

<b>Address:</b>	147 Highgate Road London NW5 1LJ		<b>2</b>
<b>Application Number(s):</b>	2025/1745/P	<b>Officer:</b> Brendan Versluys	
<b>Ward:</b>	Highgate		
<b>Date Received:</b>	24/04/2025		
<b>Proposal:</b>	Substantial demolition of existing mixed use commercial and residential (Use Classes E and C3) two storey building and erection of replacement mixed use commercial and residential (Use Classes E and C3) three storey building (part retrospective)		
<b>Background Papers, Supporting Documents and Drawing Numbers:</b>  Existing Drawings: HIG-PL-EX-01; HIG-PL-EX-02; HIG-PL-EX-03; HIG-PL-EX-04; HIG-PL-EX-06; HIG-PL-EX-07; HIG-PL-EX-09;  Proposed Drawings: E_001_Rev03; P_002_Rev01; P_003_Rev01; S_001_Rev01; HIG-PL-GA-01; HIG-PL-GA-02; HIG-PL-GA-03; HIG-PL-GA-04; HIG-PL-GA-05A, rev A; HIG-PL-GA-06; HIG-PL-GA-07; HIG-PL-GA-08  Documents: Design and Access Statement, 23/04/2025; Structural Inspection Report prepared by Wise Engineering Design and Survey Ltd., 5/08/2024			
<b>RECOMMENDATION SUMMARY: Grant conditional planning permission</b>			
<b>Applicant:</b>		<b>Agent:</b>	
Mr. Simsek 147 Highgate Road London NW5 1LJ		Martin Evans Architects 49 Stoneleigh Terrace London N19 5TZ	

## ANALYSIS INFORMATION

Land use floorspaces				
Use Class	Description	Pre-Existing GIA (sqm)	Existing/Proposed GIA (sqm)	Difference GIA (sqm)
Class C3	Dwellings (flats)	37.5	124	+ 86.5
Class E	Retail	65	65	-
<b>Total</b>	<b>All uses</b>	<b>102.5</b>	<b>189</b>	<b>+86.5</b>

## EXECUTIVE SUMMARY

- i) The application relates to a building which prior to works taking place was a two-storey mixed commercial and residential building. It is located on the western side of Highgate Road and forms part of a wider terrace. The ground floor was a separate commercial unit, tenanted as a café, and the upper floor of the building was occupied as a single flat. The building is located in the Dartmouth Park Conservation Area.
- ii) Planning permission ref. 2023/1885/P dated 20/03/2024, approved the erection of an additional (third) storey and the erection of a rear extension to the first floor, associated with the pre-existing first floor flat.
- iii) Following obtaining permission in 2024, the applicant subsequently implemented the permission but undertook additional works of demolition for which they did not have consent. They substantially demolished the building, notably the first-floor façade and the shopfront at ground floor. It is understood most of the internal and external fabric was removed, with an internal wall spanning the ground and first floor levels and the rear external wall at ground floor, being retained. Demolition of the rear first floor external wall was provided for under planning permission ref. 2023/1885/P, but this permission did not include demolition of the first floor façade or the ground floor shopfront. As discussed further in the report, a Structural Report commissioned by the applicant found the pre-existing first floor façade to be in poor condition and beyond reasonable repair, necessitating its removal as part of implementation of works provided for under the extant planning permission.
- iv) A new part one, part two, part three storey building was subsequently constructed, which included the works approved under planning permission ref. 2023/1885/P, but also included a new shopfront and a replacement façade which extends from first to second floor. The uses of the as-built building remain unchanged compared to the pre-existing uses, commercial on the ground floor and residential above.
- v) While the demolition works resulted in the removal of some characterful details of the façade of the pre-existing building, the as-built façade, including the new shopfront, is considered to incorporate a design and suitable level of detail which is appropriate to the street setting and conservation area.

- vi) Overall, the proposals are acceptable in planning terms, comply with the development plan as a whole, and it is therefore recommended that planning permission be granted.

## OFFICER REPORT

### Reason for Referral to Committee:

Demolition of a building considered to make a positive contribution to a conservation area [Clause 3(iii)].

## 1. SITE AND BACKGROUND

### *Designations*

1.1 The following are the most relevant designations or constraints:

Designation	Details
Conservation Area	Dartmouth Park
Article 4 Land Use	You cannot change the use of a building or any land within it's curtilage from commercial, business and service use to residential use, without planning permission.
Article 4 Basements	You cannot do alterations to a basement or lightwell, without planning permission.
PTAL (Public transport accessibility)	5
Underground development constraints and considerations	<ul style="list-style-type: none"><li>- Historically flooded street (Highgate Rd)</li><li>- Surface water flow and flooding</li><li>- Slope stability</li></ul>

*Table 1 - Site designations and constraints*

### *Description*

- 1.2 The site is on the western side of Highgate Road and is part of a parade of shops, it is mid terrace.
- 1.3 The site prior to works taking place accommodated a two-storey building comprising a commercial (Class E) unit at ground floor, tenanted as a café, and a flat (Class C3) at first floor level.
- 1.4 The site and the wider terrace are located within Highgate Road Neighbourhood Centre.



*Figure 1: The site, centre, as existing prior to works*

1.5 The building lies within the Dartmouth Park Conservation Area and is identified in the Dartmouth Park Conservation Area Appraisal and Management Statement as a positive contributor. The site also lies within the boundaries of the Dartmouth Park Neighbourhood Area and Forum.

1.6 The site has a Public Transport Accessibility Level (PTAL) rating of 5 (Very Good), and is close to Gospel Oak Station, and is served by bus services on Highgate Road.

