



APPEAL BY:  
Mrs Mina Dragojevic

AGAINST THE LONDON BOROUGH OF CAMDEN COUNCIL'S REFUSAL  
TO GRANT PLANNING PERMISSION FOR:

*Erection of 1<sup>st</sup> floor rear extension with rooflight and attached roof terrace with  
privacy screens*

AT:

12 Aldred Road, London, NW6 1AN

London Borough Camden Council's Reference: 2023/1142/P

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

June 2023

RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning, 15 Vale Court, Ealing Road, Brentford, TW8 0LN

## 1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mrs Mina Dragojevic, in support of the appeal lodged against the refusal of planning application reference 2023/1142/P.

1.2 The application was dated 16<sup>th</sup> March 2023 and sought planning permission for the 'Erection of 1st floor rear extension with rooflight and attached roof terrace with privacy screens' at no. 12 Aldred Road in London. The application was subsequently refused under delegated authority on 17<sup>th</sup> May 2023 for the following reason:

1. *The proposed roof terrace with privacy screens, by reason of its location and design and associated removal of hipped roof, would harm the character and appearance of the host building and area, contrary to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 (Design and character) of the Fortune Green & West Hampstead Neighbourhood Plan 2015.*

1.3 These grounds of appeal will address the central concerns raised within the council's reason for refusal, notably:

- Whether the proposed roof terrace with privacy screens would harm the character and appearance of the host building and area.

1.4 By way of background to the case, the appellant sought pre-application advice under reference 2022/5370/PRE for the 'Erection of rear extension at first floor level and associated roof terrace'. Advice received stated:

- The principle of creating an additional storey on the rear projection is considered acceptable.
- The additional storey should project to the same depth and height as the neighbouring first floor addition at No.11.
- The loss of the hipped roof on the existing rear projection is not encouraged.
- The flat roof on the proposed first floor extension should not be used as a terrace.

1.5 To set some context, this statement will first provide a description of the appeal site and the proposed development. This statement will then discuss the relevant national and local planning policy before responding to the council's concerns.

### RJS PLANNING

## 2.0 THE SITE

- 2.1 The appeal site is located on the southwestern side of Aldred Road within a predominantly residential setting. The site is not within a conservation area or within the curtilage of a listed building.



**Aerial view of the appeal site and surrounding area**

- 2.2 No. 12 is a two storey mid-terrace dwelling which has an existing two storey rear projection.



**No. 12 Aldred Road**

### RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning, 15 Vale Court, Ealing Road, Brentford, TW8 0LN

### 3.0 THE PROPOSED DEVELOPMENT

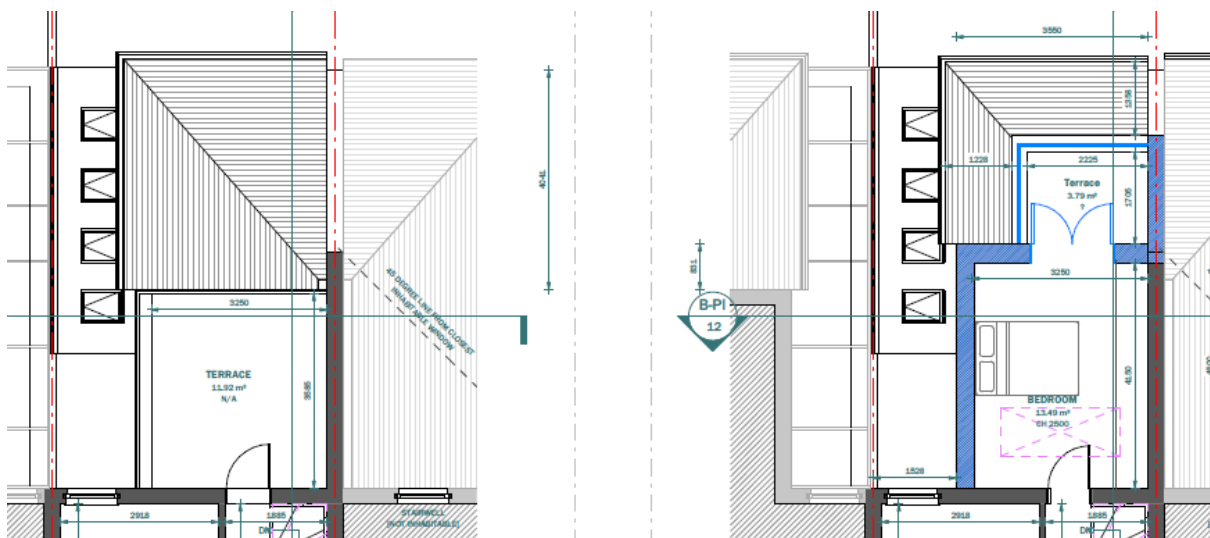
3.1 The appeal proposal sought planning permission for the ‘Erection of 1st floor rear extension with rooflight and attached roof terrace with privacy screens’ at no. 12 Aldred Road.



