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HOUSEHOLDER PLANNING APPEAL

RELATING TO
34 HARMOOD STREET
LONDON NW1 8DJ

GROUND OF APPEAL STATEMENT

OUR REF: PH/CM/16/248

1. **INTRODUCTION**

- 1.1. This appeal relates to an application for householder planning permission that was submitted to Camden Council on 25 August 2016. The application proposed the removal of an existing mansard roof addition and the creation of a new mansard roof extension to an existing dwelling house at 34 Harmond Street, London NW1 8DJ.
- 1.2. The application was prepared following a review of all relevant planning policy considerations and a site visit, and was accompanied by a detailed Planning, Design and Access Statement prepared by Robinson Escott Planning.
- 1.3. The application was determined under delegated powers and by decision notice dated 06 October 2016 planning permission was refused on one ground which alleged:

“The proposed roof extension by reason of its design, height, bulk and location in a group of buildings with a largely unaltered roofline, would result in harm to the character and appearance of the building, the group of buildings of which it forms a part and the Harmond 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 policy DP24 (Securing High Quality Design) and DP25 (Concerning Camden’s Heritage) of the London Borough of Camden’s Local Development Framework Development Policies.”

- 1.4. The main issue to be assessed, therefore, is whether the proposal represents an acceptable form of development having regard to the terms of the Council’s decision notice and relevant policy quoted within it. As part of this assessment the Council’s delegated report that accompanied its decision has been reviewed.

2. **THE APPEAL PROPERTY**

- 2.1. The property comprises an end of terrace dwelling located on the eastern side of Harmood Street within the Harmood Street Conservation Area. The existing row of terraces on this side of the road comprises 11 houses numbered 14 – 34.
- 2.2. Unlike many other properties within the existing terrace, No. 34 is surrounded by mature landscaping and is positioned within a generous plot, given its corner location adjacent to the highway at Clarence Way.



Mature landscaping around site's frontage with the road with the dwelling set back from street scenes

- 2.3. The existing dwelling is one of the few properties in the area that is served by a second floor mansard roof addition. However, this is of a poor quality of design and is in urgent need of replacement. The roof is leaking at present, is poorly made and is creating leaking issues with first floor accommodation within the dwelling that can be witnessed upon completion of a site visit.



Existing poor quality mansard roof extension.

- 2.4. The only other mansard roof extension serving an existing terrace dwelling within the road is at No. 22, and this forms an attractive addition to the dwelling when viewed from the street scene. This can be seen in the photo below:



No. 22 Harmood Street

- 2.5. It is therefore reasonable to conclude that although many existing properties do not have mansard roof additions, Nos. 34 and 22 are an exception to this rule.
- 2.6. In addition to this, student accommodation has been introduced to Nos. 2 – 12 Harmood Street that was granted planning permission under Council Ref: 2013/0392/P. This development although outside the southern boundary of the Conservation Area, is read in conjunction with the adjacent terraces at Nos. 14 – 34 Harmood Street and therefore affects and forms part of the characteristic of the Conservation Area as a result. The approved development at Nos. 2 -12 Harmood Street included a mansard roof extension.
- 2.7. The appeal site is positioned within the confines of the Harmood Street Conservation Area and therefore the Conservation Area Estate has been reviewed within the policy section of this submission.

3. **RELEVANT PLANNING HISTORY**

- 3.1. With regard to relevant planning history, permission was refused for the erection of a mansard roof extension to the existing dwelling on 7th June 2013 under Council Ref: 2013/2299/P. The design is the same as that which is herewith the subject of this appeal, although the previous application was not subject to a subsequent appeal, nor was it accompanied by a detailed Planning Statement.
- 3.2. In refusing the application in 2013, the Council's Delegated Report concluded that there was an objection in principle to an additional storey. The report stated that "If the principle of an additional storey was considered acceptable, the detailed design of the rear profile and the retention the valley roof would be in accordance with CPG1 – Design. The proposed internal head room height of 2m is largely compliant with CPG guidelines. However, it is the principle of an enlarged roof addition which is the main concern and the precedent that this proposal would set. The Council therefore refused planning

permission on the grounds that it felt the principle of a roof extension was unacceptable and that it would create an unwelcome structural interruption in an otherwise unaltered roofscape. The Council was also concerned that the scheme would set a precedent for future additions along the terrace. The Council suggested in its report that the roof addition at No. 22 was visually dominant with it projecting above the roof.