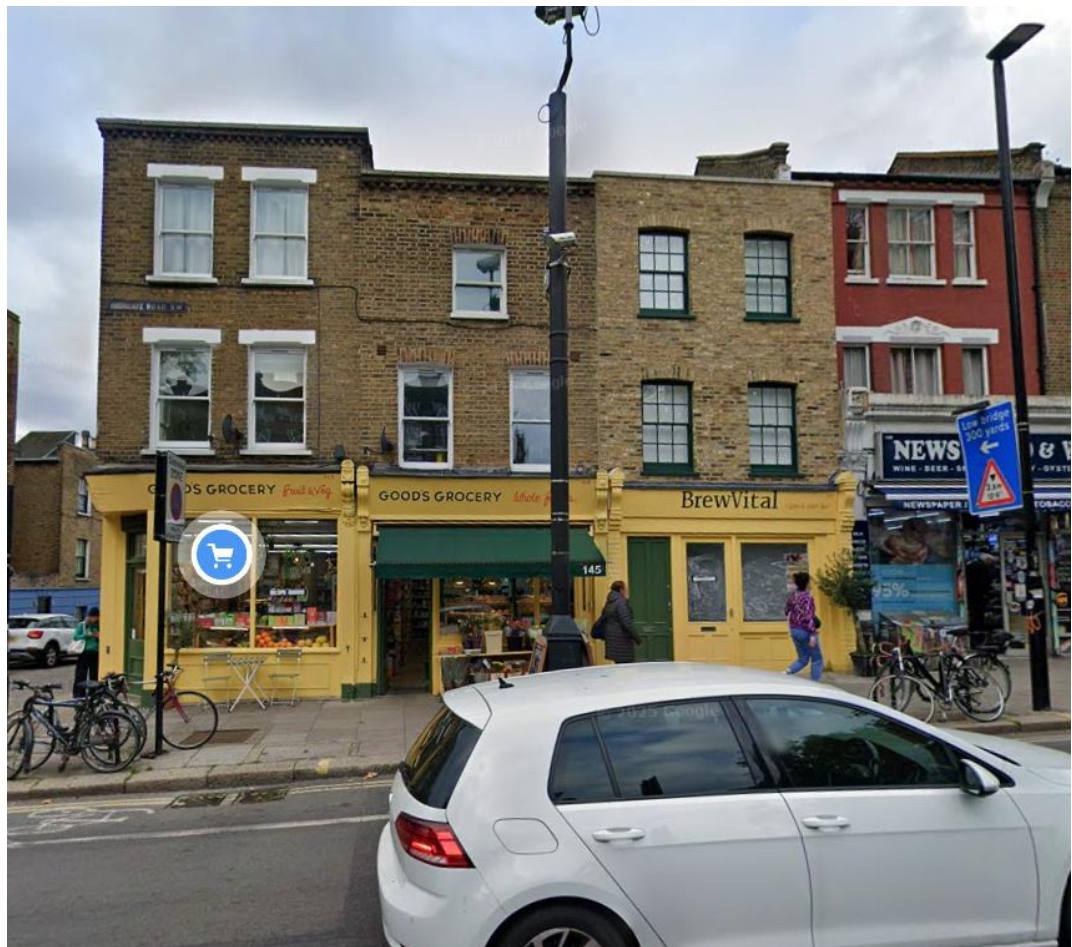
## **2. THE PROPOSAL**

2.1 The proposal seeks planning permission retrospectively for the substantial demolition of the pre-existing two storey building and erection of replacement three storey building.

2.2 Planning permission ref. 2023/1885/P dated 20/03/2024, allowed for the erection of a new second floor while retaining the façade at first floor, however the first-floor façade and interior was demolished and rebuilt as part of implementation of the works. The first floor was rebuilt with bricks but

followed a different brick bonding pattern than the pre-existing façade. Similarly, the façade of the as-built new second floor did not retain the existing first floor parapet, as was proposed under the approved plans of 2023/1885/P.

- 2.3 Lastly, 2023/1885/P did not provide for alterations to the pre-existing shopfront, however the pre-existing shopfront has been removed and replaced with a new shopfront.
- 2.4 The planning application is to retain the building 'as constructed' as shown in Figure 2 below.



*Figure 2: Building, centre right, as constructed*

### 3. RELEVANT HISTORY

#### *The site*

- 3.1 **2025/1610/P** - Erection of a mansard roof; erection of rear extension at first floor. Application under consideration.

- 3.2 **EN24/0952** - Demolition of entire building including front elevation. Construction of walls and windows which were not agreed under planning application 2021/3725/P.
- 3.3 **2023/1885/P** - Erection of one additional storey & a rear extension at first floor level, as an extension to the existing first floor flat. Granted on **20/03/2024**
- 3.4 **2021/372/P** - Erection of first floor rear extension and replacement shopfront, formation of flat roof and alterations to first floor windows. Granted on **27/09/2021**

***The area***

- 3.5 None relevant.

**4. CONSULTATION**

***Local groups***

Dartmouth Park CAAC

- 4.1 Objection covering the following issue(s):

Front façade (first floor):

- The drawings incorrectly illustrate the fenestration of the adjoining southern building, 145 Highgate Road.
- The unauthorised work has removed the distinct character of an early 19<sup>th</sup> Century building within historic early linear development along the listed Grove Terrace Squares, removing precisely the historic elements that preserve, enhance and contribute to the conservation area.
- The work has removed the historic period dentil brick band detail, the 6 over 6 sash windows including the original low window cills. The replacement windows have a reduced window size with square panes, and have lost the off-set window arrangement.

