

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN



13th March 2023

Dear Sirs,

APP/X5210/C/22/3313568 – 4 COPPERBEECH CLOSE, LONDON, NW3 5RB

I write further to the representations made by the London Borough of Camden. I note no representations have been received by third parties.

In respect to the Council's Statement (6th March 2023) I feel it necessary and appropriate to respond to the points raised. I address each of the points in the order that they are set out in the representation (unfortunately the Statement does not provide any paragraph numbering):

1. (Page 1, Second paragraph) It is noted that the enforcement action is based upon "heritage and design principles". As such, the Council confirms that there is no conflict with matters of residential amenity, impact on neighbours, ecology or highway safety. The decision to proceed with enforcement action was therefore based upon a judgement that the works have result in harm solely on heritage and design grounds. These grounds must be informed by professional judgement alone. In contrast to the fully evidenced and substantiated assessment of impact upon the significance of the historic environment, as set out in the Appellant's statement, the Council provides no corresponding level of assessment. The Officers Report, upon which the Council relies to substantiate its position, also lacks any identifiable assessment of impact.

2. Ground (d) appeal: The Council's reliance upon the evidence is fundamentally flawed:

- i) Appendix A shows works being undertaken to the rear extension that appear to be a re-cladding of the flat roof. They do not provide any evidence that a structure, enclosed by existings wall and a roof did not already exist. The re-cladding of a roof constitutes a repair, not development that requires planning permission;
- ii) Appendix B shows a Land Registry Plan (2022). Such plans are intended to identify parcels of land for ownership purposes, not buildings. The Philip Arnold Auctions Brochure Photographs and Plans (2017) did not follow any inspection of the property by the agent before these were published. They therefore

constitute a position that existed before the site was purchased: it is unknown how long before the purchase were they the subject of a site inspection.

iii) Appendix C shows the re-fitting out of an existing internal space. The brickwork was pre-existing and simply re-pointed. The Inspector will see when visiting the site that the external appearance of these walls is potential contemporary with the original dwelling, if not, then shortly afterwards, given the appearance of the brickwork.

3. Ground (a) – as set above, the Council fails to identify what it is about the existing property that contributes to the significance of the conservation area. It is my professional opinion that it is the strong shape forms established by the single pitched roofs and how these are viewed in the street, that makes the key contribution. A single storey flat roof structure at the rear of the dwelling has no impact as to how this characteristic form presents itself to the conservation area. The designation of conservation areas was never intended, nor should it resist all forms of development. Their purpose is to protect what is special about their character and appearance. The Council has chosen to take a narrow and incorrect interpretation of the law and planning policy.

The remainder of the Council's statement raises no new points and is addressed by the Appellant's submitted statement. I would be very happy to point any matters out to the Inspector at the site visit, if that is considered helpful.

I trust the above rebuttal points are helpful in clarifying the matters pertinent and relevant to this appeal.

Yours faithfully



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Executive Director