

Statement of Case

0.0 Introduction

- 0.1 An Appeal is being filed for re-consideration by the Planning Inspectorate of the Planning Refusal of Application Ref 2022/5018/P by the London Borough of Camden. The application was for “*Erection of a single storey rear extension at upper ground floor level.*” The location is 39 Inkerman Road, NW5 3BP, in the area of Kentish Town. The site is located within the boundaries of the Inkerman Conservation Area on the North side of Inkerman Road and West of its junction with Cathcart Street, in the heart of the CA formed of a network of quiet residential roads.
- 0.2 The single reason for refusal given is: “*The proposed upper ground floor rear extension, by reason of its design, siting and bulk, would result in an incongruous and dominant addition to the existing building, which would cause harm to the character and appearance of the host building, the terrace of buildings of which it forms part and the Inkerman Conservation Area. It would therefore be contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.*”
- 0.3 In advance of the Council's determination of the application, the Planning Officer entered dialogue with the Agent over an extended period from 22/12/22 through 01/03/23. The application was originally targeted for determination around the 2nd week of January, formally extended to the 23rd January although ultimately the decision was not issued until 1st March. A first assessment of the proposal was sent by email on 22/12/22 indicating an intention to refuse the scheme based on assessment made by the Officer who dealt with the previous consented application (Ref 2022/5853/P) of proposed extensions at upper ground and 1st floor levels which were subsequently removed from that scheme. That Officer's internal notes were quoted including several phrases which have remained in subsequent correspondence including the Report prepared for this application. The email concluded by inviting withdrawal of the application. The Agent responded in detail on 22/12/22 highlighting particularly that no site visit had been carried out as part of his assessment. This email together with the full detailed correspondence between the Agent and Officer have been attached to this document at Appendix A.
- 0.4 The Officer responded to these comments on 10/01/23 partly to request an extension of the deadline assigned to the case. This response particularly reinforced the points: that the proposed extension

would be “highly prominent” in both public & private views; and that the existing terrace is “relatively uniform and well-preserved”. The Agent responded on 11/01/23 including graphics comparing the new scheme to the version withdrawn from the previous application and highlighting its reduced massing and more sensitive detailed design. Also included was a graphic overlay onto the public view available from Cathcart Street illustrating that the extension would not be visible behind the existing garden wall and planted trellis. The Officer responded on 16/01/23 confirming that he had now made a site visit (which did not include accessing the property itself) and included an elevation of a preceding scheme which is not available on Camden’s website records for that application and requesting an extension of time to 23/01/23 in order for the Council to meet its deadline. The Appellant allowed the extension of time and decided that the original proposal should be determined by the Council allowing for a potential appeal to the Planning Inspectorate.

- 0.5 The Council issued its decision to refuse the application under delegated powers on 01/03/23 over 5 weeks following the extended target date for determination. The Officer’s Report closely follows the text and conclusions of the earlier email, although it also includes consideration precedents included in the original Design Statement.

1.0 Aspects of the Scheme Deemed Acceptable

- 1.1 The Officer’s Report accepts several aspects of the proposal while concluding overall that the scheme should be refused. The acceptable aspects are set out in this section of the Statement of Case for the record.
- 1.2 The final section of the Report which is titled ‘Amenity’ assesses potential harm to the amenity of neighbouring residents, including “privacy, outlook and implications on daylight and sunlight”. The conclusion confirms the decision to locate the proposed, partial width extension on the north-eastern boundary. With respect to No.40 Inkerman “all amenity impacts are considered to be very limited and not harmful” and as for No.38 it is judged to “not harm this neighbour’s amenity to any significant extent”. This conclusion is greatly appreciated by the Appellant as it leaves the sole reason for refusal listed above. Fundamentally, it is therefore acknowledged that the scheme was refused based on design and conservation concerns.
- 1.3 The Officer’s Report acknowledges that “it is considered that the scheme causes ‘less than substantial’ harm to the conservation area as a heritage asset”. In concluding that “there is no public benefit to outweigh this harm” it justifies refusal “according to the NPPF balancing test”. However, the NPPF does not actually define the concept of ‘public benefit’ or provide such a clear quid pro quo.

- 1.4 The relevant paragraph 202 of the NPPF states: “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal *including, where appropriate, securing its optimum viable use*” (emphasis added). The NPPF therefore allows for two mitigating factors in either public benefit or securing optimum viable use. The scheme would as a matter of fact improve the viability of the property in allowing a modest extension to the primary living, dining and kitchen areas of the dwelling which are currently somewhat cramped and inadequate. As the Appellant contends that the ground floor extension would not be visible in the public street scene, there is no public disbenefit from the proposal. It is therefore on private views from neighbouring properties that the decision to refuse hinges.
- 1.5 The current layout of the property as a 4bed, 3 storey dwelling does not comply with the Housing Standards set out in the London Plan. Its total area of 113.3m² would slightly exceed the 112m² minimum area required for a 6 person dwelling, however the combined living/dining/kitchen area should be at least 31m² whereas the current layout on the primary reception floor only measures 26m² for a deficiency of 16%. The modest outrigger extension would raise the living space provision to 31.6m² to slightly exceed the minimum required. It is demonstrably in the public interest – and an express policy aim of the Council – to provide high quality housing for families to properly balance the population and support local services and schools. The scheme proposed would therefore meet the NPPF and Policy D1 requirement to demonstrate a public benefit.
- 1.6 We note that to the Appellant’s knowledge, no site visit to any private properties was carried out by the Planning or Design Officers in reaching their conclusion. Certainly, the judgment is not one based on objections raised by other parties who could potentially be impacted by the proposal. The Officer’s Report does not note how many notices were sent to adjoining and nearby properties, but does confirm that no public objections were received. Clearly neighbours within the Inkerman CA do not overtly agree with the Officer’s conclusion that the proposal would cause harm to the character and appearance of the context. Given how invisible the extension would be to all but the adjoining neighbours this is perhaps not surprising and demonstrates the lack of public harm resulting from it.

