

Planning & Design Statement for a Revised Rear Extension at Modbury Gardens



# **PLANNING & DESIGN STATEMENT FOR A REVISED SCHEME DESIGN FOR A REAR 2nd FLOOR EXTENSION AT 7 MODBURY GARDENS, LONDON NW5 3QE**

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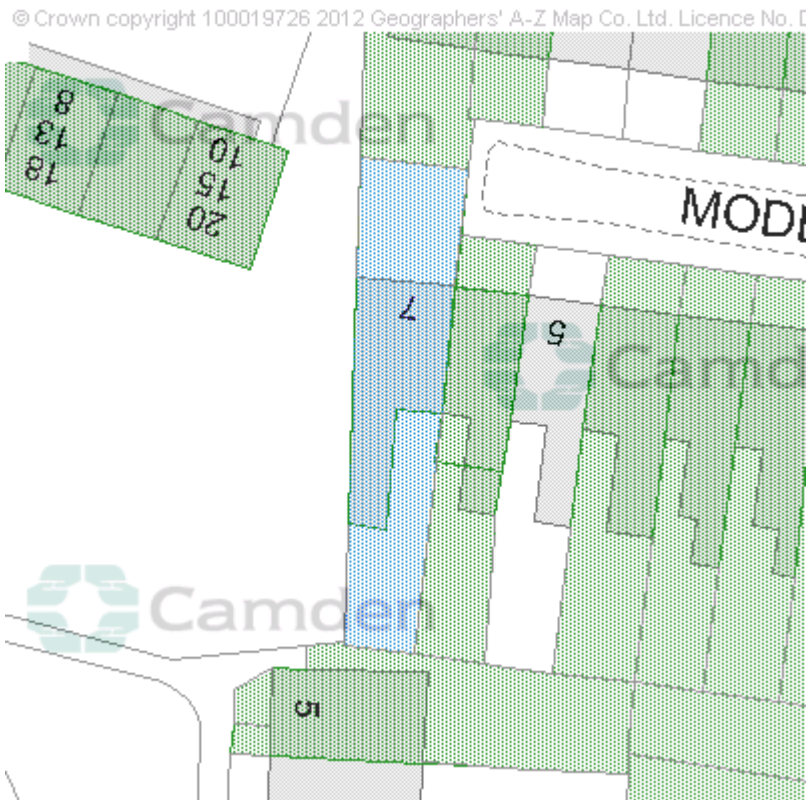
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## 1.0 Introduction – Resolving the previous objections to the extension’s design

1.1 Planning permission was refused under delegated powers by the London Borough of Camden last year at an end-of-terrace property, for a single level extension at second floor at rear (the property has lower and upper ground floors), to be added on top of an existing flat roof.

1.2 The purpose of the extension is to improve this residential accommodation by providing a new child's bedroom for this upper maisonette at 7 Modbury Gardens and the applicants are the family who occupy the property. The location and immediate context is shown on the diagram and photographs reproduced.

1.3 Subsequently, an appeal was dismissed, with the Inspector supporting the Council’s grounds for resisting this extension. The Council’s reason for refusal was that:

*"The rear second floor extension, by reason of its height, bulk, and mass, would result in an over dominant addition which would be out of proportion with the existing building and general height of existing rear extensions elsewhere along the adjoining terrace and would therefore be detrimental to the character and appearance of the building and terrace as a whole. This is considered contrary to policy CS14*

*(promoting high quality places and conserving our heritage) of the London Borough of Camden Core Strategy and policy DP24 (Securing high quality design) of the Camden Local Development Framework Development Policies."*

1.4 The appeal decision is analysed in the next chapter in more detail together with the radical design changes now proposed to meet both the Council's and the Inspector's concerns, however, the following extract from the Appeal Decision captures the essence of the objections to it, which are, the same as those of the Council:

*"At present, the blank side wall of the rearward projection, nearly 2-storeys high, does not appear particularly attractive when viewed across the open landscaped area. But it is built of brick which is becoming weathered to match the remainder of the gable which it stands alongside; and so is viewed as an established, if rather plain feature, moderately well integrated into the fabric of the house. In contrast, the proposed additional storey would appear as little more than an awkwardly and conspicuously placed large timber box.*

*...the result is a structure which both in terms of its proportions and materials would fail to integrate satisfactorily with the existing house. The timber finish would be incongruous on a building of this age and construction and would serve only to draw attention to the high-level addition...*

*In short, the design of what is proposed would be incompatible with the host dwelling. That would, in my view, harm its character and appearance and diminish the visual quality of the locality."*

1.5 A photomontage of what that extension would have looked like had been prepared and is reproduced below in the following page so one can link these conclusions to likely appearance that would have resulted if that form of extension was built.