Officer response:

- *The application plans have been revised to correctly show the first and second floor front elevation windows of 145 Highgate Road as one over one sash windows, instead of multi-pane sash windows as shown in the original set of plans.*
- *The application site is not within close proximity to and is not associated with the listed buildings at Grove Terrace Squares. Design and heritage impacts are assessed in Section 7 of the report.*
- *While the loss of the pre-existing brick detail and sash windows is regrettable, the detailed design of the replacement façade, including the replacement windows and brick detail, and its overall form, is considered*



*acceptable. Design and heritage impacts are assessed in Section 7 of the report.*

Design:

- A dog-tooth isometric pattern brick top course should be installed below the coping stones to the front façade and side return, to match the historic period detail of nos. 143 and 145.

Officer response:

*While the façade of the new building would benefit from a dog-tooth isometric pattern brick top course to the parapet, the as-built design of the new building is considered overall acceptable, such that it would not be proportionate to require the applicant to reconstruct the parapet to incorporate this detail. Demolition of the pre-existing building fabric and replacement with the new building fabric is assessed in Section 7 of the report.*

Rear elevation:

- The as-built rear elevation deviates from as-built fenestration in location and number, from three windows shown to two. This may affect compliance with ventilation provision for the internal layout.

Officer response:

*Both the approved rear elevation and as-built rear elevation under planning permission ref, 2023/1885/P, include three windows (one window on the first floor and two windows on the second floor).*

Shopfront:

- The as-built drawings deviate from planning permission ref. 2023/1885/P in the loss of the fanlight strip across the top of the shopfront, and this may have implications in terms of the ground floor café's ventilation.
- Stone corbels have been introduced on either side of the shopfront's fascia, on top of newly built brick pillars. These elements were not part of the pre-existing shopfront and should be removed.

Officer response:

- *The approved shopfront elevation under planning permission ref. 2023/1885/P dated 20/03/2024, did not include a fanlight strip. The ground floor café was pre-existing and as such it is not considered appropriate to require ventilation details for the new café. Should any issues with ventilation arise, these can be addressed under Environmental Health legislation.*
- *Stone corbels are a pre-existing feature of the shopfronts of nos. 143 and 145, which no. 147 forms part of the same group of buildings. The shopfront of no. 147 has also been painted in a dark yellow colour to*



*match the shopfronts of no. 143 – 145, giving these shopfronts a unified appearance. It is also possible the application site historically incorporated stone corbels to the shopfront and they were removed as part of later works to the shopfront.*

### ***Adjoining occupiers***

- 4.2 One site notice was displayed to the front of the property on Highgate Road. The notices were displayed on 02/05/2025 and the application was advertised in the Ham & High on 08/05/2025.
- 4.3 Objections were received from one party. The objection received by the Council is on the Council's website. The key issues raised were.

#### Front façade (first floor):

- The new front elevation is defective in a number of ways. It is wrong to claim that the original mid-19th Century pre-demolition detail on the front brick elevation is 'out of place'. It should have been retained between the first and second floors in a conservation area where existing features should be preserved.
- The brick detail at the top of the front elevation should be restored so that the new elevation is in keeping with the other front elevations on the terrace. Remedial work should take place on the existing structure to restore the detail.
- The drawing of the existing building before re-build is not correct as it does not include the existing brick detail at the top of the facade of no. 151 Highgate Rd. and should not have been omitted.
- The existing building elevation drawing is inaccurate.
- The front window at street level looks very different to the drawing on the original application. There is no ventilation in the front window and this may be required.

#### Officer response:

- *While Officers consider the unauthorised removal of the pre-existing building's façade as regrettable, the new as-built façade is considered to be a suitable replacement which incorporates a design and suitable level of detail appropriate to the street setting and conservation area.*
- *As discussed above, while the façade of the new building would benefit from a dog-tooth isometric pattern brick top course to the parapet, the as-built design of the new building is considered overall acceptable, such that it would not be proportionate to require the applicant to reconstruct the parapet to incorporate this detail. Design and heritage impacts are assessed in Section 7 of the report.*

- *The application plans have been revised to correctly include the existing brick detail at the top of the facade of no. 151 Highgate Road.*
- *The pre-existing and as-built elevations of the building are considered to be an accurate representation.*
- *The ground floor café was pre-existing and as such it is not considered appropriate to require ventilation details for the new café. Should any issues with ventilation arise, these can be addressed under Environmental Health legislation.*

Inaccurate information/plans:

- The application form is incorrect.

Officer response:

*The application form has been updated to rectify identified deficiencies.*

## 5. **POLICY**

### ***National and regional policy and guidance***

[National Planning Policy Framework 2024 \(NPPF\)](#)

[National Planning Policy Framework 2025 \(NPPF\) Draft](#)

[National Planning Practice Guidance \(NPPG\)](#)

London Plan 2021 (LP)

[D1 London's form, character and capacity for growth](#)

[D3 Optimising site capacity through the design-led approach](#)

[D4 Delivering good design](#)

[SI 7 Reducing waste and supporting the circular economy](#)

[M1 Monitoring](#)

London Plan Guidance (LPG)

[Optimising Site Capacity: A Design-led Approach LPG](#)

[Small Site Design Codes LPG](#)

[Housing Design Standards LPG](#)

[Circular economy statements LPG](#)

[Energy Planning Guidance](#)

[The control of dust and emissions in construction SPG](#)

[Whole life carbon LPG](#)

### ***Local policy and guidance***

Camden Local Plan (2017) (CLP)

