

**DISCLAIMER**

Decision route to be decided by nominated members on Monday 15<sup>th</sup> February 2010. For further information see

<http://www.camden.gov.uk/ccm/navigation/environment/planning-and-built-environment/planning-applications/development-control-members-briefing/>

<b>Delegated Report (Members Briefing)</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	17/02/2010
		N/A	<b>Consultation Expiry Date:</b>	17/02/2010
<b>Officer</b>			<b>Application Number(s)</b>	
Jennifer Walsh			2010/0117/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
Highgate Road Baptist Church Highgate Road London NW5 1BS			Please refer to draft decision notice	
<b>PO 3/4</b>	<b>Area Team Signature</b>	<b>C&amp;UD</b>	<b>Authorised Officer Signature</b>	
<b>Proposal(s)</b>				
Variation of Condition 3(d) (rooflights) of planning permission dated 07/12/2009 (2009/4832/P) for the redevelopment of existing chapel; Sunday School and nursery hall including partial demolition to Sunday School building to provide new church and nursery accommodation with 14 residential units within the chapel.				
<b>Recommendation(s):</b>		Grant Planning Permission		
<b>Application Type:</b>		Variation or Removal of Condition(s)		

<b>Conditions or Reasons for Refusal:</b>	Refer to Draft Decision Notice					
<b>Informatives:</b>						
<b>Consultations</b>						
<b>Adjoining Occupiers:</b>	No. notified	<b>00</b>	No. of responses	<b>00</b>	No. of objections	<b>00</b>
			No. Electronic	<b>00</b>		
<b>Summary of consultation responses:</b>	A site notice was displayed					
<b>CAAC/Local groups* comments:</b> <small>*Please Specify</small>	<p><u>Grove Terrace Association</u> object-</p> <p>No such variation of condition should be permitted. Conservation roof lights are available that would remain flush with the roof, as stipulated in the original planning permission. The developer states that the roof lights cannot be made flush due to “flashing requirements”. If this is the case, the flashings must be rectified accordingly to comply with acceptance of planning regulations.</p> <p><u>Dartmouth Park CAAC</u>- no response received yet</p> <p><u>Chetwynd and Twisden Roads Residents Association</u>- no response received yet.</p>					

## Site Description

The application site comprises the Highgate Road Chapel located close to the junction of Chetwynd Road and Highgate Road. The Chapel is currently under renovation to be converted from D1 use (place of worship) to C3 use (residential). Planning permission 2005/0888/P granted consent for the change of use of the building to provide 14 residential units within the original chapel building.

The site is located within the Dartmouth Conservation Area. It is not a listed building; however it has been identified as making a positive contribution to the Dartmouth Park Conservation Area.

## Relevant History

**2005/0888/P** – PP granted subject to a S106 legal agreement on 23.6.06 for the redevelopment of existing chapel, Sunday School and nursery hall including partial demolition to Sunday School building to provide new church and nursery accommodation with 14 residential flats within the chapel.

It is important to note that the ownership of the application site has changed since planning permission 2005/0888/P. The site has been sold and is currently owned by two separate parties. The applicants for the purposes of this application own Grove End Lodge and the Highgate Road Chapel.

**2008/3111/P** – PP Granted for amendments to southeastern rear elevation as a variation of planning permission dated 23rd June 2006 (ref. 2005/0888/P) (for the redevelopment of existing chapel; Sunday School and nursery hall including partial demolition to Sunday School building to provide new church and nursery accommodation with 14 residential units within the chapel).

**2009/3320/P** - Amendment to previously approved application 2005/0888/P (granted 23/06/2006). In relation to external alterations including reinstatement of tracery details, alterations to glazed porch, glazed windows and timber doors and widening of balcony facing Manse building. GRANTED 19/10/2009

**2009/4832/P:** Approval of details pursuant to Conditions 3C (Commemorative Stone Protection) , Condition 3E (Roof Vents) and Condition 14 (Ventilation) of planning permission ref 2005/0888/P, dated 23/06/2006 for redevelopment of existing chapel, Sunday School and nursery hall including partial demolition to Sunday School building to provide new church and nursery accommodation with 14 residential units within the chapel. PART GRANTED/PART REFUSED 07/12/2009

## Relevant policies

### London Borough of Camden Unitary Development Plan 2006

B1 – General design principles  
B3 – Alterations and extensions  
B7 - Conservation areas

### Camden Planning Guidance

### Dartmouth Park Conservation Area Statement

## Assessment

Planning consent (2005/0888/P) for the re-development of the existing Chapel, Sunday School and Nursery Hall was granted on 23rd June 2006 with a condition 3d which required *“Details of the proposed rooflight for the Chapel and Nursery Hall buildings, including sizes of lights and installation details demonstrating they will be set flush with the plane of the roof and aligned with the centre of the bay windows. Details submitted should include but not be limited to fully annotated plans, sections and elevations to a scale of 1:20”*.

The design, and in particular the projection, of the proposed rooflights of this highly prominent former church have been the subject of considerable discussion and the details were withdrawn from a previous application (2009/4832/P) for the discharge of condition 3d. The attached informative No. 3, (2009/4832/P) stated *“You are advised that the Council is unable to consider the details submitted in relation to Condition 3D (rooflights) as the information provided does not correspond with the requirements of the condition. This condition states that the rooflights should “be set flush with the plane of the roof”. In order for the Council to consider such details the correct procedure would be to submit an application to vary or remove this condition”*.

“Fakro” conservation roof lights (similar to Velux Conservation rooflights) have already been installed to both pitches of the main chapel roof. The design of the Fakro conservation roof window lights is identical to those proposed in the previous withdrawn details. However the issue remains that the top section of the rooflight frame stands approximately 60mm proud of the new slate roof, contrary to the condition requirement to be “flush”.

The Fakro conservation roof window details also match those installed under a previous discharge of condition relating to the adjacent Sunday School.

This application is to vary the wording of Condition 3d to refer to the rooflight as only being “suitable conservation style” and not flush with the tiles as the previous condition states.

The application provides a justification from the manufacturer which states that “due to the flashing requirements it is not possible to achieve this (flush) in preventing water ingress”. It is understood that there is also an issue with the roof construction, which in the case of a “warm roof deck” requires the rooflight to be positioned so as not to compromise the roof insulation.

The principal of the inclusion of rooflights was established under the original consent 2005/0888/P. At that time the introduction of rooflights were considered to compromise the steep and prominent roof pitches and to visually interrupt their unimpeded slate covering. For this reason a condition stating that the rooflights were to be set flush with the profile of the roof was included in order to minimise the adverse visual impact.

The glazing element of the installed windows is almost flush with the roof profile. The bottom and side rails of the rooflights appear to be virtually flush with the roof profile, but the top rails are approx 50mm proud. Thus the issue to be considered now is the extent of the additional harm caused by the height of the top rail element of the rooflight, above the roof surface. Although the raised section creates a visible shadow, it is considered that the additional harm is proportionately small to the area of the rooflight as a whole. Indeed in long views, this minimal upstand will be barely noticeable. On balance

the additional harm is considered to be only moderate and not sufficient to recommend refusal. Therefore in this particular instance there is no objection to the design.

It should be noted this type of rooflight, with a raised top rail, was granted consent for the conversion of a Listed Grade II building at All Saints Church in Loudoun Road (2007/1631/L and 2006/5558/L).

In conclusion, on consideration of the assessment of the additional harm, the construction justification and the precedent set by an approved listed church conversion elsewhere, there is no objection to the proposed variation of the wording of Condition 3d of 2009/4832/P. It is also considered that the details as supplied are acceptable and sufficient to discharge this varied condition at the same time.