

**APPEAL BY:
Mr Pritesh Solanki**

**AGAINST THE LONDON BOROUGH OF CAMDEN COUNCIL'S REFUSAL TO GRANT PLANNING
PERMISSION FOR:**

Mansard roof extension

**AT
153 LEIGHTON ROAD, LONDON, NW5 2RB**

The London Borough of Camden Council's Reference: 2016/2582/P

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

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1.0 INTRODUCTION

- 1.1 This statement is prepared by Solanki Design Studio, on behalf of Mr Gohil, in support of the appeal lodged against the refusal of planning application 2016/2582/P.
- 1.2 The application was submitted on 9th May 2016, validated on 25th May 2016 and sought planning permission for a mansard roof to create a third floor.
- 1.3 The application was refused under delegated authority on 1st August 2016, 12 weeks after the submission, for the following reason:

'The proposed mansard roof extension, by reason of its unsympathetic design and inclusion within an unaltered roofscape of surrounding buildings, would result in an incongruous addition causing demonstrable harm to the character and appearance of the host building, the attached structure at 151 Leighton Road, the adjacent terrace and the wider townscape contrary to policy CS5 (Managing the impact of growth and development) of the London Borough of Camden Local Development Framework Core Strategy, and DP24 (Securing High Quality Design) of the London Borough of Camden Local Development Framework Development Policies.'

- 1.4 This grounds of appeal will address the central concern raised within the Council's reason for refusal, notably:

Whether the proposed roof extension will harm the character and appearance of the host building, the attached structure at 151 Leighton Road, the adjacent terrace and the wider townscape.

- 1.5 The Appellant's case will go on to demonstrate that the proposed mansard roof is in keeping with the character and appearance of the existing building, the street scene and the area in general. It will also explain how the proposal complies with relevant national and local planning policy.

2.0 THE SITE

- 2.1 The appeal site is located on the corner of Leighton Road and Torriano Avenue. The property has an approx. footprint of 35m² with a convenience store located on the ground floor, and a cramped two bed flat on the first and second floor (Figure 1).

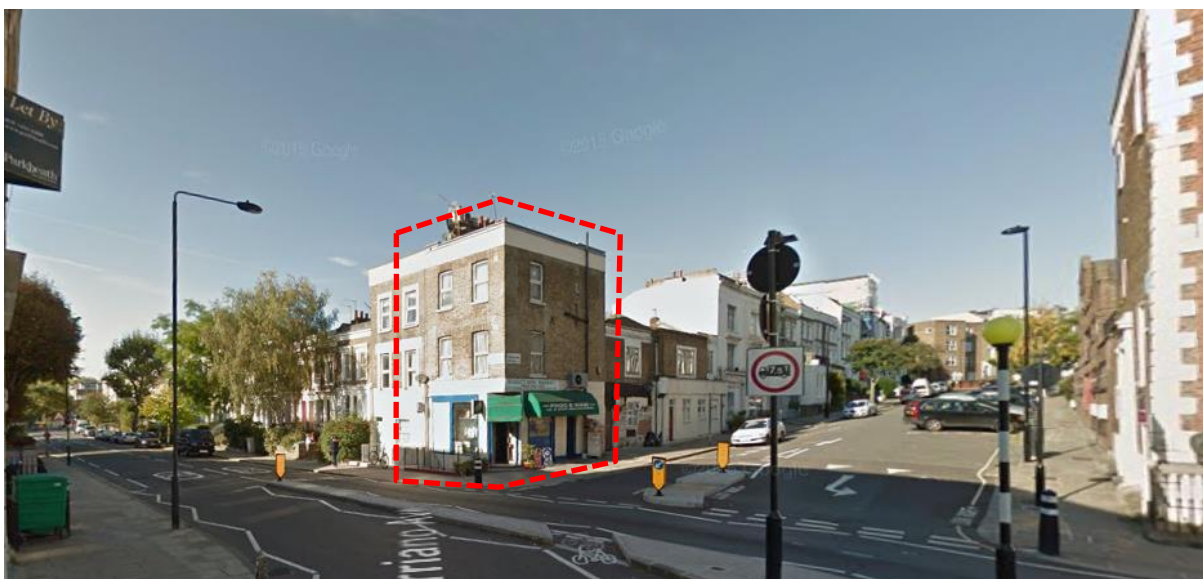


Figure 1. The property in context

2.2 The residential roads cornering the site comprise of two and three storey terraced properties, many of which are subdivided into flats with roofs altered to provide additional living space.