4. **THE APPEAL PROPOSAL**

- 4.1. The appeal proposal is for the removal of the existing mansard roof extension which currently serves No. 34 Harmood Street, and for this to be replaced with a new mansard roof addition of a higher quality of design. The roof addition has been designed to not be materially larger than that which it replaces, and would be set back from the building's front and rear facades with the property continuing to be surrounded by mature landscaping.
- 4.2. The replacement roof addition plans are motivated by the significant issues with the design of the existing roof addition which is of a poor quality and is causing damp and leaking into the main house itself. It is therefore essential that the existing mansard roof addition is replaced as a matter of urgency. An Inspector is invited to view these issues upon completion of a site visit

5. **COUNCIL'S DELEGATED REPORT**

- 5.1. A copy of the Council's delegated report is attached at **APPENDIX 1**. The report references the relevant planning history of the appeal property itself and also references the history of nos: 2-12 and no.18 Harmood Street. Nos.2-12 incorporates a mansard roof extension. The details of the mansard roof extension proposed to no.18 by the 1992 application are unknown. However, this did not involve a property with an existing mansard roof extension which is the case at the appeal site.
- 5.2. The report confirms that five surrounding properties were notified of the application and that no representations or objections were received in relation to it.
- 5.3. The Council's report states that the main policy considerations related to the design and principle of the development and the impact on neighbouring occupiers.
- 5.4. The Council was satisfied in paragraphs 4.1 and 4.2 that no harm would be caused to the residential amenities of any surrounding property.
- 5.5. The design was considered in paragraph 3.3 where it is noted that the 11 terraces along this side of the road remains largely unimpaired by roof extensions, but acknowledges that a roof addition exists at the appeal site itself and at no.22. The Council suggest that a mansard extension at no.22 is visually dominant, with it projecting above the roof and that the pattern of the predominant unaltered valley roofs is replicated within the terrace of houses. The Council forms the view that this is an important feature within the roof and townscape of the wider area and they consider that the largely unaltered terraces and valley roofs are features which are of great importance to the Harmood Street Conservation Area.
- 5.6. In paragraph 3.4 the Council notes that the extension has been "designed in order to limit its scale and bulk by being set behind the front, side and rear parapet and retains the valley / butterfly parapet profile". The report goes on to state that "if the principle of an

additional storey was considered acceptable, the detailed design of the rear profile retaining the valley roof would be in accordance with CGP1 - Design”. The report then goes on to state that it is the principle of an enlarged roof addition which is the main concern and the precedent which is proposed would set. It is then suggested that the roof addition would be visually dominant in both short and long views and would create an exposing and unwelcome structural interruption in an otherwise unaltered roofscape. The Council is also concerned that were permission granted it would set a precedent for future additions along the terrace that would be increasingly visible from the wider Conservation Area in both long and short views.

- 5.7. Paragraph 3.6 suggests that the view of the rear of the mansard roof extension would be unacceptable and that the addition would be visible from neighbouring gardens and the properties along Harmood Place. The report acknowledges that “the rear elevation of each property within this terrace is not fully visible from the public realm due to mature trees and their position stepped along the terrace.” However it goes on to state that the changes here would be detrimental to the character and appearance of the Conservation Area, which seems somewhat contradictory.
- 5.8. Paragraph 3.7 states that “the proposed roof extension would result in the loss of a largely unbroken run of valley roofs and would be considered as unsympathetic alteration that would have a detrimental impact on the character and appearance of the host building, the wider terrace and the Conservation Area.” This statement appears to fail to acknowledge that the existing dwelling is served by a poor quality mansard roof extension which is in need of replacement.

6. **RELEVANT PLANNING POLICY CONSIDERATIONS**

6.1. This principally comprises that cited within the Council's decision notice which is contained within the Council's Core Strategy and the Local Development Framework Development Policies.

Core Strategy

6.2. Policy CS14 refers to promoting high quality places and conserving the Borough's heritage. It requires for any development affecting heritage assets to respect and enhance their appearance.

Development Policies

6.3. The refusal notice refers to policies DP24 and DP25 of this document. Policy DP24 concerns securing high quality design and requires all new development to be of the highest quality of architectural merit. Policy DP25 relates to conserving Camden's heritage and reaffirms the thrust of policy CS14 of the Core Strategy.

Other Relevant Policy Considerations

6.4. Although not cited in the refusal notice, other relevant policy has been considered in connection with this appeal submission. Camden's Planning Guidance Note no.1 "Design", contains a section on roof terraces and balconies and the Council was satisfied in determining the previous application on the site in 2013 that compliance with this policy was achieved.

Harmood Street Conservation Area Statement

- 6.5. Conservation Area guidance for Harmood Street confirms that the application property is within the confines of this Area. It states that nos.14-34 Harmood Street contribute to the character of the Conservation Area, but acknowledge that the row of houses is interrupted by “the occasional roof extension”. The occasional roof extension must mean the additions at no.22 and at the appeal site, no.34. Therefore, this Conservation Area Guidance acknowledges that these additions form a characteristic of the Conservation Area as it stands.
- 6.6. Design guidance relating to the Conservation Area states that “roof alterations were likely to affect the character of the Conservation Area, particularly the addition of mansards”. However, the guidance does not state any objection in principle to these being introduced. This view, therefore, forms the Council’s subjective one in this instance.

