

98 Highgate West Hill, N6 6NR  
Ref. 2020/1909/P



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1 (Above): Pre-existing (prior to the works) house, front elevation



2 (Above): Historic aerial photo





3 (Above): Newly built dormer



4 (Above): View adjacent to no. 97



5 (Above): As built roof from front



6 (Above): Previous view from 97 Highgate West Hill loft level side stairwell window towards St Anne's Church



7 (Above): Current view from 97 loft level side stairwell window towards St Anne's Church

<b>Delegated Report</b> (Member's Briefing)		Analysis sheet		Expiry Date:	26/06/2020
		N/A		Consultation Expiry Date:	14/06/2020
Officer				Application Numbers	
Thomas Sild				2020/1909/P	
Application Address				Drawing Numbers	
98 Highgate West Hill London N6 6NR				Refer to draft decision notice	
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
<b>Proposals</b>  Variation to Condition 3 (Approved drawings) of planning permission 2017/5939/P granted 18 December 2017 (for erection of single storey lower ground floor rear extension, first floor rear part infill extension, rear and side dormer roof extensions; installation of four rooflights to the side roof slope; infill of first floor south side facing window and addition of first floor obscure glazed north side facing window) namely to allow minor changes to the roof form alignment					
Recommendation:		Grant Conditional Planning Permission – Minor Material Amendment			
Application Type:		S73 - Minor Material Amendment			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice			
Informatives:				
Consultations				
Adjoining Occupiers:	No. of responses	2	No. of objections No. in support	1 1
Summary of consultation responses:  (Officer response in italics)	Site notices were displayed on 19/05/2020 (expiring on 12/06/2020) and a press notice was displayed on 21/05/2020 (expiring on 14/06/2020).			
	<u>97 Highgate West Hill - Objection</u> Summary of objection issues <ul style="list-style-type: none"><li>• The plans do not accurately reflect the as built situation; the roof ridge has been built higher than indicated; the eaves have been raised; the splay has been lost; the new dormer has been built higher and not in the permitted position; a soil pipe has been introduced</li><li>• The proposals cause an overbearing effect and loss of daylight and outlook has deteriorated</li><li>• Allowing this would create a precedent</li></ul> <b>Officer response:</b> <ol style="list-style-type: none"><li>1. <i>There is dispute between parties (i.e. the applicant and residents) over the built situation and accuracy of the roof height. This application seeks permission for the development to match the revised drawings. The lawfulness/conformance of the final built form may be investigated by the Council's Planning Enforcement team if planning permission is granted and implemented. This application should be assessed based on the merits of the proposed amendments and whether they are an acceptable revision to the consented scheme. The splay, dormer height and soil pipe issues have all been addressed during the course of this application and a new position of the eaves proposed.</i></li><li>2. <i>The proposed amendment is not considered to significantly impact neighbour amenity. See section on amenity within the main body of the officer report (below).</i></li><li>3. <i>This application is assessed on its own merits relating only to its site specific context and planning history.</i></li></ol> <u>99 Highgate West Hill - Support:</u> Summary of comments: <ul style="list-style-type: none"><li>• Works have been carried out to a good standard</li><li>• Difference in height to previous is not apparent</li><li>• No objection to the re-instatement of splayed eaves</li></ul> <b>Officer response:</b> N/A			



Holly Lodge Conservation Area Advisory Committee - Objection

Summary of comments:

- Reinstatement of eaves welcomed however disputes whether the proposed design can be achieved
- Eaves raised and widened
- Height of roof ridge has been raised further than indicated – photographs supplied showing difference in visibility of distant landmarks from neighbour's loft stairwell window
- Main roof ridge has been lengthened at both ends
- Welcomes amendment to reduce the height of dormer however believes this should be set back 12cm further to match the originally approved drawings
- South side extension has been erected

Officer response:

- *This application is assessed on the merits of the proposal.*
- *The eaves have been widened and raised. See section on design and heritage impact within the main body of the officer report (below).*
- *There is dispute between parties over the built situation and accuracy of the roof height. This application seeks permission for a revised development, which would be implement in accordance with the revised drawings. Dispute in respect of the final built form may be investigated by Council Planning Enforcement team if it is not implemented in accordance with any approval. This application shall be assessed based on its merits. There has been some minor lengthening to the roof ridges. See section on design and heritage impact within the main body of the officer report (below).*
- *The dormer roof form has been amended and the height has been reduced. Given the substantial setback from the eaves and sizeable roof apron relative to comparable dormers on adjacent houses the proposed size and position of the amended dormer is considered acceptable.*
- *This extension has been omitted from this amendment application and will need to considered separately (if applied for).*

**Public interest group  
comments:**

## Site Description

The application relates to a detached two-storey (plus loft level) dwellinghouse situated in the Holly Lodge Conservation Area.

