. Photographs of each entrance lightwell are provided at [Appendix 1](#).

Figure 1. Site location



Brookfield Mansions is not statutorily listed, however is located within the Highgate Village Conservation Area, with the associated Appraisal and Management Strategy identifying it as a 'positive building'. It is also located within proximity to Grade II listed buildings at 6-7 Highgate West Hill, 8 Highgate West Hill, and 10-11 Highgate West Hill.

The Environment Agency's Flood Map for Planning confirms the site to be located within Flood Zone 1 (low risk).

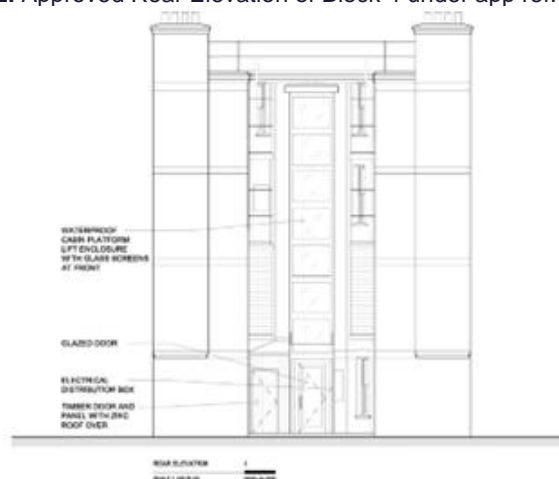
Planning history

Application site

Permission was granted in May 2018 (ref. 2017/6297/P) for the reconfiguration of hardstanding and walkways in front of rear entrances to Blocks 2 and 3 on north-west elevation, including creation of recycling bins and cycle storage space within existing recessed area between both blocks. This was implemented.

In July 2016, planning permission was granted (ref. 2016/2555/P) for the 'construction of an external cabin platform lift in the rear lightwell of Block 4, including minor alterations in association'. The approved rear elevation is shown at Figure 2 below. This was not implemented.

Figure 2. Approved Rear Elevation of Block 4 under app ref: 2016/2555/P



Flat 28 Brookfield Mansions

Approval was granted in October 2011 (ref. 2011/3968/P) for the 'replacement of existing rear first floor balcony with timber enclosure and window to residential flat (Class C3)'. Understood to have been implemented.

Flat 27 Brookfield Mansions

Planning permission was granted in October 2011 (ref.2011/3966/P) for the 'replacement of existing rear first floor balcony with timber enclosure and window to residential flat (Class C3)'. Understood to have been implemented

Flat 36 Brookfield Mansions

Approval was granted in October 2006 (ref: 2006/3633/P) for erection of a timber enclosure to the existing service balcony at first floor level of the residential flat. Understood to have been implemented

Flat 53 Brookfield Mansions

Approval was granted in November 2010 (ref: 2010/5173/P) for erection of timber enclosure to existing rear (east elevation) balcony of second floor flat No. 53. Understood to have been implemented

Adjacent Blocks

Flats 9-24 Brookfield Mansions

An application was granted in May 2016 (2016/1422/P) for the 'demolition of existing concrete and mesh screen balconies and replacement with new steel frame balconies with metal railing to height of 1.1m.'

2018 pre-application advice request

Pre-application advice was sought in 2018 (ref. 2018/4087/PRE) for external alterations to the wider building as a whole. The changes proposed included:

- Erection of four-storey rear infill extensions to four of the existing lightwells to provide additional habitable space and lift access to all floors.
- Installation of a series of dormers across the entire rear roof slope and conversion of existing loft space to provide additional residential floorspace to the existing top floor flats.
- Rear roof terraces at fourth floor level to provide outdoor amenity space.

In considering the history of the existing balcony units onsite, the case officer observed that it was recognised that a number of the existing balcony areas along the northern elevation had been enclosed over time without benefiting from planning permission. They went on to reason that these changes were likely lawful due to the length of time since they had been in situ.

Consultation with Residents

The potential for replacing the balconies has been discussed in AGMs, which are open for all residents to attend. Discussions about balcony replacement began at the AGM in 2017 and updates have been reported at each AGM since.

In February 2022, November 2022 and October 2024 online architect's presentation and discussion of designs were had, with an invitation for any interested residents to attend.

Further papers have been produced regarding options and associated costs and these have been discussed at Annual Budget meetings.

Once the planning applications are determined further meetings with residents will be held with a vote to decide which option to proceed with.

