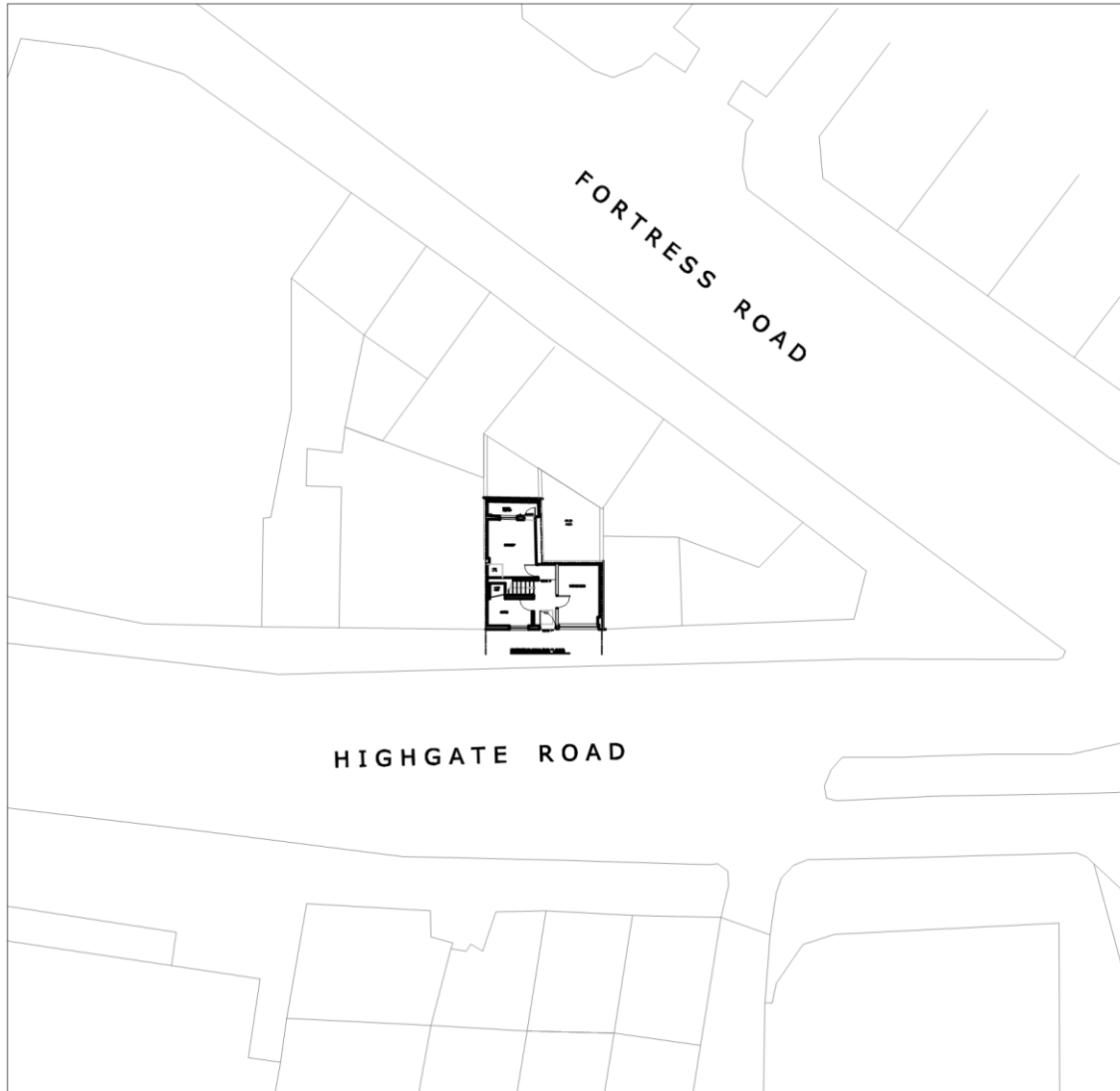


6 Highgate Road NW5

2014/3517/P



EXISTING LOCATION PLAN
SCALE 1:500





Front elevation



Rear of 8 Highgate Rd as seen from 1 Fortress Rd



Rear of application site as seen from 1 Fortress Rd



Rear wing of application site



Gap between application site and 1 Fortess Rd, viewed from side of 2 Highgate Rd

Delegated Report		Analysis sheet		Expiry Date:		22/07/2014	
(Members Briefing)		N/A / attached		Consultation Expiry Date:		27/6 R1- 18/11	
Officer				Application Number(s)			
Charles Thuaire				2014/3517/P			
Application Address				Drawing Numbers			
6 Highgate Road London NW5 1NR				See ddn			
PO 3/4		Area Team Signature		C&UD		Authorised Officer Signature	
Proposal(s)							
Demolition of 2 storey Class D1 surgery and erection of 3 storey building with mansard roof extension comprising ground floor Class D1 surgery and 1 st – 3 rd floors 2-bedroom self-contained Class C3 maisonette.							
Recommendation(s):		Grant permission subject to S106					
Application Type:		Full Planning Permission					
Conditions or Reasons for Refusal:		Refer to Draft Decision Notice					
Informatives:							

Consultations

Adjoining Occupiers:	No. notified	35 R1- 6	No. of responses	06 R1- 2	No. of objections	04 R1- 2
Summary of consultation responses:	<p>No site notice or press advert required.</p> <p><u>Original scheme-</u> Objections to poor shopfront design and fascia size- should match no.8 next door (<i>now revised</i>); harms setting of listed buildings opposite (<i>see para 4.1</i>).. Comments that scheme will provide consistency to front elevations and be a positive addition to streetscene. Objection from owners and their advisors of 1 Fortess Rd to increase height of rear wing on 2 floors and loss of light, air and privacy; no objections to raising height of main building frontage (<i>see section 5</i>). Overdevelopment of corner plot affecting amenities of neighbours at rear despite benefits of infilling gap in streetscene (<i>see paras 4 and 5</i>).