The house is noted as a positive contributor to the surrounding conservation area.

## Relevant History

### Planning

- **18 December 2017 - 2017/5939/P – Granted** - Erection of single storey lower ground floor rear extension, first floor rear part infill extension, rear and side dormer roof extensions; installation of four rooflights to the side roof slope; infill of first floor south side facing window and addition of first floor obscure glazed north side facing window.

### Enforcement

- **5 March 2020 - EN20/0194** – Complaint logged in respect of alleged planning breach. Roof and dormer not matching approved drawings. Enforcement case is ongoing and will continue to monitor the case until resolved.

## Relevant policies

### National Planning Policy Framework 2019

### The London Plan 2016

### The New London Plan - Intend to Publish Version 2019

### Camden Local Plan 2017

A1 (Managing the impact of development)

D1 (Design)

D2 (Heritage)

CC2 (Adapting to climate change)

### Camden Planning Guidance

Amenity (2018)

Design (2019)

Altering and extending your home (2019)

### Holly Lodge Estate Conservation Area Statement

### Highgate Neighbourhood Plan

## Assessment

### 1. Background

1.1 The previous planning application sought permission for the erection of a rear-facing, a side-facing dormer and installation of 4 roof lights. No other changes to the pre-existing roof form were indicated.

1.2 Following completion of the roof works and removal of scaffolding in March 2020, the Council



was made aware that the works had not been completed in accordance with the approved drawings as specified in permission 2017/5939/P.

1.3 An entirely new roof has been constructed and the form does not fully replicate the original roof form and dimensions.

1.4 The applicant has subsequently submitted this application to vary the approved drawings condition.

## 2. Proposal

2.1 This application seeks permission to vary the previously granted planning permission. The variation would alter the 'as-built' roof which is currently in situ and is not considered an acceptable development by reason of its omission of the characteristic splayed eaves feature which are prevalent across the Holly Lodge Estate conservation area.

2.2 The proposed amendments to the approved drawings include the following

- Raising and widening of eaves by approx. 170mm
- Positioning of new side dormer approx. 170mm further to the rear
- Reduction in width of side facing obscure glazed clerestory window by approx. 550mm approx. and positioning approx. 70mm higher
- Increase in height of front gable roof ridge by approx. 190mm
- Correction of side chimney stack which was shown inaccurately on the original drawings and has not been moved
- Lengthening of main roof ridge by approx. 260mm to the front and back

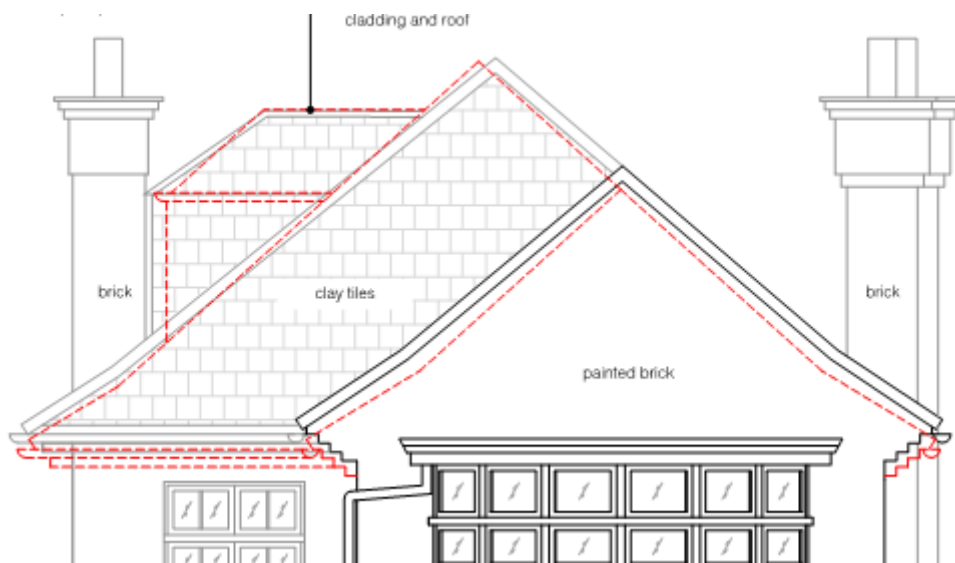
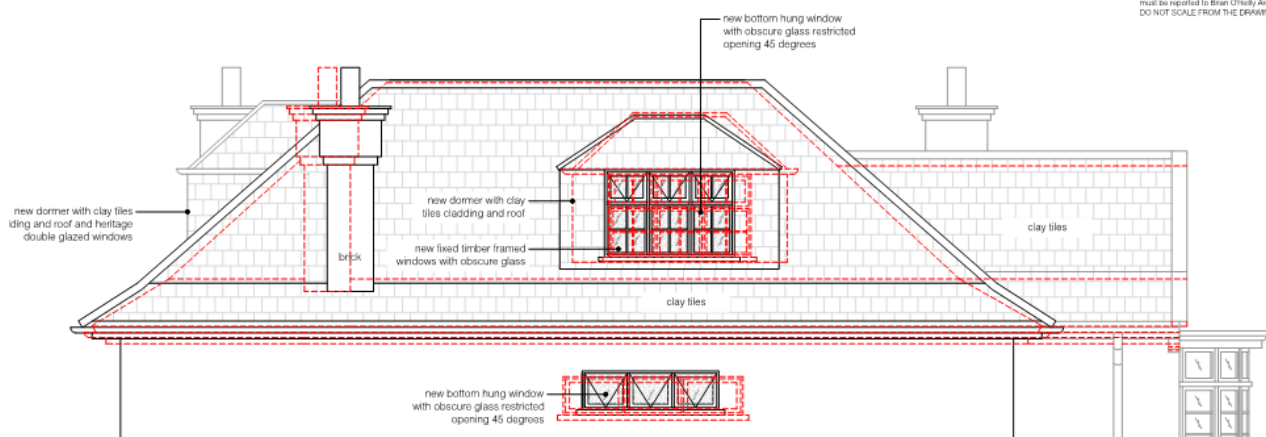


