

The Planning Inspectorate
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Our Ref: 2016/0321/P

Your Ref: **PP/X5210/W/16/3155073**

Please ask for: Gideon Whittingham

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4th October 016

Dear Sir/Madam,

Town and Country Planning Acts 1990 (as amended)
Appeal by Miss Aimee Squires
Site at 6 Coptic Street, London, WC1A 1NH

I write in connection with the above appeal against the refusal of planning permission dated 07/06/2016 for the ***erection of a two storey rear extension and mansard roof extension with associated fenestration alterations.***

- 1.1 The Council's case is set out in detail in the officer's report that has already been sent with the questionnaire and it will be relied on as the principal Statement of Case. Copies of the relevant LDF policies and accompanying Camden Planning Guidance have also been sent with the questionnaire.
- 1.2 In addition to these submissions, I would be pleased if the Inspector would also consider various matters set out below relating to the confirmation of the status of policy and guidance, comments on the grounds of appeal and conditions that the Council requests should the Inspector be minded to grant permission.

Summary

- 2.1 This is an important building being identified as a positive contributor to the Bloomsbury Conservation Area.

It is a four storey (plus basement) office building located on the west side of Coptic Street. The area has a mix of uses but the west side of Coptic Street is predominantly residential. There are also residential uses to the rear in Stedham Place.

Permission has been refused three times for extensions. The one appeal lodged previously was dismissed.

Subject appeal scheme

- 2.2 On 7th June 2016, permission was refused (2016/0321/P) for the subject proposal which sought:

- Replacement of main valley roof with slate clad mansard roof comprising 2 lead cheeked dormer windows to the front pitch and 2 lead cheeked dormer window to the rear roof pitch.
- The erection of a 2 storey brick faced half width rear extension at 1st up to 2nd floor level. The extension measures 3m wide and 3.5m deep (albeit with a chamfered edge) alongside the existing rear extension at no. 5 Coptic Street. The rear elevation of the extension would feature 2 timber framed sash windows on the flank and rear elevations.

- 2.3 This application was refused by officers under delegated powers. It was concluded that the roof and rear extensions were unacceptable in design and conservation terms. In addition there were concerns about the impact of the rear extension on two adjoining residential properties in terms of light and that there would be an unacceptable increased sense of enclosure.

Previous scheme refused

- 2.4 This application was submitted following refusal of permission (2013/5970/P) on 8th April 2014. This earlier scheme had been recommended for approval but was over turned by members and sought the following:

- Replacement of main valley roof with slate clad mansard roof comprising 2 lead cheeked dormer windows to the front pitch and 1 lead cheeked dormer window to the rear roof pitch.
- The erection of a 2 storey brick faced half width rear extension at 1st up to 2nd floor level. The extension measures 3.5m wide and 3.2m deep to align with the existing rear extension at no. 5 Coptic Street. The rear elevation of the extension would feature 2 timber framed sash windows

- 2.5 This subject appeal represents a revised scheme from that previous, differing in the form of the rear extension (reduction in width and depth with a chamfered edge) and the detailed design of the mansard (additional dormer windows to the rear roof pitch). It is confirmed that the subject appeal scheme has been reviewed in detail by the conservation officer.

Earlier scheme dismissed on appeal

- 2.6 Previously on 19th April 1989, permission was refused and dismissed at appeal for a full width rear extension at 1st up to 2nd floor level on the following grounds:

- It is considered that the total floorspace of the building, following the proposed extension, would be excessive in relation to the site and the character of the area generally.
- The proposed scheme exceeds the Council's plot ratio standards for the area and is considered to be overdevelopment of the site
- The proposed development involves an increase in office accommodation contrary to the Council's policy to restrain the growth of such space as expressed in the Written Statement of the London Borough of Camden Local Plan 1987 (the Borough Plan).
- The proposed extension is considered to be undesirable as it would obstruct the light to adjoining properties to the detriment of their amenities.

