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Your ref: APP/X5210/W/16/3149545
Our ref: 2015/5786/P
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Daniel Cardy
The Planning Inspectorate
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Dear Daniel Cardy,

Town and Country Planning Acts 1990 (as amended)
Planning Appeal Statement (Authority)

Appellant: Mr Peter Beecham
Site: Flat B 191 Brecknock Road, London N19 5AB

Application proposal: Full Planning Permission (2015/5786/P): Erection of a rear extension at first and second floor level, alteration to 2nd floor rear window and installation of 1x rooflight to rear roofslope.

I write in connection with the above appeal against Council's refusal to grant planning permission for the erection of a rear extension at first and second floor level, alteration to 2nd floor rear window and installation of 1x rooflight to rear roofslope, at Flat B 191 Brecknock Road, London N19 5AB.

The Council's case is set out primarily in the delegated officer's report (ref: 2015/5786/P) that has already been sent with the questionnaire and is to be relied on as the principal Statement of Case. Copies of the relevant LDF policies and accompanying guidance were also sent with the appeal questionnaire.

In addition, Council would be grateful if the Inspector would consider the contents of this letter which includes confirmation of the status of policy and guidance, comments on the Appellant's grounds of appeal and further matters that the Council respectfully requests be considered without prejudice if the Inspector is minded to grant permission.

1.0 Summary

- 1.1 The appeal site is a three storey terrace property with 2 storey closet wing located on the south of Brecknock Road, west of the junction with Lady Margaret Road and north of Raveley Street. The Building comprises two self-contained flats. The property is not within a Conservation Area neither a listed building.

- 1.2 The proposal is for the erection of rear extension in between 1st and 2nd floor level, the extension will be replacing existing water tank area and convert into a bathroom, and reducing a size of 2nd floor window and installation of 1x rooflight to rear roofslope.
- 1.3 **Amendments;** The original proposal included rear dormer and 2nd floor extension, but subsequent revised drawings submitted which omitted dormer from the part of the proposed development.

2.0 Relevant History

- 2.1 20/01/2014 – granted (2013/6736/P) for the erection of a glazed extension as replacement of existing rear extension at first floor level to maisonette (Class C3).
- 2.2 08/05/1980 – granted (29908) for Change of use to 2 self-contained dwelling units, including works of conversion and the erection of a conservatory at rear 1st floor level and an extension at rear ground floor level.

3.0 Reason for refusal

3.1 The Application was refused on 05/02/2016. The reason for refusal is detailed below.

The proposed rear extension, by reason of its height, bulk and detailed design would be detrimental to the character and appearance of the host building and the terrace in which it's located. The proposal is therefore contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

4.0 Development Plan Policies

- 4.1 The London Borough of Camden Local Development Framework was formally adopted on the 8th November 2010. The policies of relevance to the appeal scheme are set out in the delegated report and decision notice on point 4.4. The full text of the relevant policies was sent with the questionnaire documents.
- 4.2 The Council also refers to supporting guidance documents CPG1: Design. The Camden Planning Guidance has been subject to public consultation and was approved by the Council in July 2015.
- 4.3 With reference to the National Planning Policy Framework 2012, policies and guidance contained within Camden's LDF 2010 are up to date. The National Planning Policy Framework states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise. There are no material differences between the council's policies and the NPPF in relation to this appeal.

4.4 The relevant LDF policies to this appeal are as follows:

LDF Core Strategy

CS5 – Managing the impact of growth and development

CS14 – Promoting high quality places and conserving heritage / conservation areas

Development Policies

DP24 - Securing high quality design

DP26 - Managing the impact of development on occupiers and neighbours

Camden Planning Guidance 2015

CPG 1 (Design) Chapter 4

5.0 Comment's on the Appellant's Ground of Appeal

5.1 The vast majority of points raised by the appellant have already been detailed within the officer's delegated report. The appellant statement is more of a general statement and doesn't overcome over the Council refusal; however a number of points raised by the Appellant are addressed in detail below. The following statements in the Appellant's Grounds of Appeal, summarised in italics, are addressed subsequently as follows:

5.2 *The appellant statement comments in the page no2 of the appeal statement "There is no presumption against well-designed, modest extensions to existing dwellings in the NPPF. The application/ appeal site, as a reasonably attractive & interesting 19th century building, can, perhaps, be considered as a non-designated heritage asset (in terms of paragraph 135). It is not considered that the effect of the proposed rear extensions and alterations would, therefore, in a balanced judgement, affect or harm the significance (i.e. the road frontage) of the non-designated heritage asset.*

The proposed relatively small rear extension would not be visible from the public realm frontage to Brecknock Road.