2.3 The appeal building is not listed and the site is not located within a conservation area.

3.0 THE PROPOSED DEVELOPMENT

3.1 Mansard roof extensions are a traditional means of terminating a building without adding a highly visible roof and Camden Council state 'this form is acceptable where it is the established roof form in a group of buildings or townscape' in the Camden Planning Guidance CPG1.

3.2 The appeal application sought planning permission for a mansard roof extension with the insertion of four dormer windows within the front and side roof slopes to provide much needed additional living space for a young growing family.

3.3 The flat topped mansard roof is designed in strict accordance with the Camden Planning Guidance CPG1 to ensure the design is a sympathetic addition to the host building. The internal height is 2300mm and every wall slopes 70 degrees. Furthermore, the walls rise 300mm behind the parapet wall and existing party chimney, lessening any visual impact from the street and surrounding area further. The original cornice, parapet wall and visible chimney stacks are also to be retained.

3.4 The proposed materials respect the local vernacular with slate tiles used to clad the mansard walls. Traditional timber sash windows which line up with the existing windows and follow the proportions of the existing windows are also proposed.

4.0 RELEVANT PLANNING POLICY

4.1 The reason for refusal refers to Policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and to Policy DP24 of the Camden Local Development Framework Development Policies.

4.2 The Adopted Core Strategy – Policy CS5

The Camden Core Strategy 2010 – 2025 highlights the need to 'adapt to Camden's growing population' and notes 'Camden is a very popular place to live but this means that the average house price in the borough is the third highest in London with demand for affordable housing far outstripping supply and continues to increase and up to a third of Camden's households are overcrowded, so there is also a high demand for larger properties'.

4.3 The Camden Core Strategy Vision also states the council should aim to provide:

'A sustainable Camden that adapts to a growing population'

4.4 Policy CS5 is a spatial policy which refers to "Managing the impact of growth and development". The following criterion are relevant for this appeal:

- d. *protecting and enhancing our environment and heritage and the amenity and quality of life of local communities.*
- e. *making sure that the impact of developments on their occupiers and neighbours is fully considered;*

- f. seeking to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities*

4.5 The Adopted Development Policy DPD- Policy DP24

4.6 Policy DP24 relates to “securing high quality design” and states that the Council will require all developments, including extensions to existing buildings, to be of the highest standard of design. The policy sets out that proposals should consider the character, setting, context and the form and scale of existing and neighbouring buildings and the materials to be used.

4.7 Although it is not referred to within the reason for refusal, the National Planning Policy Framework is also considered to be of relevance to this appeal.

4.8 The following paragraphs provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

4.9 National Planning Policy Framework (NPPF)

4.10 The National Planning Policy Framework sets out the Government’s planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

4.11 Presumption in Favour of Sustainable Development

Paragraph 14 of the NPPF sets out that a presumption in favour of sustainable development is at the heart of the National Planning Policy Framework with paragraph 187 stating that local planning authorities should approach decision making in a positive way and should look for solutions rather than problems. The NPPF also advises that decision takers at every level should seek to approve applications for sustainable development where possible.

4.13 For decision making this means:

- Approving development proposals that accord with the development plan without delay;
- Where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted.

4.14 Core Planning Principles

Paragraph 17 of the NPPF sets out 12 core land-use planning principles which should underpin both plan-making and decision taking. The second and fourth bullet points state that planning should:

- Not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

4.16 Requiring good design

Section 7 of the NPPF refers to design, however there are no specific policies or guidance relating to mansard roofs. However, paragraph 58 states that

'planning policies and decisions should aim to ensure that developments should respond to local character and history and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation'.

And paragraph 60 states:

'Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles'.

