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17 Greville Street Appeal Statement

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Contents Amendment Record

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1 Instruction and introduction

- 1.1 Planning Insight has been appointed by the Appellant to appeal against the decision by the London Borough of Camden to refuse planning permission for the proposed development at 17 Greville Street.
- 1.2 This statement sets out the grounds of appeal on behalf of the Appellant.
- 1.3 The London Borough of Camden refused planning permission for the *Erection of additional storey and provision of mansard roof to provide 2-bed flat (C3)* at 17 Greville Street, EC1N 8SQ on 31st May 2017.
- 1.4 The application was refused permission for the following reasons:
- 1) The proposed development, by reason of its height, location and detailed design, would be detrimental to the character of the host building and the surrounding streetscene, failing to preserve or enhance the character and appearance of the surrounding 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, policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies and policy D1 and D2 of the Emerging Local Plan.*

- 2) *The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy, policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies and policy T2 of the Emerging Camden Local Plan 2016.*

- 3) *The development would fail to provide adequate cycle parking facilities for the residential element of the scheme and would therefore provide substandard housing development, and would fail to promote cycling as a healthy and sustainable way of travelling in this highly accessible location, contrary to policies CS6 and CS11 of the Local Development Framework Core Strategy, policies DP17 and DP18 of the Local Development Framework Development Policies, and policy T1 of the Camden Local Plan Submission Draft 2016.*

- 4) *In the absence of a legal agreement to secure a Construction Management Plan and Highways Contribution, the development would fail to ensure that the development can be implemented without causing detrimental impact to residential amenity or the safe and efficient operation of the highway network in the local area or that the repair of any construction damage to transport infrastructure and the reinstatement of footway surfaces following development is secured. The development would therefore remain contrary to policies CS5 and CS11 of the Camden Local Development Framework Core Strategy, policies DP20, DP21 and DP26 of the Local Development Framework Development Policies as well as policies A1 and T4 of the Emerging Camden Local Plan.*

2 Description of site and surroundings

- 2.1 The application site located in the London Borough of Camden. The site is located on the southern side of Greville Street.
- 2.2 The site currently comprises a ground floor retail use (Use Class A1) and 8 residential units on the first, second, third and fourth floors (Use Class C3).
- 2.3 The building on site is not listed however site is located within the Hatton Garden Conservation Area.



Figure 1 – Site and location context viewed from Kirby Street



Figure 2 – Site and location context as viewed from Greville Street

3 Relevant planning history

- 3.1 A full search of planning history for the site and the surrounding area has been carried. The following were considered relevant.
- 3.2 2012/6379/P – Erection of roof extension at 5th floor level to create 2 self-contained flats (Class C3), including replacement roof level fire staircase enclosure plus perimeter balustrades and alteration to front elevation at 4th floor level to an office building (Class B1). Granted 14th June 2013.
- 3.3 2016/1091/P – Demolition of existing buildings at 12,13 & 14 Greville Street, retention of the façade of nos 12 & 13; works to enlarge existing basements(s); erection 5-storey building for office, jewel workshop and retail use; alterations to retained façade and fenestration. Registered 29th March 2016.

4 Planning legislative and policy context

National Planning Policy Framework 2012

- 4.1 On 27th March 2012, the government adopted the National Planning Policy Framework (NPPF). The document provides a consolidated framework of planning policy which replaces most of the previous national Planning Policy Statements and Planning Policy Guidance Notes.
- 4.2 The NPPF outlines the presumption in favour of sustainable development. It further states that permission should be granted for development where a plan is absent, silent, indeterminate or where relevant policies are out of date.
- 4.3 The framework indicates that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes a material consideration in determining applications.
- 4.4 Planning decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiate through unsubstantiated requirements to conform to certain development forms or styles.

- 4.5 Paragraph 128 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary.
- 4.6 Paragraph 131 requires local planning authorities, in determining planning applications, to take account of the desirability of sustaining and enhancing the significance of heritage assets, the positive contribution that conservation of heritage assets make and the desirability of new development making a positive contribution.
- 4.7 Paragraph 132 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be.
- 4.8 Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

National Planning Practice Guidance 2014

- 4.9 The Government launched the Planning Practice Guidance web-based resource in March 2014.

- 4.10 Paragraph 001 of Design states that as a core planning principle, plan-makers and decision takers should always seek to secure high quality design.
- 4.11 Paragraph 040 states that well-designed housing should be functional, attractive and sustainable. It should also be adaptable to the changing needs of its occupants.
- 4.12 Protecting and enhancing the historic environment is an important component of the National Planning Policy Framework's drive to achieve sustainable development. The appropriate conservation of heritage assets forms one of the 'Core Planning Principles' that underpin the planning system.

London Plan 2015

- 4.13 The London Plan forms part of the development plan for the site and was adopted in March 2015. The Plan was the subject of Minor Alterations in 2015 and these were adopted in April 2016. It provides the strategic direction for development in the Greater London area. The relevant policies are discussed below.
- 4.14 Policy 3.4 'optimising housing potential' requires that London Boroughs should optimise housing output for different types of locations.
- 4.15 Policy 3.5 'quality and design of housing developments' states that housing developments should enhance the quality of local places, taking into account physical context; local character; density; tenure; and land use mix.

