

**Submission to the Planning Inspectorate**

Statement of Case due to the refusal of planning permission in accordance with  
Section 78(1) of the Town and Country Planning Act 1990

**Local Planning Authority: London Borough of Camden**

**Application No. 2016/1626/P**

**Statement of Case to the Planning Inspectorate for the erection of single storey roof  
extension and associated alterations including insertion of new windows.**

**STATEMENT OF CASE**

On behalf of Miss A Hamilton

June 2016



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## 1.0 INTRODUCTION

- 1.1 This Statement of Case has been prepared for the attention of the Planning Inspectorate in accordance with Section 78(1) of the Town and Country Planning Act 1990 on behalf of the appellant, Miss A Hamilton.
- 1.2 The report provides a statement of case against the refusal of planning permission issued by London Borough of Camden Council on 10<sup>th</sup> June 2016 in accordance with the Town and Country Planning Act 1990 and the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.3 The planning application proposed the erection of a single storey roof extension and associated alterations including the insertion of new windows.
- 1.4 This statement provides a clear explanation of the statement of case and directly responds to the reasons for refusal issued by the London Borough of Camden Council in their Decision Notice.

## 2.0 STATEMENT OF CASE

### 2.1 Reasons for Refusal

The London Borough of Camden Council refused application 2016/1626/P for 1 reason which is detailed within this chapter. The statement identifies the case against the reason.

### 2.2 Reason for Refusal 1

*“The proposed roof extension, by virtue of its size, bulk and proximity to 35 Lyncroft Gardens, would be overbearing and create an unacceptable sense of enclosure, harming the amenities of neighbouring residential occupiers contrary to Policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy and Policy DP26 (Managing the impact of development on occupiers and neighbours) of the London Borough of Camden Local Development Framework development policies”.*

2.3 It is considered that the proposal secures the ability for a family in residence in the borough to remain in the dwelling that they currently occupy by way of allowing for an extension that is considered reasonable and appropriate in terms of developing spaces of the highest quality; in turn supporting the infrastructure and facilities needed to support a member of the borough and increasing the architectural aesthetic quality of the building to the benefit of enhancing the surrounding environment.

2.4 Further to this it is considered that the proposals have fully considered the impact of the development upon surrounding receptors and looks to incorporate the development in a manner that offers no significant detriment to the surrounding area. The design has incorporated successful mitigation by way of alleviating harm through intelligent design so as to on balance bring forward benefits that accord with Policy CS5 without

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- developing harm that is considered to be significant. As such it is considered that the proposal accords with Policy CS5 where it is considered relevant.
- 2.5 With reference to Policy DP26 it is considered that points d to k are considered already provided given the nature of the existing dwelling and as such the consideration needs to be provided to points a to c.
- 2.6 The application provides a daylight and sunlight report which has been resubmitted in relation to this application which demonstrates that there is a negligible impact on daylight and sunlight of the surrounding residential properties including the properties at 35 Lyncroft gardens and 1e Parsifal Road. In relation to daylight and sunlight terms therefore it is considered that the proposal offers no detriment to point c of Policy DP26.
- 2.7 Further to this the mixture of obscuring clear windows in collaboration with privacy screens prevent any opportunity for overlooking and therefore provides a development that is acceptable in the accordance with point a of Policy DP26.
- 2.8 It is considered that any impact of overbearing scale onto 35 Lyncroft Gardens is considered minimal given baseline conditions of scale and massing of the built environment in the locality. Any harm or lack of accordance with part b of Policy DP26 is limited and sufficiently outweighed by the rest of the Development Plan which identifies that the proposal would provide a high quality extension that is proportionate in terms of its scale for the retention of a family home within the locality.
- 2.9 As such it is considered that the proposal accords with Policy CS5 and Policy DP26 together with the rest of the relevant Development Plan. It is respectfully requested therefore that the appeal is upheld and planning permission is granted.
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### 3.0 CONDITIONS OF PLANNING

- 3.1 Standardised conditions with relation to the submission of details of facing materials, construction methodology and boundary treatments before development commences are considered to be appropriate and reasonable as an outcome of the granting of planning permission.

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