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| **Date: 31/03/2016** |
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Amanda Baker

The Planning Inspectorate

3/05a Wing

Temple Quay House

2 The Square

Bristol, BS1 6PN

Dear Amanda Baker,

**Appeal by: Ms and Mr Anke and Yianni Hermanns and Tsitouras**

**Site Address: 76 Croftdown Road, London, NW5 1HA**

**Proposal: Erection of a single storey rear extension.**

The Council’s case is set out in the officer’s delegated report (Appendix 1) which details the proposal, site and surroundings, the site history, consultation responses and an assessment of the proposal.

In addition to the information sent with the questionnaire I would be pleased if the

Inspector would take into account the following information and comments before deciding the appeal.

**Summary**

This is an important site, identified as a positive contributor in the Dartmouth Park Conservation Area.

The appeal site is a ground floor maisonette to the eastern side of Croftdown Road.

The property is part of the Brookfield Estate designed by Albert J Thomas, Edwin Lutyen’s principal assistant between 1902 and 1935.

The estate has echoes of Lutyen’s Hampstead Garden suburb and follows the garden suburb principles.

The group of buildings of which the appeal site forms part are notable for their pragmatic simplicity of form and regularity of detail.

**Reason for refusal**

The application was refused on 20/10/2015 and a copy of the decision notice is attached at Appendix 2. The reason for refusal is detailed below:

The proposed extension, by virtue of its size, location and detailed design, would have a detrimental impact on the character and appearance of the host building and be out of character for a group of buildings that are largely unaltered at the rear, as such the proposal would be harmful to the character and appearance of the host building, group of buildings of which it forms a part, and the wider Dartmouth Park 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.

**Status of Policies and Guidance**

In arriving at its current decision the London Borough of Camden has had regard to the relevant legislation, government guidance, statutory development plans and the particular circumstances of the case.

With reference to the National Planning Policy Framework 2012 (NPPF), policies and guidance contained within Camden’s LDF 2010 are up to date and accord with paras 214-216. The council’s policies should therefore be given substantial weight in the decision of this appeal. The NPPF was adopted in April 2012 and states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise.

Since the time of the decision and prior to the appeal the Council has adopted amendments to the Camden Planning Guidance 1 – Design. This revision has been subject to public consultation and was approved by the Council in July 2015. The most recent changes to CPG 1 involve updates to waste and recycling standards and inclusive access. The changes to the CPG do not affect the officer’s recommendation or appeal.

**Comment’s on the Appellant’s Grounds of Appeal**

The vast majority of points raised by the appellant have already been detailed within the officer’s delegated report. However a number of points raised by the Appellant are addressed in detail below. The Appellant makes the following comments in relation to design issues:

1. A small extension to the rear of the property would not impact upon the qualities of the Brookfield Estate and the character and appearance of the conservation area would be preserved.
2. The rear elevation of the appeal property does not contribute in any significant way to the character of the area.
3. Due to its location, orientation and the alignment of Croftdown Road the rear of the building is not visible from the street.
4. The rear garden is of significant length and the addition of the extension will not have any material impact on the garden space.
5. The scale, detailed design and materials of the proposed single storey rear extension respects and reflects key features of the original building.

**The council’s response is set out below**

1. The Brookfield estate follows the garden suburb principles, including the amount of building in relation to open space. The front and rear gardens are characterised by low wooden fences and hedged boundaries which help to maintain the open character. The front and rear facades of these properties display simple repeat elements which emphasise the estates identity. The proposed rear extension would disrupt the original historic pattern of rear elevations, considered an integral part of the character of the area. The proposed rear façade with sliding doors and full length window would fundamentally affect the character of the hitherto homogenous group of buildings. The unaltered rear elevations of this group of properties are notable for their pragmatic simplicity of form and regularity of detail. The proposal would diverge significantly from the historic pattern of rear elevations and is considered harmful to the host property and character and appearance of the wider area.
2. The Council disagrees. The proposal would be visible in glimpsed views from Dartmouth Park Avenue and Bramshill Gardens, these streets are at a higher level than Croftdown Road. In addition the extension would be visible in private views from either side of the appeal site. It is considered that the extent of the visibility of the addition would not lessen the impact of the development on the character and appearance of the host building, group of properties or the wider Conservation Area. The building is identified in the ‘Conservation Area Statement’ for Dartmouth Park as a building that makes a positive contribution to the area. The Dartmouth Park Conservation Area Statement specifically states that the ‘original historic pattern of rear elevations within a street or group of buildings is an integral part of the character of the area and as such rear extensions will not be acceptable where they would diverge significantly from the historic pattern’. Furthermore Camden Planning Guidance states that rear extensions should be resisted when inappropriate design can spoil the appearance of a property or a group of properties. The proposal is therefore considered harmful to the host building, the group of properties and the wider Conservation Area.
3. The proposal was not refused on the grounds that the occupant would lose amenity/garden space. The reason for refusal relates solely to the size, location and detailed design of the extension which is considered harmful to the host building, group of buildings of which it forms a part and the wider Dartmouth Park Conservation Area.
4. The extension would not be subordinate to the main property. The width combined with the height of the extension would dominate the majority of the rear elevation. The extension would add bulk and alter the character of the property to the detriment of the host building, group of buildings of which it forms a part and the conservation area. The detailed design in terms of the full height window and sliding doors are considered out of character with the existing windows on the host building and neighbouring properties. Furthermore, the proposed zinc roof would fail to replicate the original surface finish of the clay roof tiles.

**Revised drawings**

The appellant has submitted revised drawings numbered A-100C; A-102C; A-104C; A-105C; A-106B; A-200B; R1250B; R-200B with the appeal. The revisions include:

1. Setting the extension back from the site boundary
2. A steeper pitch to the roof
3. Windows and doors to match the existing
4. Red brick to match the existing
5. Brown roof tiles to match the existing
6. Smaller roof lights

These are material alterations. The Council have not had the opportunity to consider or consult on the revised plans. The inspector is respectfully requested to determine the application based solely on the plans submitted in connection with the original application.

**Conclusion**

Based on the information set out above, and having taken account of all the additional evidence and arguments made the proposal is considered to be unacceptable and contrary to the council’s policies.

The information submitted by the appellant in support of the appeal does not overcome or address the Council’s concerns. The proposal presents no benefits that would outweigh the harm identified above.

For these reasons the proposal fails to meet the requirements of policy and therefore the Inspector is respectfully requested to dismiss the appeal.

Yours sincerely,

Anna Roe

Planning Officer

Culture and Environment

**Suggested conditions**

1. The development hereby permitted must be begun not later than the end of three years from the date of this permission.

Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).

1. The development hereby permitted shall be carried out in accordance with the following approved plans: R-200A; R-1250A; A-100B; A-102B; A-104-B; A-105B; A-106A; A-200A; Design and Access Statement.

Reason: For the avoidance of doubt and in the interest of proper planning.

1. All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP25 of the London Borough of Camden Local Development Framework Development Policies.