

Address:	98A Highgate Road London NW5 1PB	
Application Number:	2009/1158/P	Officer: Elizabeth Beaumont
Ward:	Kentish Town	
Date Received:	02/03/2009	
Proposal: Demolition of single storey store (Class B8) and its redevelopment to provide a two storey three bedroom dwelling house with front and rear courtyards and new front garden walls.		
Drawing Numbers: Site location plan; 1P; 1PA; 2P; 3P; 49P1; 40RB; 41P1; 42P; 43RP; 44P; 44P1; 45P; 46RB; 47P; 48P.		
RECOMMENDATION SUMMARY: Grant planning permission		
Related Application Date of Application:	20/05/2009	
Application Number:	2009/2123/C	
Proposal: Demolition of single storey store (Class B8) as shown on drawing numbers: Site location plan; 1P; 1PA; 2P; 3P; 49P1.		
RECOMMENDATION SUMMARY: Grant conservation area consent		
Related Application Date of Application:	20/05/2009	
Application Number:	2009/3531/L	
Proposal: Alterations to the party wall between 98 and 98A Highgate Road. as shown on drawing numbers: Site location plan; 1P; 1PA; 2P; 3P; 49P1; 40RB; 41P1; 42P; 43RP; 44P; 44P1; 45P; 46RB; 47P; 48P.		
RECOMMENDATION SUMMARY: Grant listed building consent		
Applicant:	Agent:	
Mr Richard O'Leary 12 Banborough Camden St London, NW1 OHL	Patrick Minns Associates 31 Oval Road London NW1 7EA	

ANALYSIS INFORMATION

Land Use Details:			
	Use Class	Use Description	Floorspace
Existing	B8 Warehousing		66.5m ²
Proposed	C3 Dwelling House		107m ²

Residential Use Details:										
	Residential Type	No. of Bedrooms per Unit								
		1	2	3	4	5	6	7	8	9+
Existing	Flat/Maisonette	N/A								
Proposed	Flat/Maisonette			1						

Parking Details:		
	Parking Spaces (General)	Parking Spaces (Disabled)
Existing	3	0
Proposed	1	0

OFFICERS' REPORT

Reason for Referral to Committee: Clause 3(v) involving total or substantial demolition of any building in a conservation area; Clause 3(vi) involving the conclusion of a Section 106 Planning Obligation relating to matters outside the normal scheme of delegation.

1. SITE

- 1.1 The site is located on the east side of Highgate Road in between Lady Somerset Road and Little Green Street. The site fronts onto Highgate Road and is adjacent to the entrance to a yard to 96A Highgate Road. The surrounding area comprises residential and commercial uses.
- 1.2 The site is located in the Dartmouth Park Conservation Area and is adjacent to the Grade II terrace of 6 houses known as 98-108 Highgate Road constructed in the late 18th Century. The buildings were built to house servants of the Fitzroy family and constructed with yellow stock brick and red brick dressings.
- 1.3 The site comprises a single storey garage building attached to the flank wall of the neighbouring three storey end-of-terrace. The existing building is currently used as a store room (Class B8). The building is flat-roofed and constructed of yellow stock bricks with a corrugated metal door and window on the front elevation. There is a sloping rooflight towards the rear of the property on the flat roof. There is an area of hard standing towards the front of the building which provides space for parking. The building appears to be in a state of disrepair.

2. THE PROPOSAL

Original

- 2.1 This application seeks conservation area consent for the demolition of the existing single storey building and full planning permission to erect a two storey, three bedroom single family dwelling house. Listed building consent is sought for alterations to the flank wall of the neighbouring listed building.
- 2.2 The proposed dwelling house would provide a living room, WC, laundry room, kitchen and dining room at ground floor level and two double bedrooms and a single bedroom or study room at first floor level. A rear garden/patio area and a courtyard area to the front of the site are proposed.
- 2.3 The new building would be constructed from London stock brickwork, Flemish bond with a pointing style to match the neighbouring listed building. The proposed windows will be white painted timber sashes and a part-timber part-glazed entrance

door. It is proposed that the window and door lintels are rubbed brickwork to match the neighbouring property. The rear elevation will be treated with white painted sand and cement render. Two timber sashes are proposed at first floor level and timber bi-fold doors at ground floor level on the rear of the property. Three rooflights and an access hatch will be inserted on the flat roof of the building.

- 2.4 The proposed scheme is a result of a number of amendments and a previously withdrawn scheme. The withdrawn scheme proposed a contemporary design with a curved bay-window element at ground and first floor level and a conical roof feature. The proposal varies from the withdrawn scheme due to the redesign of the front and rear elevation with a more traditional approach in terms of its detailed design and the choice of materials.

