

Town and Country Planning **Appeal Statement** On behalf of Mr and Mrs Cakir

49 HARTLAND ROAD, LONDON, NW1 8DB
APPLICATION REF: **2016/3025/P**
Proposal: Erection of Mansard Roof Extension

August 2016



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1.0 PROPOSAL

- 1.1 This appeal statement relates to the development proposal submitted by Arch Planning and Licensing on behalf of Mr and Mrs Cakir. The proposal was for the erection of a mansard roof extension to be used as an additional bedroom and shower-WC for the residents.
- 1.2 The scheme would involve the conversion of the roof to a mansard roof that will have two sash windows directly in line with windows below on the front elevation and two velux windows at the rear elevation. The proposed conversion will meet the current building regulations.

2.0 SITE DESCRIPTION

- 2.1 The site is located on Hartland Road which ladders from Chalk Farm Road that is a highly development area of Camden Council. A railway bridge divides Hartland Road in to two followed by Clarence Way.

Holy Trinity & St Silas Church of England Primary School followed by 8 Victoria terrace dwellings, rendered white, made up of three (3) storeys and, on the opposite side of the road, the rear garden of housing located on Castlehaven Road facing Hartland Road, forms the end of the road.

- 2.2 The property is located in a three (3) storey Victoria style terrace ending at the railway bridge. The property is not located within any conservation area; while it is not a Listed Building it is included in a group of houses that is on the Council's published Local List which identifies non-designated heritage asset
- 2.3 Site History

Application Number	Site Address	Development Description	Status	Date Registered	Decision
2016/3025/P	49 Hartland Road London NW1 8DB	Erection of roof extension to dwellinghouse.	FINAL DECISION	27-06-2016	Refused
2015/3859/P	49 Hartland Road London NW1 8DB	Erection of mansard roof extension.	APPEAL DECIDED	14-07-2015	Refused
2005/0753/P	49 Hartland Road London NW1 8DB	Erection of a first floor rear extension	FINAL DECISION	15-04-2005	Granted

3.0 STATEMENT OF CASE

- 3.1 The council's reasons for refusal mainly appear to be whether the proposed development would be injurious to the design of the current joined residence skyline of the parade of terraces the applicant's property is within.

"The proposed roof extension, by reason of its detailed design, bulk and location in a group of buildings with a largely unaltered roofline, would be incongruous, result in harm to the character and appearance of the building, the group of buildings of which it forms a part..."

- 3.2 It was requested by the case officer to produce a justification email in regards to why this application should be exempt of application fees, after the agent got in touch with him as the validation process was extended - as it was not heard from the council.
- 3.3 The application was instantly regarded as being the same design as the previous submitted proposal (ref: 2015/3859/P). The agents had received a call from the case officer on the onsets stating that he will use his right not to determine this application due to this reason - under section 70A of the Town and Country Planning Act 1990. After trying to justify to the case officer that this design was different and he should take second look into it again, or maybe advice the agent on a solution - it was stated that he will refuse this application if the agents wish to continue to stress it to be processed, due to the proposal being the same as the previously refused application.
- 3.4 After an extensive further discussion with another colleague at Arch Planning and Licensing the case officer's manager was called and a message was left on his voicemail with regards to the circumstances. Following this complaint message the case office wrote back confirming the application "will be subject to formal assessment follow the completion of the public consultation" – without any justification on why he took the stance he had taken in the first instance. So we believed the case officer had a bias opinion on the outsets in regards to refusing this application both in his tone and manner in dealing with the application, as he did not wish to in anyway process it.
- 3.5 The current roof line is of valley type (butterfly roof). While the street has predominantly undergone roof line alteration in and also the surrounding area.
- 3.6 In assessing the impact of the development proposal it is stated that relevant policies LDF Core strategy and Development Policies 2010, CS5 Managing

the impact of growth and development, CS14 Promoting high quality places and conserving our heritage, DP24 Securing high quality design and DP26 Managing the impact of development on occupiers and neighbours. The Supplementary Planning Guidance (Camden Planning Guidance) CPG1 (2015) Chapter 2 and 3 CPG6 Amenity (2011) Chapters 6 and 7 have been used. While the National Planning Policy Framework (2012) and the London Plan 2016 consolidated with alterations has been considered.