[Policy G1 Delivery and location of growth](#)

[Policy A1 Managing the impact of development](#)

[Policy D1 Design](#)  
[Policy D2 Heritage](#)  
[Policy D3 Shopfronts](#)  
[Policy CC1 Climate change mitigation](#)  
[Policy CC2 Adapting to climate change](#)  
[Policy DM1 Delivery and monitoring](#)

#### Dartmouth Park Neighbourhood Plan (2020)

[Policy DC1 Enhancing the sense of place](#)  
[Policy DC2 Heritage assets](#)  
[Policy DC3 Requirement for good design](#)  
[Policy DC4 Small residential extensions](#)

#### Supplementary Planning Documents and Guidance

*Most relevant Camden Planning Guidance (CPGs):*

[Access for All CPG - March 2019](#)  
[Amenity - January 2021](#)  
[Design - January 2021](#)  
[Energy efficiency and adaptation - January 2021](#)

*Other guidance:*

[Dartmouth Park Conservation Area Statement \(2009\)](#)

#### Draft Camden Local Plan (DCLP)

The council has published a new Draft Camden Local Plan (incorporating Site Allocations) for consultation (DCLP). The Proposed Submission Draft Camden Local Plan was submitted to the Secretary of State for Housing, Communities and Local Government on the 3 October 2025 for independent examination, in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended). The Plan will now be examined by a Planning Inspector.

Previously, the Council published the draft new Camden Local Plan for consultation in January 2024 and published an updated Proposed Submission Draft Camden Local Plan for consultation from 1 May to 27 June 2025.

The Proposed Submission Draft Local Plan is a significant material consideration in the determination of planning applications but has limited weight at this stage. The weight that can be given to an emerging plan increases as it progresses towards adoption. In line with paragraph 49 of the National Planning Policy Framework (NPPF), the degree of weight to be given is a matter for the decision-maker, having regard to the stage of preparation, the extent of unresolved objections, and the consistency of the draft policies with the NPPF.

## 6. ASSESSMENT

- 6.1 The principal considerations material to the determination of this application are considered in the following sections of this report:

7	Design and Heritage
8	Impact on Neighbouring Amenity
9	Energy and Sustainability
10	Conclusion

## 7. LAND USE

### *Proposed retail use*

- 7.1 CLP policy TC1 seeks the appropriate provision of retail in Neighbourhood Centres.
- 7.2 The as-built ground floor café would be located at the ground floor, following the same arrangement as the pre-existing ground floor retail unit which was also tenanted as a café. The development as-built therefore results in no change to the pre-existing ground floor retail use.

### *Proposed residential use*

- 7.3 CLP policy H1 of the Local Plan states that self-contained housing is the priority land use for the Council.
- 7.4 The as-built first and second floors accommodate a two-bedroom maisonette. The pre-existing building provided a one bedroom flat at first floor. Planning permission 2023/1885/P dated 20/03/2024 provided for a rear extension at first floor and an additional second floor to expand the pre-existing residential accommodation into a two-bedroom maisonette. The as-built development first has therefore been built in accordance with the residential use provided for under the extant planning permission, and maintains the pre-existing residential use at the site, albeit in the form of a larger typology residential unit compared to the pre-existing situation.

## 8. QUALITY OF PROPOSED HOUSING

- 8.1 CLP policy H6 is about housing choice and mix, and it aims to minimise social polarisation and create mixed, inclusive, and sustainable communities, by

seeking high quality accessible homes and a variety of housing suitable for Camden's existing and future households.

- 8.2 The layout and floor area of the as-built maisonette has been built in accordance with planning permission 2023/1885/P dated 20/03/2024. The residential unit is dual aspect, has a GIA floor area of 83sqm which exceeds the Nationally Described Space Standards minimum floor area of 79sqm for a 2 x person 2 x bedroom two storey dwelling, and adequately dimensioned bedrooms and living areas. The residential unit does not include an outdoor amenity space, but this is considered acceptable in this instance given the spatial constraints of the site.
- 8.3 Overall, the as-built dwelling complies with policy and provides a high-quality living environment for its occupiers.

## **9. DESIGN AND HERITAGE**

- 9.1 The NPPF and development plan seeks to achieve the highest standard of design in all developments. CLP policy D1 requires development to be of the highest architectural and urban design quality. CLP policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and locally listed buildings.

### ***Layout***

- 9.2 The building is laid out with the Class E commercial unit at ground floor, with the maisonette dwelling occupying the first and second storeys. The residential use is accessed by a door and adjoining internal passage/staircase, to the side of the ground floor shopfront, consistent with the pre-existing arrangement.
- 9.3 The maisonette is dual aspect, with outlook over Highgate Road and over the ground floor roof of the terrace.
- 9.4 The as-built layout is generally consistent with the pre-existing arrangement, retaining a café at ground floor and residential use above, the key difference being the as-built development provides an enlarged residential dwelling through incorporating the first-floor rear extension and new second floor, which were provided for under planning permission 2023/1885/P dated 20/03/2024.

### ***Massing***

- 9.5 All buildings within the wider terrace are three storeys in height. Nos. 143 – 147 are built up to their frontage with Highgate Road, however the upper floors of the adjoining group of buildings at nos. 149 - 157 are setback from Highgate Road by approximately 1-2 metres, leaving a small north-facing return of no. 147 exposed to Highgate Road.

