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Company number 15722631

4 Sussex Mews W
London, W2 2SE
+44 (0) 7831 585492
info@lvmt.co.uk
www.lvmt.co.uk

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APPEAL UNDER SECTION 78 OF THE TOWN AND COUNTRY PLANNING ACT 1990

Appeal Against Refusal of Planning Permission

Seva Lobov
LVMT Labs
lobovseva@gmail.com
07480735975

12th May 2025

Site Address:	2 Meadowbank, London, NW3 3AY
Local Planning Authority:	London Borough of Camden
Application Reference:	2024/5806/P
Appellant:	Mr. Mike Tomshinsky

Dear Sir/Madam,

In accordance with Section 78(1) of the Town and Country Planning Act 1990, which provides a statutory right of appeal against the refusal of planning permission by a local planning authority, I write to formally lodge an appeal against the decision by the London Borough of Camden to refuse planning permission for application reference 2024/5806/P.

The appeal is submitted on behalf of my client, Mr. Mike Tomshinsky. We respectfully request that this refusal be overturned for the reasons thoroughly explained within the 'Grounds for Appeal'. This appeal is to be determined by way of written representations, in line with the Planning Inspectorate's Procedural Guide for Planning Appeals (England).

Planning application reference 2024/5806/P, refused on 19 February 2025, is in relation to 2 Meadowbank, London NW3 3AY with the following description:

"Erection of a roof extension to include rooflights and solar panels; a ground floor garage conversion and extension; and refurbishment and alterations to the fenestration of the dwelling to include removal of rear balcony, new and replacement windows, and associated internal alterations."

Having carefully considered both the refusal notice and all submitted documentation, it is evident that this decision represents an unreasonable application of planning policy that fails to properly account for the material considerations in this case.

This application was refused on 19 February 2025, citing concerns that the proposed changes would compromise the architectural unity of the wider building and terrace, contrary to Policy D1 of the Camden Local Plan (2017). The Council's objections specifically highlight three key elements of the proposal: cladding the ground-floor brick pier in Corten steel, enlarging the window openings on the front elevation, and removing the rear balcony.



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Grounds for Appeal

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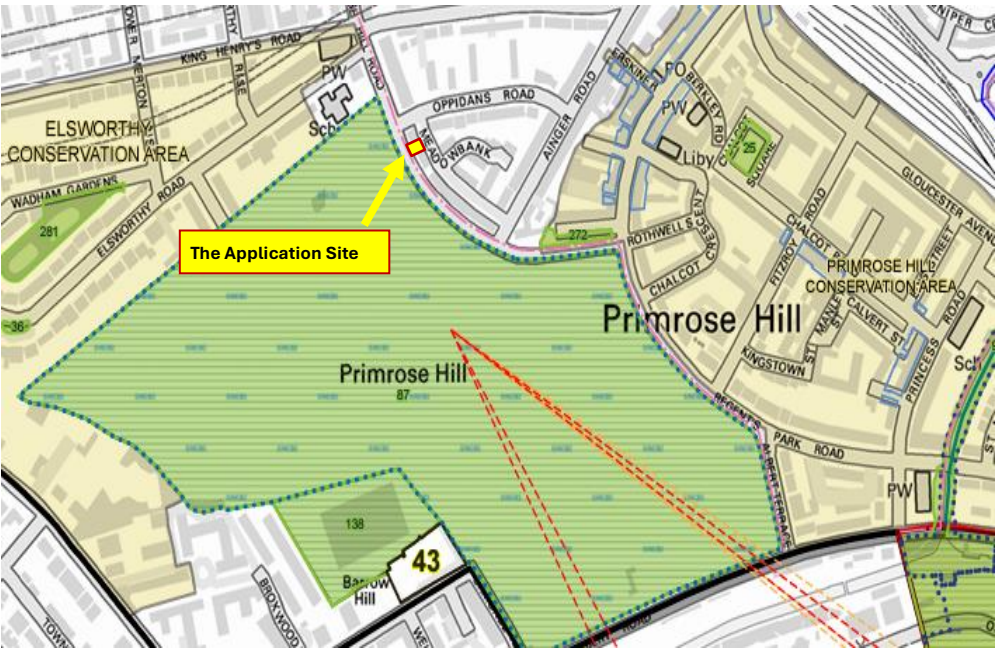
1. Background

1.1 The Site and Townscape Context

2 Meadowbank is situated in Primrose Hill, some 600 metres northwest of Chalk Farm Underground Station in the London Borough of Camden. The building is part of a terrace located along Regents Park Road, and sited adjacent to the Primrose Hill open space, on the park's northeast edge. Regents Park Road is the main street in the area with shops and cafes concentrated at its northern end. The site is located in an area that is predominantly residential and of varied architectural character, with buildings including attractive early Victorian terraces, robust interwar blocks and more modern blocks of flats of varied design.

The property forms part of a terrace of dwellings, one of two terraces, known as Meadowbank, and comprises a mid-terrace five storey house. The rear of the property backs onto Primrose Hill Road and has views over Primrose Hill park, although these are screened by the mature trees on the boundary of the space. Meadowbank is a quiet secondary road with limited north south views along the curved frontage of the terrace.

Figure 1 below is an extract from the London Borough of Camden's Local Plan Policies Map, which shows the application site and demonstrates that the site is not within a Conservation Area nor within the setting of a designated heritage asset. There are also no Article 4 Directions or any other special spatial policy designations affecting the property.





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1.2 Site development and current situation

Prior to the 1900s, the site was occupied by a private villa, which was part of a terraced street, although differently oriented to the current arrangement. The site underwent some changes during the early 1910's and then later during the Second World War. The Meadowbank terraces were originally built as part of an estate in the early 1970s, in an architectural style that is typical of the period, with the buildings constructed in red brick with white render panels and detailing. While the terraced properties were originally constructed as identical units, the uniformity of features on both front and rear elevations has significantly diminished in recent years.

It has been established on Appeal that the properties in the Meadowbank Estate with elevations facing Primrose Hill Road "do not front a highway", and as such, many properties have taken advantage of permitted development legislation to convert their loft space and construct larger rear dormers, openings, and balconies.

The properties were originally constructed with open front and rear roof terraces, but over time most of these have been enclosed in an ad hoc manner. The original Meadowbank terrace dwellings were also characterised by ground floors with long narrow garages, however, many of these have been converted to provide habitable rooms and the facades at ground and first floor altered to accommodate this. Most of the houses have also had replacement windows of varied style, materials and colour over time. The alteration and loss of these original features has diminished the authenticity, and in some instances also the architectural quality and interest of the terrace.

The Meadowbank terraces have also seen some more considered recent changes. These have established a newer refreshed look, introducing more carefully designed modern fenestration, substantially altering and also improving the architectural detailing and rhythm to both front and rear elevations, without detracting from the overall appearance of the terraces.

Below are some recent photographs of the terraces as seen from the Primrose Hill Road and Primrose Hill park side (rear elevation) as well as photos taken of the property from Meadowbank – showcasing the front facing façade. More photographs of the property and the streetscape are provided within Appendix 2. These photographs show the prominence of the tall rendered "T" shaped detail on the west elevation and distinctive horizontal banding of the window openings. The balconies are less visually important as they are lower on the building and are seen in the context of the boundary wall, garden planting and general street clutter. The recent and varied changes to the fenestration, including the infill of the open roof terraces are clear.