National Planning Policy Framework

- 6.7. The NPPF outlines its key principles in paragraph 9 and includes encouraging Councils and applicants to replace poor design with better design. In this instance, the existing mansard roof accommodation is of a limited quality of architectural merit and detracts from the character of the property. It is also of a poor quality of design and is causing problems internally within the property. The best solution is to replace this poor design with good design such as that proposed by this appeal.
- 6.8. Section 12 focusses on conserving and enhancing the historic environment and requires all proposals within Conservation Areas to respect and enhance the existing setting.

7. **PLANNING MERITS AND GROUNDS OF APPEAL**

- 7.1. In determining the previous application in 2013, the Council was satisfied that the design of replacement mansard roof extension would comply with the Council's design guidance. Once again in this case, the Council has not refused permission on specific design grounds relating to the mansard itself, but focusses on the alleged impact on the character and appearance of the area and the existing building's contribution to the Conservation Area.
- 7.2. In determining the application, the delegated report (see Appendix 1) confirms that no harm would be caused to the residential amenities of surrounding properties. This view is supported by the fact that no objections were submitted by any third parties to the application.
- 7.3. The delegated report in this case and that prepared when refusing a similar proposal in 2013, seem to raise an objection in principle to the introduction of a mansard roof feature in this location. From a detailed review of the delegated report, the argument that is repeated within the decision is that an additional storey is not acceptable in principle. This view ignores the fact that the property already has an extant mansard roof extension. However, the Council appears to have some concern that granting permission for the roof addition would in some way set a precedent for other such roof additions being acceptable within the row of existing terraces on this side of the street. This again is an unreasonable conclusion to reach for two reasons; Firstly, each application should be dealt with on its own merits having regard to the architectural detailing of the proposal in question. Secondly, the appeal proposal does not involve a new mansard roof extension, merely to replace an existing one which is in urgent need of replacement with it being of a poor design.
- 7.4. Granting planning consent to replace an existing mansard roof extension would clearly focus on the specific merits and character of the property at no.34 Harwood Street and

would not, therefore, set any precedent for other new roof additions where they do not exist at present.

- 7.5. An Inspector will see when visiting the site that there are existing faults and issues with the current mansard and it is essential for this to be replaced. There can, therefore, be no objection to the replacement of the feature on a like-for-like basis and there would be no material change to the character and appearance of the Conservation Area. In fact, the appeal proposal would involve the replacement of poor design with new design of a higher quality which is to be encouraged in accordance with the thrust of the NPPF.
- 7.6. Upon visiting the site an Inspector will be able to appreciate the poor quality of the existing design and the problems of the roof leaking which has resulted in the bedroom below (the appellant's daughter's room) now being uninhabitable. It is, therefore, essential for both the future of the property in view of the current problems being experienced for the appeal to be allowed.
- 7.7. As part of the appeal proposal the terms of the Council's Conservation Area Appraisal for Harmood Street have been review and the guidance in this document does not raise any in principle objection to mansard roof extensions. It also acknowledges that the roof addition which serves no.34 does form a characteristic of nos.14-34 Harmood Street, the character of which also includes a mansard roof addition at no.22. The Council suggests that the addition at no.22 is of a poor quality of design. This does not however dominate the property or the street scene.
- 7.8. It is important to note that the Council's delegated report acknowledges that the roof extension "has been designed in order to limit its scale and bulk by being set behind a front, side and rear parapet and retains the valley/butterfly parapet profile." The important roof characteristics of the property are therefore retained by the design as proposed.
- 7.9. In addition, an Inspector will note that no.34 is set back from the highway and is surrounded by mature landscaping including several trees that are protected by reason of

the site's location within the Conservation Area. In this context the roof extension would not appear as a dominant or harmful addition to the roofspace and would not harm the character and appearance of the Conservation Area.

- 7.10. An Inspector will appreciate that the plans submitted with the application illustrated an overlay of the existing roof addition that is to be removed and also detailed that the proposal incorporated the salvaging of chimney pots within the new roof construction.
- 7.11. The proposed roof alteration would be slightly larger than that currently existing but not materially so. The extension as proposed would utilise a high quality of design that would sit comfortably with the architectural merit of the existing property.
- 7.12. Taking these material considerations into account, the Council has misdirected itself by refusing planning permission alleging harm to the character and appearance of the property in this part of the Conservation Area. It is, therefore, respectfully requested for this appeal to be allowed.

APPENDICES

Appendix 1: Council's delegated report