2.0 References to Planning Policy

- 2.1 The Reason for Refusal cites a range of Camden planning policies which bear on the Council’s determination to refuse the application. Reference is also made in the Officer’s Report to the Inkerman Conservation Area Statement (CAS). These range from strategic policy statements to local design guidance with particular reference to conservation issues which are relevant in the context.

- 2.2 Policy D1 (Design) of the Camden Local Plan sets out a commitment for the Council to seek to secure high quality design in development. Local Context and Character are addressed at Section 7.2 of that policy which imposes obligations for schemes to consider:
- “character, setting, context and the form and scale of neighbouring buildings;
 - the character and proportions of the existing building, where alterations and extensions are proposed;
 - the prevailing pattern, density and scale of surrounding development;
 - the impact on existing rhythms, symmetries and uniformities in the townscape;...
 - the wider historic environment and buildings, spaces and features of local historic value.”

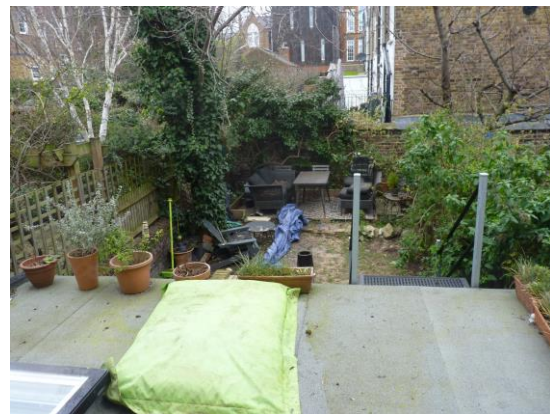
The Appellant contends that the proposed design represents an historically representative form of extension to similar properties in the CA. In fact many terraced dwellings of this era either originally included similarly scaled outriggers or have been extended in this format.

- 2.3 Section 7.3 continues that “the Council will welcome high quality contemporary design which responds to its context, however there are some places of homogenous architectural style (for example Georgian Squares) where it is important to retain it.” Section 7.4 highlights that “how places have evolved historically and the functions they support are key to understanding character.” Section 7.5 states that “design should respond creatively to its site and its context including the pattern of built form and urban grain...” These statements make clear that the Council will consider contemporary proposals which respond to the grain of local character. With 3 out of 5 of dwellings forming the existing terrace of 37-41 Inkerman Road currently featuring partial width outriggers at ground floor level, it follows logically that the context is typified by this historical form of development.
- 2.4 Design and Materials are addressed in Section 7.9-7.10 with excerpts stating that “architectural detailing should be carefully integrated into a building”, “schemes should incorporate materials of a high quality...or, where appropriate, in materials that complement or enhance a building or area.” The proposed scheme would feature primary elevations of high-quality timber cladding with its flank party wall built in London Stock brickwork and its roof tiled in slate, both to match the existing. The Officer’s Report characterises the timber cladding as “incongruous” although we note that similar proposals have been consented at other properties in the CA including at 51 Alma St (ref 2019/0756/P) with others such as 13 Alma St featuring materials including painted render (ref 2012/6436/P). However, if alteration of the materials proposed were the sole requirement to achieving consent the Appellant would readily comply.

- 2.5 Policy D2 (Heritage) of the Camden Local Plan commits the Council to the principles set out in the NPPF including the passage noted above at 1.4. The Council notes that Conservation Area Statements will “set out how we consider they can be preserved or enhanced.” It establishes the intention to “manage change in a way that retains the distinctive characters ... and will expect new development to contribute positively to this.”
- 2.6 The Inkerman Conservation Area Statement was published in 2003 after establishment of the CA in 2001. Under the section titled Current Issues the CAS confirms that “the Council supports good new design, where the quality of development enhances the Conservation Area.” In following sections concerns are raised over designs which represent “inappropriate bulk, massing and/or height” and erosion of character from “inappropriate extensions”.
- 2.7 The section of the CAS titled Guidelines confirms that “it is not, however, intended to prevent all new development.” Permitted Development rights are outlined suggesting that the allowable height under these rules for rear extensions would be 3Metres above ground level. In practice it appears that the Council generally allows full width single storey rear extensions to nearly all properties in the CA. There are a significant number of properties which have also been extended above that single storey, generally with partial width outriggers. These would most likely be considered more acceptable in principle where the lower-level extension is from a semi-basement level and where the upper extension would be set a full storey below the full height of the dwelling – i.e. a 2 storey extension to a 3 storey dwelling. Both of these are true for the proposal forming this application where we note that the height of the side flank wall of the proposal would measure just 3.5Metres above the adjoining ground level.
- 2.5 The Kentish Town Neighbourhood Plan outlines general development policies for the area. Policy D3 (Design Principles) essentially reinforces principles adopted elsewhere in Camden policies. Proposals should draw from list of “design cues from the surrounding area” which include: “grain, building form (shape), scale, height and massing, alignment, modulation, architectural detailing, materials...” In the short terrace in which No. 39 Inkerman is located, 3 out of the 5 dwellings have historically been extended with 2 storey, partial width outriggers. In fact, these outriggers to No.’s 37 & 40 are significantly taller and bulkier than the proposal to No. 39. Policy D3 continues for proposals to use “materials that complement the existing palette of materials in the surrounding buildings”. The mixture of brick, slate and timber cladding included in this proposal were carefully selected by the applicant precisely in order to be complementary. However, if the Inspector would consider a more limited palette of brick and slate more appropriate then the Appellant would be happy to make this minor amendment to the scheme.

