

Application ref: 2020/3493/P
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Date: 13 January 2021

Development Management
Regeneration and Planning
London Borough of Camden
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King Architecture & Design
17 Elia Street
London
N1 8DE

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted

Address:

**23 Highgate West Hill
London
N6 6NP**

Proposal:

Erection of enlarged rear dormer and roof terrace.

Drawing Nos: Site location plan; Existing plans MS- 102, 103, 104, 201, 202, 203, 301.

Proposed plans P- 102E, 103E, 104E, 201E, 202E, 203E, 301E.

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 and detailed design that resembles, as closely as possible, the approved rear dormer and terrace at the adjoining property of No. 24 (permission ref. 2020/0584/P), 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 policies D1 and D2 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- Site location plan; Existing plans MS- 102, 103, 104, 201, 202, 203, 301. Proposed plans P- 102E, 103E, 104E, 201E, 202E, 203E, 301E.

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

- 4 The use of the terrace hereby approved shall not commence until planters in the location and of the dimensions shown on the approved drawings have been installed and planted with appropriately screening evergreen shrubs. The planters and planted screen shall thereafter be permanently maintained.

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 Reasons for granting permission.

The application has been revised to omit an enlarged side dormer and rooftop terrace. The rear dormer has been set slightly farther back from that initially proposed to mirror the altered dormer and terrace approved for the adjoining dwelling at 24 Highgate West Hill with which No. 23 forms a semi-detached pair (planning ref. 2020/0584/P).

Whilst a dormer and associated roof terrace featured as part of a scheme that was refused permission in 2018 (ref. 2018/1608/P), this was slightly wider (4.8m compared with 4.26m) and positioned centrally within the shallow roof slope in conjunction with a much enlarged side dormer which would subsume the existing roof form. The currently proposed dormer would still not be in compliance with Camden's Planning Guidance on Design and aspects of the Highgate Neighbourhood Plan policy DH5 on roofs and roofscape, in that it would be rather wider and in a different style to the fenestration below and with the balcony balustrade aligned to the roof edge rather than set back behind the eaves in deference to the existing roof form.

However it is a material consideration that there is already an existing dormer with balcony which, although much narrower, does come right out to the eaves. The proposed dormer is further set back and would appear less bulky as viewed from adjoining gardens; it would also restore symmetry with the approved dormer alterations for No. 24. In any event, the views of the development would be limited due to the mature planting of the gardens screening the elevation from the properties on Millfield Lane to the rear. As such it is not considered the proposal would detrimentally affect the character and appearance of the host property, its semi-detached neighbour and the

Highgate Conservation Area.

There is an existing balcony which already creates overlooking; the small size of the proposed terrace of approx. 5.5sqm is considered unlikely to accommodate sufficient numbers of persons to create a disturbance through normal use. Thus it is considered unlikely that any significant additional amenity impacts will be caused. Given that the proposed balcony is wider and deeper and comes up to the party wall, the plans include a planter 1m high and 0.5m wide which would restrict the occupiable amenity space adjacent to the neighbour's terrace and thereby would mitigate any potential additional amenity impacts. This planter will be secured by condition. The proposal is not considered to cause any impacts on light or outlook to adjoining residential occupiers.

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 Area) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013.

Two objections were received from adjoining occupiers regarding noise intrusion and overlooking from the terrace. These and the planning history of the site has been taken into account when coming to this decision.

As such, the proposed development is in general accordance with policies A1, D1 and D2 of the London Borough of Camden Local Plan 2017 and policies DH2 and DH5 of the Highgate Neighbourhood Plan 2017. The proposed development also accords with policies of the Publication London Plan (2020) and of the National Planning Policy Framework 2019.

- 2 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).
- 3 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.
- 4 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

A handwritten signature in black ink, appearing to read 'DPope', is positioned above the typed name and title.

Daniel Pope
Chief Planning Officer