Application proposals

The proposed development seeks to replace the balconies and associated enclosures onsite to improve their usability and safety for residents.

The majority of the balconies along the elevations will be enclosed and finished in zinc tiling, although a few will remain open and will be lined with painted metal balustrades and zinc column placements. The top enclosures will also retain a pitched roof that sits below the main eaves level.

In order to improve the usability of the space, some of the balconies will be extended slightly to create uniformity amongst the balconies. They will measure 1.06m deep and 2.88m wide. This will generally represent a very minor extension to the existing structures of 315mm x 95mm.

An example of how the proposed scheme will sit within a lightwell is depicted at Figure 3.

Figure 3. Extract of proposed lightwell



Planning policy

The statutory development plan documents relevant to the consideration of the proposals comprise:

- National Planning Policy Framework (NPPF, 2023)
- London Plan (2021)
- Camden Local Plan (2017)
- Highgate Neighbourhood Plan (2017)

The following Supplementary Planning Documents are also material considerations:

- Highgate Village Conservation Area Appraisal and Management Strategy (2007)
- Design SPD (2021)
- Amenity SPD (2021)
- Home improvements SPD (2021)
- Access for all CPG (2019)

The Council are in the early stages of preparing a new local plan, which will replace the existing local policy framework once adopted. The Government have also recently consulted on updates to the NPPF, with modifications expected to be formalised in early 2025.

National Planning Policy Framework (2023)

The NPPF provides the overarching planning policy guidance for development across England. It states:

“The purpose of the planning system is to contribute to the achievement of sustainable development” by “meeting the needs of the present without compromising the ability of future generations to meet their own needs.”

Paragraph 131 outlines that good design is one of the fundamental elements in ensuring sustainable development and contributes to creating better places to live and work, making development acceptable to communities.

Chapter 16 of the NPPF relates to ‘conserving and enhancing the historic environment’. In determining applications, **Paragraph 208** confirms that proposals that cause ‘less than substantial harm’ to heritage assets should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use (NB. **Paragraph 207** sets out that proposals causing ‘substantial’ harm should be refused unless substantial public benefits that outweigh the harm can be shown). To be considered acceptable without the need to weigh against public benefits it must be found that no harm is caused.

London Plan (2021)

Design principles are provided at **Policy D4**, with **Policy D5** requiring development to achieve the highest standards of accessible and inclusive design. **Policy D6** goes on to consider housing quality and requires housing development to be of high-quality design, with Part D highlighting the need to maximise the usability of outside amenity space. **Policy D12** requires that all developments ensure the safety of all building users with regards to fire safety.

Policy HC1 details that development proposals which affect heritage assets, and their wider sections, should conserve significance by being sympathetic to the asset’s significance and appreciation with their surroundings. Development proposals should seek to avoid harm and identify enhancement opportunities where possible.

Camden Local Plan (2017)

Policy D1 welcomes high-quality, contemporary design which responds to its context and aims to improve the character and quality of an area and preserve what is distinctive and valued about the local area. **Policy D2** outlines that development proposals within conservation areas should preserve or, where possible, enhance the character or appearance of the area.

Policy A1 sets out that development needs to protect the quality of life of occupiers and neighbouring properties. Such factors include privacy, outlook and overshadowing.

Policy C5 seeks to make Camden a safer place. It requires development to incorporate design principles which contribute to community safety and security; and require appropriate security and community safety measures in buildings.

Policy C6 seeks to promote access for all. It sets out the following guidance:

“a. expect all buildings and places to meet the highest practicable standards of accessible and inclusive design so they can be used safely, easily and with dignity by all;

- b. expect facilities to be located in the most accessible parts of the borough;***
- c. expect spaces, routes and facilities between buildings to be designed to be fully accessible;***
- d. encourage accessible public transport; and e. secure car parking for disabled people.”***

Highgate Neighbourhood Plan (2017)

Policy DH2 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.”

Highgate Conservation Area Appraisal and Management Strategy (2007)

The Conservation Area was first designated in 1968 and extended in 1978 and 1992. In considering the area’s character, the Appraisal and Management Strategy sets out that:

“The Highgate Conservation Area has a variety of plan forms. The historic village, centred around the High Street, has a relatively random pattern of plot sizes which tends to reflect the importance of the individual properties. The Conservation Area also contains late Georgian and Victorian terraced developments which conform to a regular plot size, typical of speculative development of the period.”