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As demonstrated by the photographs on this page, the front and rear façades of the existing building 2 Meadowbank have a simple, and unfortunately, now rather dated appearance. In terms of the terrace as a whole, there is some general consistency in terms of the materials used for both elevations at second, third and fourth floors, but less so for the front ground and first floors. The latter, however, are framed with double height brickwork piers that provide the most consistent and distinctive feature of this elevation. Across the



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terrace, there is much more variety, however, in the closer detailing of the buildings, particularly in terms of the window design, cladding materials and colours.

1.3 Site Planning History

The application site benefits from an extant Householder planning consent. This recently approved planning application was for refurbishment works to the existing building. Details of this application are as follows:

Planning ref.:	Proposal Description:	Decision:
2024/1459/P	Front infill extension at ground floor level to facilitate conversion of garage to habitable floorspace; alterations to windows and front facade and extension of fourth floor onto existing balcony. New fenestration to rear.	Granted 13-06-2024

This application granted consent for a roof extension, alterations to the fenestration on the rear façade to allow for first and second floor windows to be conjoined into one large opening and approval to convert the ground floor garage into living space.

This approval included the installation of double-height windows to the rear elevation and internal alterations to create the proposed open-plan, double-storey living space. While the scheme allowed for larger openings to the rear elevation, this façade also retained the existing balcony feature, albeit this would become a non-accessible and therefore defunct balcony feature. It was considered that keeping this feature has led to a design that is considered incongruent with the intended openness and functionality of the living space and at odds with the external appearance of the building.

The next page shows two snapshots from the approved plans under application reference 2024/1459/P, which illustrate the changes proposed and approved to the front and rear facades of 2 Meadowbank terrace under the extant application.



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Approved front elevation. Extract from the proposed front facade drawing reference PL003, as approved under planning app ref. 2024/1459/P.



Approved rear elevation. Extract from the proposed rear facade drawing reference PL003, as approved under planning app ref. 2024/1459/P.



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1.4 Planning Application Ref. 2024/5806/P

Following the approval, the Appellant continued to further explore design options to enhance the openness of the internal space while retaining the key design elements of the external façades. Following an in-depth and comprehensive design exploration and evolution process, a further planning application was submitted with a revised design.

These proposals were considered to build upon the approved design (as per extant planning application ref. 2024/1459/P) and to address the shortcomings of the previous scheme, ensuring a high quality, and harmonious design composition.

The proposed revisions remove the balcony, achieving a more harmonious and visually coherent design that enhances the appearance of the elevation both internally and externally. The proposed alterations to the facades, especially involving changes to the fenestration and front entrance are considered to freshen up and improve the appearance of the building and would not be dissimilar to other alterations and developments that have been undertaken across the terrace.

Planning application reference 2024/5806/P, was submitted on 30 December 2024, the proposal was for the following development at 2 Meadowbank:

“Erection of a roof extension to include rooflights and solar panels; a ground floor garage conversion and extension; and refurbishment and alterations to the fenestration of the dwelling to include removal of rear balcony, new and replacement windows, and associated internal alterations.”

As described within the submitted Planning and Design and Access Statements, the works proposed as part of the latter application (in addition to the previously approved alterations), referred to as the ‘Proposed Development’ included the following:

- The creation of a lightwell for the lower ground floor rooms
- The addition of one skylight and installation of PV panels to the roof.

In terms of the front façade (east elevation) of the building (facing Meadowbank), the following alterations were proposed:

- Existing brick wall replaced with weathering (COR-TEN steel) facing at ground floor level.
- Existing white wall replaced with facing panels (COR-TEN steel) at first floor level.
- Replacement window (without mullions) at first floor level.
- Two window openings combined into one long window with mullions at second floor level.
- Two window openings combined into one long window with mullions at third floor level.



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- Existing opening replaced with single window (without mullions) at fourth floor level.

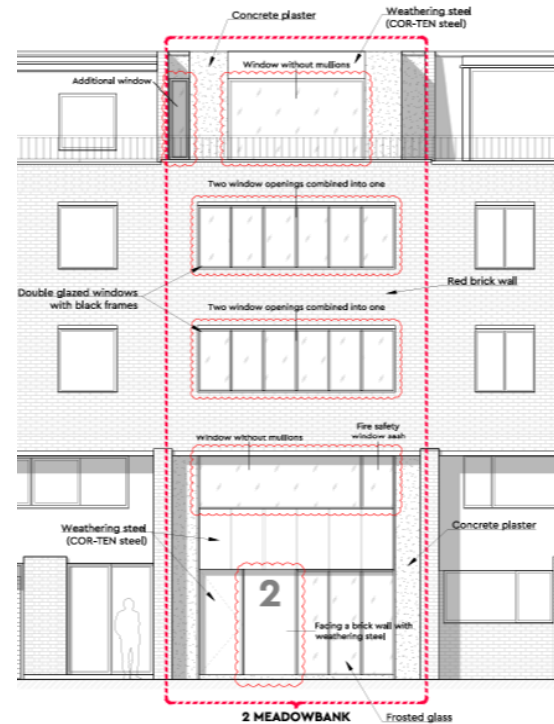
The refurbishment works proposed to the rear façade (west elevation) of the property (facing Primrose Hill Road) were as follows:

- Window is recessed by 15 cm at fourth floor level.
- Removal of the first-floor rear balcony.

Below are extracts from the existing and proposed scheme elevations:



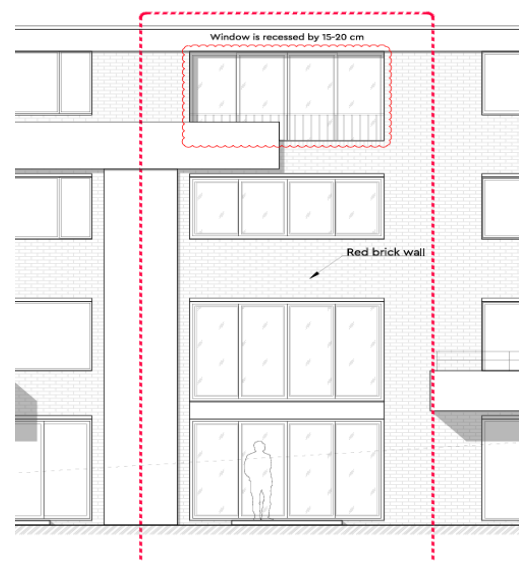
Pre-Existing Front Elevation



Proposed Front Elevation



Pre-Existing Rear Elevation



Proposed Rear Elevation



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This application was refused on 19 February 2025, citing concerns that the proposed changes would compromise the architectural unity of the wider building and terrace, contrary to Policy D1 of the Camden Local Plan (2017). The Council's objections specifically highlight three key elements of the proposal, namely: cladding the ground-floor brick pier in Corten steel, enlarging the window openings on the front elevation, and removing the rear balcony.

The single reason for refusal specifically was as follows:

2. *The proposed alterations to the ground floor fenestration by virtue of the cladding of the brick pier in Corten steel, enlargement of the window openings to the front elevation at second and third floor and removal of the balcony at the rear would compromise the architectural unity of the wider building and would result in detrimental harm being caused to the design, form, character and appearance of the host building and the terrace of which it forms a part, contrary to the requirements of policy D1 of the Camden Local Plan 2017.*

These two applications are the only ones on record for this site. There is no other relevant planning history associated with the application site itself.