- 9.6 The roof levels of the buildings in the terrace have some variation. The roof levels of nos. 149 - 157 Highgate Road each have a small stagger, reflecting the increasing elevation of Highgate Road heading north. No. 147 has a slightly higher roofline than no. 145 and no. 143 is approximately half a metre higher than both two buildings.
- 9.7 It is noted that the existing building was two storeys and was the exception in this terrace of three storey buildings. As discussed, planning permission 2023/1885/P dated 20/03/2024 provided for a new second floor. The massing of the as-built first floor is in accordance with the approved permission.
- 9.8 A number of buildings in terrace have full or partial depth extensions at ground floor, and smaller first floor rear extensions atop. As discussed, planning permission 2023/1885/P dated 20/03/2024 provided for a new rear extension at the first floor level. The massing of the as-built first floor rear extension is in accordance with the approved permission.
- 9.9 In summary, the massing of the as-built building at no. 147 is in accordance with the development provided for under planning permission 2023/1885/P dated 20/03/2024. Therefore, the bulk and height of the building remains acceptable.

***Detailed design***

- 9.10 The Council requires that development comprises details and materials that are of high quality and complement the local character in accordance with Policy D1.

**Façade:**

- 9.11 In the construction of the replacement façade, the bricks which originally ran through from the building to adjoining buildings have been cut through and a cement fillet inserted. The new brickwork is in stretcher bond, rather than the Flemish bond of the original, betraying the fact that the brickwork is a non-structural skin over a modern blockwork cavity wall. The pre-existing first floor brick detail was also demolished and not replaced as part of the rebuilt first floor and new second floor.



- 9.12 The six over six windows in the replacement façade are appropriately positioned, proportionate and sympathetic to the existing building, and importantly incorporate traditional fanned arch brick detailing above windows, and stone sills.
- 9.13 Notwithstanding the new as-built brickwork of the façade having a lesser amount of detail than the pre-existing façade and facades of adjacent buildings in the terrace, the constructed brickwork and façade, in particular the selected brick materiality, new windows and detailing, are overall considered appropriate and in harmony with the facades of the buildings in the wider terrace of nos. 143 – 15.

#### Shopfront:

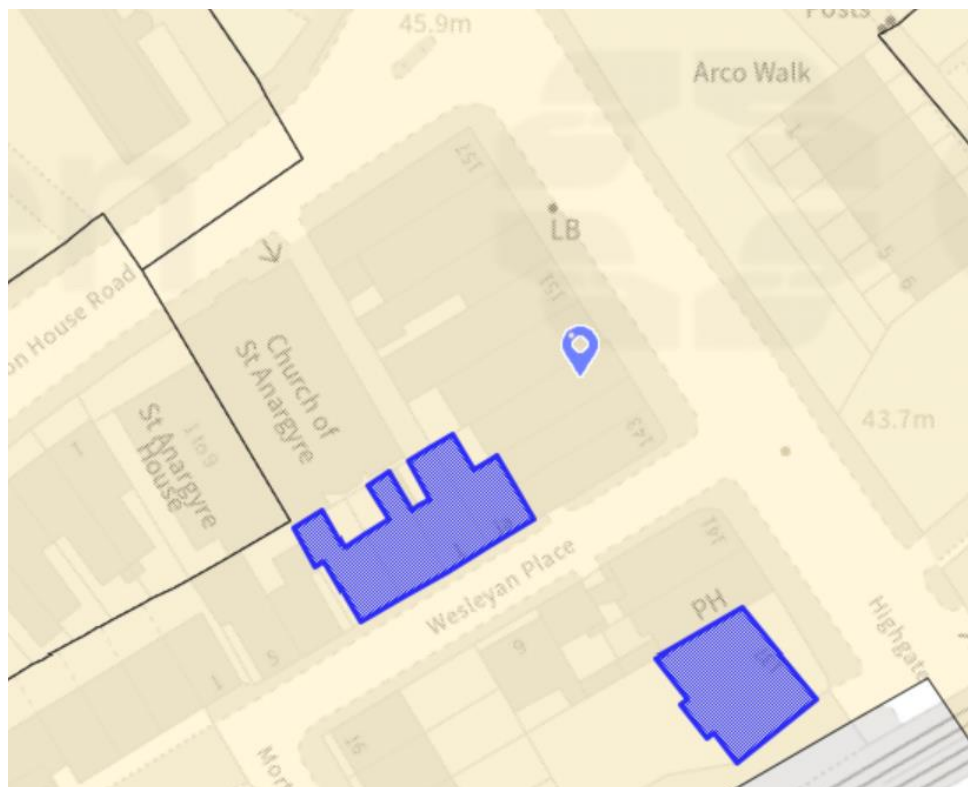
- 9.14 Policy D3 outlines that the Council will expect a high standard of design in new and altered shopfronts, canopies, blinds, security measures and other features.
- 9.15 The as-built shop front includes the door to the flats above and traditional timber shop front window and side glazed door similar to the shop front at the adjacent buildings along Highgate Road.
- 9.16 Regarding the two side pilasters on the ground floor shop front elevation at the boundary to the properties, these are acceptable in principle given these features exist on other shopfronts along the same parade of shops on Highgate Road and are appropriate to traditional shopfronts. The pilasters



incorporate a high level of detail and are constructed with stone which is an appropriate material for a traditional shopfront.

***Designated and non-designated heritage assets***

- 9.17 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 sets out that special regard must be given to the preservation of a listed building, its setting or its features of special architectural or historic interest. Section 72 of the same Act sets out that where the development is in a conservation area, special regard must be given to preserving or enhancing the character and appearance of that conservation area.
- 9.18 The site is located in the Dartmouth Park Conservation Area, which is a designated heritage asset and is shown in hatched yellow in the image below.
- 9.19 The site is not in the setting of any listed buildings but adjoins a group of listed buildings to the rear (Nos.1, 1A, 2 and 3 Wesleyan Place), outlined in dark blue.