- 3.7 The principalities of the consideration with regards to the policies concern Design and Amenity impacts on neighbours.
- 3.8 A consultation period has been carried out and a site notice displayed between 29/06/2016 till 20/07/2016.
- 3.9 Supporting letters were received from neighbours 30, 39, 47 and 55 of the proposal, while there has been no objections received- both from consulted neighbours and the relevant departments within the council.
- 3.10 The area has been analysed in depth with regards to the best possible proposal for both the building in consideration and the surround context. In so planning consideration has been given to 14 Healey Street London NW1 8SR, and various other dwellings in the surround and close area.
- 3.11 The reason 14 Healey Street is considered is because of the context of its location. It is of similar to the exact setting as that of 49 Hartland Road. The Healey Street is made up, on both sides, of the same Victoria style architecture with both sides of the terraces roof lines being made up of butterfly (valley) roofs cape, as is with the application address.
- 3.12 The first application made with regards to a mansard roof extension at Healey Street had been refused with the following reasons
“The proposed roof extension, by reason of its scale, location and design, would be detrimental to the character and appearance of the host building and the wider terrace, contrary to policy CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy; and to policy DP24 (Securing high quality design) of the London Borough of Camden Local Development Framework Development Policies.”
- 3.13 The applicants address, with regards to the character and appearance of the building and street scene has the same characteristics but with a longer

idiosyncratic terrace, which is seen on both sides of the road. This is not the case with 49 Hartland Road, it is a small portion; we would like to think a large undisrupted terrace would carry more weight of importance with regards to character than a small terrace, which is being confirmed to have mansard roof lines as a characteristic of the road in total by both case officers and appeal inspectorate. The roof line, of both sides, of Healey Street had not been interrupted at this section of the terrace at this stage and an appeal had been put forward against this refusal.

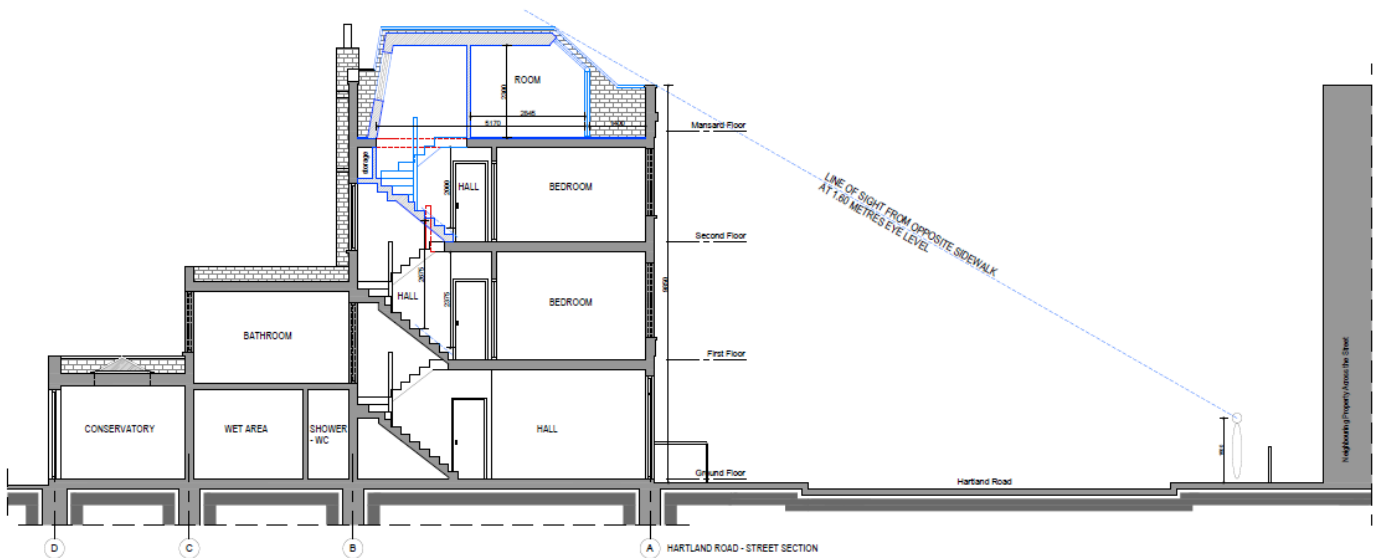
Refused Application for 14 Healey Street – Ref: 211/5193/P

- 3.14 Appeal ref: APP/X5210/D/12/2168834 - Appeal Granted –and it has been agreed by the inspectorate to be in compliance with Policies CS14 and DP24.

