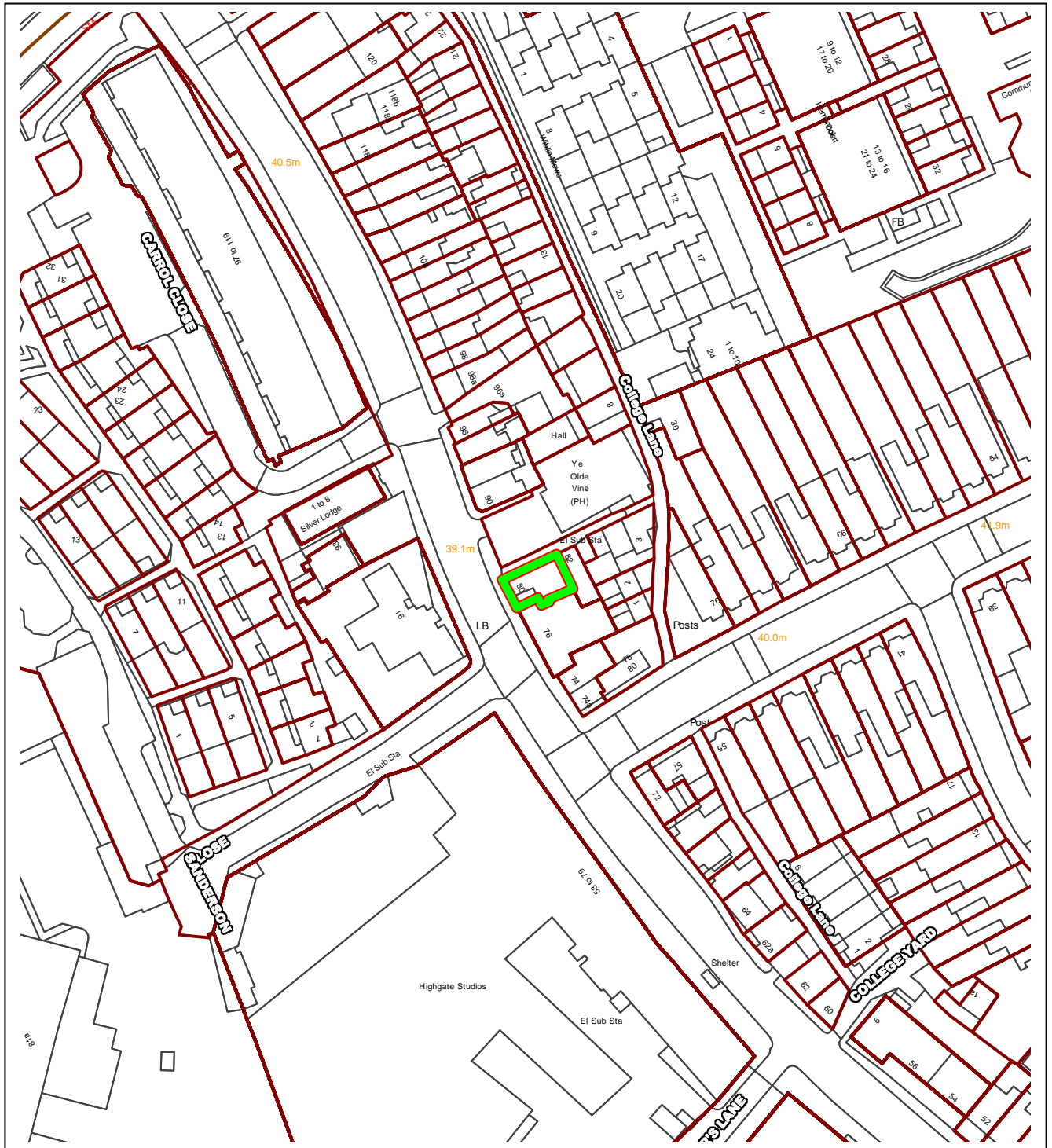


2025/0821/P – 80 Highgate Road



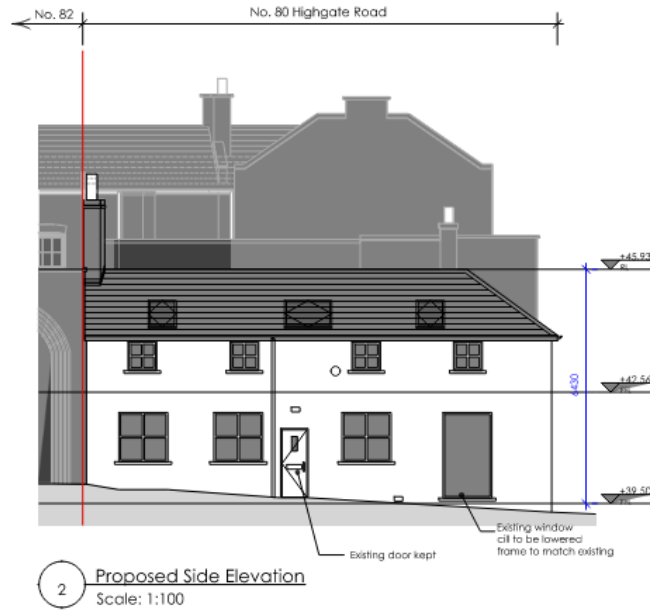
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1. Existing front and side elevations photograph from GoogleMap (August 2022)



2. Existing front elevation (left) and existing side elevation (right)



3. Proposed front elevation (left) and proposed side elevation (right)

Delegated Report (Members Briefing)		Analysis sheet		Expiry Date (Agreed EoT):	31/05/2025
		N/A		Consultation Expiry Date:	06/04/2025
Officer			Application Number(s)		
Fast Track Team – Geri Gohin			2025/0821/P		
Application Address			Drawing Numbers		
80 Highgate Road London NW5 1PB			Refer to draft decision notice		
PO 3/4	Area Team Signature	C&UD	Authorised Officer Signature		
Proposal(s)					
<p>Alterations to windows and doors to the front and side elevations (retrospective).</p>					
Recommendation(s):		Grant Planning Permission and Warning of Enforcement Action to be taken			
Application Type:		Full Planning Permission			

Conditions or Reasons for Refusal:	Refer to Draft Decision Notice					
Informatives:						
Consultations						
Adjoining Occupiers:	No. notified	00	No. of responses	00	No. of objections	00
Summary of consultation responses:	A site notice was displayed from 05/03/2025 to 29/03/2025. Press notice was advertised in the local paper on 13/03/2025 (expiring 06/04/2025). No consultation responses have been received from neighbouring occupiers.					
The Primrose Hill Conservation Area Advisory Committee	<p>The Dartmouth Park Conservation Area Advisory Committee objected to the proposals on 31st March 2025 as follows:</p> <ol style="list-style-type: none"><i>Inconsistencies in some documents (proposed plan, proposed sections and Design and Access Statement);</i><i>Applicant chose continued fit-out completion despite given notice of deviation from consent (2023/0437/P);</i><i>Contrary to the applicant's Design and Access Statement, this part of the DPCA Sub-area 1 is predominantly residential. This eastern side is architecturally distinctly different in character from the west side with its large light industrial buildings and other commercial use classes;</i><i>Object to the uniformity of design style that is being introduced to the ground floors of the 'block' a stretch from no 74 to No 80. The host buildings of these shopfronts are all of a distinct different architectural historic period and character;</i><i>An enlarged window design arrangement has now appeared at the 'block's' northern end without consent. It introduces an alien aspect in its immediate surroundings and in the setting of the long view south onto this historic corner building. The new elongated front side-of-entrance windows do not proportionally relate to the scale of the building;</i><i>External lighting has been mounted to the footpath elevation, while some window panes are left obscured. There is no existing consent for an internally illuminated sign.</i><i>The report for No 80 (2008/3249/P) indicates a change of use from retail to residential at first floor level. However, the upper floor use on this application designates office and retail use.</i><i>There is no existing consent for an internally illuminated sign for this property.</i> <p>Officer response:</p> <ol style="list-style-type: none">The applicant has now revised their proposed plan, proposed sections and Design and Access Statement to take into account all changes to the elevations from the scheme approved under the extant permission 2023/0437/P (granted 18th May 2023) and the as-built scheme. Furthermore, a planning enforcement investigation (EN25/0366) has been opened in relation to the front door as it does not match the previous recessed timber door approved under the					