3.0 Contextual Considerations

3.1 The Officer's Report judged the proposal unacceptable "both in principle and in detailed design". It contends that "the extension would be prominent in private views from rear windows and rear gardens of properties in Willes Road and Alma Street, but also slightly viewable in the public realm from Cathcart Street." The layout of the local street network clearly confirms that no property from Alma Street could provide views to the rear of the north side Inkerman; we presume that the Officer intended to cite Cathcart Street, however the alignment of No.39 is such that a portion of its rear boundary adjoins the 3-storey side flank wall of No.1 Cathcart so there are no windows facing the proposal. In fact, because the extension would be on the opposite side of No.39 we would hold that such views are in fact not possible. Therefore, the only rear aspects which could possibly be affected would be from Willes Road where the existing 2 storey outrigger to No.40 and mature planting would obscure large portions of the proposed extension. At most the top 2nd floor of No.42 Willes Road and the 1st-2nd floors of No.'s 44&46 might have some view of the proposal, but these windows are set between 27-31Metres away. The misunderstanding of the impact of the proposal on neighbours' views may have been compounded by the fact that no site visit was carried out to the property while considering this application.



View toward flank wall of 1 Cathcart Street



View toward rear of properties on Willes Road

3.2 The Officer's Report concedes that the proposal would have quite limited impact on views from the public streetscene of Cathcart Street, yet uses this limited impact to conclude that "the proposal would disrupt the rhythm and pattern of development to the rear of the terrace..." As part of correspondence between the Agent and Officer a graphic was provided illustrating that the height and position of the proposal would essentially fall behind the outrigger of No.37 Inkerman and below the trellis atop its brick boundary wall, although it was noted that the elevated position of this Google Streetview photograph did not accurately represent the impact of the scheme. When compared with recent camera site photos it becomes even clearer that the impact of the proposal on views from Cathcart Street would be unmeasurable. The street tree, currently barren, would clearly obscure the entirety of the rear the Inkerman terrace.



Views toward rear of Inkerman terrace from Cathcart St including graphic supplied to Officer

3.3 The Officer's characterisation of the terrace of 5 houses which No.39 forms part of as "relatively uniform, retaining much of the original rear facades and well preserved" does not stand up to scrutiny. Indeed No.'s 38&39 have been relatively unaltered since they were originally built but the other 3 houses No.'s 37, 40 & 41 have been significantly extended, in each case with 2 storey outriggers. The proposed extension to No.39 which measures 3M deep x 2.5M wide would be more modest in scale than either of the others: 4.3M deep x 2.5M wide at No.40; 4.6M deep x 1.9M wide at No. 37 (effectively 6.1M deep compared to the balance of the terrace due to that dwelling's deeper original plan). The eaves of the proposed extension would also be set 0.3M below those of the others. The declaration that these existing outriggers "are considered to negatively detract from the character ... and would not be supported" does not acknowledge the fact that they actually form part of the existing character of the CA which is not a archetypal idea frozen in time.

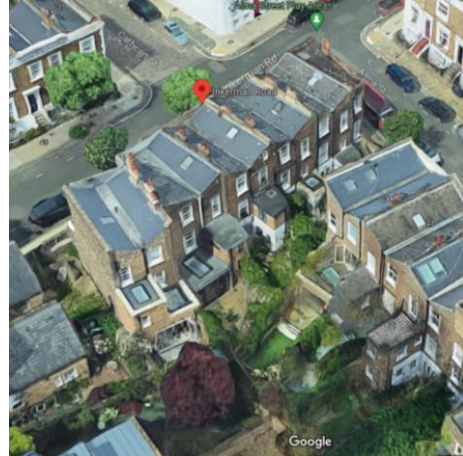


View to rear of terrace and of existing outriggers to No.'s 37 & 40

- 3.4 It should be recalled from the Inkerman CAS that “it is not ... intended to prevent all new development”, but rather to restrict uncharacteristic and harmful forms. In the immediate context of No.39 Inkerman more open public views are available through the gaps where individual terraces meet and demonstrate a rich variety of historical alterations and extensions in similar circumstances.



View through gap on Cathcart St toward ground floor extensions at 29-36 Inkerman Rd



View through gap on Alma St toward ground floor extensions at 1, 2 & 3 Inkerman Rd



View through gap on Inkerman Rd toward ground floor extensions at 28-36 Willes Road



View from Raglan St toward 1st floor extension at 9 Inkerman Rd

3.5 The Officer's Report considers the design of the proposed extension to be "incongruous" due both to its pitched roof and its location adjoining the rear reception room rather than the more typical outriggers which adjoin the stairwell. We would note that the butterfly roof profiles of the local terraces provide one of the most important visual features of the Inkerman CA. Immediately across Inkerman Road from this terrace the rear outriggers of No.'s 26, 28, 32, 34 & 36 Willes Road can be seen – all these feature substantial pitched roofs. Other examples exist in the CA including No.'s 7, 8 & 9 Alma Street.