1.5 Surrounding buildings – Planning History

Meadowbank Terrace as a whole has an extensive planning history. The planning history of neighbouring properties along Meadowbank considered pertinent in the context of the refused planning application and this appeal are listed in the table below:

<u>Address</u>	<u>Planning ref:</u>	<u>Description of Development</u>	<u>Decision</u>
23 Meadowbank	2022/3586/P	Erection of roof extension to replace sunroom at 4th floor, installation of new air-conditioning units within acoustic enclosure at roof level, installation of rooflight, erection of front extension at ground floor, replacement of windows and doors on all floors and elevations, plus creation of a new rear garden lightwell	Granted
6 Meadowbank	2020/4299/P	Installation of new door and window to front elevation replacing garage door	Granted
25 Meadowbank	2019/3876/P	Excavation of rear lightwell, replacement of garage door with bi-fold doors and replacement windows throughout.	Granted



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1 Meadowbank	2018/3398/P	Front infill extension at lower ground floor level and replacement of garage door with window in association with conversion of garage to habitable floorspace; replacement of existing third floor extension; alterations to fenestration on all elevations including installation of 2no. windows on side elevation and enlargement of rear windows at fourth floor level	Granted
19 Meadowbank	2018/0039/P	Increase height of existing roof extension; part infill of garage at ground floor level; alterations to front and rear including installation of rooflights and excavation of rear lightwell	Granted

1.6 Planning Legislative and Policy Framework

The Town and Country Planning General Permitted Development Order (GDPO 2015 as amended).

- Schedule 2, Permitted Development Rights Part 1, Development within the curtilage of a dwelling House, Class A – enlargement, improvement or other alteration of a dwellinghouse

National Planning Policy Framework (NPPF) (as amended 2024):

- Paragraph 131: “The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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.
- Paragraph 134: “Significant weight should be given to developments that reflect local design policies and guidance and that help raise the standard of design more generally in an area. It also affirms that planning authorities should not attempt to impose architectural styles or tastes and should not stifle innovation, especially where proposals demonstrate high quality and sensitivity to their context.”
- Paragraph 139: “Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, considering any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:
 - o (a) development which reflects local design policies and government guidance on design, considering any local design guidance and



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supplementary planning documents such as design guides and codes;
and/or

- **(b)** outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.”

National Planning Policy Guidance (2014 as amended):

- ‘Design: Process and tools’ – Provides guidance on achieving well-designed places through the planning process.

The London Plan (2021):

- Policy D3: Optimising Site Capacity through the Design-led Approach - Ensures the development makes efficient use of land while responding to the site's context and capacity for growth.
- Policy D4: Delivering Good Design - Covers key design principles such as form, layout, experience, and quality to deliver attractive, inclusive, and sustainable developments.
- Policy D6: Housing Quality and Standards - Sets minimum space standards and requirements for factors like natural light, ventilation, and privacy in new housing.

Camden Local Plan 2017:

- Policy A1: Managing the impact of development – Seeks to protect the quality of life of occupiers and neighbours.
- Policy D1: Design - The Council will seek to secure high quality design in development. The Council will require that development:
 - respects local context and character;
 - preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
 - is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
 - is of sustainable and durable construction and adaptable to different activities and land uses;
 - comprises details and materials that are of high quality and complement the local character;
 - 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;



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- is inclusive and accessible for all;
- promotes health;
- is secure and designed to minimise crime and antisocial behaviour;
- responds to natural features and preserves gardens and other open space;
- 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,
- incorporates outdoor amenity space;
- preserves strategic and local views;
- for housing, provides a high standard of accommodation; and
- carefully integrates building services equipment.

- 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.

Other Material Planning Considerations:

- Amenity Camden Planning Guidance (Jan 2021)
- Design Camden Planning Guidance (Jan 2021)
- Camden Planning Guidance – ‘Design’ (July 2015) (refer specifically to Chapter 5).
- Home Improvements Camden Planning Guidance (Jan 2021)

Case Law:

- South Lakeland DC v Secretary of State for the Environment [1992]
- North Wiltshire DC v Secretary of State for the Environment [1993]
- Tesco Stores Ltd v Secretary of State for the Environment [1995]
- Tesco Stores Ltd v Dundee City Council [2012] UKSC 13

(Summaries of all the relevant case laws referred included in the Appendix 3)



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2. Response to reasons for refusal

2.1 Architectural Unity and Design Considerations

The NPPF notes that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also notes 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. It advises that planning decisions should ensure that developments are visually attractive as a result of good architecture, layout and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

The architecture of the Meadowbank Estate is loosely inspired by modernist design. The two western blocks define Primrose Hill Road and comprise of two five storey terraces. Their contribution to the character of the local streetscape, particularly towards the Primrose Hill open space, owes much to their monumental scale and massing, stepped form and expansive brick elevations. Unfortunately, and as already noted, the consistency of the architectural detailing of the terraces on both elevations, once an important feature, has been substantially altered in a piecemeal manner over time. This has occurred both with and without consent, and some of these changes detract from their appearance. The original rooftop terraces, once a principal design feature, have mostly been lost and the fenestration design and proportions across the terraces at this level have been substantially altered.

The existing building while still contributing positively to the streetscape, now appears tired, as do others in the terrace. There is, however, a clear trajectory of more recent works to refresh and modernise the terrace, as evidenced at Nos. 1, 7, 8, 20, and 23.

The proposal includes a modest roof extension, updated materials, installation of solar panels, and revisions to the fenestration for both the front and rear facades of the property. All these improvements are aimed at modernising the appearance of the building and wider terrace. With regards to the reasons for refusal, the areas of disagreement with the Council are the metal cladding of the brickwork at ground floor level, alterations to the fenestration at second and third floors on the front elevation, and the loss of the balcony on the rear elevation.

The proposal accords with the principles set out in paragraph 139(b) of the National Planning Policy Framework, which encourages innovative design that promotes a sense of place while responding positively to local character. The design adopts high-quality materials, including Corten steel and contemporary glazing, to deliver a clearly modern but contextually respectful update to a tired 1970s façade. Rather than imitating existing



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elements, the proposal takes cues from the terrace's underlying modernist logic—clean lines, geometric forms, and a rational layout—while introducing refinements that elevate architectural expression. In doing so, the scheme avoids pastiche and instead reflects a creative, thoughtful reinterpretation of the host building's character, in line with national policy aspirations for design-led renewal.

It is relevant to note that the application site is not located within a Conservation Area and does not form part of a listed building or designated heritage asset. As such, while good design remains essential, there is no statutory heritage duty or additional heritage test to apply. The relevant test under Policy D1 of the Camden Local Plan is simply whether the proposal integrates well with its context and contributes to good design outcomes, which, as demonstrated above, it clearly does.

The design also responds positively to the Camden Planning Guidance: Home Improvements, which encourages a high standard of design and use of appropriate materials in householder extensions and alterations. The proposed Corten steel cladding elements as well as the slim-framed window openings are demonstrably high-quality, long-lasting interventions that both respect and enhance the existing architectural language of the terraces.

