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Lucie Rozsos
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Dear Ms Rozsos,

Town and Country Planning Act 1990
Appeal by Mr Jason Reading
Site at 13c Healey Street, London, NW1 8SR

1.0 Summary

1.1 The appeal relates to the second floor flat of a three storey mid-terrace Victorian property on the eastern side of Healey Street, which is currently in use as three self-contained residential flats (Class C3). The building is stucco-faced at ground level, with stock brick above and stucco dressings. It sits within a terrace characterised by a largely unbroken roofline and features a raised stucco front parapet at roof level with a traditional valley roof profile to the rear, as do the majority of properties on the terrace.

1.2 The appeal building is not listed, nor is it located within a conservation area.

1.3 Planning permission was refused on 17 January 2017 for the erection of a mansard roof extension with dormer windows to the front and rear elevations, and the creation of rear roof terrace (Class C3). It was refused for the following reasons:

1. The proposed mansard roof extension, by reason of its design, bulk, scale, visibility and location, would be detrimental to the character and appearance of the host building and surrounding 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) of the London Borough of Camden Local Development Framework Development Policies.

2. The proposed roof terrace, by reason of detailed design would harm the character and appearance of the host building and the terrace of which it forms part, 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) of the London Borough of Camden Local Development Framework Development Policies.

- 1.4 The Council's case is largely set out in the officer's report, a copy of which was sent with the questionnaire. In addition to this information, I would ask the inspector to take into account the following comments.

2.0 Status of Policies and Guidance

- 2.1 In determining the above application, the London Borough of Camden has had regard to the relevant legislation, government guidance, statutory development plans and the particular circumstances of the case.
- 2.2 Last summer, the Camden Local Plan was formally submitted to the government for public examination. Following the public hearings, the Council consulted on Main Modifications to the Local Plan. The Inspector's report on the Local Plan was published on 15th May 2017 and concludes that the plan is 'sound' subject to modifications being made to the Plan.
- 2.3 Whilst the determination of planning applications should continue to be made in accordance with the existing development plan until formal adoption, substantial weight may now be attached to the relevant policies of the emerging plan as a material consideration following publication of the Inspector's report, subject to any relevant recommended modifications in the Inspector's report.
- 2.4 The formal adoption of the new Local Plan is anticipated on 3rd July 2017. As such, the decision on the appeal is likely to be made after the adoption of the new Local Plan and the appeal will need to be determined in accordance with the Local Plan policies.
- 2.5 The overall aims of the policies in the emerging Local Plan, insofar as they relate to this case, are considered to be broadly similar to those in the Council's existing Local Development Framework.

2.6 The following policies in the emerging Local Plan are considered to be relevant to the determination of the appeal:

A1 Managing the impact of development

D1 Design

3.0 Comments on the appellant's grounds of appeal

3.1 The appellant's grounds of appeal are summarised as follows:

1. Design - The design is of a high standard and will use good quality materials. The extension is subordinate to the host building, and the traditional mansard design is not out of keeping with the age of the building and its surroundings.
2. Neighbouring planning history - The rooflines of the wider terraces are already broken. Approvals for similar mansard roof extensions at nos 14 (approved at appeal on 12/03/2012); 16 (approved on 03/10/2014 and renewed on 03/06/2016); and 21 (approved at appeal on 06/07/2017). These proposed roof extensions all had similar heights and profiles to the current proposal.
3. Impact on character of wider terrace - The front parapet would be retained and the extension along with the existing ones in the street would be effectively invisible from pavement eye level because of the width of the road and the height of the building. The site is not in a conservation area nor is it listed. The rear of the terrace is less regular and although the extension is set back from the rear elevation to preserve the parapet line the roof line is not such that this is as important.
4. It is necessary to enlarge the house to cope with the needs of a growing family.

3.2 NB. The appellant does not discuss reason for refusal 2 in their appeal statement which relates to the creation of a rear second floor terrace, so this is not addressed in the Council's appeal statement. Please see the Council's officer's report for an assessment of this element of the proposals.