Aerial view to rear of No.'s 26-36 Willes Road



Aerial view to rear of No. 's 1-9 Alma Street

3.6 The question of which side of terraced properties an outrigger is located is also not without precedents in the CA for its location behind the rear reception room. Recent consents have been granted for No. 42 Alma St (ref 2021/4081/P), No. 51 Alma St (2019/0756/P) and No. 46 Alma St (2015/1354/P allowed on appeal) all feature outriggers extending on the room side rather than stairwell side of the layout. These schemes respond to local conditions as well as the design layouts of those refurbished dwellings. Of note as well is that each of those precedents provided a upper partial width outrigger at 1st floor level of a 2 storey dwelling tucked just below the butterfly roof profile and a full storey higher than the relationship proposed in this scheme. At No.39 Inkerman the proposal to extend behind the existing kitchen followed careful consideration both of the ideal layout for the living spaces of the dwelling, but also to minimise visual and light impact on the adjoining neighbours. That assessment has in fact been upheld by the Officer's Report which confirms that in the location proposed there would be no unacceptable impact on either neighbour.



Rear outriggers to No. 's 42, 51 & 46 Alma Street

- 3.7 The Officer's contention that this location for the outrigger would upset the "rhythm and pattern of rear extensions" undermines both the earlier claim that the terrace is "well preserved" and admission that the scheme would only be "slightly visible" in views from Cathcart Street. The critique of the "contemporary design with a mono-pitch roof and timber cladding" which "should not be used on upper levels where it is prominently located" also has little merit given that it would lack visibility. Local Plan Policy D1 commits the Council to "welcome high quality contemporary design which responds to its context", a standard which we believe the proposal for No.39 Inkerman meets. The 3 examples provided above do not represent a comprehensive survey, but they do all adhere to contemporary principles of design and materials and were allowed within the Inkerman CA. Details of the consent granted at No.5 Cathcart St (ref 2013/8141/P) provide a 4th precedent example.

4.0 Precedents

- 4.1 The Design Statement submitted with the application provided details of precedents for 2 storey outriggers at the following properties in the Inkerman CA:

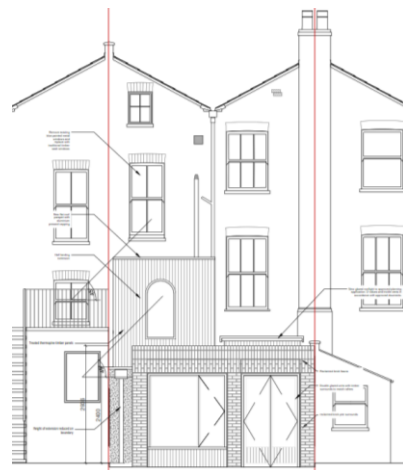
- 1, 2, 29 & 34 Inkerman Road
- 5 Cathcart Street
- 13, 38, 39, 42, 44, 46, 49 & 51 Alma Street

The section of the Officer's Report which addresses precedents only deals directly with one of these at 5 Cathcart St discounting the balance of cases as either dating before the date of the adopted Local Plan (2017) or in locations not visible to the public realm. No explanation is given for how policy has changed since 2017 which would materially impact the nature of acceptable proposals; the Inkerman CAS was published in 2003 but has not been updated since. The Officer has separately admitted that the proposal at No.39 Inkerman would only be "slightly viewable" and the Appellant contends that there is no material impact on existing public views. The Officer has also listed impact on private views from Willes Road & Alma Street (sic Cathcart Street?) as reasons for refusal, however, these numerous other consents were certainly granted in locations which were visible from other private vantage points. The characterisation of Cathcart Street as providing "numerous similar proposals" conflicts with the description of the host terrace of No.39 Inkerman: the 9 total properties in the Cathcart Street terrace feature 3 double storey outriggers and 2 single storey ones; the 5 total properties in the Inkerman terrace feature 3 double storey outriggers. As a proportion therefore the Cathcart terrace is more uniform than the Inkerman one which has been characterised as well preserved. Also, the location of No.5 at the centre of that terrace adjoins 2 properties to either side which are unextended with the 2 at either end providing the precedents there.



Aerial view of 1-9 Cathcart Street with No.5 at the centre

4.2 Currently applications are pending at 27 Inkerman Rd (ref 2022/5585/P) & 74 Grafton Rd (ref 2022/4810/P) for 2 storey rear extensions.



Schemes proposed at 27 Inkerman (top) & 74 Grafton (bottom)

5.0 Conclusion

- 5.1 The proposed outrigger extension at 39 Inkerman Rd in the Inkerman CA would create new accommodation to provide a dining area off the existing kitchen at the property. The scheme has been carefully considered to ensure that the massing would have no unacceptable impact on adjoining properties and would be effectively invisible to views from the local public streetscape due to its limited height and position behind the boundary wall of the corner property. It would also not be particularly prominent in views from neighbouring properties because of its location and mature trees and landscaping. The typology of 2 storey outrigger extensions to properties in the CA forms part of its current character on which the proposal should be judged. The frequency of consents granted for similar proposals by the Council demonstrates acceptance of this basic principle, at least where the alteration would not form a highly visible element in public views. Planning policies and guidance do not preclude alterations although these need to respond to contextual features and be in proportion to the original property. The position of the extension at upper ground floor level would represent a common feature of both 2 & 3 storey properties, would not be unduly tall because of the lower storey being a semi-basement and would leave the 1st storey (which is visible to the public realm) unaltered. In summary the proposal represents a sensitive response to the site in a contemporary idiom which takes its primary design cue from the butterfly roof of the host terrace.