2.2 Impact of the proposal

The proposal has been carefully designed to be sensitive to the existing building and the wider Meadowbank terrace while providing modern improvements. As the Design and Access Statement submitted with the refused application demonstrated, the proposed works seek to significantly enhance the property's amenity and currently aged appearance, while also improving the building's energy efficiency. The proposal will deliver a modern and carefully designed exemplar quality dwelling, while preserving the established character and overall design language of the existing building and its immediate neighbours in Meadowbank, as well as the wider streetscape.

As described within the submitted Design and Access Statement (refer to Section 5 (Design) and Section 6 (Materials)), the proposal introduces high-quality design and materials, sensitive proportions, and modern detailing that which are both contextually appropriate and aligned with Policy D1 and the London Borough of Camden Planning Guidance (Design). The submitted Planning Statement and Design and Access Statement were considered to both comprehensively demonstrate that the proposal respects the scale and architectural rhythm of the terrace, while enhancing its visual coherence (DAS Section 5.3, p.21).

The proposal therefore aligns with the National Planning Policy Framework's emphasis on high-quality design. Paragraph 134 of the NPPF (2023) states that "significant weight



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should be given to development which reflects local design policies and government guidance on design, and which raises the standard of design more generally in an area.” This proposal has been developed with close reference to Camden’s local policies and guidance and incorporates a carefully considered design response that raises design quality in a terrace already marked by inconsistent alterations.

While it carries limited weight at this stage, the emerging Draft Camden Local Plan 2024 places increased emphasis on upgrading the borough’s ageing housing stock to improve sustainability and thermal efficiency. This proposal contributes meaningfully toward that objective. The replacement of outdated windows with modern thermally efficient glazing, and the introduction of cladding that provides improved insulation, support Camden’s strategic goal of creating more sustainable homes and reducing carbon emissions.

Beyond the visual enhancement, the proposal delivers clear environmental benefits. Through improved glazing, enhanced insulation from the new cladding, and potential future integration of renewable energy technologies (as illustrated by similar proposals nearby), the scheme significantly improves the building’s thermal performance and overall energy profile. This approach supports the London Plan’s and Camden’s shared commitment to retrofit and climate resilience, in line with national policy objectives for sustainable development.

2.3 Cladding of the ground floor front elevation

The principal features of the front ground and first floors of the terrace are the two storey brick piers and painted down stand above first floor level that divide the properties and frame their entrances. Across the terrace the treatment of the entrances is very varied, although the architecture of the terraces still read as a whole.

It is considered that the use of Corten steel, a high-quality material, would complement the contemporary aesthetic of the terrace. As this material will weather to a dark brown colour not dissimilar to the colour of the existing brickwork and similar to the existing more recent cladding that exists at this level on some of the other buildings in the terrace. The cladding of the brick pier is considered a minor intervention that does not undermine the architectural coherence of this elevation, or the elevation of the terrace as a whole, and enhances the property's visual appeal.

The introduction of Corten steel cladding to the ground-floor front elevation draws directly on material choices previously approved under application 2024/1459/P whereby Corten steel elements were allowed on the ground and fourth floor levels (as demonstrated on the snippets from the approved drawings in section 1.3 of this document). This ensures consistency and continuity between different elements of the host property and the terrace as a whole. Policy D1 emphasises the importance of responding to local context



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London, W2 2SE
+44 (0) 7831 585492
info@lvmt.co.uk
www.lvmt.co.uk

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through appropriate “materials and detailing,” and in this case, the use of high-quality Corten introduces a contemporary surface treatment that remains firmly rooted in the building’s modernist identity. The cladding is limited in extent and tightly detailed around the main entrance and window reveals, reinforcing a sense of architectural composure and contrast at the ground floor. Rather than disrupt the character of the group, the proposal completes an ongoing material language already accepted by the local authority, with no harm to the architectural integrity of the wider composition.

The submitted Design and Access Statement, specifically page 25 (section 5.6) showcase some recently completed developments within the Meadowbank terrace and describe the trends and patterns of development noted.

As aforementioned, other properties within the terrace, and in the local area have approval for similar design modifications, setting a clear precedent for material changes and façade alterations. The Council has approved materially similar works at neighbouring properties, specifically noting: Number 7 (PP ref. 2015/0099/P for complete pier removal + garage conversion approved on 21/01/2015), Number 20 (PP ref. 2016/7070/P for almost identical window enlargements approved on 19/01/2017) and Number 23 (PP ref. 2022/3586/P for original materials to be replaced with contemporary finishes including pre-patinated zinc render and ebony stained hardwood to the front elevation (PP ref: 2022/3586/P dated 21/11/2022, as amended with ref. 2023/0757/P, granted on the 27/02/2023).

The removal of the central brick pier at Nos. 7, 20, and 23, demonstrates that their retention is not essential to the architectural unity of the terrace. Notwithstanding that an application has been submitted for this work, such work would normally be considered to be permitted development. (GPDO 2015).

2.4 Alterations to the window openings at second and third floor levels on the front elevation

The proposals include the enlargement of the existing windows at second and third floors at the front of the building. The works would require the removal of the brickwork panels between the two windows on each floor, the height of the openings would remain as existing. Whilst these works would represent a change in the appearance of the house, it is considered that the window enlargement would nevertheless generally reflect the original design for the building, maintaining a fairly balanced and proportional façade, using materials that align with the modernist aesthetic of the terrace.

The design of the proposed windows, in particular the subdivision of the glazing would be of a similar appearance to that approved on the rear of the property, which reflect the original glazing on this elevation in terms of subdivision. It is considered that these works would not be significant enough in visual terms to disrupt the overall appearance of the



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LVMT LABS LTD
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4 Sussex Mews W
London, W2 2SE
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front of the terrace in local views. These changes would also be seen within the context of the changes that have already occurred and have significantly altered the homogeneity of the terrace. With hindsight it is considered that these works could also be considered as permitted development. (GPDO) 2015.

Section 4 of the Design and Access Statement submitted describes in detail the proposed works split by floors/ levels and identifying changes to each elevation. The modifications, albeit material would not be seen to cause detrimental impact on the appearance of the existing building. Furthermore, through the use of high-quality modern materials, the façade and all the framing for the openings would appear refreshed and would therefore improve the visual qualities of the existing building. These design aspirations and envisaged benefits of the proposal are described within the Design section (section 5, page 16 of the DAS) and also listed within the Conclusions on page 35 of the DAS.

It is important to note that the Council has previously granted permission (ref. 2024/1459/P) for a substantial and visually prominent alteration to the front elevation of this very property, including the upward extension of the fourth floor and the introduction of contemporary materials at high level. In that context, the current proposals — comprising modest elongation of second- and third-floor window openings and ground floor cladding — are demonstrably more restrained in both extent and visual prominence. These proposed changes do not introduce a new architectural language, but rather build coherently upon an established and consented evolution of the façade. The Council's prior approval of bold alterations at this address forms a highly relevant material consideration and reinforces the case that the current proposals fall comfortably within the trajectory of acceptable design change for this terrace.

Overall, the modifications to the fenestration and the new layout of windows and openings are considered to be largely in alignment with the existing pattern of windows on the building itself and across the wider Meadowbank terrace. The design of the front and rear facades as proposed are considered to comprise detailing and materials that are of high quality and complement the character of the two terraces. The proposed works would be respectful in terms of the existing proportions and patterns, which would be in adherence to Camden's Design policy D1.