Revisions

- 2.4 The proposal was revised to alter the window pattern on the front elevation at ground floor level. The large single sash was replaced with two smaller sashes which align with the windows above. The façade details were revised to incorporate rubbed brickwork lintels of a similar style and colour to the neighbouring listed building for the doors and windows on the front elevation.

3. RELEVANT HISTORY

- 3.1 23/08/1990 – **p.p. refused (9003044)** for the redevelopment of the site by the erection of a two-storey building for office use.

13/02/1992 – **p.p. granted (9003583)** for the part refurbishment and extension of existing buildings and part redevelopment to provide a part single and part-two storey building for office use within Class B1.

13/02/1992 – **LBC granted (9260001)** for the rebuilding of the flank wall and reduction in height of rear section of 98a Highgate Road in association with the part refurbishment and extension and part redevelopment of the site.

15/05/2007 – **p.p (2007/0540/P) withdrawn** for the demolition of existing store and replacement with a two storey house (Class C3).

09/02/2009 - **p.p. (2007/5780/P) withdrawn** for the erection of two storey three bedroom house to replace existing single storey store. The application was withdrawn following Officers concerns with the design of the scheme and its impact on the listed building and the wider conservation area.

4. CONSULTATIONS

Statutory Consultees

- 4.1 English Heritage - Content for this application to be determined by the local authority in accordance with national and local policy

Conservation Area Advisory Committee

- 5.2 Dartmouth Park CAAC – comment - A reasonable balance has been struck between the need to (a) maintain a gap between the Georgian Terrace and the buildings to the south, (b) reflect the wall heights of the small buildings to the south and (c) reflect the Georgian features of its neighbour. This has resulted in a slightly compressed building. The house is preferable to the storage and will therefore enhance a very sensitive street scene.

Adjoining Occupiers

	Original
<i>Number of letters sent</i>	9
<i>Total number of responses received</i>	3
<i>Number of electronic responses</i>	1
<i>Number in support</i>	1
<i>Number of objections</i>	2

Two letters of objection have been received;

- 4.4 94 Highgate Road – letter received on 29/06/09 - *objects for the following reasons.*
- The application should be paused while the matters concerning the demolition and rebuilding of the boundary wall of 98A and 96A be settled.
 - A party wall surveyor has not been involved. The owner of the property has not provided any of the information they promised.
- 4.5 100 Highgate Road – letter received on 15/06/09 - *objects for the following reasons;*
- Design is of insufficient architectural quality and will detract from the overall appearance of the Fitzroy terrace. It looks from the drawings to be an attempt to replicate local styles, but would be better if a more modern design. As this would focus the attention on the listed buildings rather than attempting to mimic them.
 - It will overshadow and overlooking the gardens at the back. I am not happy with the height of the elevation.
 - If there is only one car space this will encourage the new residents to park on the street.
 - I disagree with the proposed change of use; it removes another building which could have provided local employment opportunities to be removed from use. The area would benefit from keeping this building as workshop for use by local businesses.
 - Any building in this day and age needs to be carbon neutral.
 - Would be happy with redevelopment of site as a workshop or live/work unit, using existing brick façade at the same height, with the additional of contemporary sustainable materials.

One letter of support has been received;

- 4.6 98A Highgate Road – email received on 03/06/09 - supports the application and the revisions to the front elevation.

5. POLICIES

Replacement Unitary Development Plan 2006

5.1 Adopted Unitary Development Plan 2006

SD1 (Quality of life)
SD4 (Density of development)
SD6 (Amenity for occupiers and neighbours)
H1 (New Housing)
H7 (Lifetime homes and wheelchair housing)
H8 (Mix of units)
B1 (General design principles)
B6 (Listed Building)
B7 (Conservation area)
E2 (Retention of existing business use)
T3 (Pedestrians and cycling)
T7 (Off-street parking)
T8 (Car free housing and car capped housing)
T9 (Impact of parking)
T12 (Works affecting highways)

5.2 Supplementary Planning Policies

Camden Planning Guidance 2006
Dartmouth Park Conservation Area Statement 2009

6. ASSESSMENT

- 6.1 The principle considerations material to the determination of the applications are summarised as follows: principle of development; demolition of building in conservation area; bulk, height and footprint of new building; design of replacement; impact on the listed building; residential standards; lifetime homes; sustainability; amenity and transport issues.

Principle of development – change of use from B8 (storage) to C3 (residential)

- 6.2 The proposal involves the loss of an existing B8 (storage and distribution) facility. Policy E2 (Retention of existing business uses) states that the Council will not grant planning permission for the loss of a business uses on a site where there is potential for that use to continue. The existing premises are small, currently vacant and in a state of disrepair. It is considered that given the present condition of the site it is unlikely that any potential B8 occupants would wish to use the premises. It is considered that there a number of amenity and design benefits of removing such a use from a largely residential terrace. It is therefore considered that the loss of the B8 use is acceptable.
- 6.3 Policy H1 (New housing) states that the Council will seek the fullest use of underused sites and buildings for housing provided that the accommodation reaches acceptable standards. The proposal seeks to provide a single family dwelling house in accordance with this policy.