6.0 Appendix A

Full emailed correspondence between Jim Biek & Ewan Campbell /
Case Officer, London Borough of Camden

Subject: FW: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP
Attachments: 2022.5018 fdn.pdf; 2022.5018.P Inkerman Report.pdf

From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: Wednesday, March 1, 2023 11:02 AM
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Apologies for my slightly belated reply, I was just trying to ensure the decision was in place and ready to be issued. You are right the decision has been issued and I have uploaded the decision notice and report onto the application's webpage. They are also attached in this email.

Can we agree a retrospective EOT for yesterday please? This is just to ensure the application is decided in time.

Thanks

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: [camden.gov.uk](https://www.camden.gov.uk)

5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 01 March 2023 09:59
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

I note that refusal of the application was registered yesterday but neither the decision notice listing the reasons nor your Officer Report have been uploaded to the website yet. Would you please forward these documents?

Regards
Jim Biek

11a Beresford Road London N2 8AT
t 020 3074 1002 m 07932 796 407
e bchitecture@gmail.com
w www.bchitecture.com

From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: Monday, February 27, 2023 5:25 PM
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well and again apologies for the delay on this – I am anticipating the decision should be issued tomorrow or Wednesday as we are ready to issue the decision.

Again, appreciate this has taken some time and apologies for the inconvenience caused.

Can we agree an EOT for Wednesday?

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 22 February 2023 13:37
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

When you wrote last week you anticipated being able to confirm the decision yesterday. As we haven't heard anything back could you please update your position?

Regards
Jim Biek

b c h i t e c t u r e

11a Beresford Road London N2 8AT
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From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: Thursday, February 16, 2023 5:17 PM
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well and appreciate your patience for the decision of the application. I have also been on annual leave for two weeks which means progress has been slow.

In relation to the proposal I want to discuss this further internally before issuing a decision and should be able to provide you with the decision/update on Tuesday.

Hope this helps and again, sorry for the delay.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
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From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 13 February 2023 13:42
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

When you wrote back on the 24th following confirmation of the requested extension of time on this application that was under your undertaking to determine it by the 23rd of January. Obviously we are now nearly 3 weeks past that date – can you please confirm the deadline you can meet?

Kind regards
Jim Biek

bchitecture

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From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: 24 January 2023 16:41
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Yes I will send a copy along with the decision notice to you directly and also upload it to the website.

This should hopefully be in the next couple of days

Thanks

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
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From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 20 January 2023 09:35
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

The applicant has agreed to your requested extension of time to Monday 23rd January. Would you be so kind either to forward a copy of your Officer's Report when complete or confirm when it is uploaded to Camden's website?

Kind regards
Jim Biek

b c h i t e c t u r e

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From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: 18 January 2023 17:52
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Appreciate the points raised, I am currently drafting a report which needs to be written and provides the information and reasoning behind the LPA's decision.

If we could agree a EOT that would be appreciated.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 16 January 2023 17:50
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

The drawing you have copied below is not the one uploaded to the withdrawn application Ref 2020/5852/P listed as 'Existing and Proposed Drawings (Revised)' – I'll be honest that is the first time I have seen that scheme. Also, I would not agree that what is shown represents a design of "very similar scale to the current proposal." The drawing actually appears to show a 3 storey outrigger on the right hand side of the rear elevation with a flat roof in front of the butterfly profiled roof. Certainly the details are significantly different and would represent a scheme with little precedent at other properties in the Conservation Area, unlike the scale, form and detail of the current proposal.

None the less it is clear that we will not agree on the assessment of either the current proposal or its impact on the local context and views. I find it interesting that you made a site visit after all but did not include visits to the address itself or any neighbouring properties.

You have made clear that you intend to refuse the application so why should the applicants agree to an extension of time? Surely you can simply issue that decision today as the target deadline has forecast.

Regards
Jim Biek

From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: 16 January 2023 17:29
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well, the plans you screenshot are not the ones I attached; below is the elevations from the superseded drawings



As you can see this represents a very similar scale to the current proposal.

In terms of the visibility I visited the site last week to ensure that this point was adequately attended to. The proposed development, would be visible from Cathcart street and therefore the design would impact how those elevations are read from public views which would impact on the Conservation Area. The design would also neither preserve or enhance the character and therefore I stand by the point that this would remain unacceptable. Certainly from the upper ground floor and above the rear elevations are well preserved. This is also compounded by the amount of ground floor development that has occurred already. Extending up the building in a piecemeal fashion does not positively contribute to the character of the building or CA.

Overall the view from myself and the Conservation officer is that the application remains unacceptable and neither the precedents or the further clarification has demonstrated otherwise. As stated, of course the applicants are welcome to appeal if you do not agree with the decision. If you want to withdraw you are also welcome to as well.

Can you agree an EOT for 23/01/2023 so the decision can be issued to yourselves in time?