Figure 1: Proposed front elevation (red line denotes previously consented outline)



For these drawings purpose unless other  
consent of Brian O'Reilly Architects.  
All dimensions shown are indication  
checked on site by the contractor. As  
must be reported to Brian O'Reilly Archt  
DO NOT SCALE FROM THE DRAWING.

Figure 2: Proposed side elevation (red line denotes previously consented outline)

### **3. Revisions**

- Following officer assessment, the proposals were revised to lower the top of the side dormer to a level broadly consistent with the previously consented scheme.
- The side chimney stack location has been corrected after being shown incorrectly in the previous approved drawings. The stack has not been altered.

### **4. Assessment**

4.1 The main material planning issues for consideration are:

- Design and heritage
- Neighbour Amenity

### **5. Design and heritage**

- 5.1 The Council's design policies are aimed at achieving the highest standard of design in all development. The following considerations contained within policy D1 are relevant to the application: development should consider the character, setting, context and form and scale of the neighbouring buildings, and the quality of materials to be used. Within areas of distinctive character or adjacent to one, development should reinforce those elements which contribute to and create the character, in line with policy D2.
- 5.2 No 98 forms part of a group of 8 detached houses, the gaps between some of which have subsequently been infilled at ground floor level.
- 5.3 All the houses share the characteristic hipped roof forms as seen across the Holly Lodge Estate but are varied in the arrangement facing treatments, bay window and gable styles. The houses are setback from the road with a fair degree of tree coverage in front gardens, however visibility of the roof forms from the road is possible.
- 5.4 The new roof has been built without the characteristic splay as seen on the original roofs of the Holly Lodge houses. This amendment seeks to correct the as-built form by re-introducing a splay but also involves the raising and widening of the eaves by approx. 170mm on both counts.
- 5.5 This raising and widening of the eaves by the proposed 170mm would be minor variation and not result in harm to the building's appearance and given the set back of the houses, as well as the variety of the frontages of the group, it would not appear visually intrusive.
- 5.6 The amendment seeks to increase the height of the front gable roof ridge by approx. 190mm and the front and rear of the main roof ridge would be extended
- 5.7 The roof materials would remain as clay tiles, in keeping with the surrounding houses. Overall, despite the minor changes in dimensions the roof would preserve the character and appearance of the host building and conservation area.
- 5.8 All the houses in the group, with the exception of no. 95, have added side facing dormer roof extensions. These dormers vary somewhat in size and positioning on the roof slopes. The dormer at no. 98 would be setback 1200mm from the eaves, which is notably further back than the dormers at nos. 96 and 97. The applicant has agreed to remove the as-built pitched top and revert the dormer to a flat hipped top. Overall, the dormer is considered to be a subordinate and appropriate addition to the roof slope that would preserve the character and

appearance of the host building and the conservation area.

5.9 Special regard has been attached to the desirability of preserving or enhancing 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.

## **6. Neighbour Amenity**

6.1 Within the Camden Local Plan policies, policy A1 seeks to ensure that development does not cause adverse amenity impacts upon neighbours in terms of sunlight, daylight, privacy and overlooking, noise, vibration and odour.

6.2 There is dispute over the height of the new roof ridge. Photographs taken from the loft level stairwell window from no. 97 appears to show that visibility of part of St Anne's Church steeple has varied slightly in 'before and after' photographs when viewed above 98's newly completed roof ridge. There has been no impact on views of the church from the public realm.