Demolition of unlisted building in a conservation area

- 6.3 The existing single storey building is not identified within the Dartmouth Park Conservation Area Statement as a positive contributor. The adjacent listed terrace, No. 96-108 is however noted within the statement, given its listed status as an elegant terrace (Grade II listed) with mansard roof, dating from the early 19th century with three storeys and semi-basement occupying tight plot widths. Although not visible from the road, the terrace has an unusual and attractive rear elevation.
- 6.4 Whilst the design of the existing single-storey building is not architecturally noteworthy in itself, it forms part of the context of a listed terrace. However, as the building is not considered to be a positive contributor, the principle of demolition is not contested provided that the replacement scheme demonstrably preserves or enhances the conservation area. No objections are raised to its demolition subject to a satisfactory replacement being granted planning permission.

Bulk, height and footprint of new building

- 6.4 The overall size of the new two storey dwelling house is considered acceptable. The proposed footprint would be reduced in comparison to the existing building. The existing footprint of the building is 84.7m², the proposed footprint will be reduced to 53.5m². The overall floorspace of the new dwelling will be approximately 107m². The depth of the building would be reduced by 3.5m creating a courtyard area to the rear of the site. There is a slight increase in height, the proposed building would measure approximately 5.5m high, approximately a metre higher than existing. This is mitigated by the internal ground floor level of the building being lowered in line with the neighbouring terrace.

Design of replacement building

- 6.5 The area comprises a combination of buildings with a variety of design, scale and bulk. The proposed building will be attached to the three storey listed building and adjacent to a pair of two storey semi-detached cottage style buildings. This pair is attached to a terrace of three storey buildings. The proposed dwelling house would be set down approximately two storeys below the listed terrace and in line with the eaves height of no. 94 and 96. It is considered that the proposed building would sit well within the context of the surrounding buildings and would not compromise the architectural composition of the listed terrace.
- 6.6 On the front elevation there is a slight recess in the front brickwork where the building meets no. 98. This serves to create a break between the terrace and the proposed building. The flat roof of the building is concealed below the parapet wall. Three rooflights and an access hatch are proposed which would not project significantly from the roof or be visible from the front or rear of the property. It is considered that the rooflights and access hatch would preserve the character of the building, the setting of a listed building or the character and appearance of the wider conservation area.

- 6.7 The architectural approach that has been taken in the design of the replacement building is a traditional scheme which blends with its surrounding context of the Georgian and Victorian streetscape. The proposed materials will match the neighbouring listed building including London stock bricks and Flemish bond. The windows and doors will be white painted timber sash windows arranged with rectangular massing mirroring the fenestration pattern on the higher floors of the listed terrace. On the rear elevation there are two sash windows at first floor level with full width timber bi-fold doors at ground floor level. To ensure the detailed design complements the listed building all entrance doors and windows will be surrounded with rubbed brickwork lintels of a similar style and colour to the neighbouring building. It is proposed to erect a wooden fence along the sides of the front garden and rendered block work to match the existing boundary treatment. The high quality of the detailed design of the scheme will ensure that the replacement building will sit well within the surrounding context and preserve the setting of the listed building and the wider conservation area.
- 6.8 The proposed replacement is a similar scale to the existing garage and employs traditional materials, detailing and language. The architectural approach of using a simple design rather than proposing a modern design is considered acceptable in this context in order to ensure that the dwelling is read as ancillary to rather than competing with the special interest of the listed terrace.
- 6.9 In summary the demolition of the existing building is considered to be acceptable as it is not considered to make a positive contribution to the character or appearance of the conservation area. The proposed replacement building is acceptable in terms of its scale, bulk, position on the plot, and its detailed design. The special interest of the listed terrace, and the character and appearance of this part of the Dartmouth Park Conservation Area will be preserved.

Impact on listed building

- 6.10 The proposal involves alterations to the flank wall of the neighbouring listed building following creation of a party wall between the new dwelling and no.98. The party wall of the existing building also shares this flank wall. It is considered that this is acceptable as there will be no additional loads on the party wall. The additional floor will be supported independently of the wall. The existing outer wall between the application site and the garden of no. 98 will be retained as the boundary wall between the two properties. It is considered that the proposed replacement dwelling and associated alterations would not have a detrimental impact on the fabric of the listed building.

Residential standards

- 6.11 The proposed single dwelling house comprising two double bedrooms and a single/study room is considered to be reasonably sized and generally complies with Camden Planning Guidance space standards. The single bedroom is 6.43m², slightly below the recommended standard of 6.5m², this is considered acceptable given that the overall floorspace and the layout of the unit are in compliance. It meets most of the relevant Lifetime Home Standards but does not have lift access to all floors. All rooms are adequately lit and ventilated.