</p> <p><u>Revision R1-</u> Comments on accuracy of plans and details of design (<i>condition will be imposed to ensure materials and sash window design to match next door</i>); query on solar panels (<i>these are not proposed now</i>); comment on level threshold access (<i>this is provided</i>); Objections from owners of 1 Fortess Rd to roof extension with rear windows and consequent loss of light, air and privacy (<i>see paras 5.3-5</i>); Request for condition preventing use of flat roof as amenity roof terrace (<i>see para 5.5</i>). Objection from another resident to overdevelopment and rear windows and impact on neighbours (<i>see paras 4 and 5</i>)</p>					
CAAC/Local groups* comments: *Please Specify	-					

Site Description

The site comprises a two storey L-shaped building fronting onto Highgate Road. It is currently vacant but last used as a dental practice (Class D1). The two adjoining buildings on either side and to the rear of the site (No's 4 & 8a Highgate Road and No's 1 & 1a Fortess Road) have commercial uses on the ground and residential apartments on the upper floors. The site is not located within a conservation area, but it is directly opposite six Grade II listed buildings (The Forum, Bull and Gate Public House and Nos. 1- 7 Highgate Road).

Relevant History

Application submitted ref 2013/2347/P for Erection of additional 2nd storey plus mansard roof extension to provide a 2-bed self-contained flat, alterations to front elevation including new brick facade and replacement ground floor shopfront and new windows and doors to rear and front elevations.

Withdrawn in July 2013 due to officer concerns at loss of outlook and light to properties at rear.

