

# 2018/3223/P- 35 Hillway, N6 6AH



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1. Front of building



**2. Front elevation**



**3. Rear elevation**





**4. 33 Hillway rear elevation**



5. 35, 37. 39 rear elevations



6. Existing side garage





**7. Existing side elevation (first floor)**





**8. Rear view from building**

<b>Delegated Report</b>		<b>Analysis sheet</b>	<b>Expiry Date:</b>	<b>16/10/2017</b>
		N/A	<b>Consultation Expiry Date:</b>	<b>04/10/2017</b>
<b>Officer</b>			<b>Application Numbers</b>	
Samir Benmbarek			2018/3223/P	
<b>Application Address</b>			<b>Drawing Numbers</b>	
35 Hillway London N6 6AH			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>				
Erection of front porch; single storey side extension and rear extension; formation of rear terrace at first floor level and installation of solar thermal panels and 3x rooflights to dwellinghouse following demolition of existing front porch and garage				
<b>Recommendation:</b>	<b>Grant Conditional Permission</b>			
<b>Application Type:</b>	<b>Householder Permission</b>			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
<b>Consultations</b>						
Adjoining Occupiers:			No. of responses	00	No. of objections	01
Summary of consultation responses:	<p>2x site notices were displayed in close proximity to the site from 08/08/2018 (expiring on 01/09/2018).</p> <p>To date, one objection has been received from the following address:</p> <ul style="list-style-type: none"> <li>• 33 Hillway</li> </ul> <p>Their comments are as summarised below:</p> <ol style="list-style-type: none"> <li>1. The proposed south facing dormer would lead to overlooking into the second floor of No. 33.</li> <li>2. Objection to the proposed gable extension and the proposed rear gable end window would overlook into the garden, invading the neighbouring occupiers privacy.</li> <li>3. Objection to the proposed first floor rear terrace due to overlooking and increased acoustics.</li> <li>4. Plans provided are inaccurate.</li> <li>5. Objection to the rear extension which would be overbearing and would restrict light and airflow to the patio and conservatory and increased acoustic reverberation.</li> <li>6. The shared boundary wall may not be able to cope with the additional loads.</li> <li>7. Structural design of the wall and if this is taken place within the applicant's demise.</li> </ol> <p>Officer's Comments:</p> <ol style="list-style-type: none"> <li>1. <i>The dormer window has been omitted from the proposal. Please refer to paragraph 1.2 and 3.3 of this report.</i></li> <li>2. <i>The roof extensions have been omitted form the proposal. Please refer to paragraph 1.2 and paragraph 2.9 of this report.</i></li> <li>3. <i>Please refer to paragraph 3.4 of this report.</i></li> <li>4. <i>The plans provided reflect the positioning of the building with neighbour buildings including its topography. A site visit was conducted by the case officer to gain a better understanding of the site.</i></li> <li>5. <i>The rear extension has been amended to not appear as overbearing in relation to the host building and neighbouring amenity. Please refer to paragraph 1.2 and paragraph 3.6 of this report. It is considered the proposal would not cause an adverse impact upon airflow and acoustics.</i></li> <li>6. <i>Structural concerns are not a material planning consideration. Advice on this can be sought from Building Control or a structural engineer.</i></li> <li>7. <i>All aspects of the development are within the applicant's demise.</i></li> </ol>					

**CAAC/ National Amenity  
Society comments:**

The Holly Lodge CAAC were formally consulted. They responded, objecting to the scheme, with their comments summarised below:

1. The proposed dormer windows should be amended to be more sympathetic the host building and surrounding area and the south dormer should be omitted from the proposal.
2. The proposed terrace should be refused as it leads to overlooking to No. 33 Hillway.
3. The proposed rear extension should be shallower in depth and part-width to not be overbearing towards No. 33 Hillway.
4. The side extension and front porch should be detailed to match that of the rest of the dwelling house

Officer's Comments:

1. *Please refer to paragraph 1.2 and 2.9 of this report.*
2. *Please refer to paragraph 3.4 of this report.*
3. *Please refer to paragraph 1.2 and 3.6 of this report.*
4. *A condition will be attached upon approval to request further details. Please refer to paragraph 2.6 and 2.8 of this report.*



## Site Description

The application relates to a two storey detached dwelling house located on the eastern side of Hillway. The building is located within the Holly Lodge Estate Conservation Area and is described as a building that makes a positive contribution to the conservation area. It is not a listed building. The building is also located within the geographical area covered by the Highgate Neighbourhood Forum.