Thanks

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: [camden.gov.uk](https://www.camden.gov.uk)

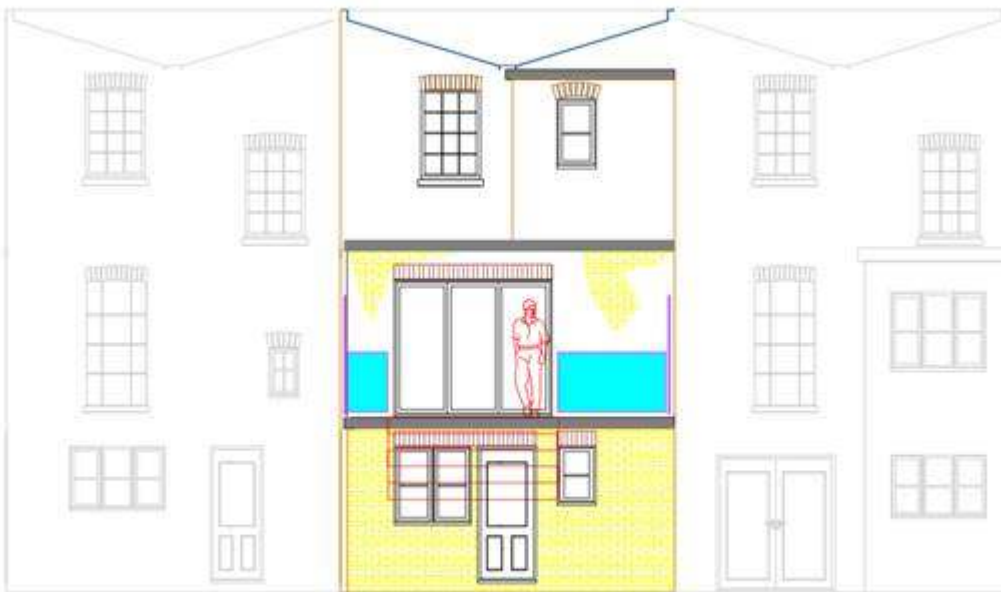
5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 11 January 2023 10:34
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

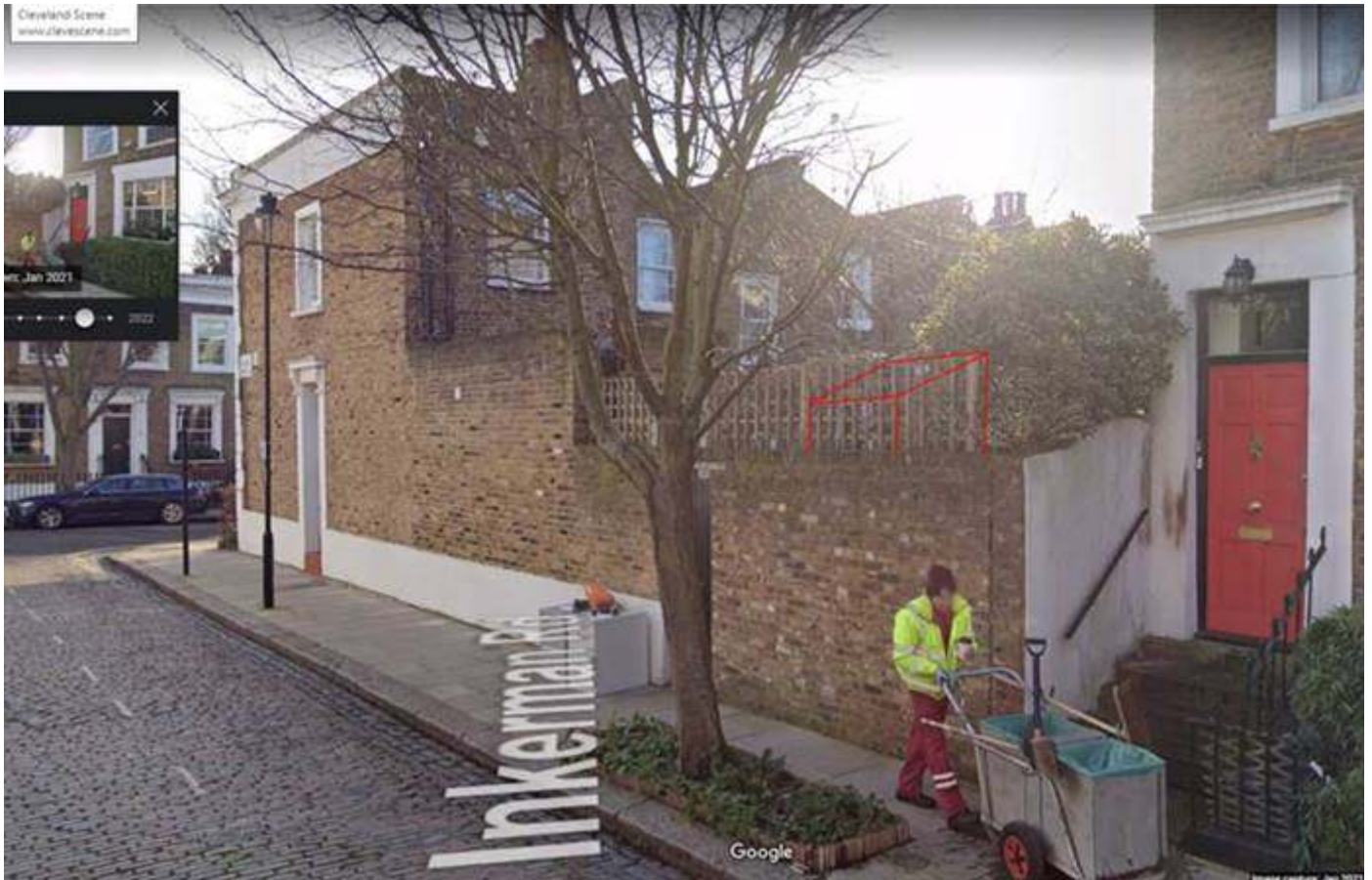
Ewan

Thank you for your further elaborations on your consideration of this application. Obviously, the conclusions are unwelcome to my client and I trust you will understand one last attempt on my part to challenge some of the details.