2.7 The inspector (see appendix A) agreed that the development proposed was both an over-development of the site and would likely effect the daylight and sunlight reaching neighbouring properties.

3.0 Status of Policies and Guidance

3.1 On 8th November 2010 the Council formally adopted the Core Strategy (CS) and Development Policies (DP) documents of the Local Development Framework (LDF). These documents went through an Examination in Public, and the appointed Inspector found the documents to be sound in a decision published on 13th September 2010. The relevant LDF policies as they relate to the reasons for refusal are set out on the Council's decision notice.

3.2 The Council also adopted all its Camden Planning Guidance (CPG) on 7th November 2011 for which CPG 5 was revised in 2013, CPG 1, 3, and 8 was revised in 2015 and CPG 2 was revised in 2016.

3.3 In respect of emerging planning policy, the Camden Local Plan will replace the Core Strategy and Development Policies in 2016. The submission draft has now been approved by Cabinet and Full Council after a period of public consultation from 08/02/2016 to 04/04/2016. The Local Plan and associated documents will be formally submitted to the Secretary of State for public examination along with copies of all representations received. The submission and examination of the Plan is expected to be in late 2016.

3.4 The submission draft is a material consideration in planning decisions. At this stage the Plan has weight in decision making and is a statement of the Council's emerging thinking. Emerging policy is considered relevant to the subject appeal. The relevant plan policies in respect of this proposal would be (attached in appendix C):

- Policy E1 – Promoting a successful and inclusive Camden
- Policy E2 Employment premises and sites
- Policy A1 Managing the impact of development
- Policy D1 Design
- Policy D2 Heritage

3.5 The Councils current adopted policies do not differ from the Council's emerging policies and the NPPF policies in relation to this appeal.

4.0 Reasons for refusal

4.1 The application for the **erection of a two storey rear extension and mansard roof extension with associated fenestration alterations** which is the subject of the appeal was refused on 07/06/2016 for the following reasons:

- The proposed rear extension, by reason of its bulk, mass and terminating height would result in harm to the character and appearance of the host building and of this part of the Bloomsbury 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.
- The proposed roof extension, by reason of its design, form, bulk, location in a pair of buildings unimpaired by later additions and removal of original roof form would result in harm to the character and appearance of the host building, the pair of buildings of which it forms part and of this part of the Bloomsbury 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.
- The proposed rear closet wing extension by reason of its height and location would result in a loss of amenity to neighbouring occupiers by virtue of the impact on sunlight, daylight and sense of enclosure to the adjoining roof terrace and windows at 5 and 7 Coptic Street, contrary to policy CS5 (Managing the impact of growth and development) 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.

5.0 Comments on the Appellants' Grounds of Appeal

5.1 The following summarises the appellants' grounds of appeal in bullet points, followed by the Council's comments

- **The appellant refers to the earlier scheme which had been recommended for approval but was over turned by members and contends that future assessments/schemes should be guided by the officer recommendation only.**

5.2 The Council maintains that Local Planning Authorities are not bound to accept the recommendations of their officers. The minutes of the Development Control Committee on the 3rd April 2014 (see appendix B) in relation to application ref: 2013/5970/P, the officer report and decision in relation to subject application ref: 2016/0321/P clearly and precisely demonstrates reasonable planning grounds for taking a contrary decision to the previous recommendation for approval. The conservation officer reviewed the scheme and the site history and concluded that the current scheme is unacceptable

- **The appellant contends that the proposed rear extension complies with 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.**

5.3 The delegated report clearly sets out why the rear extension is unacceptable. The Council maintains that the officer report provides justification, notably paragraph 3.12 – 3.20, whilst the decision notice and reason for refusal No.1 explicitly outlines that the rear extension fails to comply with policies of the Local Development Framework Core Strategy, Development Policies, and planning guidance. The appellant raises no new matters and repeats supporting information provided alongside the planning application for which this appeal relates. The principle of a rear extension in this location, position and broad scale has been dismissed at appeal previously in 1989 (Ref:8800404) and refused by the Local Planning Authority in 2014 (ref: 2013/5970/P). Whilst the chamfer detail, or provision of additional commercial floorspace would be a marginal improvement when compared with the dismissed and refused schemes, this is not considered to outweigh the extensions harm to the character and appearance of the host building and of this part of the Bloomsbury conservation area.