The topography of the vicinity is sloping with the neighbouring sites being at different ground levels than the subject site. No. 33 has a ground level that is 1.9m beneath that of the application site while the ground level of No. 37 is 1.2m higher than the application site.

## Relevant History

### No. 33 Hillway:

No planning application history.

### No. 37 Hillway:

No relevant planning application history.

## Relevant policies

### **National Planning Policy Framework, 2018**

### **Draft London Plan 2017**

### **Camden Local Plan 2017**

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

CC1 (Climate change mitigation)

CC2 (Adapting to climate change)

### **Camden Supplementary Planning Guidance**

CGP1 Design (Updated March 2018)

CPG3 Sustainability (Updated March 2018)

CPG Amenity

### **Holly Lodge Estate Conservation Area Appraisal and Management Strategy 2012**

### **Highgate Neighbourhood Plan 2017**

DH2 (Development proposals in Highgate's Conservation Areas)

DH3 (Rear extensions)

DH4 (Side extensions)

DH5 (Roofs and roofscape)

### 1. Proposal

1.1 Permission is sought for the following:

- Single storey rear extension to feature green roofing;
- Erection of single storey side extension following demolition of existing garage;
- Erection of front porch;
- Formation of first floor rear terrace and associated alterations;
- Installation of rooflights to roof;
- Installation of solar panels to roof.

1.2 Revisions to the scheme were sought during the course of the application. These were namely to omit the roof alterations and extensions which consisted of 2x dormer windows and a hip to gable roof extension. This is as it is considered by the Council that the introduction of dormer windows and the roof extension to the host building would be incongruous additions that would harm the character and appearance of the building are wider row of buildings (which make up a largely unimpaired roofscape) and could set a harmful precedent to this terrace.

1.3 Further amendments were sought to reduce the height of the rear extension which would reduce its bulk and impact in conjunction in the change in ground levels upon the neighbouring occupiers at No. 33 Hillway in regards to outlook from the conservatory of No. 33. As stated in paragraph 1.2, the height of the extension is 3.2m.

1.4 The proposed rear extension would measure 3.2m in height from ground level and would be at a maximum depth of 5.6m from the (inset) rear elevation of the host building. It would feature a raised rooflight and be constructed of stick brick with a white render finish. The raised rooflight would be 0.4m in height from the roof of the extension and would be set in 1.7m from the rear elevation, 1.0m from the boundary with No. 33 and 3.7m from the boundary with No. 35.

1.5 The proposed side extension would be 3.2m in height and be at a depth of 10.3m, being set back from the front elevation of the dwelling house by 5.0m. The side extension would feature 3x rooflights.

1.6 To provide accommodation within the existing roof, rooflights have been included within the revised proposal.

1.7 The main issues for consideration are:

- Design and Conservation
- Neighbour Amenity
- Sustainability

### 2. Design

2.1 The Council's design policies are aimed at achieving the highest standard of design in all

developments. The following considerations contained in policy D1 are relevant to the application; development should consider the character, setting, context and the form and scale of neighbouring buildings, and the quality of materials used. Policy D2 will preserve, and where appropriate, enhance Camden's diverse assets and their settings including conservation areas.