	<p>extant permission.</p> <ol style="list-style-type: none"> 2. This application seeks retrospective planning permission for the unauthorised changes (as detailed in 1. made by the applicant). 3. This stretch along Highgate Road (from the junction with Lady Somerset Road) is mainly commercial at ground floor levels. 4. It is considered that the building presents individually and not in a uniform grouping with others. 5. Design and heritage effects are assessed under section 3. of this report. 6. The lighting that has been installed on the side elevation at first floor is to be removed as stated by the applicant. A condition will be added to this decision for the applicant to fully adhere to this. 7. The change of use from retail to residential has not been implemented as per permissions granted in 2009 and 2010 (2008/3249/P and 2009/3984/P) and this item is not relevant to the assessment of this application for retrospective works to the front and side elevations. 8. The applicant confirmed that the hanging sign is internally illuminated as was the previous sign, the only change is the logo on the sign. However, as the previous sign doesn't appear to have had permission, an application for an advertisement consent is needed. An informative will be added to this decision.
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Site Description

The application site is a two-storey building fronting Highgate Road while the side elevation faces the open area of the Vine Public House. It is within the Dartmouth Park Conservation Area and currently used as a retail with ancillary storage. Although not listed, it is considered to positively contribute to the character and appearance of the conservation area. It is not considered a shopfront of merit in the Dartmouth Park Conservation Area Appraisal.

Relevant History

At the application site:

2025/0553/P - Lower window cills to ground level at front elevation, lower western window cill to ground level at side elevation, and retain existing eastern window (retrospective), to Roof extension and installation of rooflights. Demolition at 1st floor to create internal courtyard with associated fenestration alterations. At ground side elevation, replacement of window with a door and replacement of existing door approved under planning permission 2023/0437/P dated 18/05/2023 - **Withdrawn 26/02/2025**

2023/0437/P - Roof extension and installation of rooflights. Demolition at 1st floor to create internal courtyard with associated fenestration alterations. At ground side elevation, replacement of window with a door and replacement of existing door - **Granted 18/05/2023**

Enforcement history

EN24/0906 - Unauthorised works. Case file open and under investigation pending outcome of planning application (2025/0821/P)

Relevant policies

National Planning Policy Framework 2024

London Plan 2021

Camden Local Plan 2017

A1 – Managing the impact of development

D1 – Design

D2 – Heritage

D3 - Shopfronts

CC1 – Climate change mitigation

Camden Planning Guidance

CPG Design (January 2021) – chapters 1 (Introduction), 2 (Design excellence), 3 (Heritage) and 6 (Shopfronts)

CPG Amenity (January 2021) – chapter 1 (Introduction)

Dartmouth Park Conservation Area Appraisal and Management Strategy (adopted January 2009)

Draft Camden Local Plan

A [Submission Draft Camden Local Plan](#) (updated to take account of consultation responses) was reported to Cabinet on 2 April 2025 and the Council on 7 April 2025. The Council resolved to agree the Submission Draft Local Plan for publication and submission to the government for examination (following a further period of consultation). The Submission Draft is a significant material consideration in the determination of planning applications but still has limited weight at this stage.

Assessment

1.0 Proposal

1.1 Planning permission is sought for the alterations to windows and doors to the front and side elevations (retrospective). The application follows unauthorised alterations carried out to the shopfront which are the subject of an enforcement investigation (EN24/0906). Planning permission was granted on 18th May 2023 (2023/0437/P) for alterations to the front and side elevations, however the particular elements subject to this application did not form part of the scope of those approved works.

1.2 As a result of the unauthorised alterations, the cills of two front and one side windows were lowered.

1.3 It was also noted whilst on site that the front door had not been replaced like for like as initially claimed by the applicant in their Design and Access Statement. The Design and Access Statement has now been revised to include the changes to the front door.

Additional information

1.4 During the course of the application, the applicant was asked to revise their drawings to rectify inconsistencies in their proposed plan, proposed section (section 3) and Design and Access Statement following an objection from the Dartmouth Park CAAC.

1.5 The following assessment has therefore been made based on the final submission of drawings in relation to the proposal, giving consideration to its own individual merits, and taking into account the particular site context, including all relevant planning history, policies and guidance, as well as any responses received during the statutory consultation period.