Relevant policies

Local Development Framework

Core Strategy

- CS1 (Distribution of growth)
- CS5 (Managing the impact of growth and development)
- CS6 (Providing quality homes)
- CS11 (Promoting sustainable and efficient travel)
- CS14 (Promoting high quality places and conserving our heritage)
- CS18 (Dealing with our waste and encouraging recycling)
- CS19 (Delivering and monitoring the Core Strategy)

Development Policies

- DP2 (Making full use of Camden's capacity for housing)
- DP6 (Lifetime homes and wheelchair housing)
- DP16 (The transport implications of development)
- DP17 (Walking, cycling and public transport)
- DP18 (Parking standards and limiting the availability of car parking)
- DP19 (Managing the impact of parking)
- DP24 (Securing high quality design)
- DP25 (Conserving Camden's heritage)
- DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance

The London Plan 2011

National Planning Policy Framework 2012

Assessment

1. Proposal-

1.1 This scheme follows on from an earlier scheme submitted and later withdrawn in 2013 following officer concerns (see history above). The resubmitted scheme was effectively the same involving a 1st and mansard 2nd floor extension over both the main building and the rear wing to provide a new flat above the surgery but the 2nd floor had a bevelled roof profile at its rear in an attempt to reduce the impact on properties at the rear.

1.2 Revisions- following neighbour objections and concerns by officer on site, the scheme has been revised further to remove the proposed 1st and 2nd floors on the rear wing, create a different mansard profile to the 2nd floor on the main building, omission of proposed surgery storage and kitchen on the 1st floor and replacement by residential, internal changes to the layout and external changes to the front elevation design.

1.3 The revised scheme thus involves the following - Erection of 1st and 2nd floor roof extension over main frontage building, with the 2nd floor having a mansard profile and 2 dormer windows each at front and rear to match that next door at no.8; creation of new shopfront on ground floor with new residential side entrance and fascia signs; new front elevation in brick with sash windows; reduction of surgery from ground and 1st floors to only ground floor; creation of new 2 bedroom 3 person maisonette on 1st-3rd floors.

1.4 The agent has since decided that, given the scale of works involved, it would be easier to demolish the whole building and rebuild a new one rather than partly demolish and rebuild above the 1st floor, thus the description of works has been changed to refer to redevelopment rather than extensions and alterations. The scheme's size and design otherwise remains exactly the same.

2. Landuse-

2.1 The surgery (approx. 65.5m²) is currently vacant and the dentist has retired. The existing layout has a surgery room, office and waiting room at ground floor and large storage rooms and kitchen at 1st floor. The proposal is to rationalise this to just the ground floor with a surgery room plus small reception/waiting room. Although there is a significant reduction in floorspace by half of the existing amount, the new layout on one floor is more efficient with less unnecessary storage space and it does not result in loss of actual usable surgery space. The proposal with overall approx.30m² Class D1

space is acceptable and will continue to provide a viable surgery for one doctor or dentist.

2.2 The new residential unit over 3 floors is now more rationally laid out; it is 3 person sized at approx. 85m² with a double and single bedroom and complies with CPG standards on flat and room sizes. It has adequate daylight, ventilation, headroom and it complies with lifetime homes standards where appropriate and possible, given the constraints of a building of this nature. It complies with the LDF policy DP5 priority for 2 bedroom units. However given the constraints of the site, no dedicated storage space is possible for refuse or cycles at ground floor.

3. Transport-

3.1 The site is in a CPZ and a highly accessible area with PTAL rating of 6b (excellent), thus the flat will need to be car-free which can be secured by S106. The applicant is agreeable to this.

4. Design-

4.1 The existing building is 2 storeys high sandwiched between higher 4 storey buildings on either side. The proposal is to match the recently built building at no.8 which has shop at ground floor and flats above with the 3rd floor in a mansard. The proposed height and bulk is thus acceptable and infills an uncharacteristic gap in the streetscene and will not harm the setting of listed buildings opposite. The facade has been revised to improve the proportions and detailed design of the shopfront and fascia sign, so that they match the adjoining ones. The upper floors will have matching sash windows, dormer windows, slated mansard and brick facade to align with no.8. The front mansard in particular, with its 70 degrees pitch and dormer windows' design, is identical to that of the next door one. The bulk and design are now considered acceptable and will enhance the streetscene; conditions will be imposed to ensure matching materials and matching window design.

