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Date: December 2023
Our reference: 0647

Appeal Statement of Case

Site address:

Units 8-9 Pratts Mews
Camden
London
NW1 0AD

**The Appeal is made under section 78 of the Town and Country Planning Act 1990
(as amended) In Accordance with the Town & Country Planning (Written
Representations Procedure) (England) Rules 2009**

The Appellant's Grounds of Appeal ("grounds") has been prepared by J Clark
("Agent") against the decision of the London Borough of Camden refusal of the
"Erection of an additional storey to 2 mews buildings to 2 mews building".



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1.0 Introduction:

- 1.1 The Planning Application (“Application”) was submitted by Dimensions planning C/O Mr Leo Kauffman formally validated (Registered) by Camden Council on the 18th of August 2023. The Application was provided with reference number 2023/2881/P.
- 1.2 This appeal statement should be read alongside the submitted forms and the suite of plans. This statement (grounds) will set out the policy compliance of the proposed development having regard to the National Planning Policy Framework and the relevant Development Plan Policies.
- 1.3 The applicant was open to discussions with planning officers to resolve all material planning matters but a resolution could not be achieved pertaining primarily to the principle of the upward extension on the Mews and conservation area. The Decision Notice, dated 24th November 2023, cites the following single reason for refusal:
 1. **The proposed development, by reason of its size, bulk, and location would be an incongruous and dominant addition which would harm the character and appearance of the host building and the mews terrace of which it is part, causing harm to the significance of this part of the Camden Town Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of Camden's Local Plan 2017.**
- 1.4 For avoidance of the doubt the matter of new residential floor space on site is NOT in dispute. The officer’s delegated report provides commentary to support the single reason for refusal. The LPAs reason for refusal is based on the perceived roof extension being incongruous and dominant addition which would harm the character and appearance of the host building and the mews terrace.

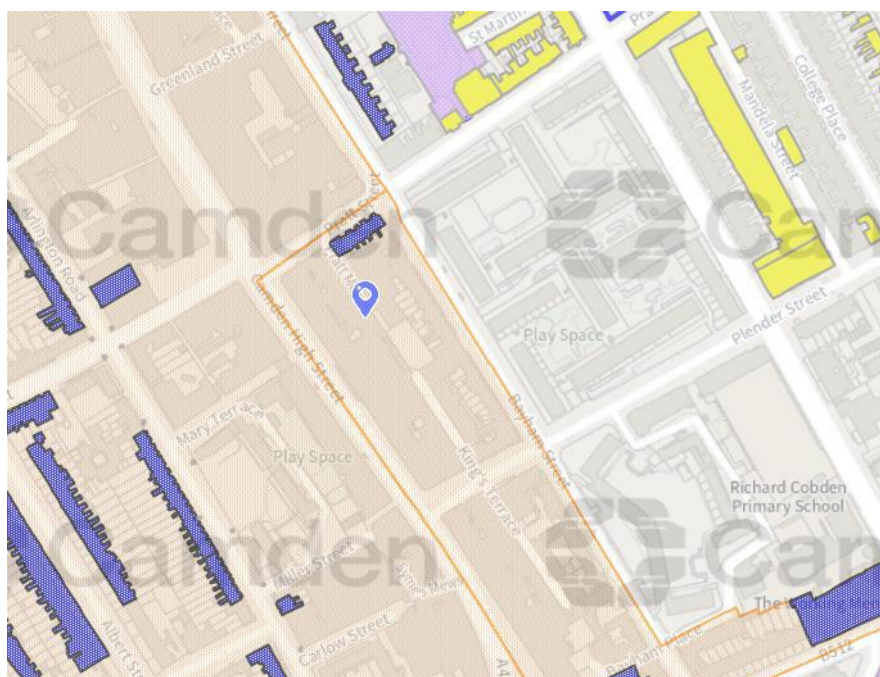


1.5 The Appeal statement (grounds) will challenge the Council’s decision to refuse the planning application, by refuting the reason for refusal and demonstrate that the proposal complies with adopted planning policy.

2.0 The site and surroundings:

2.1 The appeal site is formed of two buildings, No 9 and No 8 on Pratts Mews, a modest single-entry Mews off Pratts Street. Both buildings are three storey located to the end of the Mews and back on to the east/rear of properties fronting Camden High Street. The site is within the designated Camden Town Conservation Area. The site is highly sustainable and well served by public transport.