2.0 Assessment

2.1 The principal considerations in the determination of the application are:

- the design and impact of the proposal on the character and appearance of the host building, streetscene and wider Dartmouth Park Conservation Area; and
- the impact of the proposal on neighbouring amenity.

3.0 Design and appearance

3.1 Local Plan Policy D1 (Design) aims to ensure that all developments are of the highest standard of design and respect the character, setting, form and scale of neighbouring buildings, its contribution to the public realm, and its impact on wider views and vistas. Local Plan Policy D2 (Heritage) states that the Council will require that developments preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas and listed buildings. This is supported by the Dartmouth Park Conservation Area Appraisal.

3.2 Policy D3 (Shopfronts) of the Local Plan requires new and altered shopfronts to feature a high standard of design and to consider the existing character, architectural, and historic merit and design of the building and its shopfront.

3.3 The Dartmouth Park Conservation Area Appraisal and Management Plan (2009) states that *'inappropriate and poorly designed shopfronts detract from the character and appearance of the Dartmouth Park Conservation Area. The Council expects the quality and design of new shopfronts to respond sensitively to their historic setting.'*

3.4 Planning permission was granted on 18th May 2023 for a *'roof extension and installation of rooflights. Demolition at 1st floor to create internal courtyard with associated fenestration alterations. At ground side elevation, replacement of window with a door and replacement of existing door.'* (2023/0437/P).

3.5 The works have already been implemented, and the current application is considered retrospectively.

3.6 The proposal includes the lowering of the cills to the front two windows (on either side of the front door) and right end side window on the side elevation. The replacement of the existing door on the side elevation with a new timber painted glazed door was approved as part of the previous application on 18th May 2023 (2023/0437/P). The enlarging of the front two window units starts to distort traditional solid to void ratios and the fenestration pattern of the positive contributing building. However, the building presents individually and not in a uniform grouping with others, so this change has not harmed an established fenestration pattern. The use of a traditional timber framed joinery for the windows is also welcome and is an appropriate material for the new units. Furthermore, the current architrave is remaining.

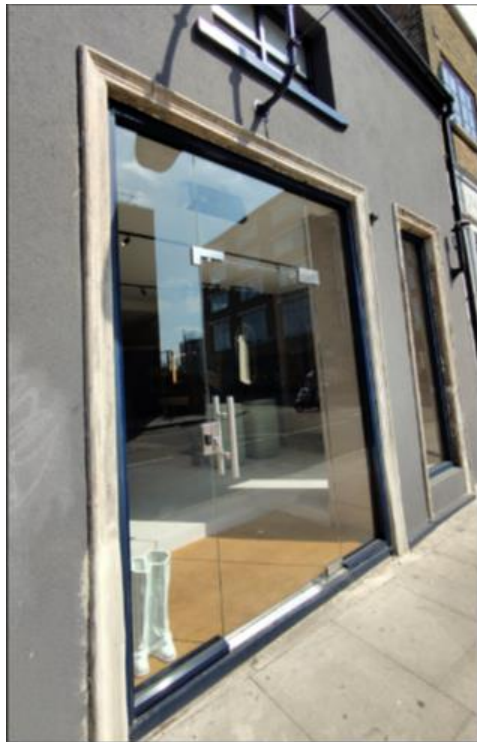
3.7 Overall, the alterations to the windows to the front and side elevations do not harm the character and appearance of the frontage, streetscene and wider Dartmouth Park Conservation Area, thus complying with policies D1 (Design), D2 (Heritage), D3 (Shopfronts) and CC1 (Climate change mitigation) of the Camden Local Plan 2017.

3.8 Special attention has been paid to the desirability of preserving and enhancing the character or appearance of the Dartmouth Park Conservation Area.

3.9 However, it was noted whilst on site that the door on the front elevation has also been replaced with an aluminium new door that is not recessed. Although mentioned in the applicant's Design and Access Statement, this element of the retrospective works was not initially showing on the proposed drawings. This has now been rectified and included as part of the proposed drawings. As mentioned above, this door was previously recessed as shown on the Google Maps image from August 2022 (please see below).



3.10 The door has not been replaced like for like as mentioned in the applicant's Design and Access Statement (please see below photograph taken in April 2025). An enforcement case has therefore been opened for this unauthorised front door (EN25/0366).