You have compared the current scheme to the previous scheme whose ground floor element was withdrawn from that application, although we would contend that was significantly larger and not detailed in the same way. The previous scheme proposed a full width, flat roofed extension with a multi-panel glass opening onto a raised roof terrace occupying the balance of the extension at lower ground floor level. It also included removal of the sash window to the stairwell - which represents one of the primary design elements of the terrace - replacing it with a significantly reduced size window, upsetting the balance of the elevation. The roof terrace would certainly also have raised privacy concerns for adjoining properties. The excerpts below contrast the details of the 2 schemes:



You have also relied on the previous officer's determination that the proposal would be highly visible both from public views on Cathcart St and from other properties. We don't agree that it would be visible from Cathcart as the photo overlay from Google Streetview demonstrates that the extension would actually be obscured by the neighbour's trellis topped wall. Please note that this photo also clearly demonstrates that the vantage point (taken from Google's truck mounted camera) is raised significantly above the height of normal pedestrians, clearly demonstrated by the relationship to the Council worker in the image:



As for neighbour's views, the proposed ground floor extension would face onto the flank wall of Cathcart St and sit between the outriggers of No.'s 37 & 40 Inkerman. We demonstrated with visibility splays on our site plan drawing how the modest depth of the proposal would actually fall outside views from both No.'s 38 & 40 Inkerman Road:



If you remain convinced that refusal on the grounds you have outlined is the appropriate course of action, then my clients have advised that they will certainly consider appealing the decision to the Planning Inspectorate as they have overturned several decisions in this Conservation Area.

Kind regards
Jim Biek

b c h i t e c t u r e

11a Beresford Road London N2 8AT
t 020 3074 1002 m 07932 796 407
e bchitecture@gmail.com
w www.bchitecture.com

From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: 10 January 2023 16:43
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well and appreciate your patience on this. Below I have tried to attend to the issues you have raised.

In relation to the site visit, as I am sure you are aware, this is not a statutory obligation of the Local Planning Authority and is not necessarily required in order to carry out a full assessment of the proposal. I do not agree with your point that we have not considered the planning statement which supports the application; me and the CO both went through and therefore understand your justifications for the proposal. Furthermore I do not agree that this is an 'unrelated scheme' as the previous application I mentioned was for the same site and included the same development; the reason why I mentioned the previous application is that it provides a planning precedent and demonstrates that the proposed development has already been partly assessed in a previous scheme.

Looking back at the design iterations for 2020/5853/P a half width extension at upper ground floor was proposed (see attached) and subsequently considered not acceptable in principle so we are being consistent with our assessment. The quote in my previous email clearly states that an upper ground floor extension would be unacceptable in principle and therefore it is relevant to mention in the context of this scheme.

We have also gone through your planning examples within the planning statement and, as stated previously, do not consider them to provide precedents for what is being proposed. Within this part of the street (37-41 Inkerman Road) there are two permissions which relate to similar development. The 1970's permission I have already mentioned and would not be considered a precedent and a 2000 permission for the end of terrace property which, again, would not be considered a precedent due to its age and relevance to current policy; this would not be something that falls in line with our policies or guidance. This type of development negatively detracts from the character of buildings that have been listed as 'positive contributors' to the Conservation area and therefore should not be replicated simply because they have been approved, in one case, over 50 years ago.

Overall the proposed extension at this level would be highly prominent in both private views from windows and rear gardens, and public views from Cathcart Street, and would disrupt the rhythm and pattern of development to the rear of the terrace, which is relatively uniform and well-preserved. As such, it is considered that it would harm the character and appearance of the host building, the wider terrace and the wider Inkerman Conservation Area. This assessment has also been confirmed by our CO as well.

I appreciate that you may not agree with the assessment made and you are of course well within your right to appeal however, I think we are ready to make a decision on this.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: [camden.gov.uk](https://www.camden.gov.uk)

5 Pancras Square
London N1C 4AG

From: Ewan Campbell
Sent: 05 January 2023 17:36
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well and apologies I missed your call, I am in and out of meetings during the day so email is probably the best/quickest way to get in contact.

I am currently reviewing the proposal with the Conservation again and will get a response over to as soon as I can. If a site visit is felt to be required then I will also try and arrange this for the next couple of weeks or so.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 05 January 2023 14:05
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Dear Ewan

I have just left another telephone message for you regarding this application and would greatly appreciate a quick confirmation of how you intend to proceed with this matter.

Regards
Jim Biek

b c h i t e c t u r e

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e bchitecture@gmail.com
w www.bchitecture.com

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 03 January 2023 15:16
To: 'Ewan Campbell' <Ewan.Campbell@camden.gov.uk>
Cc: 'Cécile Cailac' <cecilecailac75@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Dear Ewan

I have left you a message on your telephone this afternoon to follow up the email I sent below before the holidays. I trust you will agree to make a site visit and will be happy to organise this at your convenience. I note from your previous advice that the case should be targeted for determination by the 16th January, so there is ample time left.