The site is referenced as being located within Sub-Area 5 ‘Merton Lane & Millfield Lane’, within which it is described as an Arts and Crafts inspired development dating from the early 20th century. In describing the building, together with the second block facing onto Highgate West Hill, the appraisal specifically sets out that:

“The main features are the half-timbered gabled upper floors, which contrast the red brick lower floors, the steeply pitched tiled roofs, the rhythm of the entrance recesses, the bay windows and ornate wrought iron balconies, and the wooden sash windows with multiple panes in the upper lights.”

The appraisal goes on to confirm that Brookfield Mansions is regarded as a ‘Positive Building’ within the Conservation Area at Appendix 2.

Planning considerations

The proposals relate to a package of works designed to enhance the use of the existing lightwells along the northern elevation of the building. The key matters for consideration are considered to be as follows:

- Principle of the works
- Design and heritage
- Quality of accommodation
- Impact on neighbouring amenity
- Other considerations

Principle of development

The proposals relate to the replacement of the existing balconies along the rear (northern) elevation of Brookfield Mansions, all of which face into the existing 4no. entrance lightwells, in order to improve their usability and safety for residents. In total there are 32no. residential flats with balconies facing onto these lightwells (8no. along each lightwell). Of these, 17no. currently have enclosed balconies and 11no. have mesh screen balconies. These have all been in place for a significant amount of time and are lawful accordingly. This was recognised by the Case Officer in determining app ref: 2011/3966/P, where they stated that:

“there is an established pattern of this form of development, with several flats that share the same rear return having had similar extensions erected. A significant proportion of properties in the rest of the blocks have also had similar extension, although there is no record of any planning permissions for these extensions except for flat no 36 (approved in 2006) and 53 (approved in 2010).”

However, a number of the structures are in a dangerous state, in particular within the lightwell of Block 4 where scaffolding has been erected as temporary protection to the entrance. Many of the enclosures also do not meet modern standards of fireproofing for cladding.

The proposed works will involve the replacement of the existing structures with enhanced enclosures and balconies of an improved layout and structural stability, and improved insulation and fire safety, in order to offer significant improvements to the existing residential accommodation onsite, and to enclose additional balconies.

The existing open balconies to be lost do not offer high quality amenity space as the balconies are too narrow (0.8m deep which is below the London Plan requirement for balconies to be 1.5m deep). Furthermore, the properties benefit from high quality communal amenity space to the front of the block, with direct access to Hampstead Heath from the site.

The majority of units already have enclosed balconies and therefore this will not change as a result of the works. The proposals will just allow the better use of the features by residents and improve the safety of the space as required by Policies A1 and C5. In the light of this, the principle of the proposed development should be supported.

Design and heritage

The existing balconies within the lightwells have been altered in a piecemeal fashion over time and do not relate well to the overall design of the building as a result. The proposed scheme seeks to harmonise the design of these spaces across the 4no. lightwells along the elevation in order to better relate to the host building.

Local Policies D1 and D2 require development to achieve the highest standard of design. Specifically, Policy D1 requires development to be of the highest architectural and urban design quality, which improves the function, appearance and character of the area; and Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. This is further emphasised by Policy DH2 of the Highgate Neighbourhood Plan.

The proposed works seek to replace the existing balconies with a uniformed development across the elevation. This will be achieved through the delivery of standardised additions incorporating high-quality materials that will relate well to the host building (zinc and corresponding metal balustrades). Whilst the balconies will be slightly deeper and larger than existing, this will have a negligible impact on the design and help improve usability of the space.

Most of the balconies will be enclosed as existing, with the exception of some of the existing unenclosed balconies, which will remain open with metal balustrades. The top enclosures will continue to have pitched roofs which sit below the main eaves level.

The resultant scheme will appear as successful additions to the host building, which is recognised as a 'Positive Building' and resolve the safety issues with the existing balconies and structures. Indeed, this is considered to be a significant enhancement in design compared to the existing ad hoc nature of the balcony spaces onsite.

In order to assess the acceptability of the scheme in the context of the identified designated heritage assets, which include the Highgate Village Conservation Area, a Heritage Statement has been prepared by The Heritage Practice. This concludes that:

"The proposals will introduce a new sense of visual coherence to the spaces, with a clean, streamlined, contemporary appearance to the balcony structure. This will reintroduce a sense of consistency to the rear of the block and reinforce its intrinsic architectural character. The proposals will demonstrably enhance the appearance of the building.