Warning of enforcement action to be taken

3.11 The existing unauthorised alterations to the ground floor front door are considered to be harmful to the character and appearance of the host building, local streetscene and Dartmouth Park Conservation Area. As such, a Warning of Enforcement Action will be attached to the decision notice to ensure that the front door is returned to its original state (recessed and timber). This should be carried out in a timely fashion and in full accordance with the approved drawings.

4.0 Sustainability

4.1 It is recognised that the use of timber for the front and side windows is preferable to that of metal for both aesthetic and environmental reasons given its low carbon content, resilience and adaptability.

5.0 Amenity

5.1 Local Plan Policy A1 (Managing the impact of development) supported by Camden Planning Guidance (Amenity), seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and by only granting permission to development that would not harm the amenity of communities, occupiers and neighbouring residents.

5.2 There are no amenity concerns to neighbouring residential properties as a result of this proposal given the minor nature of the alterations to an existing commercial frontage.

5.3 As such, the proposal accords with Camden Local Plan Policy A1 (Managing the Impact of Development) and with Camden Planning Guidance in amenity terms.

6.0 Recommendation

6.1 It is therefore recommended that planning permission be granted with a warning of enforcement action to be taken.

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 26th May 2025, 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 and search for 'Members Briefing'.

Application ref: 2025/0821/P
Contact: Fast Track GG
Tel: 020 7974
Email:
Date: 20 May 2025

Development Management
Regeneration and Planning
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE
Phone: 020 7974 4444
planning@camden.gov.uk
www.camden.gov.uk

Buckmaster Batcup Architects Ltd
70 Walter Road
Swansea
SA1 4QA

DRAFT

Dear Sir/Madam

DECISION

Town and Country Planning Act 1990 (as amended)

Full Planning Permission Granted and Warning of Enforcement Action

Address:
80 Highgate Road
London
NW5 1PB

Proposal:
Alterations to windows and doors to the front and side elevations (retrospective).
Drawing Nos: BBA971.P.01A; BBA971.P.02A; BBA971.P.03A; BBA971.P.04;
BBA971.P.05; Design and Access Statement (Revision 28.02.25) dated 13th May 2025.

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 shall be carried out in accordance with the following approved plans: BBA971.P.01A; BBA971.P.02A; BBA971.P.03A; BBA971.P.04; BBA971.P.05; Design and Access Statement (Revision 28.02.25) dated 13th May 2025.

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

- 2 The lighting that has been installed on the side elevation at first floor level shall be removed within three months of this permission.

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.

Informative(s):

1 ENFORCEMENT ACTION TO BE TAKEN

The existing unauthorised front door alterations are considered to be harmful to the character and appearance of the host building, local streetscene and Dartmouth Park Conservation Area. As such, enforcement action may be taken in relation to this matter should the front door as specified above not returned to its original state (recessed and timber) within 3 months of the date of this decision notice being granted.

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, 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 (search for 'Camden Minimum Requirements' at www.camden.gov.uk) 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.

5 Biodiversity Net Gain (BNG) Informative (1/2):

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 this is a Householder application.

++ 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:
 - 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.
 - 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).
 - The application is a Householder Application.
 - It is for development of a "Biodiversity Gain Site".
 - 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 Self-Build or Custom Housebuilding).
 - It forms part of, or is ancillary to, the high-speed railway transport network (High Speed 2).

6 Biodiversity Net Gain (BNG) Informative (2/2):

+ 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.

++ The effect of section 73(2D) of the Town and 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.

++ 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.

- 7 This permission is granted without prejudice to the necessity of obtaining consent under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 for the hanging sign on the front elevation. Application forms may be obtained from the Council's website, www.camden.gov.uk/planning or the Camden Contact Centre on Tel: 020 7974 4444 or email env.devcon@camden.gov.uk.

In dealing with the application, the Council has sought to work with the applicant in a positive and proactive way in accordance with the National Planning Policy Framework. The council publishes its adopted policies online, along with detailed Camden Planning Guidance. It also provides advice on the website for submitting applications and offers a pre-application advice service.

You can find advice about your rights of appeal at:

<https://www.gov.uk/appeal-planning-decision>.

Yours faithfully

Chief Planning Officer