

NORTON ELLIS ARCHITECTS APPEAL STATEMENT

In respect of

**Nos. 61-63 Rochester Place, Camden
(Council Reference 2013/0643/P)**

On behalf of

Digits 2 Widgets

Date: 21st July 2014

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1.0 INTRODUCTION

This appeal statement has been prepared and written by Robert Ellis, director of RIBA Chartered Practice Norton Ellis Architects Ltd in respect of the appeal made by Digits2Widgets against the refusal by the London Borough of Camden to grant permission for the development at 61 – 63 Rochester Place, London NW1 9JU (Council Reference 2013/0643/P). I am the scheme architect in respect of the Rochester Place proposal.

This report considers the second reason for refusal relied on by the Council, which is as follows:

“The proposed extension, by reason of its size, location and design, would result in loss of outlook to neighbouring properties in Reeds Place to the detriment of their residential amenities, contrary to policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and Policy DP26 of the London Borough of Camden Local Development Framework Development Policies.”

This reason for refusal directly contradicts the conclusion set out in the Officers Report on the application, which concludes at paragraph 7.1:

“The 1st floor extension is considered appropriate in terms of bulk, height and footprint, and façade design and it will preserve the character of the streetscene and surroundings and the adjoining conservation area. The extension will not harm neighbour amenity in terms of outlook, light, privacy or pollution.”

I agree with the conclusion reached by the Case Officer and consider the reason for refusal should not be upheld on appeal.

1.1 This statement:

- describes the design, location and size of the proposal;
- considers whether the proposal would “*result in loss of outlook to neighbouring properties in Reeds Place to the detriment of their residential amenities*”; and
- addresses the other alleged potential impacts the proposal would have on neighbouring residential amenity, in terms of daylight and sunlight, privacy, light pollution and noise pollution.

This statement should be read in conjunction with the appellant’s Statement of Case and the report prepared by Dr Nicholas Doggett of Asset Heritage Consulting Ltd in respect of the first reason for refusal relied on by the Council.

2.0 THE PROPOSED EXTENSION AND ITS DESIGN, LOCATION & SIZE

In this section I give an overview of the proposed design. I then specifically consider the appropriateness of the location and size of the proposal. Together these are the factors that the Council considers have led to a loss of outlook to neighbouring properties in Reeds Place.

2.1 The Proposed Design

The original concept for the site was to create more space for the Digits2Widgets business at the first floor level and to provide habitable space for the business owner’s family at a new second floor level. I also wanted to ensure at the outset that the proposal would not impact on the outlook from and residential amenity of the Reeds Place properties.

Following submission of the planning application and during the course of the dialogue with the Case Officer the first floor extension was set back further from Reeds Place and the originally proposed second floor extension was removed. These revisions were

implemented as a direct result of concerns raised by the local residents' group, and in particular concerns from residents of Reeds Place.

The proposal for the first floor extension was conceived as a modern addition to the existing building, with clean crisp lines and contemporary materials which tie-in with the existing industrial aesthetic, while at the same time making a clear statement that it is new addition. It was important to me at the outset that the new construction should be clearly distinguishable from the existing building. The reason for this was two fold:

- a) To embrace the new technology of the 21st Century as a response to the hi-tech industrial use inside the building.
- b) To show how the proposed extension will transform but still compliment the original building whilst remaining secondary to it.

Throughout the dialogue with the Council's planning officers this concept has been retained.

In terms of materials it was not my intention to replicate the exact materials, form and style of the existing building. I believe that the choice of materials is sensitive to the adjoining conservation areas. My aim was to design a technologically advanced extension on the site, which refers to the 3D printing technology used in the building. The choice of materials has been derived from the need for lightweight and durable materials, which can be sized to relate to the existing structural framework.

In addition, the materials chosen ensure that the extension will be quick to erect, and therefore minimise disturbance during the construction works. The colour and texture of cladding panels chosen are in harmony with the colours of the brick, render and concrete finishes of the surrounding houses, and the existing building. This is again a careful consideration that has been made in order to minimize any impact on the outlook from Reeds Place.