1.6 The Inspector's decision is very comprehensive and detailed and indeed helpful in endorsing and explaining further the Council's objections to what we now accept is viewed as too striking and despondent a design which did not link with the house's character. We have accepted this perspective; gone back to the drawing board and produced a completely different extension which, we hope the Council would agree, succeeds to be organically linked to the end of this terrace and in fact make the surroundings, which are exposed to distant views, significantly more visually rich and attractive from their current state.

1.7 This is now achieved by (contrary to adding "something different to" as in the previous timber scheme) "bonding" and "marrying" the design of the extension to the parent building using matching brick for part of it while removing the "boxiness" of its previous version and therefore making it incomparably more "light" in appearance, designing the end half of it in glazed, almost conservatory form.



## **2.0 Appraisal of the Council's and Inspector's objections with the previous refused scheme (LPA Ref 2013/0355/P) and their resolution in this application**

2.1 The Inspector considered that :

“The main issues in this case are the effect of the proposed ...(previously refused) ...development on:

- (a) the character and appearance of the dwelling and its surroundings; and
- (b) the living conditions of adjoining occupier.

2.2 Taking issue (b) first, it is noted that the Council had fully considered that impact and resolved it was in fact acceptable. We cannot therefore reasonably expect the Council to raise “uneighbourliness” as an issue afresh. Likewise, the Inspector agreed with the Council and commented that, although some added enclosure would result for the neighbour by the proposed extension, the fact that the extension was away from the shared boundary, thus allowing for “breathing space” between them (in fact the application property also has a small sitting-out terrace in-between the extension and the neighbour) was adequate for such an impact not to constitute a reason for refusal.

2.3 In fact this submission also radically improves that aspect of enclosure as that inner elevation is essentially now fully made up of frameless glass (unlike solid timber) so longer views from the neighbours would face a light, pleasant and

transparent elevation rather than the solid wall before. No undue overlooking would result, as the Council, in allowing that neighbouring property to have a rear roof terrace required high glazed screens which have been installed to prevent it while the sideways distancing of the extension would help in that respect even more. We therefore are of the view that this scheme (although in any case non-refusable on such grounds) is also an interesting improvement in that there will now be a more light, transparent and interesting view in the distance than the previous timber box, had that been allowed.

2.4 Moving then to the key design aspect, the Inspector supported the Council's view that the extension would be out of character and below are selected pertinent comments of concern from his decision and our response on exactly how the revised scheme now before you has tried (and we hope you would agree has managed to) overcome:

- *“At present, the blank side wall of the rearward projection, nearly 2-storeys high, does not appear particularly attractive when viewed across the open landscaped area. But it is built of brick which is becoming weathered to match the remainder of the gable which it stands alongside; and so is viewed as an established, if rather plain feature, moderately well integrated into the fabric of the house. **In contrast, the proposed additional storey would appear as little more than an awkwardly and conspicuously placed large timber box. . .** **The timber finish would be incongruous on a building of this age and construction and would serve only to draw attention to the high-level addition...In short, the design of what is proposed would be incompatible with the host dwelling. That would, in my view, harm its character and appearance and diminish the visual quality of the locality.”***

**Response:** The “alien” element of the design is completely removed and materials to be used would be the same matching bricks (that the Council can condition samples of) with the existing flank parapet in this scheme only needing to be raised modestly and slightly extended rearwards, being then followed by two frameless panes of glass which would ornament the otherwise despondent side “dead” elevation. This will give a new “crisp” and more contemporary appearance (as sought by the Council's policies) and will be capped by an attractive grey aluminium cladding to a flat metal roof thus framing the whole design.

To the rear and inner side similar glazing treatment will continue the “light conservatory” appearance. The combination of these three materials, i.e. the matching (can be second hand) bricks with the light smooth glazing but also the straight aluminium line above both will succeed in both “linking onto” the parent building organically and adding to a fresh contemporary look at the same time. The side elevation would be half matching brick, half glass. We would remind that not dissimilar glazing and of little less height has already been approved by the Council immediately next door.