- 2.2 CPG1 (Design) recommends alterations and/or extensions to take into account the character and design of the host building and surroundings. Windows, doors and materials should complement the existing building and rear extensions should be secondary to the main building.
- 2.3 The Holly Lodge Estate Conservation Area Appraisal and Management Strategy details that extensions should be in harmony with the original form and character of the building and the historic form of pattern of extensions within the group of buildings. Side extensions should be single storey and be set back from the front building line in order for the dwelling house to still be read as a detached house. Roof alterations would be resisted where the roof slope is highly visible from the public realm and are prominent in long views.
- 2.4 Within the preceding context, the proposed single storey rear extension is considered acceptable in its scale, form, design and relationship to the host building and that of the terrace of buildings of which it forms a part. The scale of the proposed rear extension is considered as secondary and subordinate to the host building and does not dominate or compete with the host building. Its location at the rear of the building result in no impact to the building when viewed from the front and the proposed rear extension would retain a majority of the existing rear garden space. At the rear (as viewed from Langbourne Avenue), the extension would be visible in some aspects but would be viewed as subordinate to the dwelling house. The proposed raised rooflight is considered as appropriate in this instance in its design.
- 2.5 The proposed single storey side extension is considered acceptable in its design, scale and form. The proposed side extension would also be secondary and subordinate to the host building. Although developed further forward along the driveway, it retains a considerable amount of front driveway/front amenity space (in comparison to neighbouring buildings). Furthermore, the host building as result of the proposal would be read as a detached dwelling house with a side garage in the same manner as the existing, due to being set back from the front elevation.
- 2.6 The rear and side extensions would be constructed of stock brick with a white render finish to match the existing detailed design of the host building. The proposed windows and doors would be constructed of white timber framing with the front "garage doors" being of timber in reference to the neighbouring side garage/extension doors within the vicinity. A condition will be attached upon approval to require further details to the garage door. The proposed rooflights are considered to be acceptable in its quantity and scale and due to its position upon a flat roof would not be visible from any public views.
- 2.7 The proposed front porch is considered to be appropriate in its design, character and scale and does not dominate the host building. Along the streetscene, there is no uniformity within the entrances of the buildings, but the proposed porch is considered to be sympathetic to the surrounding area and takes relevance from neighbouring porches within its design. The proposed porch would be constructed using the white render finish and clay tiles that match the existing materials of the building. It is considered that the design would overall enhance the building.
- 2.8 At the rear of the building at first floor level, an amenity terrace would be formed above the proposed rear extension. In association with this, the existing rear windows would be altered to form access doors onto the terrace. This is considered appropriate as the proposed alterations to the windows are of the same appearance as the existing and this change wouldn't be noticeable when viewing the building from the rear along Langbourne Avenue. The proposed railings and planting are also considered acceptable in its design subject to further details

which will be secured by condition upon approval.

- 2.9 The quantity, design and location of the proposed rooflights and solar panels are considered acceptable. The solar panels and the majority of the rooflights would be located along the side roof slopes of the building. 1x rear rooflight would be featured which would be flushed against the rear roof slope and is considered acceptable in its design.
- 2.10 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the Conservation Area, under s.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. Overall the proposals would preserve the character and appearance of the conservation area.

### **3. Neighbour Amenity**

- 3.1 Within the Camden Local Plan policies, policy A1 ensures that development does not cause adverse amenity impacts upon neighbours in terms of sunlight, daylight, privacy and overlooking, noise and vibration and odour. Furthermore, A4 seeks to protect development from noise sensitivity or neighbouring occupiers from potential noise generation from development.
- 3.2 The site is neighboured by residential dwelling houses that need to be taken into regard when assessing impacts of amenity. In particular the neighbouring occupiers of concern is No. 33 Hillway which is at a lower ground level than the host building (1.9m less).
- 3.3 It is considered that the alterations at roof level would not cause undue harm upon the amenity of neighbouring occupiers by virtue of its position upon the roof and the minimal scale of the alterations. Due to the positioning and location of the rooflights upon the southern roof slope, there would be no overlooking from the existing side dormer window at No. 33 Hillway.
- 3.4 The proposed rear first floor amenity terrace would not cause any undue harm in regards to overlooking into No. 33 Hillway as screening has been proposed within the development. A condition will be attached to ensure that this screening will be erected prior to use of the rear terrace. It should also be noted that views into rear gardens are commonplace within residential settings and the terrace would be allowing those same views. The proposed terrace is further considered to cause any undue harm in regards to other aspects of neighbouring amenity.
- 3.5 The proposed side extension is not considered to lead to adverse amenity impacts due to its location at the side of the building. The adjoining building, No. 37 Hillway has no side facing windows which look onto the side extension.
- 3.6 Due to the change in the ground level, the proposed rear extension would be viewed as being at a height of 5.1m from the ground level of No. 33 Hillway. However, due to the location of the existing side conservatory structure at No. 33 and the moderate height of the rear extension, it is considered in this instance the outlook from No. 33 Hillway would not be adversely impacted by the erection of the rear extension.
- 3.7 As No. 33 is also located south of the application site, it is further considered that sunlight and daylight would not be adversely impacted by the rear elevation. No windows are proposed along the side elevation resulting in no overlooking into No. 33. The rear extension is considered to not impact upon the amenity of the other adjoining residential occupiers.