The proposed fibre cement panels need minimal maintenance and they are more durable than a rendered coating, which currently exists on the long flank wall at first floor level, which looks shabby and is in need of repair.

The concept of a contemporary extension is entirely in keeping with the technological character of the street and the buildings uses. The proposed use of the extension is to support the new and growing industry of 3D digital printing, which is currently operating from the property. This reflects the historic nature of this area, bringing in new technology at a human scale.

It is my belief that the first floor extension is entirely compatible with both the existing building and the neighbouring conservation areas. Right from the outset I have considered the site context in relation to the proximity of surrounding buildings on Reeds Place and St Pancras Way and their relationship to the existing property. I have deliberately kept the extension back from Reeds Place and St Pancras Way.

I have introduced a bevelled edge, facing the Reeds Place rear façade, so that daylight is maintained and also so that the new extension would have a negligible impact on the facing houses. I believe that the proposed extension sits comfortably on the site and there is no loss of outlook or sense of enclosure from Reeds Place.

2.2 Location

Rochester Place is a dynamic and interesting street with a unique inherent character and as such this must be taken into account when considering this application. The street has a history of creative and technological artistic uses. The existing property has a varied industrial history and was once a music studio equipment supplier, a clothing factory and a piano works amongst other uses.

When the site is viewed from Rochester Place the property sits between a three storey mixed use property on the left (57-59 Rochester Place) and a 2 storey residential property on the right (7 Reeds Place). This can be seen in the existing front elevation drawing 235-

005D. It can be clearly seen in this drawing that the existing building line steps down from left to right towards the rear elevations of the Reeds Place properties. The proposed front elevation would step down in a similar way to the existing building. This can be seen in drawing 235-204O.

When the site is viewed from Reeds Place the dominant existing feature is the ground floor flanking brick wall of 61-63 Rochester Place as seen in drawing 235-006O (north west elevation). The dominance of this flanking wall will remain and this can be seen in the proposed side elevation (north West) drawing 246-205M.

The existing first floor can be seen in drawing 235-002C as a linear plane of render with a pitched felt roof above, with a series of aged rooflights. The proposed north west elevation as shown in drawing 246-205M will be a clean smart consistent row of neat cladding panels grouped into bays with narrow windows between.

The second floor flank walls of 57-59 Rochester Place can be seen in both drawings. It can also be seen in both drawings that the first floor, including the proposed extension, is set well back from the houses at St.Pancras Way.

The existing property has informed the layout and therefore the form and location of the proposed first floor extension. The existing building has two staircases, one at the front and one at the rear. The building is very long and so in order to comply with Building Regulations these two staircases are necessary for means of escape from the existing first floor. The proposed extension uses both of these existing staircases as a means of escape and therefore the new proposal reaches right across the first floor to take advantage of these staircases.

Due to the proposed location of the extension at first floor level, the structure has to be built of lightweight construction. The new extension relates exactly to the existing steel framework. The proposed first floor steel framework sits on the existing steel beams. This eliminates the need for more intrusive construction methods and enables the ground floor to remain operative during the construction of the first floor extension.

The new steel framework is expressed in the façade fronting the Reeds Place properties as a series of bays. The bays are separated by narrow windows, all of which break-up this long façade. The proposed structure connects to the ground floor on the Rochester place elevation.

2.3 Size

The proposed extension is neat and compact and it sits comfortably on the site. The size and bulk of the proposed extension is proportionate to the size and bulk of the existing building. The proposed 6m wide first floor extension is only slightly wider than the existing first floor and slightly shorter in length.

The 1st floor extension is set back 5m away from the site boundary with 2-7 Reed's Place and 8m away from that of 120 St Pancras Way. It is lower than 57-59 Rochester Place on its southeast boundary.