Moreover the extension has been both reduced in length and height. All these changes are contingent and satisfy the Inspector's concerns:

- ***“I acknowledge that, once the height of the present flank parapets are taken into account, the effective increase in height of the proposed extension would appear less than the actual 2.7 metres above present roof level. But the higher parapet projects less than half of the length of the proposed extension, so this argument applies only partially. I also accept that the use of timber cladding would provide relief from what is already a large expanse of brickwork on the flank wall. It could either be treated or allowed to weather naturally, thereby reducing the contrast with the brick over time. But I doubt that it would ever integrate successfully into the remainder of the building in visual terms. Moreover, and fundamentally, the bulk and proportions of the extension would not be disguised. Though less than a metre higher than the existing glazed privacy screens, the proposed development cannot realistically be regarded as comparable in terms of scale, mass or visual impact. The screens, while clearly being modern in appearance, are lightweight & translucent features having negligible mass, in contrast to the considerable bulk of what is proposed. I recognise the considerable emphasis placed on these screens by the appellant, but their presence provides little support for the proposal.”***

**Response:** In similar vein to the response above, the redesigned extension overcomes these negative perceptions. The issue of “half the length of the extension” identified is answered by replacing half the extension with attractive frameless glass. This is very important in reducing the Council's concern over undue bulk and mass which will no longer apply. On the contrary an interesting and transparent structure would now attract rather than offend the eye.

It is interesting to see that (like the Council) the Inspector does not consider the use of timber as a material per se as unacceptable, but only considers that its “boxiness” would add to the mass of the dead elevation. We accept this view and feel that the refusal would in fact lead to a far better extension for both the property and the local townscape.

It is also interesting and notable that the Inspector recognizes the “considerable emphasis that was placed in the appellant's case on the “clearly modern” screens next door” thus not necessarily resisting a contemporary solution as the Council seeks in appropriate circumstances in its planning policies.

*“... when considering the rear of the properties and their setting, including the nearby modern flats and houses of no great architectural merit, the wider townscape cannot be regarded as uniform or homogenous. But that is not to say that the area is of low quality or that it is devoid of pattern.*

*The objective to improve the quality of the area, in line with Policy DP24 and the National Planning Policy Framework (NPPF) remains, irrespective of whether the area is uniform or homogenous. Design should respond creatively to its site and context; and the NPPF states that planning policies*

*should not stifle innovation, originality or initiative. I agree that, in some circumstances, the introduction of contrast can add interest and vitality to a building and its setting. But the present proposal would not do so. For the reasons I have given, I am in little doubt that the proposed extension would not represent high quality contemporary design. The contrast with the present house would not lead to an enhancement. Rather it would detract from it and from its surroundings.”*

**Response:** Again, all these points are taken on board in the revised planning application. It is accepted that the timber box design was too radical and perhaps “vulgar” an intervention, not linking to the building or enhancing the end of terrace appearance although, as accepted by both Council and Inspectorate, there is no objection to modernity or indeed contrast as a general principle.

We have thought hard and attempted several options before concluding to select this simple but elegant solution that **no longer appears as incongruous and:**

- a) Does not antagonize but blend in well with the terrace, producing a symmetrical stepping-down brick side profile the “tail” of which is ending in smart glazing
- b) Manages to both be “in character” and not too dissimilar with the terrace and the host building while smartens its appearance and brightens it up particularly at the rear
- c) Overcomes the reasonably resisted added bulkiness of mass and “harshness” a dead side elevation would have continued to exist with the wooden box and ornaments and soften that end wall







### **3.0 Relevant Planning Policy in the context of the amended scheme**

#### **3.1 NPPF**

The role of sustainable development is social and economic as well as environmental. Socially and economically this is obviously an acceptable proposal as it would significantly improve living accommodation and allow for some new economic activity in both building and occupying it. This is made clear in para 7 of the NPPF. Para 14 stresses that LPAs ***must be approving development proposals*** that accord with the development plan without delay; and granting permission ***unless***:

- ***any adverse impacts of doing so would significantly and demonstrably outweigh the benefits***, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate otherwise

***We believe that the benefits of the revised design overcome and outweigh the impacts which previously concerned the Council in this case*** and the proposal is supported by the NPPF

3.2 Core Principles under Para 17 ask LPAs to:

***"...take account of the different roles and character of different areas, promoting the vitality of our main urban areas..."*** and ***"...encourage the effective use of land..."***

...in reaching decisions. The character of the spot where the extension is proposed will be made more attractive while extending "in character" in matching brick and glass and producing an attractive ornamented synthesis in townscape terms and that the local environment and views will indeed benefit from the redesigned extension.

