

**Planning Solutions Team**

**Planning and Regeneration**

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| **Date: 14/11/2016** |
| **Our ref: 2016/2582/P****PINS Ref:**  |
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The Planning Inspectorate

3/05a Wing

Temple Quay House

2 The Square

Bristol, BS1 6PN

Dear Planning Inspectorate

**Appeal by: Mr Amritlal Gohil**

**Site Address: Flat A 153 Leighton Road, London, NW5 2RB**

**Proposal: Erection of mansard roof extension to create a third floor.**

The Council’s case is set out in the officer’s delegated report which details the proposal, site and surroundings, the site history, consultation responses and an assessment of the proposal.

In addition to the information sent with the questionnaire I would be pleased if the

Inspector would take into account the following information and comments before deciding the appeal.

**Summary**

This is a prominently sited building, located on the junction of Torriano Avenue and Leighton Road.

The appeal property forms part of an attached pair with no. 151 Leighton Road. Both maintain their original parapets and butterfly roofs. They differ materially from the adjoining terraces.

The applicant has applied to erect a mansard roof, which would unbalance the pair of dwellings and have an adverse effect on the skyline, the appearance of the building and the surrounding street scene.

The site is not subject to a statutory listing nor is it within a designated conservation area.

**Reason for refusal**

The application was refused on and a copy of the decision notice is attached at Appendix 2. The reason for refusal is detailed below:

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.

**Status of Policies and Guidance**

In arriving at its current decision the London Borough of Camden has had regard to the relevant legislation, government guidance, statutory development plans and the particular circumstances of the case.

With reference to the National Planning Policy Framework 2015 (NPPF), policies and guidance contained within Camden’s LDF 2010 are up to date and accord with paras 214-216. The council’s policies should therefore be given substantial weight in the decision of this appeal. The NPPF was adopted in April 2012 and states that development should be refused if the proposed development conflicts with the local plan unless other material considerations indicate otherwise.

Since the time of the decision and prior to the appeal the Council has adopted amendments to the Camden Planning Guidance 1 – Design. This revision has been subject to public consultation and was approved by the Council in July 2015. The most recent changes to CPG 1 involve updates to waste and recycling standards and inclusive access. The changes to the CPG do not affect the officer’s recommendation or appeal.

**Comment’s on the Appellant’s Grounds of Appeal**

The vast majority of points raised by the appellant have already been detailed within the officer’s delegated report. However a number of points raised by the Appellant are addressed in detail below. The Appellant makes the following comments in relation to design issues:

1. The Council have previously granted permission for a number of large roof extensions on similar properties in Leighton Road and Torriano Avenue. It remains unclear as to why they consider that mansard extensions can be acceptable on one property but not another.
2. If the mansard extension is approved, the host building will be of a similar height to the terraced row of houses on the opposite corner and will therefore make a positive contribution to the street.
3. The mansard extension is sympathetic to the form, scale and architectural details of the existing building and in full accordance with DP24. It would make a positive contribution to the appearance of the building and the area in general.

**The council’s response is set out below**

1. The appellant has drawn attention to roof extensions which have been approved by the Council in Torriano Avenue and Leighton Road however these applications were determined under superseded policy (please see planning history section below). Moreover, the presence of roof extensions along the tops of other buildings on Torriano Avenue and Leighton Road does not mean that an extension would be appropriate in the context of the appeal site, which is materially different and has a distinctive composition, height and character. Each proposal must be judged on its own merits on the basis of the development plan and all other material considerations.
2. In a different context there could be a townscape argument for extending the property at this level to match a taller property opposite and frame a terrace. In this instance however the appeal property forms part of an attached pair with no. 151 Leighton Road and in the Council’s view there is a stronger argument to maintain this pairing rather than attempt to match the height of the building on the opposite corner, which is of a different age, style and form. It should be noted with the absence of scaled plans it is difficult to determine how the appeal property relates exactly to the terraced row of houses on the opposite corner.
3. Notwithstanding the Council’s objection in principle the design of the mansard is considered inappropriate, it’s overall height and steep pitch and would not respond sensitively enough to the proportions and architecture of the host building. In addition the building is very prominent on the corner and the inappropriate extra bulk of the proposed mansard would be very visible in public views.

**Conclusion**

Based on the information set out above, and having taken account of all the additional evidence and arguments made the proposal is considered to be unacceptable and contrary to the council’s policies.

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

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

Yours sincerely,

Anna Roe

Planning Officer

**Planning History**

122 Leighton Road

No record of permission being granted for a roof extension.

124 Leighton Road

F12/17/E/7400 - The conversion of 124 Leighton Road into a maisonette on the basement and ground floors, and a maisonette on the upper floors and the formation of an additional storey at roof level. Granted (conditional) 11/09/1969

126 Leighton Road

2005/2984/P - Construction of a roof extension, with roof terrace to the rear and enlargement of front lightwell. Granted 03/10/2005

2006/0109/P - Amendments to planning permission dated 3rd October 2005 (ref. 2005/2984/P) for the construction of a roof extension, with roof terrace to the rear and enlargement of front lightwell; involving revisions to windows to rear mansard roof extension. Granted 28/02/2006

128 Leighton Road

No record of permission being granted for a roof extension.

142 Leighton Road

9100646 - Erection of a roof extension to provide additional habitable space for existing single family dwelling house. Granted 12/03/1992

152 Leighton Road

8400834 - The erection of a roof extension to provide 1 additional habitable room. Granted 26/06/1984

184 Leighton Road

8600039 - The erection of a roof extension and a two-storey rear extension with a rear terrace at the second floor level. Granted 02/04/1986

8601440 - The erection of a roof extension and a two storey rear extension with a rear terrace at the second floor level as an amendment to the planning permission No. 8600039. Granted 01/10/1986

93 Torriano Avenue

2006/3599/P - Erection of mansard roof extension to upper maisonette. Granted 12/10/2006.

95 Torriano Avenue

No record.

97 Torriano Avenue

15960 - The addition of a dome room to the second floor. Granted 08/06/1973.

19217/R - Removal of existing dome and erection of a mansard storey at roof level to provide an additional room for second floor flat. Granted (conditional) 14/11/1974

2004/3418/P - Extension and alteration of the existing roof addition. Withdrawn.

2005/0974/P - Reconstruction of existing third floor roof addition to provide a front mansard with dormer windows. Granted 12/05/2005.

117 Torriano Avenue

2005/5576/P - Erection of a new mansard roof extension and lower ground floor glazed infill extension in association with conversion from a House in Multiple Occupation to provide 2 x self-contained flats and 5 x bedsit units with integral kitchen facilities and communal bathroom (Class C3). Granted 14/02/2006