Sustainability

- 6.12 Notwithstanding the proposed increase in floorspace this application does not fall into the major category which requires the production of 10% renewable energy provision on-site which is applicable to non-residential uses where the floorspace increase exceeds 1000m².

Amenity

- 6.13 The proposed development has been designed to limit any possible overlooking and to respect the privacy of neighbouring properties. The windows on the side elevation and flank wall of no. 96 are sufficiently set back from the development and the dormer windows would be above the new proposed dwelling house. It is considered the development would not harm the amenity of neighbouring occupiers in terms of loss of sunlight or daylight.
- 6.14 The sash windows at first floor level on the flank wall of no.98 would sit above the flat roof of the new dwelling house. In order to protect the panel window serving a stairwell, the scheme has been design to slope part of the flat roof at an angle of 45° which would allow sufficient daylight and sunlight into the room. This slope would not be visible from the front or rear elevations.
- 6.15 The dwelling house would be approximately a metre higher than the existing building with a reduced footprint. The existing boundary wall between no. 98A and 98 measures approximately 4.3m and slopes down to 2.9m will be retained. It is considered that the two storey development would not have a detrimental impact on the windows on the rear elevation of no. 98 in comparison to the existing situation in terms of loss of daylight or sunlight.
- 6.16 The garden level of the building to the rear of the site, no. 11 College Lane is slightly higher than the application site. There are two windows proposed at first floor level on the rear elevation of the development, approximately 10m away from the rear elevation of no 11. It is considered that as there are currently windows at first and second floor level on the rear elevations of neighbouring building the proposal would not result have an impact on the amenity of any neighbouring occupiers in terms of additional overlooking or loss of privacy.
- 6.17 An access hatch is proposed on the flat roof for maintenance purposes. It is considered to ensure the roof is not used for additional amenity space a condition is recommended to limit the use of roof for maintenance purposes.
- 6.18 It is therefore considered that the proposed development would not have a detrimental impact on the amenity of the adjacent property with regard to sunlight, daylight, outlook and privacy.

Transport issues

- 6.19 The site is located on Highgate Road, which is a busy bus route with a mix of residential and commercial development. The site is to the north of the designated town centre of Kentish Town. There is currently a vehicular crossover and it is proposed to retain this so that the new single dwelling house would have 1 off-street car parking space. The site has a Public Transport Accessibility Level (PTAL) of 5 (very good).
- 6.20 Camden's Parking Standards for cycles (*Appendix 6 of the Unitary Development Plan*), states that 1 storage or parking space is required per residential unit. The proposal is for 1 residential unit; therefore 1 cycle storage/parking space is required. The applicant has not included specific provision for the required amount of cycle storage/parking in the proposed design. However, the proposals are for a large single dwelling house with ground floor access and a cycle can easily be stored at ground floor level. Therefore Camden's parking standards for cycles has been met.
- 6.21 The proposed development of a single residential unit includes the provision of one parking space to the front of the property. It is considered that given that there is currently availability for three off-street parking spaces in associated with the existing B8 use it is considered appropriate to retain some element of parking. Camden's parking standards permit a maximum of one space per dwelling. On this basis it is considered that it is appropriate for this development to be car-capped to limit the available parking space to one space. Future occupants would be unable to apply for parking permits or park more than one car on the front courtyard.
- 6.22 It is considered that this would ensure that the development would not have a detrimental impact on on-street parking conditions or add to on-street parking in the area. Furthermore, it is considered that the change of use of the property from B8 (storage and distribution) to Class C3 (residential) would result in an overall reduction in the travel demand associated with the site.

General landscape strategy

- 6.22 In the front garden is proposed to have borders with planting either side with hard landscaping to allow for a parking space. To the rear of the property it is proposed to hard landscape the majority of the patio/garden area with a border of planting. It is considered that given the reduction of the built footprint and given the limited size of the amenity space it is considered that the proposed landscaping will be appropriate.

7. CONCLUSION

- 7.1 The demolition of the existing building is acceptable. The replacement house is considered appropriate in terms of bulk, height, form and footprint, and detailed design and it will preserve the character of this street and the overall conservation area. The building would not have a detrimental impact on the special interest or setting of the neighbouring listed building. The new building will not harm neighbour amenity in terms of outlook, light, privacy or parking conditions.
- 7.2 Planning Permission is recommended subject to a S106 Legal Agreement for to car cap the dwelling house to one parking space.

8. LEGAL COMMENTS

8.1 Members are referred to the note from the Legal Division at the start of the Agenda.

9 RECOMMENDATION

9.1 Planning permission is recommended subject to a S106 Legal Agreement for to Car Cap the development, conservation area consent and listed building consent are recommended for approval.