***Figure 4 - Heritage assets in the area***

- 9.20 There are some other listed buildings slightly further away, but their settings, insofar as they contribute to any significance, are not impacted by the proposal on the site.
- 9.21 Demolition of the pre-existing building resulted in a harmful impact on the Dartmouth Park Conservation Area through creating a gap in the streetscape

and the loss of the building's detail which contributed to the character and appearance of the conservation area. The erection of a replacement building has gone some way in mitigating this harm through infilling this gap with a new replacement building. The applicant has presented a case as to why the first floor of the façade needed to be demolished, which is assessed under the 'Energy/Sustainability' section of this report. As discussed above, the bulk and mass of the as-built development is in accordance with development provided for under planning permission 2023/1885/P dated 20/03/2024. It is the detailed design of the as-built building, namely the façade, including the shopfront, which is assessed below with regard to impacts on nearby heritage assets.

***Dartmouth Park Conservation Area – no harm***

- 9.22 The site is located within the Dartmouth Park Conservation Area, which has a variety and complexity that charts the history of domestic architecture from the late 18th century to the present day. Late 18th century terraces contrast with contemporary housing estates; tiny cottages, large mansion blocks and Victorian villas, all exist together in Dartmouth Park. Larger detached houses with gardens are concentrated in the heart of the estate and closer developments with smaller houses and terraces are further south and north.
- 9.23 The Dartmouth Park Conservation Area statement describes nos.143, 145 and 147 as early 19th century buildings, of one build, but with differing alterations, part of a small shopping parade on the corner of Wesleyan Place; the rest are from 1877. The group is united by its scale, blend of roofscapes and palette of materials, principally brick and stone with timber window joinery. Nos.149 - 157 are homogeneous with pitched roof and stone lintel to the windows. Some original traditional Victorian shopfront elements survive at least in part; No.145 is the best preserved. Console brackets between shops survive in several instances and some original panelling to at least one of the shops. No.157 has uncovered an earlier painted glass fascia. This is in contrast to some unsympathetic modern shopfronts in the parade that do not relate in design and scale to the properties. In particular the fascia signs and projecting signs are over large and harm the appearance of the parade.
- 9.24 The as-built facade at the upper floors includes a window arrangement which complements the arrangement of windows at nos. 143 and 145, but includes some variations including in the type of sash windows, and in the tone of the brickwork, ensuring no. 147 reads as a separate building, but comfortably part of the same group as no. 143 and 145. The façade is constructed in traditional materials, namely brick and timber framed windows, which are in keeping with the wider terrace and conservation area.
- 9.25 The ground floor has a traditional shopfront, including a traditional timber shop front window and side glazed door similar to the shop front at the

adjacent buildings along Highgate Road. The side pilasters of the shopfront complement the pilasters featuring on the shopfronts of nos. 143 and 145. As discussed above, the pilasters incorporate a high level of detail and are constructed with stone which is an appropriate material for a traditional shopfront.

9.26 Notwithstanding the limited visibility of the rear of the building from public areas, the building's rear elevation including the rear extension, have been built in accordance with the approved planning permission 2023/1885/P dated 20/03/2024, constructed with traditional materials and follow the same fenestration as that approved under the planning permission.

9.27 Overall, it is considered the as-built building preserves the character and appearance of the site and its wider surrounds, including the Dartmouth Park Conservation Area. While the lost building had a modest degree of interest in its weathered façade and ornamental brickwork, the replacement building has sufficient appropriate characteristics in its own right not to appear objectionable within the context.

***Grade II listed buildings - 1, 1A, 2 and 3 Wesleyan Place – no harm***

9.28 The listed building to the southeast is visually separate from the subject site, sitting behind Highgate Road and instead addressing Wesleyan Place. As such, other than presenting a backdrop to the listed building when viewed from the west, Highgate Road has very little impact on the setting of the listed building. The proposal would not impact the setting given its scale and location and would preserve the significance of the listed building.

9.29 Overall, the proposal preserves the significance of designated and non-designated heritage assets in the area, in accordance with the NPPF and CLP policy D2.

**10. IMPACT ON NEIGHBOURING AMENITY**

10.1 CLP policies A1 and A4 and the Amenity CPG are relevant with regards to the impact on the amenity of residential properties in the area, requiring careful consideration of the impacts of development on light, outlook, privacy and noise. The thrust of the policies is that the quality of life of current and occupiers should be protected and development which causes an unacceptable level of harm to amenity should be refused.

10.2 In this case, the as-built building has been constructed to follow the same bulk, mass and arrangement of fenestration, and arrangement of uses within the building, as that provided for under planning permission ref. 2023/1885/P dated 20/03/2024. The as-built building does not include any new external plant, nor was any new plant provided for under the approved planning permission.

- 10.3 On this basis, the as-built works are not considered to give rise to any amenity impacts, namely those in relation to availability of light, outlook and sense of enclosure, overlooking and visual privacy; noise, vibration and odour, beyond any amenity impacts associated with the works provided for under planning permission ref. 2023/1885/P.