4.17 Decision-taking

Paragraph 196 reiterates that the planning system is “plan led” stating that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 196 clarifies that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

5.0 THE APPELLANT'S CASE

5.1 The Council's concern appears to be based on the misconception that the mansard roof is of an 'unsympathetic design and inclusion within an unaltered roofscape of surrounding buildings, would result in an incongruous addition causing demonstrable harm to the character and appearance of the host building, the attached structure at 151 Leighton Road, the adjacent terrace and the wider townscape.'

5.2 The appellant considers that the Council's concern is exaggerated and without substance. The roof scape of the surrounding buildings is predominantly altered and not one particular architectural style takes precedence. The below images highlights the variety of roof extension styles within close proximity of the appeal site including Nos. 122, 124, 126, 128, 142, 152 to 184 Leighton Road and 93, 95 and 97 and 117 Torriano Avenue (Figures 2 to 7).



Figure 2. 122 to 128 Leighton Road

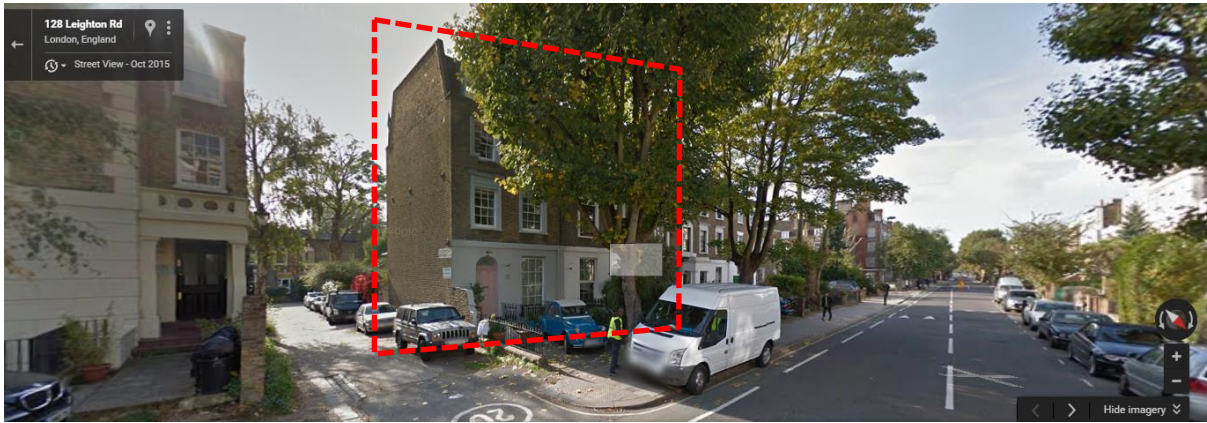


Figure 3. 122 to 128 Leighton Road



Figure 4. 142 Leighton Road



Figure 5. 152 to 184 Leighton Road- Pitched roof extensions



Figure 6. 93, 95 and 97 Torriano Avenue- adjacent to the proposed site.



Figure 7. 117 Torriano Avenue

- 5.3 The Council's concern regarding the mansard extension being of an 'unsympathetic design' and 'incongruous addition' is incorrect. The walls are separated from the parapet wall and party chimney by a 300mm gutter; the roof structure measures just 4m in width x 6.5m in depth at floor level, decreasing to 2.1m in width and 4.7m in depth. The external height of the roof extension will be 2.5m, however only 1.6m will be visible above the parapet wall, even less when in close proximity. With reference to the above points, it can confidently be said that the mansard extension is sympathetic to the form, scale and architectural details of the existing building and in full accordance with DPD24 and the objection from the planning officer is based on a subjective opinion. It is clear the Council have failed to assess the actual impact of the extension on the appearance of the building and the area, whilst choosing to ignore similar if not larger roof extensions at the surrounding neighbouring properties.
- 5.4 The above point is emphasised further when comparing the site with the terraced row of houses on the opposite corner (Figure 8 below). If the mansard extension is approved, the host building will be of a similar height and will therefore make a positive contribution to the street.