4.0 Response to ground of appeal 1

4.1 The Council recognises that the proposed design seeks to be a sensitive addition to the host building and reduce its visual prominence when viewed from street level. The roof extension would be constructed of traditional materials with two front dormer windows which would respect the pattern of the fenestration on the floors below, in accordance

with Camden's Planning Guidance (CPG1: Design). Whilst the detailed design of the extension is considered to be acceptable, this does not overcome the Council's objections to the principle of a roof extension in this location, and the harm caused to the largely unbroken run of valley roofs along the wider terrace (as discussed in more detail below).

5.0 Response to ground of appeal 2

- 5.1 The appeal building sits within a terrace of 15 properties to the east side of Healey Street. Of these, 11 properties (nos 9 – 29) were originally constructed with a front parapet and a butterfly valley roof form. Nos 1 – 7 to the northern end of the terrace are a different architectural character, featuring pitched roofs.
- 5.2 Within this terrace, only one property (no 21) has received planning permission for the erection of a mansard roof extension (ref: 2015/6097/P approved at appeal on 19/07/2016).
- 5.3 Importantly, and more recently, a proposal for a mansard roof extension measuring 2.2m high at no 23 (lower than the 2.5m high mansard proposed at the appeal site) was dismissed at appeal (on 09/09/2016 under ref: 2016/1596/P). In the inspector's decision, it was noted that the pattern of valley roofs with their distinct peaks and troughs is one consistent feature within the terrace. The inspector further acknowledges that due to the height of the terrace and the restricted viewing angles, these features are not easily seen at ground level within Healey Street. Although the proposed extension would have increased the height of the roofline, it would be set back from the frontage of Healey Street behind the existing parapet wall. As such, it would not be easily noticeable within the public domain when seen from this perspective.
- 5.4 Nevertheless, the inspector goes on to point out that the distinctive characteristics of the area are not just those which can be viewed from the public realm, but are also derived from views within the private domain. In this regard, the proposed extension at no 23 would have been clearly visible from the upper floors of properties in both Healey Street and Grafton Crescent. From here, the effect of the proposed development on the consistent pattern of the terrace would be especially noticeable.
- 5.5 The inspector also acknowledged that the extension to No 14 Healey Street was allowed at appeal; but pointed out that this is situated on the opposite side of the road in a different terrace. In that particular instance, the inspector determined that the terrace in question did not feature an unbroken run of valley roofs and found that the proposed extension at

no 14 would not be harmful to the character of the terrace as a whole. In the case of no 23, the inspector found that the terrace in question (the same terrace within which the appeal site is located) contains a sequence of valley roofs which would be harmed by the proposed development, and that the proposal would not represent an appropriate form of development in this location. The Council contends that this is still the case, and that the erection of a mansard roof extension at the appeal site would cause harm to the character and appearance of the host building and wider terrace.

- 5.6 The appellant also discusses the mansard roof extension that was approved at appeal at no 21. In the inspector's decision, it is noted that although the proposed roof extension would be visible from the upper floors of houses on the opposite side of Healey Street, it would be a modest, modern and attractive feature that would be low in height (even though it would measure 2.7m tall) and would sit comfortably within the surrounding roofscape. In contrast to the planning inspector that determined the appeal at no 23, the inspector determined that the terrace already has an altered roof profile due to the development at nos 15 and 25. The Council acknowledges that there are small roof extensions at nos 15 and 25 Healey Street; however, these have been constructed without the benefit of planning permission and are not considered to inform the acceptability of the current proposals. Nevertheless, they are fairly small and not visually prominent, meaning that the rear elevation of the eastern side of Healey Street maintains a fairly consistent appearance when viewed from Grafton Crescent.
- 5.7 The Council has queried the inconsistency in these appeal decisions, but has received limited advice from the Planning Inspectorate, aside from the fact that each application must be determined on its own merits.
- 5.8 Notwithstanding the approval at no 21, the terrace of properties within which the application building sits is still largely unaltered. Planning permission has been granted at one property only, and the unauthorised development at nos 15 and 25 is not considered to set a precedent for future development. Seven of the eleven buildings in this terrace still feature their original butterfly valley roof form, and this attractive architectural characteristic is one that the Council is minded to preserve.
- 5.9 Furthermore, the Council still maintains that the mansard roof extension at no 21 would cause harm to the character of the terrace and the unimpaired roofline; and that this development does not constitute justification for further harm which would undoubtedly result from another mansard extension at the appeal site.