**Existing and proposed rear elevation**

3.2 The proposed first floor extension would be positioned over an existing roof terrace and would measure 4.5m deep x 3.55m wide with a flat roof. The extension would increase the internal floor area by 13.49m<sup>2</sup>.

3.3 A small roof terrace would be created which would be accessed from the proposed extension. The roof terrace would be bordered by 1.69m tall privacy screens and would provide an outdoor area of approximately 3.79m<sup>2</sup>.



**Existing and proposed first floor layout**

3.4 All work would be completed in matching materials including London stock yellow brick, GRP flat roof, white UPVC windows/doors and an obscured glazed balustrade.

## 4.0 RELEVANT PLANNING POLICY

4.1 The reason for refusal refers to policy D1 (Design) of the London Borough of Camden Local Plan 2017 and policy 2 (Design and character) of the Fortune Green & West Hampstead Neighbourhood Plan 2015.

4.2 Although not referred to within the given reason for refusal The following paragraphs provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

### National Planning Policy Framework (NPPF) 2021

4.3 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

### Presumption in Favour of Sustainable Development

4.4 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

### Decision-making

4.5 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way.

### Achieving well-designed places

4.6 Section 12 of the NPPF refers to design, with paragraph 126 describing how the Government attaches great importance to the design of the built environment, stating that "*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*"

4.7 Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

### **Camden Local Plan**

- 4.8 The Local Plan was adopted by Council on 3 July 2017. It replaced the Core Strategy and Camden Development Policies as the basis for planning decisions and future development in Camden. Policy D1 was referred to within the given for refusal.

### **Policy D1: Design**

- 4.9 The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- d. is of sustainable and durable construction and adaptable to different activities and land uses;
- e. comprises details and materials that are of high quality and complement the local character;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

- 4.10 The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

**Fortune Green & West Hampstead Neighbourhood Plan 2015**

- 4.11 The Plan provides planning policies and guidance at a neighbourhood level. Policy 2 was referred to within the given reason for refusal.

**Policy 2: Design and character**

- 4.12 All development shall be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead. This shall be achieved by:
- i. Development which positively interfaces with the street and streetscape in which it is located.
  - ii. Development which maintains the positive contributions to character of existing buildings and structures.
  - iii. Development which is human in scale, in order to maintain and create a positive relationship between buildings and street level activity.
  - iv. Development which has regard to the form, function, structure and heritage of its context - including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces.
  - v. A presumption in favour of a colour palate which reflects, or is in harmony with, the materials of its context.
  - vi. New buildings and extensions that respect and are sensitive to the height of existing buildings in their vicinity and setting. Tall buildings in the Growth Area will need to have regard to their impact on the setting of the two immediately adjacent conservation areas, in order to avoid any negative impact on them.
  - vii. Extensions - and infill development - being in character and proportion with its context and setting, including the relationship to any adjoining properties.
  - viii. The provision of associated high quality public realm.
  - ix. Having regard to the impact on local views across the Area and the streetscapes within the Area (as identified in A11 and Map 2).
  - x. Development which aims to fulfil the criteria set out in Building for Life 12 (as detailed in A18).

## 5.0 THE APPELLANT'S CASE

### Introduction

5.1 The appellant's case will focus on the central concerns of the reason for refusal, notably:

- a) Whether the proposed roof terrace with privacy screens would harm the character and appearance of the host building and area.

5.2 The main considerations in the determination of this appeal are:

- Design

### Design

5.3 Paragraph 126 of the NPPF states that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*.

5.4 Camden Local Plan policy D1 (Design) seeks to secure high quality design in development that respects local context, comprises details and materials that complement the local character and incorporates outdoor amenity space.

5.5 Policy 2 (Design and character) of The Fortune Green & West Hampstead Neighbourhood Plan also requires high quality development which has regard to the form, function and structure of its context.