3.3 Section 6 devotes itself to promote the ***"Delivering a wide choice of high quality homes"***. This concept importantly and sustainably also applies to the cumulative effect and objective of improving the existing stock as well as new development so existing buildings should not be stopped from improving and widening that choice and improvement of homes, unless they would ***significantly and demonstrably*** adversely affect recognised areas of concern in plans by doing so.

3.4 The most key section of the NPPF for the purposes of this appeal is Section 7 on good design. Para 57:

*"It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes."*

LPAs should : *"...establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*

*and ...optimise the potential of the site to accommodate development..."*

We consider, as argued above, that the ***"sense of place"*** in this particular place of a mixed character would be made stronger and more interesting by annotating and articulating the existing blank wall with an innovative conclusion ***while in the revised design remaining harmonious and "well – bonded" with the period house and terrace*** and result in a synthesis ***that will also act as a more attractive defining conclusion*** to the end of the terrace than it currently appears. It will thus define the terrace even more strongly and elegantly. At the same time this would offer the obvious important general policy objective of creating a more comfortable and

attractive place to live and maximize the use of the building.

3.5 The NPPF continues by stating developments should aim to ensure they:

*"respond to local character and history, and reflect the identity of local surroundings and materials, **while not preventing or discouraging appropriate innovation;**"*

and

***"are visually attractive as a result of good architecture and appropriate landscaping".***

Local character in this edge position is evidently mixed with a radical transition taking place. The revised scheme is **now** responding appropriately to it as it does not depart but enhances the end of the terrace to which it will clearly belong and be subservient to in scale and architecturally. This second solution is specifically designed to produce an innovative, but organically linked simple and elegant thin addition which would "decorate" sensitively rather than antagonise or compete with the parent building and terrace. It would "frame" and ornament the despondent and unattractive flank wall and decorate with glass and add visual richness and attraction resulting in a better building complex and townscape to look at.

3.6 It is important that this addition is seen together and in conjunction with the glazing tall screens next door with which we feel will form an interesting architectural combination of innovative additions from the distance, far better than leaving the screens "up in the air" exposed and alone as they now are. This makes them appear as more alien and an obvious addition "detrimental to heritage" than they would if the light extension structure was placed (at a gap) alongside them and offered them some visual "protection". In fact the extension would further "enclose" and "protect" no 6's balcony also and offer a more cosy and welcoming sitting out terrace for it rather than the very wide exposure it now suffers. Being a substantial distance away from it it would not unduly impair views from it which would continue to be long and enjoyable.

***3.7 Finally, as argued earlier, it is crucial, both in terms of the resulting bulk and mass being moderated and also in the context of the policies in terms of visual impact, that the extension's most prominent and visual part (its flank) would in actual fact consist of an existing tall parapet brick wall only modestly increased in matching brick. The glazing overcomes the concern over undue bulk and mass at the point close to where the parapet steps down and will make the extension more subservient. This is an important reason why we feel that the argument on bulk, mass and height is overcome and removed.***

3.8 We therefore consider that this revised proposal is indeed supported by the very important objective set out in the NPPF (para 60) which states clearly that:

***"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. "***

and by the statement that (para 63):

***"In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area"***

This particular design solution does not stifle innovation and the resulting synthesis of design and of the visual appearance of the back and side of this exposed terrace will be much improved and enriched by such a small but attractive addition for the reasons argued.

### 3.9 Local Planning Policy

The Policy of the Core Strategy 2010 referred to in the Refusal states that:

***"The Council will ensure that Camden's places and buildings are attractive, safe and easy to use***

***by:***

***a) requiring development of the highest standard of design that respects local context and character;***

***b) preserving and enhancing Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens;***

***c) promoting high quality landscaping and works to streets and public spaces;***

***d) seeking the highest standards of access in all buildings and places and requiring schemes to be designed to be inclusive and accessible;***

***e) protecting important views of St Paul's Cathedral and the Palace of Westminster from sites inside and outside the borough and protecting important local views."***

More specifically to this case, there is also SPD development control guidance on

extensions and alterations on what is acceptable, including for rear first floor extensions and this is not breached by the proposal as a large expanse of the main rear wall amounting to a whole floor to the building would remain above the extension and the revision is even lower. Keeping it in proportion, and still evidently subservient to the main house.