Most of the proposed extension is approximately the same height as the existing 1st floor unit. On the street frontage, it will appear only 2m wider than the existing 1st floor due to the existing projecting staircase. The resulting building size is entirely compatible with the existing building and its context.

2.4 Conclusions reached in the Officers Report

The Officers Report concludes that the location, size and design of the proposed extension are acceptable. Paragraphs 6.7 to 6.8 of the Officers Report state:

The extension is now considered to be modest in size and scale, given its location significantly set back from 2 sides adjoining residential properties and being approximately the same height as the existing 1st floor unit as well as being lower than 57-59 Rochester Place to its southeast side. The extension's bevelled edge, use of 2 colours and inset vertical glazed strips provide some modulation to its profile and articulation to the facades. Given its low-rise nature and location set back from the perimeters, it will not harm the

character or setting of adjoining conservation area and listed buildings. The contemporary design approach and materials are considered acceptable in the context of a mixed use area with industrial units and reflects its commercial use; the precise nature and colour of the cladding will be reserved by condition.

The street façade continues the stepping down of parapet heights prevalent along Rochester Place and the new extension effectively reclads the existing brick-clad staircase on the front. The redesigned front elevation, with a variety of glazed openings, 2 brick elements and an intervening extension of cladding, creates a more attractive and welcoming frontage than the existing dull brick façade and enhances the streetscene and adjoining conservation area. A section of the existing 1st floor office roof will be raised adjoining 57-59 to accommodate new rooflights (to replace existing ones elsewhere on this roof) and will match the parapet height here – this minor increase in height is acceptable.”

I agree entirely with these comments – which are directly contrary to the Council’s second reason for refusal.

3.0 OUTLOOK FROM REEDS PLACE – impact of the proposed extension

3.1 Outlook

The Officers Report includes the clear conclusion that *“overall, it is considered that this extension in bulk and design terms will not harm outlook to surrounding residents”*. I agree entirely with this conclusion. In the following paragraphs I explain why the proposal will have no adverse impact on outlook from neighbouring properties in Reeds Place.

It is important to note the following comment in the Officers Report at paragraph 6.16 in respect of outlook:

“There is no minimum distance specified in any guidance to protect outlook (unlike the case with privacy or daylight) and a visual judgement has to be made on site based on the specific context of the site and its relationship with neighbours and on the scheme’s design and profile.”

3.2 Existing Outlook

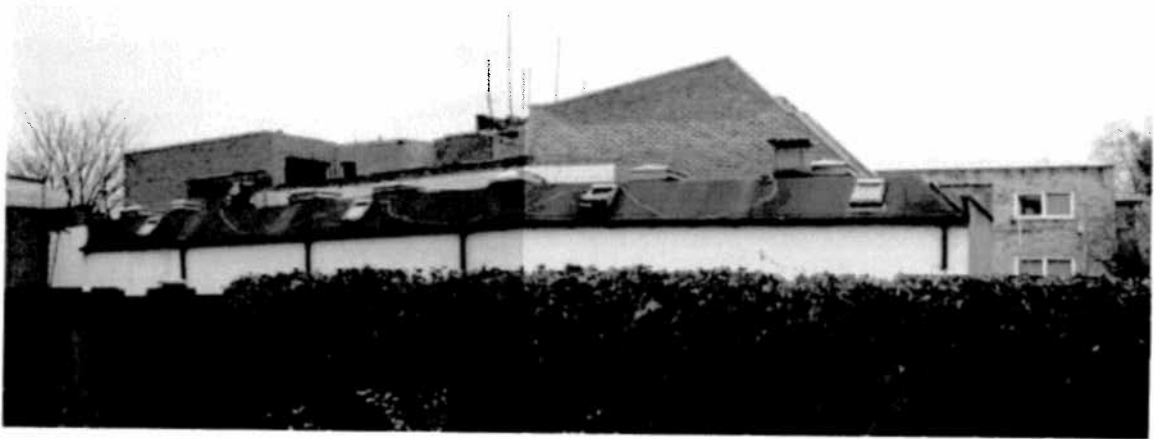
The existing outlook from Reeds Place, towards the site, is onto a rather scruffy and untidy array of flank walls, roofs, rooflights and gutters. The outlook from the whole ground floor along Reeds Place is onto a 4.5m high brick wall (the ground floor wall of the existing building on the appeal site). Refer to photograph 1 below which is taken from the first floor level and looks along the rear gardens of the Reeds Place properties. There are no windows or articulation along this ground floor façade.



