

STATEMENT OF CASE

May 2016

**PROPOSED SIDE EXTENSION AT
48B REGENT'S PARK ROAD, LONDON NW1 7SX**

PLANNING APEAL

**AGAINST THE LONDON BOROUGH OF CAMDEN'S DECISION TO REFUSE
PLANNING APPLICATION 2015/4619/P**

PINS REFERENCE: *t.b.c.*

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1.0 INTRODUCTION

1.1 We appeal against the London Borough of Camden's decision to refuse the above Planning Application. The grounds on which we base this appeal are set out below.

1.2 This Statement has been prepared in relation to an appeal in respect of the refusal of planning permission 2015/4619/P for the erection of a side extension on an existing second floor roof.

1.3 The application was refused under delegated powers on 21st March 2016 for the following reason:

- *“The proposed side extension, by reason of its siting and design would be detrimental to the character and appearance of the host building and the wider Primrose Hill 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 Local Development Framework Development Policies.”*

1.4 The application was subject to substantial discussion with the Council prior to its submission, and was accompanied by a detailed justification as to why this development would cause no harm and should be allowed. Given the substantial information provided as part of this planning application and a relevant earlier application it is not proposed to repeat that detail in this appeal statement, other than to emphasise the key points that have been made in the context of the reason for refusal. Together, these documents demonstrate that the reason for refusal is not justified.

2.0 EXECUTIVE SUMMARY

The below chapters show that the appeal should be allowed for the following reasons.

- Changes made from an earlier dismissed proposal result in a scheme that would preserve the character and appearance of the Conservation Area.
- The very small impact made by the proposed extension would be outweighed by the relief it would cause for the local rental market.

3.0 THE SITE AND THE PROPOSAL

3.1 The site and its surroundings, and the proposal, are fully described in the Appellant's Design and Access Statement, Planning Heritage Statement and on the drawings that accompany the application.

4.0 **RELEVANT PLANNING HISTORY**

4.1 An application to erect an extension at the same location as the appeal proposal was refused on 21st November 2014 (LPA ref 2014/4714/P). An appeal against this decision was dismissed on 13th May 2015 (Appeal Ref APP/X5210/W/15/3008862).

4.2 From a visual appraisal of the surrounding area, there are many structures, alterations and extensions that have been erected at or above first floor level of the surrounding properties, similar to the principle of the appeal proposal, and presumably these have been granted planning permission and/or are not contested by the Council –and points 10 and 11 of the earlier appeal decision.

5.0 **THE APPELLANT'S CASE**

5.1 To avoid doubling up of information, we ask the Planning Inspector to refer to the documentation already provided both in respect of the appeal proposal and the previously dismissed proposal, in particular our Design & Access Statements and Get Planning's Statement of Case regarding the previous appeal. The latter describes in detail why the proposal would not conflict with planning policy. These reasons are also valid for the current appeal. The below will concentrate on the way that the appeal proposal has addressed earlier concerns.

5.2 Moving on from the proposals of the dismissed appeal, the current proposals are of traditional and more solid construction. This has directly addressed the second reason for refusal of the first application (light pollution) to the council's satisfaction.

5.3 The changed design further addresses the point made in the earlier appeal decision's point 12. While the inspector described the materials of the earlier proposals as "fundamentally atypical of the area", the new proposal is entirely in keeping with the host building and surrounding: Brick walls and slate roof to match the existing and timber windows. Many extensions can be found in the surrounding area that are similar to the appeal proposal.

5.4 The earlier appeal decision acknowledged that the "degree of material harm" caused by the earlier proposal would be "less than substantial", particularly as there would be "only the most minimal glimpses, if any at all, from even the far side of Regent's Park Road". We have reduced this already small impact much further by making the described changes. As our sectional drawing 111revB shows, the extension will not be visible from Regent's Park Road at all.

5.5 As shown in the photographic street elevation in our Design and Access Statement, the majority of gaps between the semi-detached houses that the application site forms a part of have been filled in some way. This means that –even from the small amount of private viewpoints that allow to see the proposal- there is no rhythm or sense of symmetry that could be harmed by it.

5.6 In those few private views that would see the proposal, its slate roof would very much blend in with the slate roof that it sits behind (above the

main staircase of 48 Regents Park Road. Even from these views the it is unlikely that the proposed changes would even be recognised.

5.7 The appellant is a pensioner, who would like to use the extension to create art work, which is not possible in the flat due to the smells of the paint and space restriction. A studio space is very difficult to find and renting a space would make that unavailable for others and add to the pressure on accommodation in the area.

5.8 The described changes ensure that the impact of the proposals are so minimal that their implementation would fully preserve the character and appearance of the Conservation Area. Moreover, a public benefit of the extension would be that the appellant will not need to look for additional or larger accommodation, which would add to the demand in the area that is not matched by supply.

6.0 **COMMUNICATION WITH THE COUNCIL**

6.1 Following the dismissal of the original appeal, the Council's case officer (Olivier Nelson) encouraged the appellant during a telephone conversation to submit a revised application with traditional materials.

6.2 Following the submission of the new application, the case officer stated: "I don't feel it should be refused" (email of 27th August 2015).

6.3 The council then requested that drawings showing a revised roof should be submitted. During a telephone conversation on 12th October 2015 the case officer confirmed that the application could then be consented. On 13th October 2015 the appellant submitted this information, showing a reduced roof height with the roof sloping down to the rear from a central apex.

6.4 After some delay the Council changed the case officer for this application. The new case officer visited the proposed. After discussion with the Conservation Officer, and some further delay, the application was refused.

7.0 **CONCLUSION**

7.1 In conclusion, we believe that the council should have stuck with the view it held throughout most of the application process and should have granted consent, since the revised scheme would preserve the character and appearance of the Conservation Area. This appeal should therefore be allowed.