5. Amenity-

5.1 The building is on a small triangular site enclosed by 2a Highgate Rd to the side and 1 Fortess Rd to the rear, angled away, and thus the site is constrained in terms of the need to maintain amenity to neighbours. No.2a has side windows serving bathrooms and hallways thus would not be harmed in terms of daylight, outlook or privacy. However the rear windows of no.1, notably the two 1st and 2nd floor bedrooms, would be affected as they face the rear facade at 3m away. The other 3 windows serve kitchens and a hallway and thus are not important.

5.2 The previous scheme with additional floors on the rear wing would have seriously affected the daylight to these rooms of 1 Fortess Rd- a daylight study submitted showed that the 1st floor window would experience a significant reduction of daylight (by 31.5% from existing), contrary to recommendations of the national BRE daylight guide which allows for a 20% reduction with any further reductions being noticeable (although the flat does have an unaffected east facing bedroom and lounge). The 2nd floor window however would only see a marginal reduction which is acceptable. The original scheme also would result in serious loss of outlook from the lower window due to the proximity of the rear wing extension.

5.3 Outlook- The revised scheme with omission of the rear wing extension now removes the proximity of this to the rear façade of 1 Fortess Rd, so that the main rear facade will be further set back from the adjoining rear facade of 8 Highgate Rd. Although the new extension above the main building would inevitably lose the flats' view across the existing rooftops to the other side of Highgate Rd, it would be unreasonable to refuse an infill roof extension for this reason; the new outlook to a 2nd floor façade and mansard roof with windows would be no worse than that experienced by the neighbouring property in Fortess Rd facing the rear of 8 Highgate Rd which was allowed to have additional floors in 2005. It is thus concluded that there would not be an unreasonable increased sense of enclosure caused by the extension.

5.4 Light- The removal of the rear extension also means that the loss of daylight would be much less severe and again would be similar to that experienced by the flat next door at 2 Fortess Rd. Although a revised daylight study has not been submitted, it is likely that the degree of loss to the worse affected 1st floor bedroom window would be now within the 20% limit allowed by the BRE

recommendations.

5.5 Privacy- The new windows proposed at the rear serve a kitchen, bathroom and hall and are less than 18m away from 1 Fortess Rd, thus would need to be obscure glazed to prevent any overlooking. This would not affect the rooms' outlook, given their function, and would be secured by condition. There is no intention to create a roof terrace on the rear flat roof but nevertheless, to prevent serious overlooking and noise nuisance, a condition will be imposed to prevent this.

6. CIL

6.1 The applicant is liable for the Mayor of London's CIL as it provides one unit of residential accommodation. Based on the MoL's CIL charging schedule and the information given on the plans the charge is likely to be £4250 (85m² x £50). This will be advised by informative.

7. Recommendation- grant permission subject to S106 on car-free.

Decision route to be decided by nominated members on 15th December 2014. For further information please go to www.camden.gov.uk and search for 'members briefing'

J J Solutions
16 Wren Avenue
London
NW2 6UHApplication Ref: **2014/3517/P**

11 December 2014

Dear Sir/Madam

DRAFT
FOR INFORMATION ONLY - THIS IS NOT A FORMAL DECISION
Town and Country Planning Act 1990 (as amended)**DECISION SUBJECT TO A SECTION 106 LEGAL AGREEMENT**Address:
6 Highgate Road
London
NW5 1NR**DECISION**
Proposal:
Demolition of 2 storey Class D1 surgery and erection of 3 storey building with mansard roof extension comprising ground floor Class D1 surgery and 1st – 3rd floors 2-bedroom self-contained Class C3 maisonette.

Drawing Nos: SSC 1000/LOC01, PL01 (existing), PL02A (proposed elevations), PL02B (proposed floorplans), PL03A (proposed side elevations), PL04A (sections)

The Council has considered your application and decided to grant permission subject to the conditions and informatives (if applicable) listed below **AND** subject to the successful conclusion of a Section 106 Legal Agreement.The matter has been referred to the Council's Legal Department and you will be contacted shortly. If you wish to discuss the matter please contact **Aidan Brookes** in the Legal Department on **020 7 974 1947**.