Figure 1- Camden Town conservation area extent





3.0 Site planning history:

3.1 Address – 8-9 Pratts Mews

Reference – 2023/0446/P

Development description – Erection of an additional storey to 2 Mews buildings

Decision – Refused 28/04/2023 on two grounds,

1. The proposed development, by reason of its size, bulk, and location would be an incongruous and dominant addition which would harm the character and appearance of the host building and the mews terrace of which it is part, causing harm to the significance of this part of the Camden Town Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of Camden's Local Plan 2017.
2. The increased enclosure of properties to the rear would have a detrimental impact on neighbouring light levels, outlook, privacy, and sense of enclosure, which cumulatively would cause harm to the amenity of nearby properties, contrary to Policy A1 (Managing the impact of development) of the Camden Local Plan 2017.

The application above is subject to a valid (as of 10th November 2023) Appeal under reference APP/X5210/W/23/3326082

3.2 Address – 8 Pratts Mews

Reference – 2006/1716/P

Description – Erection of a mansard roof extension and additional storey to the front of No 8 to provide a 1 x 1 bed flat and studio at second floor.

Decision – Granted 29-09-2006



3.3 Address – 10- Pratts Mews

Reference – 2016/5942/P

Description - Erection of roof extension to create second floor level, with associated Installation of rooflights and alterations to rear elevation to office building (Class B1).

Decision - Granted 03-02-2017

3.4 Address – No 78 Camden High Street

Reference – 2014/3469/P

Description - Conversion of upper floor levels (C3) above existing shop (A1) and 2 x 1 bed flats including a part three and part two storey rear extensions with communal amenity space at roof.

Decision – Granted 30-05-2014

3.5 Address – No 14/15 Pratts Mews

Reference – 9003354

Description – Erection of additional storey at third floor level for use for purposes within Class B1

Decision – Granted 05-09-1990

3.6 Address – 1-6 Regents House Pratt Mews

Reference – 2013/7739/P

Description - demolition of existing building and erection of a 3 storey mixed use building including office (B1a) at ground floor level and 1x 1 bedroom studio unit , 5 x 2-bedroom and 2 x 3-bedroom self-contained flats (Class C3) on upper floors

Decision – Granted 12-02-2015 Subject to legal agreement



4.0 Proposal:

- 4.1 The planning application form was submitted with the following description of development, “Erection of an additional storey to 2 mews buildings”.

5.0 Policy Context:

- 5.1
1. National Planning Policy Framework (NPPF) 2023
 2. London Plan (adopted 2021)
 3. Camden Local Plan (adopted 2017)
 4. Camden Planning guidance (CPG), Design (2021) and amenity (2021)
 5. Camden Town Conservation Area Appraisal and Management Strategy (2007)
- 5.2 The determination of planning applications is made mindful of Central Government advice and the Local Plan for the area. It is recognised that Local Planning Authorities must determine applications in accordance with the statutory Development Plan, unless material considerations indicate otherwise, and that the planning system does not exist to protect the private interests of one person against another.
- 5.3 The National Planning Policy Framework (NPPF) was adopted July 2021. This is a key part of the Governments reforms to make the planning system less complex and more accessible, and to promote sustainable growth. Section 11 of the NPPF provides guidance in relation to making effective use of land, with Paragraph 121 stating that “Local planning authorities, and other plan-making bodies, should take a proactive role in identifying and helping to bring forward land that may be suitable for meeting development needs, including suitable sites on brownfield.



- 5.4 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 ... being clear about design expectations, and how these will be tested, is essential for achieving this”. The NPPF retains a presumption in favour of sustainable development. This applies unless any adverse impacts of a development would 'significantly and demonstrably' outweigh the benefits.
- 5.5 Section 38 of the Planning and Compulsory Purchase Act 2004 requires applications to be determined in accordance with policies in the Development Plan unless material considerations indicate otherwise.
- 5.6 Policy justification within the wording of the refusal reasons is provided by two policies, D1 and D2 of the Camden Local Plan (2017). In addition to the policies in the refusal wording, the delegated report relies on and incorporates guidance from the Camden Town Conservation Area Appraisal and Management Strategy.

5.7 Policy D1 - Design

Policy D1 (Design) expects the following criteria to be achieved

- 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;

5.8 Policy D2: Heritage

The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal convincingly outweigh that harm.

Conservation areas are designated heritage assets and this section should be read in conjunction with the section above headed 'designated heritage assets'. In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

The Council will:

- e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- f. resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- g. resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and
- h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.