3.10 In a similar vein the Camden LDF Policy DP24 also referred states that:

***"The Council will require all developments, including alterations and extensions to existing buildings, to be of the highest standard of design and will expect developments to consider:***

***a) character, setting, context and the form and scale of neighbouring buildings;***

***b) the character and proportions of the existing building, where alterations and extensions are proposed;***

***c) the quality of materials to be used;***

***d) the provision of visually interesting frontages at street level;***

***e) the appropriate location for building services equipment;***

***f) existing natural features, such as topography and trees;***

***g) the provision of appropriate hard and soft landscaping including boundary treatments;***

***h) the provision of appropriate amenity space; and***

***i) accessibility."***

3.11 The core Strategy states that:

***"Camden has many special and unique places and historic and modern buildings of the highest quality. As well as preserving this rich heritage, we should also be contributing to it by making sure that we create buildings of equally high quality that will be appreciated by future generations ...Development schemes should improve the quality of buildings, landscaping and the street environment and, through this, improve the experience of the borough for residents and visitors...High quality design also takes account of its surroundings and what is distinctive and valued about the local area."***

3.12 Policy DP24 writes:

***"The Council is committed to design excellence and a key strategic objective of***

*the borough is to promote high quality, sustainable design. **This is not just about the aesthetic appearance of the environment, but also about enabling an improved quality of life, equality of opportunity and economic growth.** We will therefore apply Policy DP24 to ensure that all developments throughout the borough, including alterations and extensions to existing buildings, are of the highest standard of design. In accordance with government guidance in Planning Policy Statement (PPS) 1 – Delivering Sustainable Development we will not accept design that is inappropriate to its context or which fails to take opportunities to improve the character and quality of an area and the way that it is used by residents and visitors.*

***Camden is a densely built-up borough where most development involves the replacement, extension or conversion of existing buildings. Design should respond creatively to its site and its context. This concerns both smaller-scale alterations and extensions and larger developments, the design and layout of which should take into account the pattern and size of blocks, open spaces, gardens and streets in the surrounding area (the ‘urban grain’).***

*The Council seeks to encourage outstanding architecture and design, both in contemporary and more traditional styles. Innovative design can greatly enhance the built environment and, unless a scheme is within an area of homogenous architectural style that is important to retain, high quality contemporary design will be welcomed.*

It is this last policy paragraph on the basis of which we consider that the revised proposal is supported by Camden's own key creative/contemporary design policy objectives as it manages to both stay in character and link to the existing townscape while develop a high quality modern extension.

#### **4.0 Conclusion**

- 4.1 Planning permission for a “boxy” solid timber extension was refused and an appeal dismissed in this location. The essence of the reason was the added “massing” and “bulk” that timber “box” would add to an already solid, imperforate end elevation of a period terrace and the incompatibility of the nature of the extension with the house, not relating to its character.

- 4.2 We have studied very carefully and in detail these reasons and have developed a drastically different (and smaller) design which we believe we reasonably consider overcomes all these concerns and in fact enhances the views of this prominent location which is surrounded by an open green.
- 4.3 We have achieved this by “bonding” and linking the extension in matching brick to the end elevation and in line with the flank wall, as a harmonious continuity in same grain to the house, and left the rear end and inner side of the extension in glass, offering thus a transparent, light and attractive (as well as contemporary) appearance. This interesting marriage of brick and glass will provide an attractive end-elevation and conceal the glazed screens behind it which could be argued are alien to the appearance of the terrace as the Inspector has also to some extent also consented.
- 4.4 Moreover, the presence, substantial eight and long extent of these tall screens right next door, will hide views of the inner flank of the extension from that inner side, so visual impact is not an issue whatsoever from that direction. The screens were placed on purpose to perform that hiding privacy function for a sitting-out terrace the Council approved next door. The refusal and appeal process have been beneficial as a far better development has resulted, also in its internal use, light and amenities, with which the applicant is also much more satisfied. We respectfully request that planning permission is granted for the amended scheme.