5.6 To confirm the delegated officer's report sets out at paragraph 3.3:

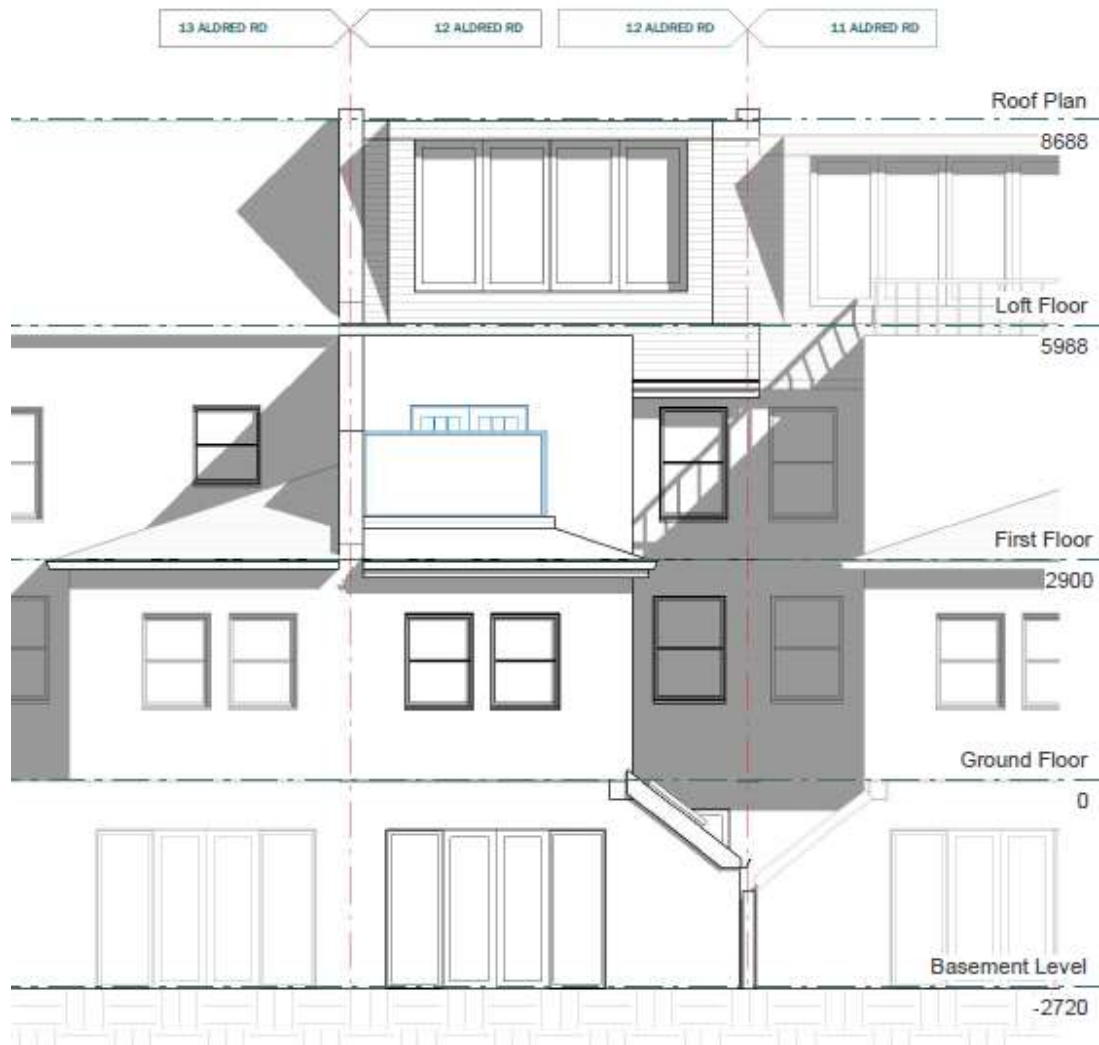
***"The proposed extension will be very similar to the existing extension located at 11 Aldred Road with respect to its depth and height. It is thus considered acceptable in terms of bulk, location and design and would respect the local context and character. With respect to materials, the proposed materials are appropriate in this context, as is the rooflight."***

5.7 Consequently, the council's decision is based solely on the impacts of the proposed roof terrace and privacy screens which the council cite would, by reason of their location and design and associated removal of a hipped roof, harm the character and appearance of the host building and area.

5.8 In response, the appellant states that the proposed position and design of the roof terrace has been carefully considered to ensure that it has regard to the existing form of the host building.



- 5.9 The council argue that hipped roofs form part of the character of the rear elevation and its loss would disrupt the rhythm of rear elevations.
- 5.10 Contrary to the council's assessment the proposal would not result in the complete removal of the hipped roof as it would retain the lower section of the pitched roof form to ensure the property would retain some similarities to help its assimilation within the local context.



**Proposed rear elevation**

- 5.11 Furthermore, as shown on the existing plans, the host building already has a section of the outrigger hipped roof removed which provides a flat roof area for the existing raised terrace.
- 5.12 As a result, the changes now proposed would not significantly alter the existing character of the property or undermine the integrity of the host terrace.



**Existing roof alterations**

5.13 Furthermore, due to various extensions and alterations which have been implemented across the host terrace the appellant states that the original symmetry and rhythm has already been reduced. As such, the changes proposed at the appeal site would not unacceptably affect the existing varied pattern of development seen on the rear elevations, as shown in the following aerial image.