- **The appellant contends that the proposed roof extension complies with the National Planning Policy Framework (2012), notably paragraphs 132 and 134 and brings several heritage benefits including the replacement of windows to the front and rear elevation.**

5.4 The delegated report makes clear why the roof extension is unacceptable. The Council maintains, in assessment of paragraphs 132 and 134 of National Planning Policy Framework and the officer report, great weight has been given to the asset's conservation, particularly one which has been identified as making a positive contribution to the character and appearance of the Bloomsbury Conservation Area. Where this development proposal would lead to less than substantial harm to the significance of the designated heritage asset, a genuine public benefit could be apportioned significant weight should it be brought forward. It should be noted however, the application would not afford a genuine public benefit; the improvement of windows to the front elevation would represent an extremely minor benefit which would not outweigh the harm attributed in paragraphs 3.2 – 3.11 of the officer report. The scheme and associated heritage statement has in no way demonstrated that the rationalisation and enlargement of the commercial accommodation would offer a benefit which would overcome any lingering harm which would be caused.

- **The appellant contends the proposal complies with policy CS5 (Managing the impact of growth and development) 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.**

5.5 The Council maintains that the proposed rear closet wing extension, by reason of its height and location would result in a loss of amenity to neighbouring occupiers by virtue of the impact on sunlight, daylight and sense of enclosure to the adjoining roof terrace and windows at 5 and 7 Coptic Street. The applicant's initial and revised sunlight/daylight assessment confirms harm would result, namely the detrimental loss of Winter Sunlight Hours and overshadowing (Area receiving at least two hours of sunlight on 21st March) received by 5 Coptic Road, as noted in the officer report paragraphs 3.21 - 3.37. The Council maintains that the proposed rear closet wing extension would detrimentally reduce the outlook currently enjoyed by the first floor level flank window of No.7 Coptic Street which serves a habitable room. The scheme fails to adequately address this harmful aspect when compared with i) the previously dismissed appeal on 19th April 1989 (Ref: 8800404) and ii) the amended scheme refused in 2014 (ref: 2013/5970/P) iterations and this specific and harmful aspect justifies a substantive reason on this element alone.

6.0 Conclusions

6.1 On the basis of information available and having regard to the entirety of the Council's submissions, including the content of this letter, the Inspector is respectfully requested to dismiss the appeal.

If any further clarification of the appeal submission is required, please contact this office.

Yours sincerely

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Senior Planning Officer
Regeneration and Planning
Supporting Communities
London Borough of Camden

Should the Inspector be minded to allow the appeal, the following conditions are recommended.

Planning Permission:

- 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 and DP25 of the London Borough of Camden Local Development Framework Development Policies.

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

Design and Access Statement Revision B dated January 2016, prepared by HUT, E001, E009, E010, E011, E012, E013, E014, E030, E031, E040, E050, E051, 002, 009 Rev A, 010 Rev A, 011 Rev A, 012 Rev A, 013 Rev A, 014 Rev B, 015 Rev B, 030 Rev B, 031 Rev B, 040 Rev B, 041, Daylight and Sunlight Study - 6 Coptic Street, dated 18 May 2016, prepared by Right of Light Consulting, Letter prepared by prepared by Right of Light Consulting dated 22 March 2016, Planning statement prepared by Savills, Heritage statement, dated January 2016 prepared by Turley Associates.

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

- 4 All window(s) located on the south facing flank elevation of the rear extension hereby permitted shall be constructed using only obscured glazing, fixed shut and shall be so maintained.

Reason: To safeguard the amenities of the adjoining premises and the area generally in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policies DP26 and DP28 of the London Borough of Camden Local Development Framework Development Policies.