

Stratagem Planning Consultants Ltd
Back Building
148-150 Curtain Road
London EC2A 3AR

The Planning Inspectorate
3/33 Hawk Wing
Temple Quay Wing
2 The Square
Bristol
BS1 6PN

13 January 2015

Dear Sirs

Belvard Point, 17 Murray Street, NW1 9RE
Reference: 2015/4760

EXECUTIVE SUMMARY

The local planning authority have refused the above application on the basis that the proposed rooftop extension would harm the appearance of the host building and the streetscape by reason of its bulk, massing and detailed design.

Views of the development would be extremely limited for two reasons. In the first instance, the massing has been designed to limit views from the street. Secondly, planning permission has been granted for two nearby sites. These are for substantial buildings which, when complete, will significantly reduce visibility of the site.

The only public views of the site will be of the rear and then principally from Murray Mews. This elevation of the host building is of an unattractive and utilitarian appearance. The officer's report stated that the harm to the conservation area would be less than substantial. Instead we argue here that the extension would improve the appearance of the host building and the conservation area.

1.0 INTRODUCTION

- 1.1 Stratagem Planning Consultants have been instructed by the appellant, Mr Martin Lerner, to submit an appeal against the refusal of an application for the erection of a single-storey extension on the existing flat roof to create a one bedroom flat.
- 1.2 Stratagem principal, Dr Mark Matheson, M.A. (Planning and Sustainability), MRTPI, is a Chartered Town Planner with extensive experience of development management gained through working at three London local planning authorities.

2.0 THE APPEAL SCHEME

- 2.1 The proposed development is the creation of an additional residential unit within a rooftop extension above the existing building.
- 2.2 The proposed design differs radically from the earlier refused schemes, submitted by a previous owner of the property. The new owner, Mr Lerner, recognises that the previous proposals were unsuitable for this building and has appointed Waind Gohil Architects, in consultation with ourselves as planning consultants, to develop an entirely new proposal which responds to the reason for refusal of the previous schemes.
- 2.3 The most significant change in the design from the previous proposal is the reduction in scale. The previous proposal was for a three bedroom apartment with a GEA of 110 square metres. This has been reduced to a one bedroom apartment with a GEA of 52 square metres. This represents a greater than 50% reduction in the scale of the proposed development.
- 2.4 The architectural language of the development is also different from the previous application. Whereas the previous proposal was for a traditional mansard-type extension, the current proposal is for a more visually lightweight contemporary extension.
- 2.5 At the request of the case officer, the scheme was revised to bring the extension in from the north elevation during the course of the application period. Although the application drawings were revised, the Design and Access Statement was not updated on account of time constraints. Accordingly some of the information in the Design and Access Statement should be treated as superseded.

3.0 SITE AND SURROUNDINGS

- 3.1 The site is located on the corner of Murray Street and Murray Mews. It is occupied by a three storey plus basement mixed use development containing offices (B1), storage and distribution (B8) and residential (C3).
- 3.2 The site is located within the Camden Square Conservation Area.

4.0 BACKGROUND AND PLANNING HISTORY

- 4.1 The site's planning history has been outlined in the Design and Access Statement submitted in support of the planning application and in the officer's delegated report.

5.0 RELEVANT PLANNING POLICY

- 5.1 The proposed development has not been adequately assessed against relevant planning policy documents and guidance at the National, regional and local level.
- 5.2 The NPPF places great emphasis on the presumption in favour of sustainable development.
- 5.3 According to **paragraph 58 of the NPPF**, planning decision-making should aim to ensure that developments optimise the potential of the site to accommodate development.
- 5.5 **Paragraph 63 of the NPPF** also states that "*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*". In a similar vein, **Paragraph 131 of the NPPF** states that "*in determining applications, local planning authorities should take account of the desirability of new developments making a positive contribution to local character and distinctiveness*".
- 5.6 Moreover, the NPPF states that "*Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development*" (186).
- 5.7 It is clear that the spirit of the NPPF is to encourage a positive attitude to development, only refusing applications where there are very strong grounds for doing so.
- 5.8 **Core Strategy Policy CS14** (Promoting high quality places and conserving our heritage) as well as **Policies DP24** (Securing high quality

design) and **DP25** (Conserving Camden's Heritage) of Camden's Development Policies seek to promote quality developments which will enhance the streetscape.

6.0 FULL STATEMENT OF CASE

- 6.1 Only one reason for refusal was given on the decision notice. This is worded as follows:

The proposed roof extension, by reason of its bulk, massing and detailed design, would harm the appearance of the host building and the streetscape in this part of Murray Mews and Murray Street and would fail to preserve or enhance the character and appearance of the Camden Square Conservation Area contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Core Strategy and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's Heritage) of the London Borough of Camden Development Policies.