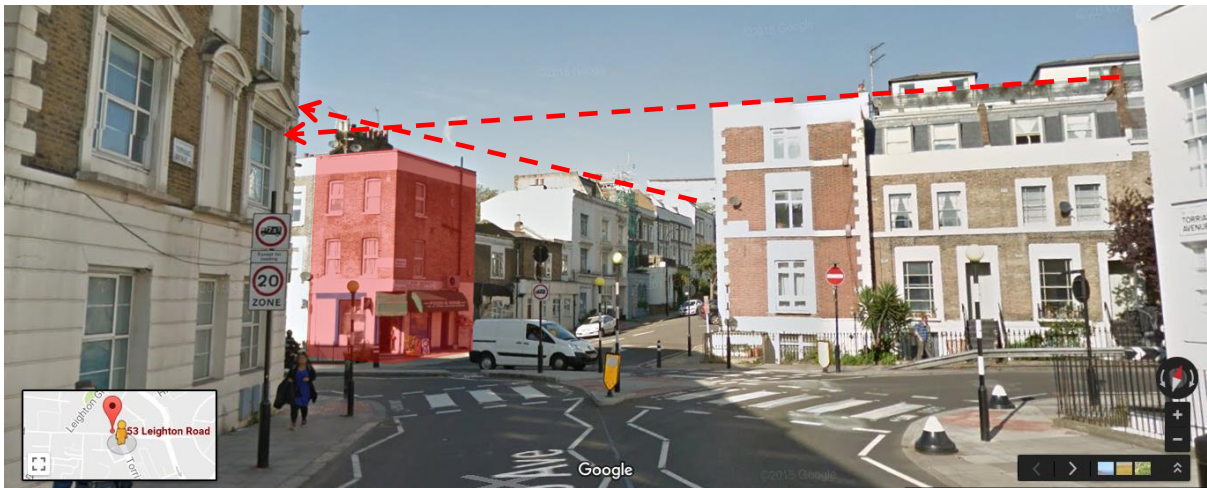


Figure 8. Proposal site highlighted in red. Comparable heights with adjacent properties.

5.5 Although it is acknowledged that development in one location does not necessarily set a precedent for development in another, in this instance it is evident that the Council have not given due regard to the existence of similar and larger roof extensions at the neighbouring properties and it is too simplistic for the Council to dismiss their existence. The facts remain that the Council have granted permission previously, for a number of large roof extensions on similar properties on the road and it remains unclear as to why the Council consider that mansard extensions can be acceptable on one property but not on another.

5.6 In summary, the mansard roof extension would not have a detrimental impact on the visual amenities of the building or the area in general. The extension would make a positive contribution to the appearance of the building and would be of no harm whatsoever to the street scene or the public realm in the locality.

5.7 The implementation of such a modest roof extension at the appeal site, should not be thought to be out of keeping with the character of the area when other styles of roof extension exist within close proximity to the appeal site (highlighted on the images above) and therefore the appeal proposal should thus be considered acceptable in principle.

6.0 CONCLUSION

6.1 The proposed development would be of no harm to the character or appearance of the host property or neighbouring buildings or to the visual amenities within the locality. We consider that the proposal both preserves and enhances the setting by reason of its quality design, modest size and scale and proposed materials of construction. The Appellant understands why the Council may have concerns, however it is considered that the Council have adopted an overly cautious approach in appraising the design of the development and its actual limited impact upon the location and also failed to fully take into account the limited actual impact that the roof extension would have on the building and failing to take into account the existence of similar roof extensions at the neighbouring properties. The Appellant has no desire to gain permission for a roof extension that is not worthy of the existing building or the site and feels strongly that the proposed alterations would make a positive addition to the appearance of the area whilst improving the living conditions and health and well-being of future occupants of the property.

6.2 Residential amenity levels for both the current and future occupiers of the appeal property should also be taken into consideration as the proposal will facilitate the much needed increase of floor space and improve the level of internal living accommodation available, thereby allowing the existing occupiers to remain in the property for the foreseeable future, in-line with the sentiments of the UDP which recommends that the physical condition of the housing stock and the quality of

the residential environment are all fundamental to the well-being of Camden's population and the London Plan's vision for lifetime neighbourhoods.

- 6.3 The National Planning Policy Framework (NPPF) states that decision-takers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. The proposed development would not be contrary to national or local planning policy and for the above reasons it is politely requested that this appeal is allowed.