2.5 Removal of the balcony

The balcony removal would affect the rear elevation, which is visible from the public domain, however, no objections were received from neighbours to this work. As already noted, when viewed from the street and park, the principal features of the terrace are the brickwork and tall "T" shaped pilasters. The balconies sit much closer to street level and



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Company number 15722631

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are seen within the context of the rear boundary wall, garden planting and general street clutter and as such are of lesser visual importance.

The Council has already approved the imposing double height window at 2 Meadowbank that would significantly alter the appearance of the rear of the house. As already stated, the retained balcony feature would cut across this feature and would not relate well to it, as it would abut the frame and glazing of the window. It would become a superfluous element that would not be accessible from within the house. Given this, it would not be a useable feature and would also become increasingly difficult to maintain.

As the balconies are sited at a low level on the rear elevation, they are not considered a visually important feature in wider views of the terrace. This would transpire as the half balcony on the adjacent dwelling (1 Meadowbank) has been significantly altered as it has been painted black, following the grant of permission for such works by Camden Council. The removal of half of the shared balcony at 2 Meadowbank would in this case have a minimal impact on the appearance the elevation of the house and wider terrace. Therefore, the proposal is not considered to cause major harm to the architectural unity of the Meadowbank terrace as a whole and indeed, the works would significantly improve, streamline and modernise the design and appearance of the property.

Internally, as shown on the visualisations within the supporting Design and Access Statement (DAS Images 21-23 on pages 18-20, included in Appendix 2) - the balcony feature, if retained would substantially reduce the internal amenity of the living space. These photomontages demonstrate the incongruence of the superfluous, inaccessible balcony in its current position as per the approved scheme. The balcony feature would substantially obstruct views and natural sunlight reaching the living space through the double height openings created, as approved on the rear façade. This practically defunct feature would clearly block a significant portion of natural sunlight and views from the living room and was thus seen to reduce the amenity of the space to internal users.

The Applicant also considers that the retention of the balcony would detract from the external appearance of the house and not integrate well with the overall design and aesthetic of the rear façade of 2 Meadowbank.

Externally, as described in detail within Section 5 (Design) of the DAS and demonstrated through the use of elevations and visualisations (DAS Images 20 and 29, and included in Appendix 2), the proposed alterations to the rear façade including the removal of the balcony would create a more streamlined modern/ contemporary façade, while remaining consistent in terms of the architectural style and rhythm of the fenestration across the rear of the terrace. If retained, the balcony feature would appear inconsistent given the double height openings allowed to the rear façade and would detract from the appearance of the altered rear façade. The removal of the balcony is, therefore, envisaged to create a coherent design composition, which would be fully compatible with the character of the



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current street scene, and also reflect the established design and architecture of the individual dwellings that form this terrace.

It is also relevant to consider how previous alterations to adjacent properties have already influenced the visual balance of the rear elevation. Notably, the neighbouring property to the left (No. 1) has replaced its white balcony and window frames with darker finishes, introducing a strong visual contrast and disrupting the terrace's original sense of symmetry. In this context, the proposed removal of the balcony at No. 2 would assist in rebalancing the composition: the remaining white balcony at No. 3 would read more clearly as a defined end to the terrace, while the simplified rear elevation of No. 2 would provide a neutral and coherent transition. This approach aligns with Policy D1 of the Camden Local Plan, which requires alterations to respect the rhythm, materials and character of the host building. By reducing visual conflict and improving legibility, the proposal contributes positively to the appearance of the group and supports the national design objective, as set out in the NPPF, to enhance local character through well-considered and contextually responsive design.

The proposed design involves the use of high-quality materials and features which are similar to recent works on the adjacent neighbouring properties within Meadowbank. The scheme proposed was carefully designed to ensure the design changes integrate sensitively within the context of the existing, enhancing the aesthetic qualities whilst building upon the existing architectural language of the Meadowbank terraces.

2.6 Summary of visual impact of the proposals

The proposed development has been designed to enhance the house while preserving the character of the local street scene and wider Meadowbank terrace. As described within the Design and Access Statement submitted in support of the planning application, the design, materials and appearance have been carefully fine-tuned to ensure no harm would be caused to the architectural unity of the terrace.

In summary, the proposed development represents an exceptional, high-quality design that would be seen to achieve the following aspirations:

1. Uses premium materials, that exceed the quality of many of the existing cladding treatments in the area; comprises details and materials that are of high quality and complement local character, consistent with Camden Local Plan Policy D1.
2. Sensitively innovates through the use of Corten steel cladding and refined fenestration, fully aligning with NPPF Paragraph 139(b) on integrating innovative design and Camden's own design policies.
3. Enhances the appearance of the house while preserving the character of the wider terrace and street scene, by maintaining the terrace's architectural rhythm and



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Company number 15722631

4 Sussex Mews W
London, W2 2SE
+44 (0) 7831 585492
info@lvmt.co.uk
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proportion in new works, while improving its detailed design—reflecting local character and context as required by Policy D1 of the Camden Local Plan.

4. Addresses practical needs, through careful reconfiguration of the rear elevation that retains the architectural integrity of the building and wider terrace, whilst removing a balcony that—as agreed—serves no functional purpose.

As confirmed by precedent approvals at Nos. 7, 20 and 23 Meadowbank, similar works have previously been permitted where they enhanced individual dwellings while preserving the overall streetscape character. These precedents are evidenced both in Appendix 2 and in separately submitted photographic documentation, which clearly show comparable alterations involving brick pier removal, contemporary materials, and window enlargements—all of which have been deemed acceptable by the Council.

In *South Lakeland DC v Secretary of State for the Environment* [1992], the courts confirmed that a development must cause demonstrable harm to justify refusal on character grounds. The Council's refusal fails to identify any tangible harm caused by the proposal.

The removal of the brick pier has already been accepted elsewhere within the terrace and the enlarged windows retain a balanced, proportional design using high-quality materials that reflect the terrace's modernist origins. These align with the approved alterations at Nos. 7, 20 and 23 Meadowbank and confirm that similar interventions have not disrupted the integrity of the terrace.

Similarly, the removal of the rear balcony—located at low level and partially screened by planting and boundary walls—would have a minor visual impact and would actually support the legibility of the newly approved double-height rear elevation. Its removal also allows for improved natural daylight and uninterrupted views into the principal living space, enhancing the internal amenity of the property.

While the Council's Officer Report acknowledges that various past alterations have already weakened the architectural unity of the terrace, this should not be grounds for blanket refusal. Rather, in such a setting, the planning objective should be to secure high-quality design interventions that improve upon past works and enhance the terrace's evolving character.

That is precisely what this proposal delivers. It provides a measured and carefully considered design response, using durable and attractive materials, refining the proportions and detailing of the façades, and removing outdated and incongruent elements. Far from contributing to harm, the proposed alterations provide a clear opportunity for qualitative enhancement, consistent with both local policy and national design guidance.