## **11. SUSTAINABILITY AND ENERGY**

- 11.1 In November 2019, Camden Council formally declared a Climate and Ecological Emergency. The council adopted the Camden Climate Action Plan 2020-2025 which aims to achieve a net zero carbon Camden by 2030.
- 11.2 In line with London Plan (LP) policies, SI1, SI2, SI3, SI4, SI5 and SI7 and Camden Local Plan (CLP) policies CC1, CC2, CC3, and CC4, development should follow the core principles of sustainable development and circular economy, make the fullest contribution to the mitigation of and adaptation to climate change, to minimise carbon dioxide emissions and contribute to water conservation and sustainable urban drainage.
- 11.3 In line with the [CPG Energy efficiency and adaptation](#), proposals for demolition or substantial demolition of a building, would need to be accompanied by a Condition and feasibility study and development options appraisal, to demonstrate that a retrofit, or refurb and extend option, would be undeliverable on the site.
- 11.4 Where demolition of a building can be justified, then a Whole Life Carbon (WLC) assessment is required to show that any replacement building has considered the carbon impact of the construction and use of the building over its lifetime. This should be in line with the GLA WLC assessment guidance and benchmarks. In most circumstances, a permission for demolition of a building would have a condition attached, requiring 95% of construction and demolition waste to be reused, recycled, or recovered, and 95% of excavation waste to be put to beneficial use
- 11.5 The applicant substantially demolished the pre-existing building without obtaining planning permission and this application seeking retrospective permission is not supported by a Condition and Feasibility Study and development options appraisal, or a Whole Life Carbon Assessment.
- 11.6 The applicant commissioned a Structural Assessment (prepared by Wide Engineering Design and Survey Ltd., dated 5/08/2024) of the pre-existing building, which was understood to be commissioned at the time works had been commenced at the site but prior to substantial demolition of the building being undertaken. The report made the following assessment with regard to the pre-existing first floor façade:

*The overall condition of the front elevation wall was deemed to be structurally unsound and beyond reasonable repair to add more loads from the additional floor level. The lean of the wall, combined with large cracks and visible displacement from adjoining structural elements, represents a serious hazard to both the building and public safety.*

*The degree of deformation and separation indicated that the wall could no longer be considered stable or serviceable in its current state if additional loads applied.*

- 11.7 The report concluded that due to the observed structural instability of the first-floor façade, the wall was recommended to be carefully demolished and rebuilt on proper foundations and steel frame.
- 11.8 While this report does not constitute a full Condition and Feasibility Study and development options appraisal, the report suggests that the removal of the first floor façade was necessary due to its poor condition and unsuitable to repair. The pre-existing first floor façade could also not accommodate the additional storey provided for under planning permission ref. 2023/1885/P dated 20/03/2024. While there is no justification for the demolition of the ground floor shopfront, it is accepted that over time shopfronts are replaced and upgraded, and policy D3 of the CLP anticipates development which results in new and altered shopfronts. The re-built shopfront is in accordance with this principle.
- 11.9 The applicant has also confirmed that bricks from the pre-existing demolished first floor façade, were entirely reclaimed from the demolition and reused in the construction of the new building. Given the poor condition of the timber elements of the pre-existing building, such as like window frames, lintels and floorboards, the applicant did not consider these elements as suitable for reuse and were disposed of.
- 11.10 Given the demolition works have already taken place and the new building completed, it is not considered expedient to require the applicant to provide a Condition and Feasibility Study and development options appraisal, or a WLC Assessment.
- 11.11 It is also noted that the as-built building, being a new construction with new double-glazed windows, would be more thermally efficient and have improved energy efficiency than the pre-existing building.
- 11.12 Overall, while the works are not in full compliance with policy CC1 in relation to requiring proposals substantial demolition to demonstrate that it is not possible to retain and improve the existing building, it is not considered expedient for the applicant to commission a Condition and Feasibility Study and development options appraisal, or a WLC Assessment, given this could ultimately find that substantial demolition of the pre-existing building was not

justified, but it would not be an option to reinstate the pre-existing building without undertaking further harmful demolition works. Further, the extant permission while not providing for substantial demolition of the pre-existing building, provided for a reasonable amount of demolition works, namely the interior of the existing building and demolition of the existing rear elevation at first floor, and the Structural Report found the pre-existing first floor façade in a poor condition and not suitable of repair to accommodate the approved second storey.

## **12. TREES, GREENING, AND BIODIVERSITY**

### ***Statutory Biodiversity Net Gain***

- 12.1 As well as the requirements of the development plan, there are statutory requirements for 10% Biodiversity Net Gain (BNG).
- 12.2 BNG is a way of creating and improving natural habitats with a measurably positive impact ('net gain') on biodiversity, compared to what was there before development. Every grant of planning permission is deemed to have been granted subject to a condition which requires the submission of a Biodiversity Net Gain Plan (BGP) before development can commence, showing how the 10% gain will be met.
- 12.3 This gain can be achieved through onsite biodiversity gains, registered offsite biodiversity gains (for example, on other land or developments owned by the applicant), or by purchasing statutory biodiversity credits.
- 12.4 There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. Based on the information provided, this scheme will not require the approval of a BGP because it is below the de minimis threshold. This is because there is very little biodiversity value of the current site and as such it does not impact an onsite priority habitat and impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat. It would therefore comply with the statutory provisions.

## **13. CONCLUSION**

- 13.1 Given the above assessment, the retrospective demolition works and erection of replacement three storey building are considered acceptable on balance. Notwithstanding the loss of the pre-existing façade's brickwork detail and a more simpler brickwork detail incorporated in the new façade, the replacement brickwork and façade, in particular the selected brick materiality, new windows and detailing, are overall considered appropriate and in harmony with the facades of the buildings in the wider terrace of nos. 143 – 15. At ground floor, the new timber shopfront has a traditional design in keeping with the wider parade of shops. In this regard, the as-built works

are appropriate to the surrounding context, and preserve the character and appearance of the conservation area.