### **4. Sustainability**

- 4.1 The proposal includes the installation of solar photovoltaic (PV) panels upon the southern roof slope of the building. This is welcome by the Council although further details of the PV panels are required such as the located; extent and orientation of the panels. These details will be



secured by condition upon the granting of planning permission.

## **5. Recommendation**

Grant planning permission.

### **DISCLAIMER**

*The decision to refer an application to Planning Committee lies with the Director of Regeneration and Planning. Following the Members Briefing panel on Monday 15<sup>th</sup> October 2018, nominated members will advise whether they consider this application should be reported to the Planning Committee. For further information, please go to [www.camden.gov.uk](http://www.camden.gov.uk) and search for 'Members Briefing'.*



Application ref: 2018/3223/P  
Contact: Samir Benmbarek  
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Date: 9 October 2018

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# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Householder Application Granted

Address:  
**35 Hillway**  
**London**  
**N6 6AH**

# DECISION

Proposal:

Erection of front porch; single storey side extension and rear extension; formation of rear terrace at first floor level and installation of solar panels and 3x rooflights to dwellinghouse following demolition of existing front porch and garage

Drawing Nos: 1809\_E001; 1809\_E002; 1809\_E003; 1809\_E004; 1809\_E005; 1809\_E006;  
1809\_E007; 1809\_E008; 1809\_E009; 1809\_E010; 1809\_E011; 1809\_E012; 1809\_E013;  
1809\_A001\_B; 1809\_A002\_D; 1809\_A003\_D; 1809\_A004\_D; 1809\_A005\_C;  
1809\_A006\_D; 1809\_A007\_C; 1809\_A008\_C; 1809\_A009\_C; 1809\_A010\_C;  
1809\_A011\_C.

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 All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 [and D2 if in CA] of the London Borough of Camden Local Plan 2017.

- 3 The development hereby permitted shall be carried out in accordance with the following approved plans:

1809\_E001; 1809\_E002; 1809\_E003; 1809\_E004; 1809\_E005; 1809\_E006;  
1809\_E007; 1809\_E008; 1809\_E009; 1809\_E010; 1809\_E011; 1809\_E012;  
1809\_E013; 1809\_A001\_B; 1809\_A002\_D; 1809\_A003\_D; 1809\_A004\_D;  
1809\_A005\_C; 1809\_A006\_D; 1809\_A007\_C; 1809\_A008\_C; 1809\_A009\_C;  
1809\_A010\_C; 1809\_A011\_C.

Reason:

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

- 4 Before the relevant part of the work is begun, 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:

Drawings at 1:20 of the garage door of the side extension and the proposed rear doors at first floor level (in association with the terrace) and the proposed balustrading.

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- 5 Before the relevant part of the work is begun, detailed plans showing the location and extent of photovoltaic cells to be installed on the building shall have been submitted to and approved by the Local Planning Authority in writing. The measures shall include the installation of a meter to monitor the energy output from the approved renewable energy systems. The cells shall be installed in full accordance with the details approved by the Local Planning Authority and permanently retained and maintained thereafter.

Reason: To ensure the development provides adequate on-site renewable energy facilities in accordance with the requirements of Policy G1, CC1 and CC2 of the London Borough of Camden Local Plan 2017.



- 6 The use of the first floor terrace shall not commence until the screen, as shown on the approved drawings, has been constructed. The screen shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.

Informative(s):

- 1 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).
- 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 Noise and Licensing Enforcement Team, Camden Town Hall, Judd St, Kings Cross, London NW1 2QS (Tel. No. 020 7974 4444 or search for 'environmental health' on the Camden website 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.

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.

You can find advice about your rights of appeal at:

<http://www.planningportal.gov.uk/planning/appeals/guidance/guidancecontent>

Yours faithfully

Director of Regeneration and Planning