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4 Sussex Mews W
London, W2 2SE
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2.7 Key Precedents (Approved by London Borough of Camden):

- No. 7: Removal of brick pier and garage conversion (Ref: 2015/0099/P)
- No. 20: Enlargement of window openings (Ref: 2016/7070/P)
- No. 23: Contemporary cladding materials, including zinc (Ref: 2022/3586/P)

These precedents, as shown on the photographs below, clearly demonstrate that the Council has previously accepted similar alterations to key architectural features now cited as grounds for refusal.

EXAMPLES OF RECENTLY APPROVED PLANNING IN THE AREA



2.8 Policy Compliance and planning precedents

The principle of consistency in planning decisions is well-established in case law. In *North Wiltshire DC v Secretary of State for the Environment* [1993], the court held that a local planning authority must give due regard to its previous decisions, unless there is a material distinction. This means the London Borough of Camden should not arbitrarily refuse this application, while having approved very similar works at Nos. 7, 20, and 23 Meadowbank.

Camden's refusal fails to apply its own policy consistently. Similar developments have been approved at Nos. 7, 20, and 23 Meadowbank, including garage conversions, façade changes, and roof alterations. In *North Wiltshire DC v Secretary of State* [1993], it was ruled that precedent must be followed unless material differences exist—none have been identified here. Within the Officer's Report, the Council explicitly acknowledges these past approvals but states that these changes are "regretted." However, while regret may reflect a change in strategic view, it does not in itself constitute a new material planning reason for refusal. The legal weight of the precedent approvals remains valid, and Camden must provide clear justification for treating this case differently. There is no material distinction between the approved alterations at Nos. 7, 20, and 23 and the current proposal.

If Camden considers past approvals to have negatively affected architectural unity, it should have sought to provide consistent design advice or to revise planning policy as concerns these terraces, rather than arbitrarily refusing a similar application.



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The Council's refusal is seen to be based largely upon subjective design preferences rather than any identified objective planning harm. The Council's refusal report focuses on Policy D1 Design; Therefore, and as explicitly noted within the Officer's assessment report: the proposal would be fully compliant with Camden's Policy A1 (Amenity). Given that this policy would be fully met – this means that the proposal causes no harm to neighbours regarding daylight, sunlight, outlook or privacy. This is considered a crucial material consideration in the balance of this appeal. The complete absence of neighbour objections further enforces that there will be no perceived harm from the proposal.

The refusal is also considered to lack justification in regard to what judgements were made in respect of the planning balance regarding all the relevant material considerations. The Officer's Report in this case, has presented the planning considerations in respect of "Design" and "Amenity" under the respective sections. While the "Design" section is carefully and thoroughly detailed in relation to all the elements of the scheme, the "Amenity" section consists of a mere four sentences. There is mention that the proposal would be 'detrimental' to the amenity of adjacent neighbours, but the report does not specify which aspects of the proposal are considered to impact the amenity of the adjacent neighbours. Furthermore, the report then states that the proposal overall would be in adherence to Policy A1 and therefore acceptable, which contradicts what was said in the previous question, and is considered to clearly demonstrate the lack of justification on the Council's part where it comes to the planning balance.

In case law, specifically referring to the *Tesco Stores Ltd v Secretary of State for the Environment* [1995], the failure to fairly justify and weigh up all material considerations was considered sufficient to overturn the Council's decision. The courts ruled that local planning authorities must weigh all material planning considerations fairly. In the current appeal case, considering all the objective facts - including precedent approvals, modernisation benefits, and explicitly stated compliance with policy, the net benefits of the proposal will clearly outweigh the Council's subjective design concerns.

The Council's reliance on Policy D1 to assert harm to the terrace's architectural unity fundamentally rests on a narrow interpretation of policy. While the original 1970s design drew inspiration from modernist principles, the terrace was never pure modernism and has undergone significant, approved alterations over decades. The original 'crown jewel' rooftop terraces that once defined its architectural intent have been lost through successive developments (as evidenced by approved schemes at Nos. 7, 8 and 20).

The Officer's Report (p.3) acknowledges these precedent approvals yet dismisses them as "regretted" - a position that is difficult to reconcile with established case law under **North Wiltshire DC v SoS* [1993] *. Moreover, the Report itself notes the terrace's "evolving character" (p.4), directly contradicting the notion that the proposal would harm some notional architectural purity.



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London, W2 2SE
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Policy D1 of the Camden Local Plan (2017) requires that all developments “respect local context and character” and “preserve and enhance the local character and distinctiveness of an area.” It expects proposals to respond to context in terms of “form, scale, layout, materials and detailing,” as well as “height, scale, massing, rhythm, and materials.”

The proposed alterations were considered to fully align with these requirements. Specifically: the Corten steel cladding proposed for the front elevation reflects materials already approved under application ref. 2024/1459/P, ensuring visual continuity within the group and reinforcing the emerging architectural language of the terrace. The cladding provides a contemporary treatment that remains contextual and appropriate within the modernist setting. The amended front window openings, though vertically extended, retain alignment and proportional balance across the façade. Their placement is consistent with the terrace’s established rhythm, and the overall elevation remains legible and coherent in both scale and proportion.

At the rear, the removal of the projecting inaccessible balcony structure and introduction of a recessed window simplifies the composition. This intervention restores a degree of architectural clarity and is seen to continue to respect the original character of the 1970s terrace and retain the key geometric design features, whilst removing those elements that previously detracted from its formal simplicity.

The refusal appears to depart from the well-established principle of consistency in decision-making, as set out in case law such as North Wiltshire DC v Secretary of State (1993), which undermines the robustness of the Council’s reasoning when assessed against relevant and recent precedents.

Furthermore, elements of the proposal (including certain roof alterations) could potentially be implemented under Permitted Development rights, confirming their fundamental acceptability.

3. Proposed Conditions

Should the Inspector be minded allowing the appeal, the Appellant would be willing to accept the following planning conditions:

1. Development to be carried out in accordance with the approved plans.
2. Materials to match those proposed in the submitted Design and Access Statement or otherwise approved by the Local Planning Authority.



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LVMT LABS LTD
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4 Sussex Mews W
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4. Case summary and conclusion

In summary, this appeal demonstrates that the proposed development at 2 Meadowbank is a proportionate, contextually appropriate, and high-quality enhancement to a significantly altered and now tired 1970s terrace. The scheme responds positively to Camden Local Plan Policies D1 and A1, the Camden Planning Guidance (Design and Amenity), the National Design Guide, and Paragraph 139(b) of the National Planning Policy Framework. It causes no demonstrable harm to amenity, character or streetscape, as confirmed by the lack of objections from neighbours and the secluded nature of the proposals.

The Council's reason for refusal fails to account for precedent approvals at Nos. 7, 20 and 23 Meadowbank, dismisses these as 'regrettable' without material justification, and does not reflect the design evolution of the terrace and its current appearance. Furthermore, the Officer Report itself acknowledges that key elements of the proposal would not appear prominent, nor would they harm the wider character.

Given that the refusal contradicts Camden's own precedent approvals, the proposal causes no material harm, and the decision is based on subjective concerns rather than objective policy breaches, we respectfully request that the Planning Inspectorate overturn this refusal and grant planning permission.

The Inspector is invited to consider whether the Council's reason for refusal identifies any actual harm or simply reflects subjective aesthetic preference inconsistent with its own approvals.