Photograph 1 – Showing the 4.5m high brick wall which will be retained.

It's important to note that the top of the 4.5m brick wall is approximately in line with the average male eye level when standing on the 1st floor in Reeds Place. This wall dominates both the ground and 1st floors along Reeds Place, and is not being altered in this proposal.

For the majority of properties along Reeds Place the existing outlook, from the first and second floors, is towards a low rendered façade painted white 1.65m high at first floor, in which there are again no windows or articulation apart from several downpipes and gutters. Refer to photograph 2 below. Above the plain white façade is a mono-pitch roof with dark grey felt roofing and several small rooflights. This runs the full length of the first floor. Refer to photographs 2 & 3 below.



Photograph 2 – Showing view of the appeal site from first floor level at 2 Reeds Place



Photograph 3 – Showing the rendered façade and felt roofing.

There is a small area of brickwork at the Rochester Place side of this façade where the stairs rises up to the first floor. In addition, an array of old rooflights and vents can clearly be seen on the existing first floor roof.



Photograph 4 – Showing the small area of brickwork and neighbours facades

The far south eastern boundary, with 59 Rochester Place, can also be seen from the first and second floors along Reeds Place. This consists of brickwork flank walls to the neighbouring property. Refer to photograph 3 above. The view of these neighbouring walls will not be altered in the proposal.

The existing building runs exceptionally deep into the appeal site from the street frontage. This is unique along Rochester Place and the existing building was originally built like this. This very linear building has created an intimate and close relationship with adjacent buildings and in particular with Reeds Place. This connection is mainly characterised by the existing Ground Floor. The introduction of the proposed new first floor extension will not impact on this existing proximity.

3.3 Outlook following completion of the proposed extension

The outlook from Reeds Place will be onto a building form of a similar scale and form as the existing, with very little difference in height. There will be a 1.885m high vertical façade above which the cranked / bevelled façade runs up to a flat roof, in a similar manner to the existing. Currently the first floor flank wall along this elevation is 1.650m high, above which a pitched roof (bevelled plane) runs up to a flat roof.

My understanding is that the primary alleged issue in respect of outlook following the completion of the proposed extension would be that the building on the appeal site will be physically “closer” to the Reeds Place properties at first floor level. The existing first floor is located approximately 17.660m from the rear elevations along Reeds Place. The proposed first floor is approximately 11.660m from the rear elevations along Reeds Place. 11.660m is a significant distance, and is close to the distance between houses on Reeds Place itself. I consider that the proposed extension will not create a sense of enclosure or harm the outlook from Reeds Place properties, particularly given the context.

The Officer’s Report provides at paragraphs 6.11 and 6.12 that:

Outlook – The extension at its rear lines up with the existing 1st floor rear façade and is over 18.5m away from the rear elevations of 120-122 St Pancras Way behind; this is considered not to impact on outlook from residents here. On the Reeds Place side, the extension is now set away 11.6m from their rear elevations and 5m from the garden boundary walls. With this considerable distance and the articulated bevelled profile, and given that views of the extension are only possible from the 1st and 2nd floor windows which have their daylight angles maintained, it is considered that the bulk and height here should not harm outlook from Reeds Place. It is noted that the surroundings are characterised by tightly knit streets and so this perceived level of enclosure is typical of the area; the 11.6m distance between the extension and Reeds Place houses is almost the same as the 12m distance between opposite windows in Reeds Place and is greater than those in Rochester Place (e.g 8m between nos. 36-38 opposite).