During this appeal process the appeal inspectorate has come to the conclusion of granting the appeal. The design process taken after the refusal of the initial application of mansard roof (ref no: 2015/3859/P) was an approach that was considered with reference to appeal inspectorates comments of approval with this application at 14 Healey Street. Following this application approval 16 Healey Street London NW1 8SR, Ref: 2014/4400/P granted permission also.

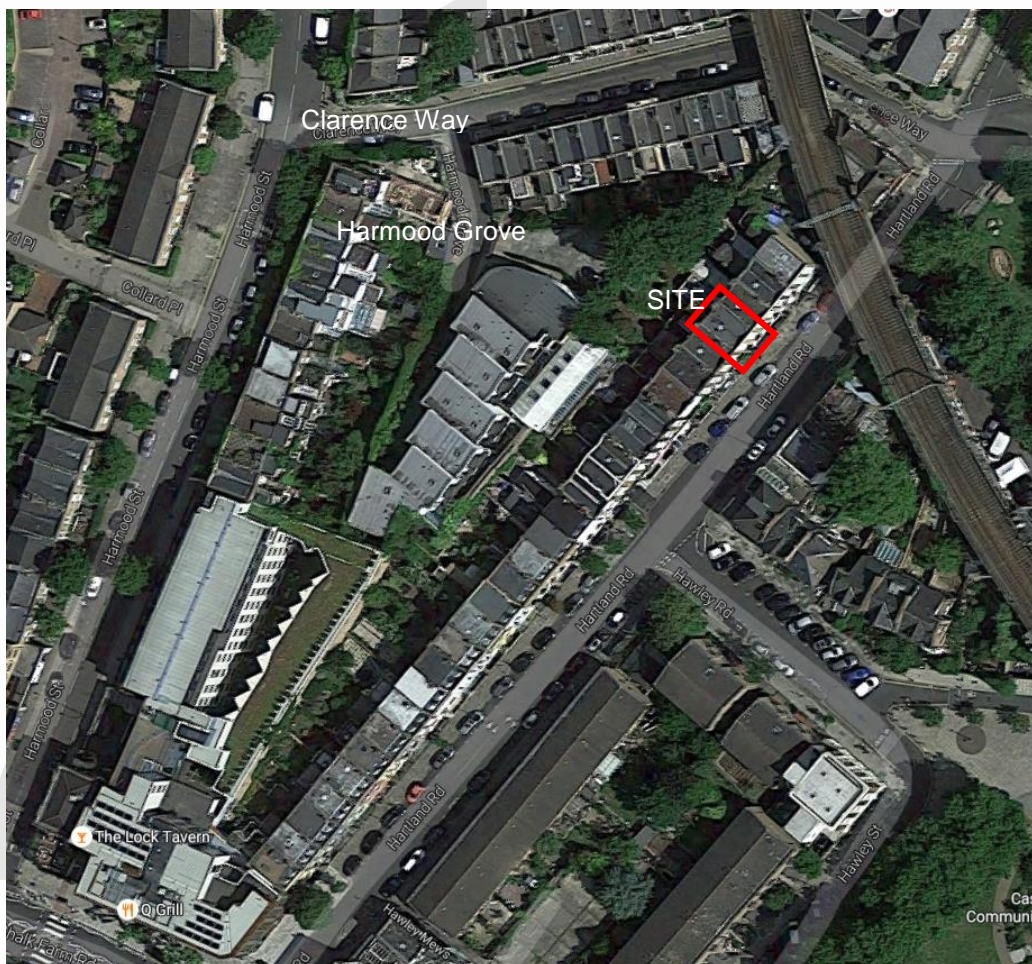
- 3.15 While it is appreciated the case officer has taken note that it was mentioned to him as a case that needed to be considered, due to its site restriction being of similar specification, we can see from his report he has taken oversight and not considered it as a case that described the approach in this design. We believe it is of important precedents in the application of this case as various restrictions are confirmed to be complied with and is of important material matter in considering the application to be approved. In so similar design approach has been taken with the proposal submitted (the proposal the subject of this appeal).

- 3.16 The proposal has further set back the mansard in so to the extent that it is not being visible from eye level across the road. This was considered by the appeal inspectorate to be a valuable design approach during the appeal investigation at 14 Healey Street, and one of the reason it was considered for approval.