**Existing host terrace**

**RJS PLANNING**

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning. 15 Vale Court, Ealing Road, Brentford, TW8 0LN

- 5.14 As indicated, the host property has an existing roof terrace above the first floor level which is secured by metal railings and there are further raised terraces at nos. 3 and 11 Aldred Road.



**Roof terrace with railings at no. 11 Aldred Road  
taken from Rightmove.com property listing**



**Roof terrace at no. 3 Aldred Road taken from Rightmove.com property listing**

**RJS PLANNING**

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning, 15 Vale Court, Ealing Road, Brentford, TW8 0LN

- 5.15 The following image illustrates other rear roof terraces upon Hillfield Road which are positioned to the southwestern side of the appeal site.



**Roof terraces at nos. 76, 78, 84, 86, 88 and 90 Hillfield Road**



**Roof terrace at no. 78 Hillfield Road**

- 5.16 Whilst the existing roof terraces are bordered by raised walls, fences and railings the appeal development proposes obscure glazed screens to ensure that the

RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning, 15 Vale Court, Ealing Road, Brentford, TW8 0LN

development would not introduce any new or unacceptable impacts from overlooking.

- 5.17 The delegated officer's report remarks at paragraph 3.6 that the introduction of high glazed privacy screens would add visual clutter and appear bulky and inappropriate at this roof level location.
- 5.18 In response, the appellant states that the privacy screens by virtue of their seamless design would add less visual clutter than the metal railings which currently border the existing roof terrace.
- 5.19 The obscure glazed panels would also hide domestic paraphernalia from view which could be placed on the roof terrace thus, further reducing visual clutter and improving the overall appearance of the host building.
- 5.20 Moreover, the screens would be high quality, contemporary additions that would complement the extended form of the host dwelling. The appellant is willing to submit further details in relation to the screens as a condition of approval if deemed necessary to ensure the appearance is satisfactory to the council.
- 5.21 In addition, whilst the screens would be visible in limited views from Hillfield Road they would be seen in context with the large, glazed dormer windows within the host terrace and as a result would not appear out of place.



**View towards the host terrace from Hillfield Road**

**RJS PLANNING**

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk  
RJS Planning, 15 Vale Court, Ealing Road, Brentford, TW8 0LN

- 5.22 Moreover, from the only public vantage point available, the privacy screens proposed would be seen in context with other balcony screens visible from Hillfield Road which are positioned on the rear elevations of dwellings on Berridge Mews. As shown in the image below, these screens are highly visible within the street scene and as a consequence the introduction of a relatively discrete addition to the rear of no. 12 Aldred Road would not result in the harm the council portray.



**Juliet balconies with privacy screens on Berridge Mews**

- 5.23 The appellant also states that the site is not within a conservation area or area of special local character and that the host building and terrace are not nationally or locally listed buildings. Therefore, the appellant considers that the building, terrace and wider area are not so sensitive that they could not accommodate the changes proposed.
- 5.24 The appellant further refers to paragraph 126 of the NPPF which states that good design is a key aspect of sustainable development and creates better places in which to live. Paragraph 130 f) goes on to state that development should promote health and well-being, with a high standard of amenity for existing and future users.
- 5.25 In this case the proposed roof terrace will provide an outdoor area for the appellant who suffers from a progressive personal disability which makes mobility and

manoeuvrability problematic. An accessible outdoor area will vastly improve the appellant's living conditions and her health and wellbeing and therefore, these personal circumstances should add weight in favour of the development.

- 5.26 Given the above points, the appellant considers that the council's reasons for refusal are unjustified as the development would NOT harm the character of the host building and area. Thus, the development would comply with the aims of the NPPF, policy D1 of the Camden Local Plan and policy 2 of the Fortune Green & West Hampstead Neighbourhood Plan 2015.

## **6.0 CONCLUSION**

- 6.1 The council have confirmed that the proposed first floor rear extension with rooflight is acceptable.
- 6.2 The appellant has now demonstrated that the proposed roof terrace with privacy screens by reason of its relatively discrete location, design and high quality appearance would enhance the character of the existing house reducing the visual clutter created by open railings and household paraphernalia.
- 6.3 The development would also complement the wider pattern of development and as the roof terrace would be seen in context with similar development it would assimilate within the locale without compromising its character.
- 6.4 Therefore, the appellant states that the council's reasons for refusal are unsound as the proposal adheres with the aims of the National Planning Policy Framework (2021), Camden Local Plan policy D1 (Design) and policy 2 (Design and character) of the Fortune Green & West Hampstead Neighbourhood Plan 2015.
- 6.5 The National Planning Policy Framework (NPPF) states that decision-makers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. The proposed erection of a first floor rear extension with rooflight and attached roof terrace with privacy screens would not be contrary to national or local planning policy and, for the above reasons, it is politely requested that this appeal is allowed.