- 6.2 As no other matters were identified as problematic, this Statement of Case will focus specifically on the impact of the development on the appearance of the host building and streetscape.
- 6.3 The officer's report makes frequent reference to the 2013 appeal decision. That appeal was however for a scheme fundamentally different from the present scheme. The earlier scheme had a mansard form and covered the entire roof of the host building. It had a GEA of 110 m². By contrast the present proposal is designed in a high-quality contemporary style and has a GEA of 52 m². The footprint of the proposed development has therefore been reduced by more than 50%. While some of the inspector's comments in the previous appeal decision will have relevance to the present case we would stress that the proposed development is radically different from the previous proposal.
- 6.4 The impact of the proposed extension on the appearance of the host building and streetscape very limited by virtue of the careful design of the extension and by the emerging built context of the site. These matters will be discussed in turn.

Revised design

- 6.5 The previous proposal for a rooftop extension to the building would have been clearly visible from Murray Street as well as from the rear as it would have occupied the entire footprint of the existing flat roof. The current proposal is set well back from the Murray Street elevation of the building which means that it would be at most minimally visible from this

side of the building. There are large mature trees immediately adjacent to the property on Murray Street which obscure views of the host building, particularly from the south. As such, to claim that the proposed development would be harmful when viewed from this point of view is entirely without justification.

- 6.6 During the course of the application, the applicants were requested by the case officer to bring in the outer wall of the extension from the northern (Murray Mews) elevation of the site. This request was duly complied with such that the extension is now set in by 2.63 metres from this elevation. Given the narrowness of Murray Mews and height of the building, there would be no visibility of the extension from the north.

Impact of emerging built context

- 6.7 As discussed in the Planning Statement submitted in support of the application, there are two vacant sites within very close proximity to the host building which have been the subject of successful planning applications. These are numbers 3 and 4 St Augustine's Road. The consented schemes are illustrated in Figures 1 and 2 below.

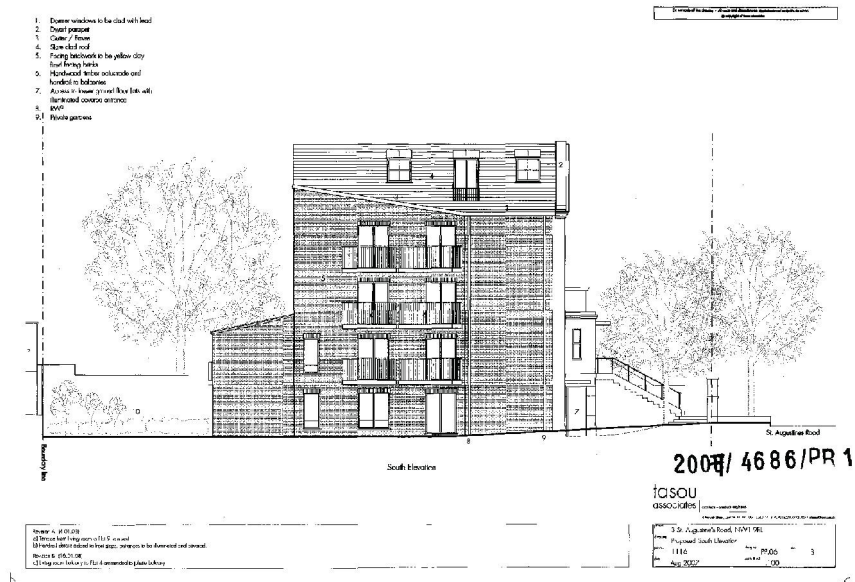


Fig. 1: 3 St Augustine's Road proposed south elevation.