Once the Legal Agreement has been concluded, the formal decision letter will be sent to you.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the adjoining building at 10 Highgate Road; all new windows shall match the sash windows at 10 Highgate Road in terms of size, design and method of opening.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 of the London Borough of Camden Local Development Framework Development Policies.

- 3 The 2nd floor flat roof of the rear wing shall not be used as an amenity terrace to the new maisonette.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 4 Prior to occupation of the new maisonette, the proposed windows on the rear elevation on 1st, 2nd and 3rd floors shall be obscure glazed and fixed shut up to a point 1.7m above floor level. The windows shall be permanently maintained as such thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

- 5 The development hereby permitted shall be carried out in accordance with the following approved plans- PL02A (proposed elevations), PL02B (proposed floorplans), PL03A (proposed side elevations), PL04A (sections).

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

Informative(s):

- 1 Your proposals may be subject to control under the Building Regulations and/or the London Buildings Acts which 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, Argyle Street WC1H 8EQ, (tel: 020-7974 6941).

- 2 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 are advised to consult the Council's Compliance and Enforcement team [Regulatory Services], Camden Town Hall, Argyle Street, WC1H 8EQ (Tel. No. 020 7974 4444 or on the website <http://www.camden.gov.uk/ccm/content/contacts/council-contacts/environment/contact-the-environmental-health-team.en> or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
- 3 The Mayor of London introduced a Community Infrastructure Levy (CIL) to help pay for Crossrail on 1st April 2012. Any permission granted after this time which adds more than 100sqm of new floorspace or a new dwelling will need to pay this CIL. It will be collected by Camden on behalf of the Mayor of London. Camden will be sending out liability notices setting out how much CIL will need to be paid if an affected planning application is implemented and who will be liable.

The proposed charge in Camden will be £50 per sqm on all uses except affordable housing, education, healthcare, and development by charities for their charitable purposes. You will be expected to advise us when planning permissions are implemented. Please use the forms at the link below to advise who will be paying the CIL and when the development is to commence. You can also access forms to allow you to provide us with more information which can be taken into account in your CIL calculation and to apply for relief from CIL.

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

We will then issue a CIL demand notice setting out what monies needs to paid when and how to pay. Failure to notify Camden of the commencement of development will result in a surcharge of £2500 or 20% being added to the CIL payment. Other surcharges may also apply for failure to assume liability and late payment. Payments will also be subject to indexation in line with the construction costs index.

Please send CIL related documents or correspondence to CIL@Camden.gov.uk

- 4 You are advised that this proposal will be liable for the Mayor of London's Community Infrastructure Levy (CIL) as the additional floorspace exceeds 100sqm GIA or one unit of residential accommodation. Based on the Mayor's CIL charging schedule and the information given on the plans, the charge is likely to be £4250 (85sqm x £50). This amount is an estimate based on the information submitted in your planning application. The liable amount may be revised on the receipt of the Additional Information Requirement Form or other changing circumstances.
- 5 Your proposals may be subject to control under the Party Wall etc Act 1996 which covers party wall matters, boundary walls and excavations near neighbouring buildings. You are advised to consult a suitably qualified and experienced Building

Engineer.

- 6 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk).
- 7 Your attention is drawn to the fact that there is a separate legal agreement with the Council which relates to the development for which this permission is granted. Information/drawings relating to the discharge of matters covered by the Heads of Terms of the legal agreement should be marked for the attention of the Planning Obligations Officer, Sites Team, Camden Town Hall, Argyle Street, WC1H 8EQ.
- 8 You are reminded of the need to provide adequate space for internal and external storage for waste and recyclables. For further information contact Council's Environment Services (Waste) on 020 7974 6914/5 or see the website <http://www.camden.gov.uk/ccm/content/environment/waste-and-recycling/twocolumn/new-recycling-rubbish-and-reuse-guide.en>.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

Yours faithfully

Culture and Environment Directorate

DECISION