- 13.2 In terms of energy and sustainability, while demolition of the pre-existing building was not comprehensively appraised prior to these works being undertaken, the pre-existing façade at first floor was found to be in poor condition and structurally unsound, necessitating its removal as part of implementation of works provided for under the extant planning permission . The new building has an improved thermal and energy efficiency compared to the pre-existing building.
- 13.3 The as-built development is in general accordance with policies of the development plan and the National Planning Policy Framework (2024).

#### **14. RECOMMENDATION**

- 14.1 Grant conditional Planning Permission.

#### **15. LEGAL COMMENTS**

- 15.1 Members are referred to the note from the Legal Division at the start of the Agenda.



## 16. CONDITIONS

### 1 Approved drawings

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

HIG-PL-EX-01; HIG-PL-EX-02; HIG-PL-EX-03; HIG-PL-EX-04; HIG-PL-EX-06; HIG-PL-EX-07; HIG-PL-EX-09; E\_001\_Rev03; P\_002\_Rev01; P\_003\_Rev01; S\_001\_Rev01; HIG-PL-GA-01; HIG-PL-GA-02; HIG-PL-GA-03; HIG-PL-GA-04; HIG-PL-GA-05A, rev A; HIG-PL-GA-06; HIG-PL-GA-07; HIG-PL-GA-08;

Design and Access Statement, 23/04/2025; Structural Inspection Report prepared by Wise Engineering Design and Survey Ltd., 5/08/2024

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

## 17. INFORMATIVES

1	<p><b>Building Control</b></p> <p>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).</p>
2	<p><b>Highways</b></p> <p>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 &amp; Compliance Team, 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.</p>
3	<p><b>Party Wall</b></p> <p>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.</p>
4	<p><b>Environmental Health</b></p> <p>All works should be conducted in accordance with the Camden Minimum Requirements - a copy is available on the Council's website (search for 'Camden Minimum Requirements' at <a href="http://www.camden.gov.uk">www.camden.gov.uk</a>) or contact the</p>

	<p>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.</p>
5	<p><b>Biodiversity Net Gain (BNG) Informative (1/3)</b></p> <p>The effect of paragraph 13 of Schedule 7A to the Town and Country Planning Act 1990 ("1990 Act") is that planning permission granted in England is subject to the condition ("the biodiversity gain condition") that development may not begin unless: (a) a Biodiversity Gain Plan has been submitted to the planning authority, and (b) the planning authority has approved the plan. The local planning authority (LPA) that would approve any Biodiversity Gain Plan (BGP) (if required) is London Borough of Camden. There are statutory exemptions and transitional arrangements which mean that the biodiversity gain condition does not always apply. These are summarised below, but you should check the legislation yourself and ensure you meet the statutory requirements. Based on the information provided, this will not require the approval of a BGP before development is begun because it is below the de minimis threshold (because it does not impact on an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).</p>
6	<p><b>Biodiversity Net Gain (BNG) Informative (2/3)</b></p> <p>+ Summary of transitional arrangements and exemptions for biodiversity gain condition The following are provided for information and may not apply to this permission: 1. The planning application was made before 12 February 2024. 2. The planning permission is retrospective. 3. The planning permission was granted under section 73 of the Town and Country Planning Act 1990 and the original (parent) planning permission was made or granted before 12 February 2024. 4. The permission is exempt because of one or more of the reasons below:</p> <ul style="list-style-type: none"> <li>- It is not "major development" and the application was made or granted before 2 April 2024, or planning permission is granted under section 73 and the original (parent) permission was made or granted before 2 April 2024.</li> <li>- It is below the de minimis threshold (because it does not impact an onsite priority habitat AND impacts less than 25 square metres of onsite habitat with biodiversity value greater than zero and less than 5 metres in length of onsite linear habitat).</li> <li>- The application is a Householder Application.</li> <li>- It is for development of a "Biodiversity Gain Site".</li> </ul>

	<ul style="list-style-type: none"> <li>- It is Self and Custom Build Development (for no more than 9 dwellings on a site no larger than 0.5 hectares and consists exclusively of dwellings which are SelfBuild or Custom Housebuilding).</li> <li>- It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).</li> </ul>
7	<p><b>Biodiversity Net Gain (BNG) Informative (3/3)</b></p> <p>+ Irreplaceable habitat: If the onsite habitat includes Irreplaceable Habitat (within the meaning of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024) there are additional requirements. In addition to information about minimising adverse impacts on the habitat, the BGP must include information on compensation for any impact on the biodiversity of the irreplaceable habitat. The LPA can only approve a BGP if satisfied that the impact on the irreplaceable habitat is minimised and appropriate arrangements have been made for compensating for any impact which do not include the use of biodiversity credits.</p> <p>+ The effect of section 73(2D) of the Town &amp; Country Planning Act 1990 If planning permission is granted under section 73, and a BGP was approved in relation to the previous planning permission ("the earlier BGP"), the earlier BGP may be regarded as approved for the purpose of discharging the biodiversity gain condition on this permission. It will be regarded as approved if the conditions attached (and so the permission granted) do not affect both the post-development value of the onsite habitat and any arrangements made to compensate irreplaceable habitat as specified in the earlier BGP.</p> <p>+ Phased development In the case of phased development, the BGP will be required to be submitted to and approved by the LPA before development can begin (the overall plan), and before each phase of development can begin (phase plans). The modifications in respect of the biodiversity gain condition in phased development are set out in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024.</p>

# Planning Committee

12<sup>th</sup> February 2026

2025/1745/P

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