

28 Ornan Road, NW3 (2014/3019/P)

Written Statement

Appeal against the decision of the London Borough of Camden in respect of planning application reference 2014/3019/P

Appeal Ref:

September 2014

Turley

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1. Introduction

1.1 We hereby submit a planning appeal against the decision of The London Borough of Camden to refuse planning permission for the 'Erection of a single storey roof extension' at 28 Ornan Road.

1.2 The planning application was refused under delegated powers for the following reason (bold text added):

*The proposed additional storey, **by reason of its form, bulk and location in a roofscape largely unimpaired by later additions**, would result in **harm** to the **character and appearance of the building, the terrace of which it forms part and of this part of the conservation area**, contrary to policy **CS14** (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy and policies **DP24** (Securing high quality design) and **DP25** (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.*

1.3 It should be noted that the Council have confirmed that the proposals would not have a detrimental impact on the amenity of neighbours and have only refused the application on the basis that it would disrupt the uniformity of this terrace of three houses.

1.4 The Council's delegated report confirms that '*No objections are raised to the detailed design of the proposals*'. The report also acknowledges that if the proposed design was applied across all three houses in the terrace (i.e. 26, 28 and 30 Ornan Road) then planning permission would be granted (subject to a s106 agreement ensuring that the roof extensions were completed at the same time). This reflects the position taken to approved previous proposals across all three houses on the basis that their simultaneous construction was secured by section 106 agreement (as detailed in the planning statement).

1.5 We are appealing against the decision on the following grounds:

- The character and appearance of the terrace would not be harmed by the loss of uniformity, providing the proposed extension is sensitive in scale, design and materials.
- Whilst the proposals would result in a loss of the current uniform roof treatment, the terrace would retain a unified and cohesive appearance due to the sympathetic nature of the proposed design, proportions and use of materials.
- The location of the property within the middle of the terrace of three houses means that the roof extension would not disrupt the sense of symmetry within the terrace, and would provide a focal point to the existing bland flat roof scape of the three houses.
- The proposals would have a very limited impact on the character of the wider conservation area because they are modest and in keeping whilst the terrace

itself does not make a significant or prominent contribution to the character of the conservation area.

- The proposed roof extension has been designed to sit well within the existing roofscape, but has also been designed to allow adjoining neighbours to build off its party walls in the future. As such, the proposal does not prevent uniformity being achieved overtime. In fact, the proposal provides a blue print for adjoining neighbours to adopt if they wish to; with the Council having the opportunity to ensure that a cohesive and unified design approach is upheld.

2. Planning Policy Analysis

- 2.1 The reason for refusal refers to three local policies: CS14 of the Core Strategy and DP24 and DP25 of the Local Development Framework Development Policies. It is considered pertinent to review these policies briefly below.

Policy CS14

- 2.2 Policy CS14 sets out 5 ways in which the Council's will promote high quality places and conserving heritage. Of relevance are:

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

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;

- 2.3 It is considered that the appeal scheme meets both of these approaches. The proposed extension respects the materials and form of the existing house. It is discreet in its size and positioning and is set back from the front and rear of the house. For these reasons and due to the limited significance of the house/ terrace within the conservation area it is considered that the proposal does not conflict with policy CS14.

Policy DP24

- 2.4 Policy DP24 requires 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

- 2.5 We consider that the detailed design of the proposals comply with the above in full. The proposed extension is of a high quality design, responding to the proportions, materials and detailing of the house and the terrace as a whole. Its recessed nature and low height ensure that it will form a discrete feature within the townscape, whilst at the same time adding some visual interest by creating a central point within the composition. Further detail is provided within the Planning, Design and Access Statement submitted with the application.

Policy DP25

- 2.6 The relevant part of Policy DP25 relates to maintaining the character of Camden's conservation areas, and states that the Council will:

- a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;*
- b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;*
- c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention;*
- d) not permit development outside of a conservation area that causes harm to the character and appearance of that conservation area; and*
- e) preserve trees and garden spaces which contribute to the character of a conservation area and which provide a setting for Camden's architectural heritage.*

- 2.7 We consider parts a and b to be relevant to the appeal scheme and that the proposals comply with these criteria, preserving the character of the conservation area. Contrary to policy DP25 (a) the Council have failed to take account of the Fitzjohn's and Netherhall Conservation Area Appraisal, which suggests that that the terrace is not sensitive to alterations and would potentially benefit from a degree of variety or articulation. The Conservation Area Appraisal makes no reference to the positive contribution made by the consistent roof line or the importance of preserving it as an unimpaired roofscape.
- 2.8 The Council have not explained why they consider this roof scape to be worth preserving. On the contrary they have confirmed that they do not object to it being altered but are concerned that it is altered in a uniform and simultaneous manner.