- 3.17 The materiality of the mansard is both in accordance with creating harmony with the existing building and also creating a more modern and contemporary approach that compliments the terrace. The front of the mansard is large glazing which ensure that it would create an airy quality that would not appear top heavy and bulky. This will ensure a more pleasant viewpoint at areas in which the mansard would be visible at, such as the upper floors of buildings across the road. Please keep in mind that the units across the road are made up of about 3 properties, of which none have objected to the proposal during consultations but one has provided his support with a letter to the council. This has been ignored as it seems by the case officer. Certainly the mansard will be visible at certain vantage points, but this is an area that is made up of mansard roof extension and it does not seem to us that it would be an odd or out of character visual interruption.

3.18 The case officer has point out that it is visible from Clearance Road by proving a picture at the end of his report. But this is not true as the picture is taken from Harmood Grove, nonetheless the only portion of the terrace in concern that is visible even at this point seems to only be the property in concerning this appeal. For us this does not seem to give enough of a contextual viewpoint to assume it is an out of character intervention. While we would like to point out from the rear windows of Clearance road it seems obvious that all the terraces with mansards are visible and this intervention of a new mansard would not be of any visual impact to the tenants or the larger context.




3.19 While we accept in the Council's CPG- Design on roofs, terraces and balconies, there is an unbroken roof line in this portion of the street; it is not solely true with regards to the whole character of the road as there is already an established roof alteration scheme present on the whole road.

- 3.20 However we must point out that the design is well with in most of the advice on mansard roofs in the councils CPG, in that the proposal does not exceed the recommended height, the roof slope would rise from the well behind the parapet due to a setback of 1.4m and remain below the chimney stacks, noting it will not be visible from the immediate street, (evidently standing at a vantage point further away of the site would be an obvious reason of being able to see some extent of the mansard). With respect to the design set we believe it is in compliance with policies CS14- Promoting high quality places and conserving our heritage and DP24 - Securing high quality design.
- 3.21 We believe this design is not disrupting any of the amenities both visually and materially of the neighbours. We believe the design does not cause any harm to the neighbours in terms of overlooking, overshadowing, impact on outlook and loss of sunlight/daylight and would be in accordance with relevant policy DP26 - Managing the impact of development on occupiers and neighbours.
- 3.22 It is noted that consideration has been given to the Councils own Published Local List of terraces that is identified by them to be designated heritage assets (while they are not listed buildings). Seen below with regards to the houses on Hartland Road -

Photograph	Asset Details	Description
<p>Ref648:</p>  <p>(Click here to return to the ward map)</p>	<p>Address: 1-55 Hartland Road (odd - west side)</p> <p>Significance: Architectural and Townscape Significance</p> <p>Asset Type: Building or Group of Buildings</p> <p>Ward: Haverstock</p>	<p>Intact terrace of mid 19th century terraced houses of two storeys (most with mansard roof extensions) and three storeys at the northern end, set behind small front yards, on the west side of Hartland Road. Stock brick elevations with stucco to ground floor, to window architraves and to parapet cornice. The street's uniformity in terms of scale and form provides a robust backdrop against which the use of different paint colours on individual houses contributes to the townscape and gives the street a distinctive and idiosyncratic character.</p>

3.23 It is noted that it is a consideration for the case officer to refuse this application but we would like to draw your attention again on a similar Local List – (See below) which we can see has more or less the exact same definition for reason of importance in the councils list. But there have been roof alterations to properties within this group of addresses seen during research carried out, (Images seen below of these properties) – why has this been ignored? Either this list is not as important as it is being made to be, or we are seeing two different approaches taken to mansard roofs to the same type of asset buildings in this list and the

<p>Ref649:</p>  <p>(Click here to return to the ward map)</p>	<p>Address: 39-49 (odd) and 54-76 (even) Hadley Street and 14&16 Lewis Street and street surfacing</p> <p>Significance: Architectural and Townscape Significance</p> <p>Asset Type: Building or Group of Buildings</p> <p>Ward: Camden Town with Primrose Hill</p>	<p>Group of two storey mid 19th century terraced houses set behind small front yards which encloses the southern end of Hadley Street and around the corner into Lewis Street. Form an intact and visually attractive small group, with a consistent roofscape and some historic detailing such as bracketed cornices to the ground and first floor windows and parapet cornices surviving. The view of the group is enhanced by the tower of Holy Trinity church and the roofscape of Holy Trinity and St Giles Primary school visible over the roofs of the houses. York stone paving, granite kerb and gutter setts enhances the integrity of the historic character of this group.</p>
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- 3.24 We have carried out a search on the Council planning website and have not seen and planning permission or application been submitted for the units. 50 and 52 with regards to mansard roof extensions. Have they been built without permission? If they have why is this being ignored?
- 3.25 We can see below a further list on Hadley Street, (keep in mind this street is around the corner to Hartland Road) - A further search has been made with regards to this list on the council's planning search. It has given result where permission have been recently in 2015 been given to buildings that are listed on these lists for a mansard extension. One such example of theses permissions is 16 Hadley Street, London, NW1 8SS REF: 2015/0557/P.