The proposals are tucked to the rear of the blocks and well setback from the rear building line. Due to tight oblique sightlines from within the site and limited views from outside it, the proposals will have no harmful appearance upon the high significance front façade of the block, or the character and appearance of the wider Highgate Village Conservation Area."

In the light of the above, the proposals are considered to be entirely acceptable in design and heritage terms.

Quality of accommodation

As discussed above, the proposed scheme has been carefully designed to enhance the existing residential accommodation on-site, both for occupiers of the flats and those accessing the units via the rear entranceways, which are in a bad state of repair. The scheme has been designed to allow for a washing machine to be accommodated, making best use of the space as a utility room. The proposals should be considered acceptable in this regard accordingly.

The majority of the new enclosures will replace existing enclosures and therefore there will be no change to the internal layout of the properties. Where new enclosures are proposed, this will not have any impact on the quality of internal living space onsite, with the windows and doors to be enclosed relating to hallways and WCs.

Impact on neighbouring amenity

Planning policy at all levels encourages good design through well laid development which considers and manages the impact of development upon the amenity of neighbouring properties. This includes with regards to matters such as visual amenity, privacy, overlooking, daylight and sunlight. At a local level this is reflected through Policy A1.

In this regard, consideration needs to be given to the amenity of the flats within Brookfield Mansions together with the nearest neighbouring properties, which are identified as those at Nos. 11 to 38 West Hill Court and Nos. 6-7 Highgate West Hill.

The proposed additions have been designed to enhance the existing features onsite. Whilst they will be slightly larger than those existing, this will be a very minor addition, with the structures and balconies located within the same positions. As such, there will be no increase in overlooking or loss of privacy between units compared to the existing arrangement.

In the context of the neighbouring properties in the vicinity to Brookfield Mansions, the changes will also have no impact on the existing amenity of these properties. The proposed additions will all be located within the existing lightwells where such features are already present and therefore there will be no further opportunities for overlooking of neighbouring dwellings.

In the light of the above, the proposed works are considered to have no impact on the amenity of the surrounding area and should be considered acceptable accordingly.

Other matters

The proposed works are very minor in nature and will not impact on the density of the residential use onsite. Furthermore, there will be no change to the existing ingress and egress arrangements and refuse facilities onsite.

In response to Policy D12, it is noted that the existing ad-hoc structures do not meet modern standards of fireproofing for cladding and therefore the proposals will improve fire safety for the property.

Design and Access Statement

This application relates to replacement of the existing balcony enclosures for the existing flats. The proposed enclosures will measure 1.06m deep and 2.88m wide. This generally represent a very minor extension to the existing structures and ensures uniformity across the blocks.

The majority of the balconies along the elevations will be enclosed and finished in zinc tiling, although a few will remain open and will be lined with painted metal balustrades and zinc column placements. The top enclosures will also retain a pitched roof that sits below the main eaves level.

Overall, the proposals are considered to be sympathetic to the host building as details within this letter and the supporting Heritage Statement. Access will remain as existing.

Conclusions

This planning application has been prepared to support the replacement of the existing structures and balconies located within 4no. of the existing lightwells along the northern elevation of Brookfield Mansions.

The existing arrangement consists of an array of structures and enclosures which have been erected over a long period of time. This has resulted in an arrangement that is unsympathetic to the design of the host building and which has safety concerns of both structure and fire risk. The proposed works, which seek to replace the existing balcony enclosures with a uniformed scheme that is designed to reflect the character of the host building, will enhance the appearance of the building along the northern elevation and also improve the usability and safety of these areas. This will be achieved through the delivery of a scheme that is in keeping with the site's location within the Highgate Village Conservation Area and which will not have any impact on the existing amenity of the flats within the host building or the vicinity.

In the light of the above, the application proposals are consistent with all of the relevant planning policies and guidance at national, London-wide and local levels. This application should, therefore, be considered acceptable by the Council.

I trust that you have sufficient information in order to validate the application, however, should you have any queries then do not hesitate to contact me. Otherwise, I look forward to discussing the application proposals with you in due course.

Yours Sincerely



KATE MATTHEWS
Director

APPENDIX 1 – PHOTOGRAPHS OF EXISTING LIGHTWELLS AT BROOKFIELD MANSIONS

Image 1. Block 1 lightwell



Image 2. Block 2 lightwell



Image 3. Block 3 lightwell



Image 4. Block 4 lightwell