Regards
Jim Biek

b c h i t e c t u r e

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w www.bchitecture.com

From: Jim Biek <bchitecture@gmail.com>
Sent: 22 December 2022 12:04
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Cc: Bchitecture <Bchitecture@gmail.com>; Cécile Cailac <cecilecailac75@gmail.com>
Subject: Re: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Ewan

I am currently abroad and will not return until the 30th of December so you will appreciate that I will need to respond in more detail on my return and closer to the deadline you set of the 3rd of January. However, I am disappointed by the indication from your comments that:

- you have not decided to make your own site visit to at least verify that you personally agree with the comments of the previous Officer
- that you do not appear to have considered the detailed analysis provided for the current scheme in the Design & Access Statement
- each planning proposal should be carefully considered on its own merits and not summarily refused based of analysis of an unrelated scheme

To my knowledge - and with my current situation isolated from my office - I don't believe that we had seen the assessment you have forwarded. This may be because that aspect of the previous scheme was withdrawn. This has not allowed us the opportunity to respond in detail to its allegations. But I would remind you that there are significant differences between the current and previous proposals. The current scheme is of partial width, reduced height and sensitive design where the previous proposal was full width, flat roofed and insensitive design. We also do not agree with the previous assessment that the proposal would be visible either from the public street or from the neighbouring gardens. You indicate that there is not significant precedent for such outriggers on this stretch of Inkerman Road, yet our D&A Statement demonstrates that there are 2 storey outriggers at 3 out of 5 of the existing terrace of 5 dwellings. That indicates a clear pattern of development and in itself warrants a reconsideration of the previous Officer's assessment.

As I explained above these are preliminary notes and I will respond more fully upon my return to London and meet the deadline provided. However I sincerely hope and trust that you will agree to a site visit to personally assess the details of the current scheme. This must surely form part of your duty to carefully consider the details of this application on its own merits.

I would be happy to meet you on site any day from the 2nd of January.

Kind regards

Jim Biek

Sent from my iPhone

On 22 Dec 2022, at 06:17, Ewan Campbell <Ewan.Campbell@camden.gov.uk> wrote:

Hi Jim

Hope you are well and appreciate your patience on this.

Me and the Conservation officer have had a chance to look over this application and, considering the previous planning history I think we still have concerns. The previous application approved on site (2020/5853/P) was originally for lower ground rear extension, upper ground floor rear extension and first floor extension.

Following conversations with the previous planning officer the upper ground floor and first floor extensions were unacceptable in principle. At the time the planning officer stated that *the proposed rear extension and roof terrace at upper ground floor level are both considered to be unacceptable in principle. The proposed extension at this level would be highly prominent in both private views from windows and rear gardens, and public views from Cathcart Street, and would disrupt the rhythm and pattern of development to the rear of the terrace, which is relatively uniform and well-preserved. As such, it is considered that it would harm the character and appearance of the host building, the wider terrace and the wider Inkerman Conservation Area.*

It was then agreed to remove this element from the proposal in order to gain approval. Considering these comments and our own assessment this position has not changed and this development will not be supported. The proposed outrigger itself would disrupt the uniformity by where its located on the rear elevation as well. I see that a similar development is built out a couple of doors down however this approved in the 1970's and would not be considered a precedent. The other examples provided are on different streets and overall fail to justify this development. For example, Alma street already has quite considerable rear development (which this part of Inkerman Road does not) and is does not have any public views.

This means that we would move forward with the refusal of this application. You are welcome to withdraw however please let me know by January 3rd 2023 otherwise I will move forward with the decision.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG

From: Ewan Campbell
Sent: 22 November 2022 18:06
To: 'bchitecture@gmail.com' <bchitecture@gmail.com>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Hi Jim

Hope you are well and thanks for emailing.

Because of the backlog that officers are currently experiencing I would suggest taking the 8 week timeframe from the point of validation. Obviously if amendments are needed then this might have to be extended.

Hope this helps and I will be in touch in due course.

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG

From: bchitecture@gmail.com <bchitecture@gmail.com>
Sent: 21 November 2022 11:22
To: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Subject: RE: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Dear Ewan

Thank you very much for your confirmation. I appreciate that timeframes for many planning departments have been under pressure and would like to diarise the target date for this application, leaving you in peace in the meanwhile. The website lists 5/12/22 as the 'target date' but I presume that cannot be correct since the public consultation is listed as expiring a week later on the 12/12/22. Would it be appropriate to anticipate a target date of 11/01/23, 8 weeks from receipt?

I would be more than happy to discuss any aspect of this application when you are ready to consider it in detail, organise a site visit and provide any additional details you may require.

Kind regards
Jim Biek

b c h i t e c t u r e

11a Beresford Road London N2 8AT

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From: Ewan Campbell <Ewan.Campbell@camden.gov.uk>
Sent: 21 November 2022 11:13
To: 'Bchitecture@gmail.com' <Bchitecture@gmail.com>
Subject: 2022/5018/P - 39 Inkerman Road, London, NW5 3BP

Dear Jim

Hope you are well, my name is Ewan Campbell and am the planning officer dealing with the application below:

2022/5018/P - 39 Inkerman Road, London, NW5 3BP

I am just emailing to say that it has been validated and therefore the consultation process has begun. Please take this email as confirmation of validation.

I will be in touch in due course following the assessment

Kind regards

Ewan Campbell
Planning Officer
Supporting Communities
London Borough of Camden

Web: camden.gov.uk

5 Pancras Square
London N1C 4AG