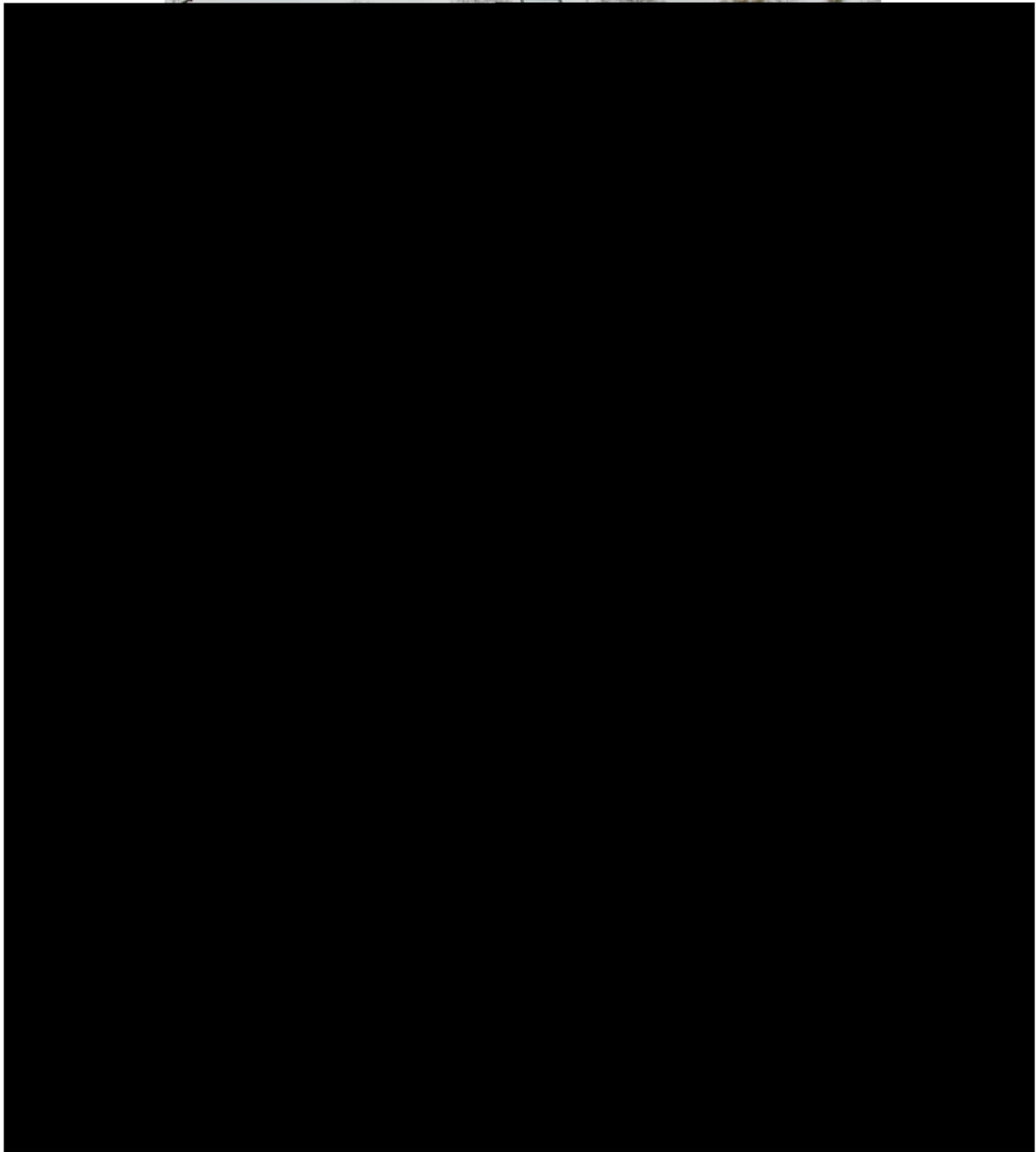
Fig. 3: Photograph of east elevation of host building.



Fig. 4: Photomontage of proposed east elevation of host building.

6.10 The Camden Square Conservation Area Appraisal and Management Strategy (March 2011) describes the host building as having an “*upper part responding to the terraced house precedent but lacking in inspiration and with an intrusive lack of concern for the roof details. It is currently capped by unsightly roof top development.*” It is clear that the roof of the host building has a negative impact on the conservation area. The stair enclosure visible from Murray Mews is clad in profiled metal sheeting having a utilitarian industrial appearance unsympathetic both to the host building and the wider context.

6.11 The proposed development would address these concerns by recladding the stair enclosure in European oak vertical boarding and removing the other unattractive visual clutter from the roof, the latter illustrated in Figure 5 below.



7.0 CONCLUSION

- 7.1 **Policy 3.4 of the London Plan ‘Optimising Housing Potential’** seeks to achieve the most efficient use of land developed for housing. The creation of an additional residential unit in this highly sustainable location would be optimising the potential of the site to provide residential accommodation and in so doing would be going some small way to addressing the chronic housing shortage.
- 7.2 Waind Gohil Architects have sought to produce a scheme which is sympathetic to the existing built environment while at the same time creating a dwelling of the highest design quality which has been conceived to be both outstanding and innovative in design terms in line with **Paragraph 63 of the NPPF** while also being intended to make a positive contribution to local character and distinctiveness in line with **Paragraph 131 of the NPPF**.
- 7.3 The presumption in favour of sustainable development has been described as a “golden thread” running through planning policy. On account of being located in a highly sustainable location and of being constructed in accordance with the most up to date environmental standards this would be a highly sustainable development.
- 7.4 The foregoing discussion has sought to make clear that the one reason given for refusal of the application is entirely unjustified. We feel that in determining the application the local planning authority have given insufficient consideration to the very significant changes which have been made to the scheme since the previous refused application and dismissed appeal.
- 7.5 We therefore respectfully request that the appeal be allowed and that planning permission be granted.

Yours faithfully

A solid black rectangular box used to redact the signature of Dr Mark Matheson.

Dr Mark Matheson, MRTPI
Director

for and on behalf of
Stratagem Planning Consultants