Many (if not most) of the rear garden/ yard elevations of the dwellings, that may be viewed from the rear elevation of the application/ appeal site, have been altered in some way. Some have been extended and altered in a sympathetic manner- others are far less successful".

The case officer response - The extension would not be seen from the front elevation and as such would have no detrimental impact on the streetscene. However, the height and location of the extension is contrary to paragraph 4.10 and 4.13 (page 29) of CPG1 which states that in most cases extensions that are higher than one full storey below roof eaves/parapet level will be strongly discouraged.

The proposed extension would add 1.2m additional length to the existing 0.8m deep extension. The dimensions of the existing extension are 0.8m depth X1.8m height and the proposed are 2.0m depth X2.5m height. It should be noted that the existing 2nd floor addition to the building fails to comply with our adopted guidance. Adding additional bulk here is only considered to exacerbate the situation.

5 *The appellant comments in the page no2. "The upper rear elevation of the application/ appeal site has already been altered, with the addition of a brick bulkhead to accommodate a water tank. The proposals involve removal of this functional addition and replacement with the proposed extension, as set out in the submitted drawings and specification notes. The*

proposed extension has been thoughtfully designed to provide valuable accommodation to upgrade facilities of Flat B. The external appearance of the proposed relatively small extension relates closely to the materials of the adjacent walls and is of a form that can be easily assimilated into the background roofscape (being below the roofline parapet/ ridge and line of the brick part corbelled chimney stack) and garden elevation, without any serious detriment to the amenities of neighbouring dwellings or appreciable damaging impact or harm to the appearance of the building in total”.

The case officer response - The appellant asserts that the proposal would not have a detrimental impact on the amenity of neighbouring occupiers or residents. The Council does not dispute this; hence this was not a reason for refusal.

5.2 *The appellant states in the page no3. “The proposed extension would be subordinate to the scale, massing and bulk of the existing roof forms & rear of the existing building. The proposed extension would not, it is considered, disrupt the roofline, rhythm or proportions of the rear elevation. The key significance of the non-designated heritage asset- the road frontage- is not affected.*

I have carefully read through the Camden LDF policies given in the reason for refusal- CS5, CS14 & DP24; and also CPG1 (Design). It is contended that, in the light of those policies, the modest proposal for a rear extension is simply not considered to be of sufficient detrimental impact- in terms of height, bulk or the nature of its detailed design- to justify refusal of planning permission. Indeed, the design has positively sought to relate sensitively and in a discrete, sympathetic and low-key manner to the character and appearance of the rear elevation of the building and the terrace within which it is located”.

The case officer response- The Council disagrees with the appellant comments. The property forms part of a terrace which has largely uniform rear closet wings. The extension is not considered to be subordinate to the existing building and results in a significant mass and bulk on the closet wing. It is considered that the proposed extension would not only harm the appearance of the host building but also the uniformity of the closet wings along the terrace.

5.3 *The appellant states in the page no3. “No objections were received from any of the neighbouring dwellings. One letter of support was submitted by the lower flat (immediately below our dwelling)”.*

The case officer response- The fact that the neighbours have not object to the planning application does not mean that, the height, bulk and design would be acceptable.

6.0 Conclusions

6.1 Based on the information set out above, and having taken account of all the additional evidence and arguments made the proposal is considered contrary to policies CS14 (promote high quality places) of the London Borough of Camden Local Development Framework Core Strategy and policies DP24 (securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.

6.2 The information submitted by the appellant in support of the appeal does not overcome or address the Council's concerns.

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

6.4 If the Inspector is of a mind to accept the appeal, proposed conditions have been included in Appendix 1 below

6.5 If any further clarification of the appeal submission is required please do not hesitate to contact Jagdish Akhaja on the above direct dial number or email address.

Yours faithfully,

Jagdish Akhaja
Planning Technician
Culture and Environment Directorate

Appendices

Appendix 1 – Planning Conditions

Without prejudice and in the event that the appeal is allowed, the Inspector is respectfully requested to consider the imposition of the following 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).

2. 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 of the London Borough of Camden Local Development Framework Development Policies.

3. The development hereby permitted shall be carried out in accordance with the approved plans:

The site location plan 268/01, 268/SU01; 02, 03, 04, 05, 06, P01 Rev B, P03 Rev B, P04 Rev B, P05 Rev C, P06 Rev B, P07 Rev C, Design and access statement Rev A dated 18/01/2016.

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