In light of the above, the appeal proposals represent a modest, design-led enhancement that improves the sustainability, liveability, and visual quality of the host dwelling, while preserving the architectural rhythm and wider character of the Meadowbank terrace and local street scene.

The proposals reflect the evolving context of the terrace and respond directly to precedent developments at Nos. 7, 20 and 23 Meadowbank, where similar interventions were approved. These precedents—evidenced both in Appendix 2 and through separately submitted photographs—clearly demonstrate that the type and extent of change now proposed has been found acceptable by the Council in materially similar circumstances.

Taken together with the absence of demonstrable harm and the alignment with relevant policy and case law, this is seen to confirm that the refusal lacks reasonable justification. We respectfully invite the Inspector to allow this appeal and grant planning permission.



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5. Supporting Documents Attached

This statement of case 'Grounds for Appeal' document is supported by the following supporting evidence / documentation:

1. Original Planning Application Form (submitted with application).
2. Design and Access Statement (submitted with application).
3. Planning Statement (submitted with application).
4. Photographs of precedent approvals in the terrace (submitted with application).
5. Officer Report and Decision Notice.
6. Case Law summaries and links to full decision notices within Appendix 1.
7. Photographs and precedent references within Appendix 2 (including specifically Numbers: 1, 7, 8, 20 and 23 Meadowbank).
8. Photomontages and visualisations of the proposed scheme within Appendix 3.

All information and documents referenced herein were submitted at application stage or are publicly available. No new technical evidence has been introduced as part of this appeal.



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Appendix 1: Case Law reference summaries

South Lakeland DC v Secretary of State for the Environment [1992] 2 AC 141

This case clarified that the statutory duty to “preserve or enhance” the character or appearance of a conservation area is met if a development causes no harm. The court emphasised that aesthetic judgments must be grounded in evidence of material harm; visual impact alone is not sufficient to justify refusal without demonstrable adverse effect on the area’s character or appearance.

Link to full decision (via BAILII): <https://www.bailii.org/uk/cases/UKHL/1992/10.html>

North Wiltshire District Council v Secretary of State for the Environment and Clover [1993] 65 P. & C.R. 137

This case established that consistency in decision-making is a material consideration. If a planning authority departs from a previous decision on a materially similar proposal, it must provide clear and convincing planning reasons for doing so. Simply expressing regret over earlier approvals is insufficient without identifying relevant new material considerations.

Official case law summary (via LexisNexis): <https://www.lexisnexis.com/uk/legal/>

Tesco Stores Ltd v Secretary of State for the Environment [1995]

The House of Lords confirmed that while planning authorities must consider all material considerations, including planning obligations, the weight to be given to each is a matter of planning judgment. The courts will not interfere unless the decision is irrational, perverse, or otherwise unlawful.

Link to full decision (via BAILII): <https://www.bailii.org/uk/cases/UKHL/1995/22.html>

Tesco Stores Ltd v Dundee City Council [2012] UKSC 13

The Supreme Court held that while planning policy is not statutory law, the interpretation of its language—i.e. what the policy means—is a matter of law for the courts, not for planning authorities. The judgment clarified that decision-makers must interpret policy wording correctly before applying it to facts.

Link to full decision (via BAILII): <https://www.bailii.org/uk/cases/UKSC/2012/13.html>



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Appendix 2: Photographs of the site and surrounding properties.



Image 1: View from Primrose Hill Road. Rear facades of numbers 1 to 4 Meadowbank. Application property is the second from the left (with the scaffolding visible to the front).



Image 2: View of the property from public vantage point on Primrose Hill Road. Showing rear facades of properties Nos. 1 to 6 Meadowbank.



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Image 3: View from the corner of Oppidans Road and Primrose Hill Road looking up at the Meadowbank Terrace. Showing rear facades of Nos. 1-6 Meadowbank.



Image 4: Rear facade views of the neighbouring properties within Meadowbank: showing numbers 5 to 8 Meadowbank as visible from Primrose Hill Road.



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Image 5: Rear facade views of the neighbouring properties within Meadowbank: showing numbers 5 to 8 Meadowbank as visible from Primrose Hill Road.



Image 6: Rear facade views of the neighbouring properties (showing numbers 9, 10, 11 and 12 Meadowbank) as seen from Primrose Hill Road.



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Image 7: View from public vantage point on Primrose Hill Road onto the rear facades of neighbouring properties: numbers 11, 12, 13 and 14 Meadowbank.

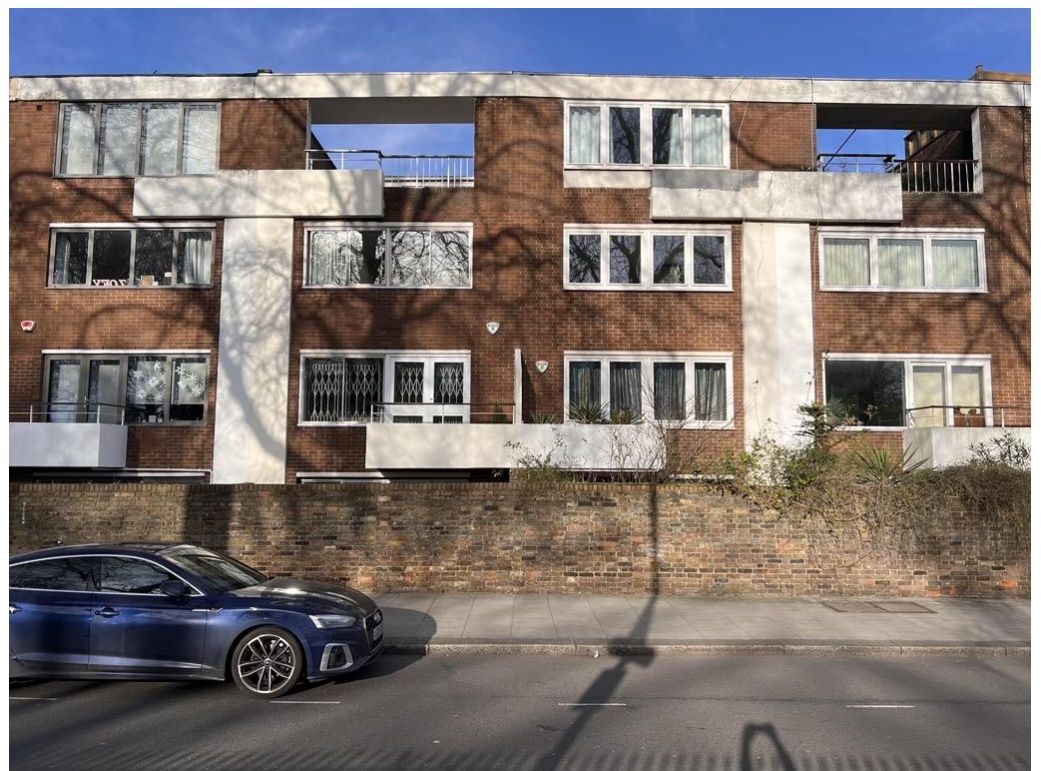


Image 8: View of neighbouring properties numbers 13, 14, 15 and 16 Meadowbank. Rear façade view as seen from Primrose Hill Road.



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Image 9: Photograph showing rear facades of neighbouring properties numbers 15, 16, 17 and 18 Meadowbank. View as seen from public vantage point on Primrose Hill Road.