Overall, it is considered that this extension in bulk and design terms will not harm outlook to surrounding residents.

I agree with the conclusions reached in the Officers Report. The built form of the first floor of the existing building will be approximately 6 metres closer to the rear elevations of the Reeds Place dwellings, and 6 metres closer to the rear garden boundary walls. However, as noted in the Officers Report, there will still be a “considerable distance” between the proposed extension and the Reeds Place properties.

As recognised in the Officer’s Report, there is no set acceptable minimum distance between a proposed development and neighbouring residential properties: a judgment in terms of impact on outlook must be made “*based on the specific context of the site and its relationship with neighbours and on the scheme’s design and profile*”. In this case, the context of the site, the site’s relationship with the Reeds Place dwellings and the design and profile of the proposal ensure that the outlook from Reeds Place will not be harmed by the proposed extension.

The neat linear form of the proposed extension with its bevelled façade and simple materials is entirely in keeping with the simple linear form of the existing property. The design is executed in a controlled and contemporary way, with clean and neat lines. Although closer to Reeds Place than the existing first floor, this proposal in fact improves the outlook from Reeds Place and the surrounding streets, and does not create a greater sense of enclosure.

The Officers Report refers to the bevelled edge stating that “*its perceived visual impact in sightlines from neighbours; given its shape, size and location, it is considered that this element does not add significant visual bulk in views from Reeds Place over and above that of the previous 2012 scheme’s profile here.*” It is noted that the 2012 scheme was not refused on the basis of its visual bulk.

An important feature of the new structure is the use of lightweight prefabricated panels for the external fabric. These are much thinner and take up less space, than conventional masonry structures, and as such these have less impact on the sense of enclosure on surrounding properties, and in particular to Reeds Place.

3.4 Conclusion in respect of Outlook

The site currently appears very unattractive from all aspects on Reeds Place. The Officer's Report states that "*the bulk and height here should not harm outlook from Reeds Place*". I agree with this conclusion. Furthermore, it is my view that this proposal will greatly improve the outlook from Reeds Place, and this has been integral with the design concept from the outset.

4.0 AMENITY IMPACTS – Daylight & Sunlight, Privacy, Light pollution, Noise pollution

The Officer's Report discusses other potential amenity impacts of the proposal, and concludes in respect of each that there will be no adverse impact. The Council has not relied on these other potential alleged amenity impacts in refusing the application, accepting the conclusions reached in the Officers Report in respect of these issues. Below I add my comments in respect of each of these issues. In my view the careful design of the proposed extension, including revisions made following comments from residents and the Council, has ensured there will be no adverse impact on neighbouring residential amenity.

4.1 Daylight & Sunlight

The Officers Report states in respect of impact on neighbouring daylight and sunlight at paragraph 6.9:

Light – The plans have been double checked and revised in terms of adjoining levels and distances and are now considered accurate by the local group. The 1st floor extension (and indeed the previously proposed 2nd floor flat) is set well below 25 degree daylight angles projecting from neighbouring ground floor windows along both Reeds Place and St Pancras Way and thus it maintains daylight and sunlight in accordance with BRE standards. It should be noted that views of the proposed extension from adjoining ground floor rear extensions and gardens are prevented by the existing boundary wall.

The design of this scheme has been carefully considered in relation to all neighbouring properties. The roof height, bevelled flank wall, and location on the site all contribute to ensuring that daylight to the neighbouring properties will not be affected.

Sufficient daylight will be maintained to all of the neighbouring properties. This is particularly evident because views of the extension are only possible from the 1st and 2nd floor windows, which – as confirmed in the Officers Report – will have their 25 degree daylight angles maintained.