6.0 Grounds for Appeal:

Impact of development on character and heritage value

- 6.1 The delegated officer report gives significant weight and relies heavily on the adopted Camden Town Conservation Area Appraisal and Management Strategy (to be referred to as CTCAA onward in the Statement) (2007) to justify the harm of the development to the Camden Town conservation area and Pratts Mews setting. While the (CTCAA) appraisal is a material consideration, the policy weighting of the contents within is guidance only and the CTCAA is 16 years old. Since the adoption of the CTCAA appraisal the immediate Pratts Mews has undergone significant changes and redevelopment. To a greater extent, the assessment and conclusions attributing value to certain built form and characteristics of Pratts Mews has been superseded by developments since publication. To this end, the apparent and seemingly default stance from the LPA whereby developments over two storey including a mansard atop should be refused, fails to address the fundamental changes to Pratt Mews.

Figure 2 – Proposed streetscene elevation in 2D and 3D





6.2 The upward mansard projection and reformation of the existing mansard floor to create a flush brick elevation would continue the natural progression of Pratts Mews which is located towards the end of Pratt Mews. No 9 Pratts Mews is acknowledged as being identified as a positive building alongside 9-13 (con) on Pratts Mews as set out in Appendix 2 of the CTCAA. Nevertheless, the identification of the site as a positive building does not impose a statutory protection to the building.

Notwithstanding the designation of No 9 Pratt Mews as a positive contributor in the 2007 CTCAA, planning approval was granted for the upward mansard extensions on Both No 9 and No 10 Pratt Mews running counter to the CTCAA description.

6.3 Since 2007 the Mews has witnessed upward development approved under and with the guidance of the CTCAA, notably at the following sites on Pratts Mews, No(s) 10, 14, 15, 6 (as known as 78 Camden High Street) and the site 1-6, known as Regent house (see figure 3). The resulting developments on Pratts Mews have disrupted and changed any perceived “prevailing character” of two storey tight knit Mews



environment. If the LPA wish to protect the two storey nature of those properties, that should not affect the application site which is now three storey. As per figure 4, the proposed mansard would be modest in scale and not project full depth as the level below, thereby resulting the weight to the top of the mews and mitigating harmful character implications.

Figure 3 – Photos of upward projection on Pratt Mews

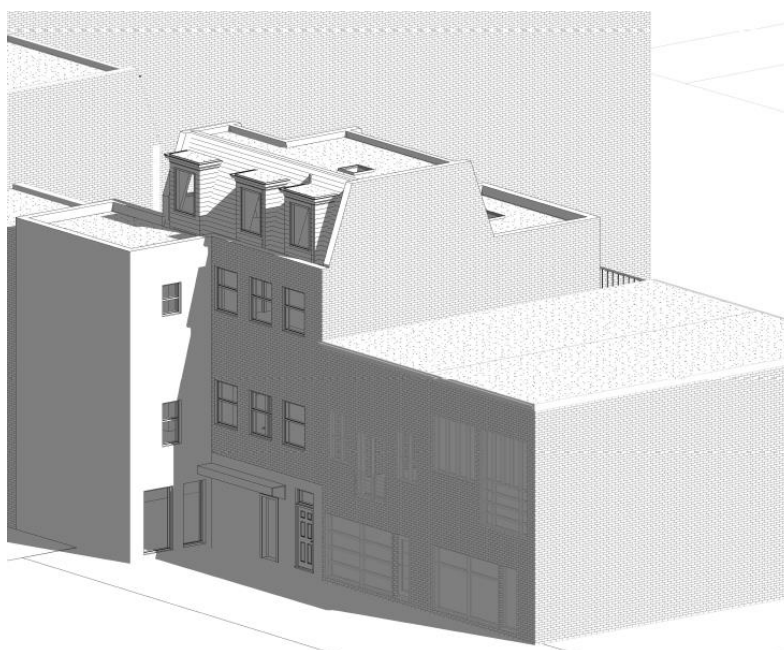




Figure 4 – Aerial 3D in situ with No 78 Camden High rad development



Figure 5 – 3D Model of the mansard extension





6.4 Para 3.5 of the delegated report states..."this extension, like the existing extension at no 9 fits the modern character of the mews which is considered by the Council to be established as two storeys plus mansard level". The stance outlined by the delegated officer report whereby two storey and mansard established, is not stipulated in the adopted CTCAA which states "the two storey building height is mentioned as a defining characteristic of the street". Therefore, strict adhere to the guidance in the CTCAA is not applied by officers. The CTCAA is a material consideration but ultimately is guidance after all and therefore open to review.