6.3 CPG Amenity advises that outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is depends on what is being viewed. The view from the loft stairwell window continues to be predominantly that of a roof slope with some glimpses of distant landmarks. Furthermore it should be noted that the specific private view from a property is not protected given this is not a material planning consideration.

6.4 The side dormer is proposed to be 125mm closer to the boundary with no. 99 than originally approved; however, it would retain a setback from the edge of the eaves of approx. 1200mm. No. 97's existing loft stairwell dormer window faces the new dormer and is built noticeably closer to the eaves than the new dormer at no. 88. This window does not serve a principal habitable room and direct impact on daylight through the positioning of the dormer as proposed would not result in a significant direct impact on daylight amenity to the property.

6.5 The proposed dormer windows remain obscurely glazed as previously proposed and it is considered that undue impacts on visual privacy would not occur.

6.6 The side facing clerestory window is smaller than previously consented and remains obscurely glazed. Officers consider that no material impacts on neighbour amenity would arise through this variation.

## **7. Recommendation**

7.1 Grant conditional s73 minor material amendment

## **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 27<sup>th</sup> July 2020, 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: 2020/1909/P  
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Date: 21 July 2020

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# DRAFT

Dear Sir/Madam

## DECISION

Town and Country Planning Act 1990 (as amended)

### Variation or Removal of Condition(s) Granted

Address:

**98 Highgate West Hill  
London  
N6 6NR**

Proposal: Variation to Condition 3 (Approved drawings) of planning permission 2017/5939/P granted 18 December 2017 (for erection of single storey lower ground floor rear extension, first floor rear part infill extension, rear and side dormer roof extensions; installation of four rooflights to the side roof slope; infill of first floor south side facing window and addition of first floor obscure glazed north side facing window) namely to allow minor changes to the roof form alignment

Drawing Nos:

SUPERSEDED:

442-200-P; 442-201-P; 442-203-P; 442-104-P

REVISED:

442-104-E - rev. D, 442-200-E - rev. D, 442-201-E - rev. D, 442-202-E - rev. D, 442-203-E - rev. D; PLANNING/442-200-P\_C - rev. G; PLANNING/442-201-P\_C - rev. G; PLANNING/442-203-P\_C - rev. G; PLANNING/442-204-P\_C - rev. G; PLANNING/442-104-P\_C - rev. G

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 the original planning permission ref 2017/5939/P granted 18 December 2017

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 of the London Borough of Camden Local Plan 2017.

- 3 For the purposes of this decision, condition no.3 of planning permission 2017/5939/P shall be replaced with the following condition:

REPLACEMENT CONDITION 3

The development hereby permitted shall be carried out in accordance with the following approved plans- Site Location Plan, 442-101-E, 442-102-E, 442-103-E, 442-104-E - rev. D, 442-200-E - rev. D, 442-201-E - rev. D, 442-202-E - rev. D, 442-203-E - rev. D, , PLANNING/442-104-P\_C - rev. G, 442-200-E, 442-201-E, 442-202-E, 442-203-E, 442-300-E, 442-301-E, 442-101-P, 442-102-P, 442-103-P, Proposed roof plan 442-104-P\_C - rev. G, proposed west (front) elevation PLANNING/442-200-P\_C - rev. G, proposed east (rear) elevation PLANNING/442-201-P\_C - rev. G, proposed north elevation PLANNING/442-203-P\_C - rev. G, Proposed South Elevation -PLANNING/442-204-P\_C - rev. G; 442-300-P, 442-301-P

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

- 4 No development shall take place until full details of replacement tree planting have been submitted to and approved by the local planning authority in writing. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved. Any tree which, within a period of 5 years from the completion of the development, dies, is removed or becomes seriously damaged or diseased, shall be replaced as soon as is reasonably possible and, in any case, by not later than the end of the following planting season, with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure that the development achieves a high quality of landscaping which contributes to the visual amenity and character of the area in accordance with the requirements of policies A3, D1 and D2 of the London Borough of Camden Local Plan 2017 and policy DH10 of the Highgate Neighbourhood Plan 2017.

- 5 The new north side facing windows shall be obscure glazed, as shown on the approved drawings, and shall be permanently retained thereafter.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 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 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 London Borough of Camden 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.
  - 3 All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website at <https://beta.camden.gov.uk/documents/20142/1269042/Camden+Minimum+Requirements+%281%29.pdf/bb2cd0a2-88b1-aa6d-61f9-525ca0f71319> 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.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with paragraph 38 of the National Planning Policy Framework 2019.

You can find advice about your rights of appeal at:

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

Yours faithfully

Director of Economy, Regeneration and Investment