I refer to light angles as drawn on proposed sections as shown in drawings 246-203Q, 246-210H and 246-211G which demonstrate this fact. The Case Officer correctly states in his report that *"it maintains daylight and sunlight in accordance with BRE standards."*

4.2 Privacy

The Officers Report states in respect of privacy at paragraph 6.10:

Privacy – There will be no overlooking as the strip windows are obscured glazed and a condition will be imposed to ensure they are maintained as such.

The design of this extension has considered privacy to both the building's occupants and also neighbouring properties. The proposed extension does not affect the privacy of local residents. It is noted that the narrow vertical windows will be located nearer to Reeds Place than the existing flank wall at first floor. Nevertheless, these will be obscured, and they will be maintained as such. The rooflights will have clear double glazed units but there will be no view between Reeds Place and the interior of the new extension through these rooflights (in either direction). Privacy is preserved in the proposed extension. There are no roof terraces or new external spaces proposed in this scheme that might have an impact on the privacy of neighbours.

4.3 Light Pollution

The Officer's Report states in respect of light pollution at paragraph 6.13:

Pollution – The proposed new horizontal rooflights on the 1st floor extension are 13.5m away from the Reeds Place facades and level with the upper part of their 2nd floor windows; it is thus considered that their orientation, distance and height would not create any light pollution impact. In response to local concerns at impact from the existing rooflights on the ground floor unit, these were installed in accordance with planning permission dated October 2012; in any case they face upwards and their orientation and location should not result in any direct light pollution to windows 7m away. Furthermore

the client has confirmed that the business is not normally occupied and lit beyond 8pm which is not unreasonably late. Nevertheless he has been asked to ameliorate their perceived light spillage in the interests of good neighbourliness.

Some of the daylight for the new first floor office space will be provided through the narrow vertical windows. Those facing Reeds Place wrap up the facade and over on to the roof. These narrow areas of glazing would contrast with the wide solid panelled areas of façade. The narrow windows will be located nearer to Reeds Place than the existing flank wall at first floor. However, these will only be 475mm wide and they will be obscured, which means that any artificial light will be dissipated across the face of the glass. Light sources will not be directed out of these windows. These narrow windows, which are set well back from the boundary, will not create a sense of light pollution along Reeds Place.

The proposal includes new rooflights to the first floor extension. These are not overlooked by Reed's Place or any other neighbouring properties and therefore can create no light pollution as there are no surfaces above or around the rooflights to transmit any artificial light. It is not possible to view the rooflights from Reeds Place, so any light emitting from these will have no impact on the amenity and enjoyment of Reeds Place. There will be no light pollution impact on Reeds Place or any other residential properties.

4.4 Noise Pollution

The Officers Report states in respect of noise pollution at paragraph 6.14:

The 1st floor extension will be soundproofed in accordance with Building Regulations and, given the minimal noise to be created by the studio here, no noise pollution should occur."

The construction of the new proposal will meet vigorous Building Control standards for the transmission of sound and will also include thermal insulation. Both the solid wall panels and glazed wall and roof units will meet current legislation in terms of acoustic separation. The existing and proposed use of the property creates minimal noise and so no noise pollution will occur at Reeds Place.

5.0 CONCLUSION

5.1 In this report I have outlined the design of the proposed extension, and addressed the potential impacts of the proposed extension on neighbouring amenity

5.2 The design has been developed in order to minimise outlook and other amenity impacts. In my view there will be no adverse impact on the outlook from Reeds Place, or indeed any of the surrounding streets and properties. This is entirely supported by the conclusions reached in the Officers Report in section 6 dealing with neighbour amenity, and in the overall conclusion at paragraph 7.1:

“The 1st floor extension is considered appropriate in terms of bulk, height and footprint, and façade design and it will preserve the character of the streetscape and surroundings and the adjoining conservation area. The new extension will not harm neighbour amenity in terms of outlook, light, privacy or pollution”.

5.3 In my view the second reason for refusal relied on the Council cannot be supported and should not be upheld on appeal. The Council should have granted planning permission in line with the reasoned and clear recommendation in the Officers Report, and the Inspector should allow this appeal.