6.5 Para 3.6 of the delegated report states "the proposal would demolish the existing mansard roof and replace it with a brick storey, flush with the lower floors of the property, and an additional mansard roof extension on top – taking the building to four storeys in height". The officers thereby consider a mansard to be "storey" which is contradictory to the statements whereby two storey and a mansard is not referred to a 3 storey. The description by be semantics but is clearly seek to hold to the notion Pratt Mews is two storey in some form to accord with the CTCAA guidance.

6.6 Ultimately officers conclude in the delegated report the concerns and rationale for refusal in Para 3.14,

"The principle of an additional storey on the two existing mews buildings would not preserve or enhance the character and appearance of the mews or the wider conservation area, rather it is considered to upset the modest scale which is fundamental to the humble nature and typology of a mews. Overall, the proposal is considered to harm the character and appearance of the host buildings, the mews of which they are part and the wider conservation area. The harm to the significance of the conservation area is less than substantial. The proposal is therefore contrary to Policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017".



- 6.7 The heritage value of Pratt Mews and the perceived harm to the “humble nature” of the site is highly subjective. The Mews is short and has no through way thereby public interaction beyond those in residence on Pratt Mews is limited. The appeal site No 8 Pratt Mews projects forward of the Mews building and the upward development to the south at No 78 Camden High Street (approved under reference – 2014/3469) is clearly visible in the skyline from the view in figure 5. The view in Figure 5 is static and not subject to high footfall or continuous vistas of views in motion. An individual would actively have to stand in the spot of the photo to conceivably witness the extension. There is an element and nod to a historic “humble” workshop industry of the past on the mews however No 11-13 (inclusive) are the buildings of greatest importance in this regard. Buildings No 11-13 (Inclusive) retain their two storey typology whereas the appeal sites have lost its original form. The two storey buildings between 13-10 (inclusive) provide the and create the special character of the Mews. The upward development at appeal site No 10 Pratt Mews would not harm the Mews nor Camden Town conservation area.
- 6.8 Planning weight assigned to the positive group of properties 9, 10, 11, 12, and 13 is based on the visual context of Pratt Mews prior to upward mansard extensions at No 9 Pratts Mews or the other identified sites on Pratt Mews (see site history). The designation of the positive buildings was part of 2007 Camden town appraisal document which is now largely out of date due to the recent historic development.



Figure 6 –view of the appeal site from Pratt Street looking south into Pratt Mews



Figure 7 – CGI view of the static view point from Pratt Street looking south into Pratt Mews





6.9 The proposed mansard roof extension is appropriate for the location and would have less than substantial harm to the views along the roof tops of the Pratt Mews which in any event are not identified in the CTCAA as protected vistas. The proposed mansard roof extension would not harmfully disrupt the visual integrity of the Mews and on balance would not run counter to the aspirations and content of core planning policies in the Camden Local Plan (2017) policies D1 (Design) and D2 (heritage)

Other matters:

- 6.10 Para 3.17 of the delegated report states, “the proposed scheme would not provide any notable public benefits that would be capable of outweighing the considerable weight and importance given to the identified heritage harm. The application is recommended for refusal on this basis”. The introduction of new residential floorspace in a highly sustainable location in need of more residential floorspace is a substantive planning consideration weighing in favour of the development.
- 6.11 The Appeal is supported by CGI photos (Appendix B) of the site that were not submitted as part of the full planning application. The CGI are for visual purposes and are not fundamental new information that would prejudice the LPA’s decision. The recessed windows are a new feature and are designed to add visual interest and context to the extension.



7.0 Conclusion:

- 7.1 The council's assessment of the proposed mansard roof extension as being disruptive and harmful to the Camden Town conservation area and Pratt Mews fails to consider the significant upward development to date on Pratts Mews (as set out in the appeal statement). The LPA have relied on the outdated CTCAA (2007) to make assessment of the proposed developments impact in terms of character and built impact. The CTCAA has largely been superseded by developments on Pratts Mews to date. Based on a pragmatic and balanced approach the quantitative harm resulting from the modest mansard would not be detrimental to the conservation area nor the humble nature of Pratt Mews.
- 7.2 Planning balance has not been appropriately applied in favour of development in this regard. The application accords and is compliant with National Planning Policy Framework (NPPF) and does not conflict with relevant policies contained within the adopted Camden planning policy framework. For the reasons noted in this statement the inspector is respectfully requested to allow the appeal and to grant planning permission.



Appendix A – Appeal photos

Frontage of No 11 Pratt Mews



Rear elevation of Development at No 78 Camden High Street (approved under reference – 2014/3469)





Front elevation of Development at No 78 Camden High Street (approved under reference – 2014/3469)





Appendix B – CGIs





