

Application ref: 2024/5494/P
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Date: 26 February 2025

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/planning

Firstplan
Broadwall House
21 Broadwall
London
SE1 9PL
United Kingdom

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

Brookfield Mansions
5 Highgate West Hill
London
N6 6AT

Proposal:

Replacement of the existing balcony structures with new balconies and enclosures within the lightwells along the northern elevation.

Drawing Nos:

A05, A06, A10, A20, A21, A40, A41, A42, A43, A44, A60/B, A100/B, A200/B, A201/B, A400/B, A405/B, Rev A, A800/B Rev A, AKS Ward Report (prepared by AKS Ward, dated June 2017), Cover Letter with planning statement (prepared by Firstplan, dated 04/12/2024), Heritage Statement (prepared by The Heritage Practice, dated September 2024).

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:

A05, A06, A10, A20, A21, A40, A41, A42, A43, A44, A60/B, A100/B, A200/B, A201/B, A400/B, A405/B, Rev A, A800/B Rev A, AKS Ward Report (prepared by AKS Ward, dated June 2017), Cover Letter with planning statement (prepared by Firstplan, dated 04/12/2024), Heritage Statement (prepared by The Heritage Practice, dated September 2024).

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

- 3 Detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority before the relevant part of the work is begun:

- a) Details including sections at 1:10 of all windows
- b) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

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.

Informative(s):

- 1 Reasons for granting permission:

The proposal involves the replacement of the existing balconies located within the lightwells to the north of the building. The existing balconies are an original feature of the buildings, although it is noted that where they survive, they are functional in appearance. However, most of the balconies have been altered and enclosed using a variety of details over their existence.

The application proposes new balcony structures within the void between each of the four pairs of outriggers to the rear of the building. These will replace the existing open balconies with enclosed structures, which can be found within each of the voids to the rear of the building. The size and form will be the same as the existing balconies. It is noted that some balconies have already been enclosed with timber structures and the new balcony structures would largely match the dimensions of these.

The balcony structures will be constructed of steel and the enclosing material would be zinc vertical cladding. Whilst zinc is a more modern material, it will be used in an inconspicuous location and could be coloured to harmonise with the colour of the brickwork on the rear elevation. The balconies will be enclosed at ground, first, and third floor levels and at the second floor, the balcony will be open with a painted metal balustrade. To the north and south elevations there will be a vertically proportioned window, these will reflect the original sash

windows on the rear elevation of the building and the frames used would be powder coated aluminium and, together with the proposed zinc cladding, would create a contemporary appearance. Details of facing materials and windows are secured by planning condition.

The proposed enclosed balconies will be set back from the rear building line of each outrigger. This will ensure the voids between the outriggers remain legible and the rear elevation still retain its rhythm. The new features will rise no higher than the existing flanking outriggers, ensuring the visual prominence of the existing building is retained.

The proposed enclosures replace an unsympathetic collection of balcony enclosures and introduce a greater degree of uniformity. They will respect the features of the rear elevation and therefore the works will preserve the character and appearance of Highgate Conservation Area, and the significance of Brookfield Mansions as a non-designated heritage asset.

The proposal would preserve the character and appearance of the conservation area overall. The council has had special regard to the desirability of preserving the character and appearance of the Conservation Area.

The proposed balcony enclosures would be located within the same position as the existing balconies, although slightly larger in size. Due to the increase being very minor and the balconies being set in the existing position, it is considered that there will not be a significant increase in overlooking or loss of privacy between the existing units. The minor changes will have no further effect on other neighbouring properties in the vicinity due to their location further away and therefore there would be no further overlooking or overbearing impacts beyond what currently exists.

In terms of daylight and sunlight impacts, the enclosure of the balconies would likely have the most impact on the angled windows at each level, positioned at the rear of the lightwell. These are understood to serve corridors that are non-habitable space and the proposal would therefore have limited impact with regards to the lighting conditions of habitable rooms. Additionally, it is noted that a number of balconies are already enclosed in such a way that the proposed works would not have a material impact on light beyond the existing. As such, it is considered that the proposal would be acceptable in terms of daylight and sunlight impacts.

- 2 One objection was received prior to determination, which concerned the potential for daylight impacts and the inappropriate design (both assessed above). Additionally, this objection raised concerns regarding the lack of repairs made to the balconies, but this is not a material planning consideration. Two letters of support were received. The planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1, and D2 of the London Borough of Camden Local Plan 2017 and policies DH2 and DH3 of the Highgate Neighbourhood Plan 2017. The proposed development also accords with the London Plan 2021 and the National Planning Policy Framework 2024.

- 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 Biodiversity Net Gain (BNG) Informative (1/2):

The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless:

- (a) a Biodiversity Gain Plan has been submitted to the planning authority, and
- (b) the planning authority has approved the plan.

The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden.

There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements.

Based on the information provided, this will not require the approval of a BGP

before development is begun because it is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).

Summary of transitional arrangements and exemptions for biodiversity gain condition

The following are provided for information and may not apply to this permission:

1. The planning application was made before 12 February 2024.
2. The planning permission is retrospective.
3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024.
4. The permission is exempt because of one or more of the reasons below:
 - It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.
 - It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

7 Biodiversity Net Gain (BNG) Informative (2/2):

Irreplaceable habitat:

If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.

The effect of section 73(2D) of the Town and Country Planning Act 1990:

If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to

compensate irreplaceable habitat as specified in the earlier BGP.

Phased development:

In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

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