3. Character of the Conservation Area

- 3.1 The reason for refusal puts significant weight on the fact that these houses are located within a conservation area. However it is considered that the proposals have little scope to impact on the character of the Fitzjohn's Netherhall Conservation Area. Given that this terrace is not of architectural interest and makes, at best, a neutral contribution to the character of the conservation area it is difficult to see how the modest and sensitive proposals could harm the character of the Conservation Area.
- 3.2 The historic character of this part of the conservation area is defined by large three to four storey Victorian and Edwardian houses, such as at 10, 12, 14, 16, 32 and 34 Ornan Road and by the imposing the mansion blocks on the corner with Haverstock Road dating from the beginning of the 20th century. In contrast 26-30 Ornan Road comprise a modern infill, terrace of three houses. They are not listed and make a neutral contribution to the character of the area.
- 3.3 The north east of the terrace is bounded by the rear garden of 14 Perceval Avenue, which features several very large trees (including some evergreen species), meaning the terrace is obscured from view when approached from Haverstock Hill. These trees also prevent the terrace from being viewed as single composition from most angles and significantly limit the prominence of the buildings within the conservation area.
- 3.4 To the south west of the terrace are two large brick built detached houses, dating from the 1880s, featuring hipped roofs and classical detailing. At four/ five storeys high these imposing houses are considerably taller than the two storey houses at 26-30.
- 3.5 The opposite (south) side of Ornan Road is not within the Fitzjohns/ Netherhall Conservaton Area and is characterised by terraces of two and three storey modern houses also dating from the 1970s. These houses have undergone a greater degree of variation than their contemporaries at 26-30, including roof extensions.

4. Maintaining Uniformity of the Terrace

- 4.1 The Council objects to the loss of uniformity within the terrace that would derive from the extension being built on its own, stating the terrace of houses *'feature an unbroken roofscape which is considered important to preserve in the conservation area'*. However, it is not clear from the officer's report why it is considered important to preserve the terrace's 'unbroken roofscape' or what significance this unbroken roof scape has within the varied and largely 19th century roof scape of the Fitzjohn's Netherhall Conservation Area.
- 4.2 This modern terrace dating from the 1970s does not reflect the historic character of the conservation area in its scale, materials or detailed design. Moreover the Council's Conservation Area Appraisal describes the terrace as being *'architecturally the most undistinguished of the properties on the north side of Ornan Road'*, whilst the delegated report describes the terrace as a *'fairly bland group of properties'*. These descriptions of the terrace suggest that it is not sensitive to alterations and would potentially benefit from a degree of variety or articulation.
- 4.3 Whilst we do not consider that it is necessary for the Council to ensure that this roof scape remains wholly uniform, we would stress that if the appeal scheme were approved the Council would retain control over proposals for roof extensions on either side and could ensure that these were built to match what is currently proposed at no. 28.
- 4.4 The proposed extension has been designed in order to ensure that neighbours could easily and neatly build adjoining roof extensions, at a later date, abutting the proposed shared party walls. As a design exercise the architects have modelled how the terrace would look if matching extensions were built on adjacent houses incrementally. These were submitted as part of the application and demonstrate that at each stage the roof extensions would be modest and in keeping with the existing terrace. Whilst uniformity would eventually be re-established through such a pattern of development, at no time would the roof extensions having a negative impact on the character and appearance of the terrace or the wider conservation area.
- 4.5 Finally, it is important to note the specific location of no. 28 in the middle of this terrace of three houses. It is considered that this makes no. 28 the most appropriate of the three houses to be extended first, as a sense of symmetry will be retained across the terrace giving the composition a focal point and a greater visual interest.

5. Conclusion

- 5.1 In conclusion, we consider that the Council's concern with preserving simultaneous uniformity within this terrace is unjustified and unnecessary. As such we request that the appeal is upheld and planning permission granted.
- 5.2 The proposed extension is of a high quality design, responding to the proportions, materials and detailing of the house and the terrace as a whole. Its recessed nature and low height ensure that it will form a discrete feature within the townscape, whilst at the same time adding some visual interest by creating a central point within the composition.
- 5.3 There is no need for the proposal to be simultaneously combined with extensions at adjacent houses. This is due to the sensitive design of the proposal and is especially so given the specific location of no. 28 in the middle of the terrace.

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