Ref650:



[\(Click here to return to the ward map\)](#)

Address:

1-27 (odd) and 2-30 (even)
Hadley Street

Significance:

Architectural and
Townscape Significance

Asset Type:

Building or Group of
Buildings

Ward:

Camden Town with
Primrose Hill

Terraces on either side of Hadley Street of 2 storey mid 19th century houses, set behind small yards. Stock brick with stucco to window architraves and parapet cornice. Most ground and first floor windows retain bracketed cornices to windows. Visual link with group at southern end of Hadley Street which terminates the view, and of the tower of Holy Trinity church and the roofscape of Holy Trinity and St Giles Primary school visible over their roofs. York stone paving, granite kerb and gutter setts enhances the integrity of the historic character of this group

- 3.26 When comparing the proposal architecturally with the design proposal that was submitted for 49 Hartland Road we can see that they are lacking design ambitions of making the mansard become less visible to persons on the street and surrounding context. One example of this would be that in the proposal at 49 the mansard has been set back 1.4m away from the front parapet to decrease impact on street elevations- it has not here with regards to 16 Hadley Street and other same extensions on this street, but it has been granted permission- in this case it seems to have been ignored that it is on a list the council is referring to as material consideration with regards to the applicants property.

4.0 CONCLUSION

- 4.1 The architectural development would be sympathetic to the age and character of the street as a whole. We believe that there has already been an established pattern of development on the street and the surrounding area. In so believe that similar development will not cause additional harm but the furthering of an already established street design as a whole.
- 4.2 It seems the council has two different stances against applications in this area, even if the specification regarding the property is equal in consideration. It is seen with regards to the Council's Local List as being a material consideration with regards to the applicant's property but has been ignored with regards to other application in the same area - while also being submitted during the same period as the applicants has made. This seem as if the List created by the council is only material matter when it suits there decision of refusal, but not when they grant permission.
- 4.3 Consideration has been given to the design proposal at 49 Harland Road with regards to the local context in both design and amenity restrictions with existing and recently granted application in so to create a well-integrated proposal.
- 4.4 An Inspectorates report with regards to granting permission for a refusal given by the council at 14 Healey Street has been considered as the design basis for the proposal at 49 Hartland Road as in to create a less intrusive proposal. It has been achieved when comparing the existing mansards that have been granted permission recently. While it is accepted that the roof lines is not interrupted the design is well within the councils Policies CPG mansard design but in a more contemporary manor while being setback from the well parapet by 1.4m.

- 4.5 It has been proven that the applicant's proposal has no effect on the local context in terms of Amenity. This is also confirmed by the case officer report.
- 4.6 During the consultation period there have been no objections to the proposal by both the council's internal consultation departments and the consultation with the neighbours. But there have been supporting responses from the neighbouring properties instead. The council tends to restrict consider any objections raised, if raised, and use it as a deciding factor in their decision to grant possible permissions but it seem they ignore it when there are supporting letters.
- 4.7 We believe the proposal is in compliance with the councils policies in CS5 Promoting high quality places and conserving our heritage, DP24 Securing high quality design and DP26 Managing the impact of development on occupiers and neighbours. The design is of high quality and has in whole considered its contextual environment. While considering the council guidance on mansards and improved them to create a more modern but sit more comfortable on site with minus the feeling of bulkiness.
- 4.6 Having regard to the case set above it is considered that the proposed development should have been approved by planning officers and the consequent refusal is unfounded and unjustified when consideration the councils stance in whole. The Inspectorate is, therefore, respectfully asked to allow this appeal as it will be a great improvement on living conditions of the growing family occupying this property in an already London that is lacking housing. As they will be forced to move if it is not and the lack of housing makes this difficult plus the loss of sentimental memory with regards to their home.

APPENDIX

Front View of site (49 Hartland Road)



14 Healey Street Section Drawings