5.10 It is also important to note that following the approval of the planning appeal at no 21, a second application was submitted for a mansard roof extension at no 23 (ref: 2016/4729/P) which was largely the same as the previously refused scheme except for the roof profile to the rear. This application was refused by the Council on 22/03/2016 and subsequently dismissed at appeal on 02/02/2017. The inspector in this case recognised that the proposal may be very similar to the approved development at no 21 and that the implementation of the scheme at no 21 may lead to the rhythm and pattern of the roof being broken. However, the inspector considered that the proposed development and the combined effect of the two adjacent roof extensions would be particularly prominent and would dominate the local roof scape to the detriment of the character and appearance of the area. Furthermore, as a result of the visually unbroken run of valley roofs it was considered that the roof addition would have an adverse effect on the local skyline as a consequence of its height, design, scale and poor relationship to the existing roof form.

5.11 With this background in mind, the Council maintains that the approval of one mansard roof extension within the wider terrace, does not set a precedent for similar harmful development within the rest of the terrace. The Council's reasons as to why the proposed development is not considered acceptable is discussed in more detail in the section below.

6.0 Response to ground of appeal 3

6.1 Whilst the appeal property is neither a Listed Building nor in a Conservation Area, the prevalence of period features provides an attractive sense of uniformity.

6.2 The attractive and consistent valley roof form is one such original architectural detail that the Council would seek to preserve, with strong policy guidance to support this. Camden Planning Guidance (CPG1 – Design) explicitly states that roof level alterations are likely to be unacceptable where complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions (paragraph 5.8).

6.3 CPG 1 further notes that additional storeys and roof alterations are likely to be acceptable where:

- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape;

- Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;
- There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm (paragraph 5.7).

6.4 In this instance, the number of properties with a roof extension are in the minority, and it is not considered to be an established form of roof addition which would re-unite the group of buildings.

6.5 Although the mansard extension would be set back behind the front parapet, limiting views of it from street level along Healey Street, this is not the only consideration when determining the impact of the development. The Council must consider the impact of the mansard when viewed from the public realm, from private views, and the design impact resulting from the alteration of the largely unbroken roofline - an important and attractive characteristic of these properties that the Council is minded to preserve. The construction of a mansard roof extension at the appeal site would be harmful to both the character and appearance of the host building, the terrace of seven unaltered properties within which it sits and the character of the surrounding street scene.

6.6 Furthermore, the approval of the development could set a harmful precedent which could cumulatively result in the erosion of the character of the terrace and result in additional harm to the character and appearance of the surrounding area.

7.0 Response to ground of appeal 4

7.1 The Council recognises the appellant's need to provide a larger family home; however, government policy set out within the National Planning Policy Framework places strong emphasis on maintaining local distinctiveness and the promotion of high quality design is a core principle of that document. As such, the extension of the house to accommodate family needs is not considered sufficient to outweigh the harm in terms of design previously identified.

8.0 Conclusion

8.1 Based on the information set out above, and having taken account of all the additional evidence and arguments made, the proposal is considered contrary to policy CS14

(promoting high quality places) of the London Borough of Camden Local Development Framework Core Strategy, Policy DP24 (securing high quality design) of the London Borough of Camden Local Development Framework Development Policies and Policy D1 of the Camden Local Plan Submission Draft 2016.

8.2 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.

8.3 If the Inspector is of a mind to accept the appeal, proposed conditions have been included in Appendix A below.

8.4 If any further clarification of the appeal submission is required please do not hesitate to contact Laura Hazelton on the above direct dial number or email address.

Yours sincerely,

Laura Hazelton
Planning Officer

Appendix A

Condition(s) and Reason(s):

Planning Permission 2016/6350/P

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, policy DP24 of the London Borough of Camden Local Development Framework Development Policies and Policy D1 of the Camden Local Plan Submission Draft 2016.

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

0083-001; 0083-002; 0083-003; 0083-004; Design and Access Statement prepared by Carol Moore-Martin.

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