Image 10: Rear façade views of the neighbouring properties numbers 19, 20, 21 and 22 Meadowbank. Views as seen from public vantage point on Primrose Hill Road.



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Image 11: Rear elevations / facades of the neighbouring properties in Meadowbank terrace as seen from public vantage point on Primrose Hill Road. Showing numbers 23, 24, 25 and 26 Meadowbank.



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Appendix 3: Visualisations/ Photomontages.

Excerpts from the supporting Design and Access Statement document, showing the visualisations of the space externally and internally - inside the newly created double height living space as per the extant permission and with the proposal if implemented. These photomontages demonstrate the incongruence of the superfluous, inaccessible balcony in its current location as per the approved scheme. This practically defunct feature clearly would block a significant portion of natural sunlight and views from the living room and thus seen to reduce the amenity of the space to internal users.

Visualisation 1: Proposed Rear Elevation (Image 20)





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LVMT LABS LTD
Company number 15722631

4 Sussex Mews W
London, W2 2SE
+44 (0) 7831 585492
info@lvmt.co.uk
www.lvmt.co.uk

NOTE:

*This statement should be read in
conjunction with the Design and Access
Statement and all the other drawings,
photographs and documents submitted.*

Visualisation 2: Proposed Rear Elevation (Image 29)





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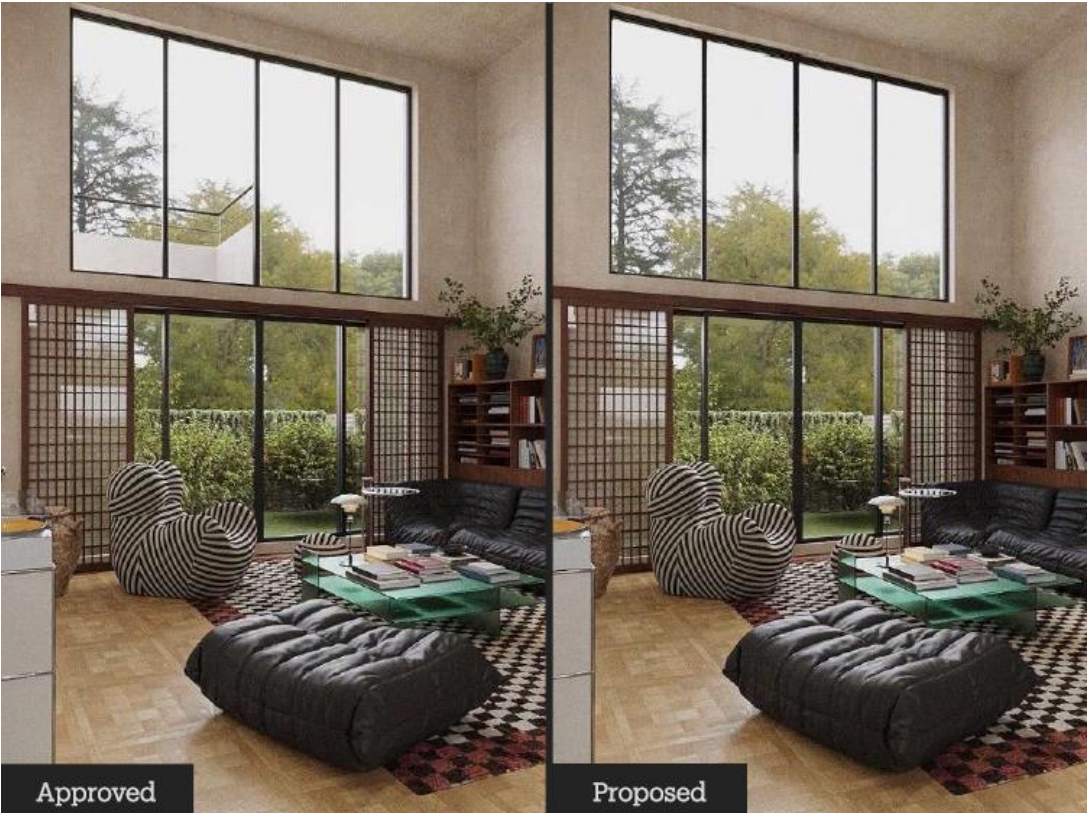
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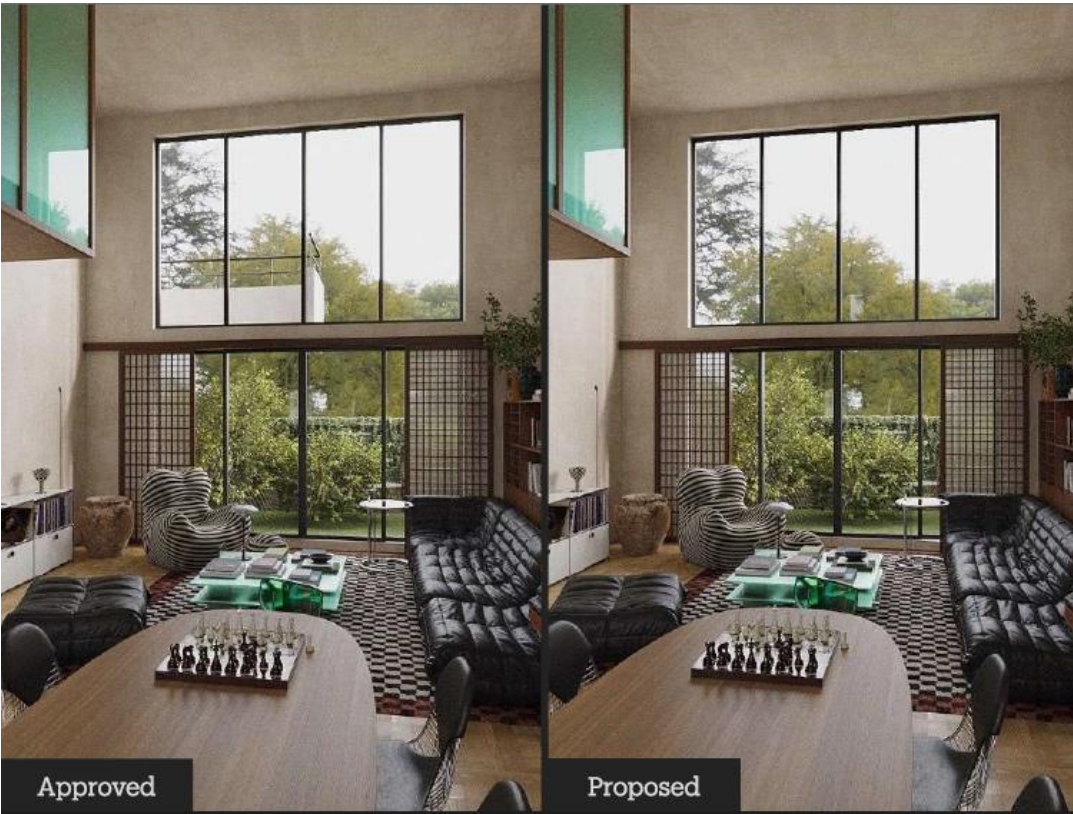
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Visualisation 3: (Image 21)



Visualisation 4: (Image 22)





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Visualisation 5: (Image 23)