- 4.16 Policy 7.1 'lifetime neighbourhoods' states that development should be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure, local shops, employment, training opportunities, commercial services and public transport.
- 4.17 Policy 7.4 'local character' states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features.
- 4.18 Policy 7.8 'heritage assets and archaeology' states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate.
- 4.19 Annex four sets a minimum annual housing target of 889 for Camden, totalling 8890 homes over the plan period to 2025.

Core Strategy 2010

- 4.20 The Core Strategy is the overarching document for the determination of planning applications in the borough. The following policies are considered relevant.
- Policy CS5 'managing the impact of growth and development' states that development must consider
 - Policy CS6 'providing quality homes'
 - Policy CS11 'promoting sustainable and efficient travel'
 - Policy CS14 'promoting high quality places and conserving our heritage'
 - Policy CS19 'delivering and monitoring the Core Strategy'

Development Policies 2010

4.21 Camden Development Policies forms part of the Local Development Framework. The following policies are considered relevant.

- DP17 'walking, cycling and public transport'
- DP18 'parking standards and limiting the availability of car parking'
- DP19 'managing the impact of parking'
- DP20 'movement of goods and materials'
- DP21 'development connecting to the highway network'
- DP24 'securing high quality design'
- DP25 'conserving Camden's heritage'
- DP26 'managing the impact of development on occupiers and neighbours'

Camden Local Plan Submission Draft 2016

4.22 The Inspector's report on the Local Plan was published on 15 May 2017 and concludes that the plan is sound subject to modifications being made to the Plan. While 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.

4.23 The following policies are considered relevant.

- A1 'managing the impact of development'
- D1 'design'
- D2 'heritage'
- T1 'prioritising walking, cycling and public transport'

- T2 'parking and car-free development'
- T4 'sustainable movement of goods and materials'

Hatton Garden Conservation Area Statement 1999

- 4.24 The statement is designed as an aid to the formulation and design of proposals for development and change in the area.
- 4.25 Greville Street is referenced as being one of many streets built in the late 17th and early 18th century. With development in the 19th century brought large sections of redevelopment of buildings between 4-6 storeys dominated by small shops, commercial premises and offices.
- 4.26 All extensions should respect the proportions and architectural treatment of the original building, and its relationship and impact upon open spaces, highways, important local views and viewing corridors.
- 4.27 The character of spaces within Hatton Garden varies considerably. The area contains few open spaces; therefore, the emphasis is upon the streetscape.

5 The Appellants case

Context

- 5.1 This appeal is made against the decision by the London Borough of Camden to refuse an application for the erection of an additional storey and re-provision of the mansard roof to provide a 2-bedroom flat.
- 5.2 The four reasons for refusal are based on the impact to the character of the Conservation Area, concern over parking stress, cycle parking, and potential damage to transport infrastructure.
- 5.3 The Council confirm that quality of accommodation of the proposed flat would be acceptable, the design of the mansard roof is acceptable and neighbouring amenity will not be demonstrably impacted on.
- 5.4 The proposal will result in the creation of an additional high quality 2-bedroom residential dwelling, in accordance with Policy DP5 of the Development Policies and Policy H7 of the Local Plan which both highlight 2-bedroom units as being highly prioritised within the borough.

Reason 1

The proposed development, by reason of its height, location and detailed design, would be detrimental to the character of the host building and the surrounding streetscene, failing to preserve or enhance the character and appearance of the surrounding 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, policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies and policy D1 and D2 of the Emerging Local Plan.

Impact on Conservation Area, host building and surrounding streetscene.

- 5.5 The reason for refusal references the development in its entirety, not just the additional proposed storey, and so for the avoidance of doubt the entire development will be discussed below.
- 5.6 The Council in the officer report acknowledges that the character and appearance of the buildings adjacent to the site is varied and therefore the property is not read as part of a building group with a shared architectural style.
- 5.7 The Conservation Area statement states that owing to the lack of open spaces in the area, there is an emphasis on the streetscape within the Conservation Area. The recessed fifth storey, owing to its setback, narrow nature of Greville street and height of the host property and surrounding buildings, will result in the additional storey being largely unseen from the street scene, protecting and retaining this important element of the Conservation Area.

- 5.8 The Council in the officer report state that compared to the properties along the rest of the street, the building has a narrow plot width, with any additional height accentuating its narrow proportions. However, the Appellant considers that such a plot and subsequent building width is not uncommon along Greville Street with a variety of plot widths, including a number of narrow plots along the street. As such, any additional increase in height is not considered to produce the harm that the Council states.
- 5.9 The Hatton Garden Conservation Area statement states that roof extensions should respect the proportions and architectural treatment of the original building. The Council have acknowledged that neighbouring amenity would be safeguarded and that the design of the mansard is acceptable as a result of the extension. Given that properties of this width are not un-common along the street, and that there are a number of recessed stories of comparable height to that proposed at the host building, the extension is considered to be proportionate to the host building and as such acceptable with regard to the Conservation Area statement.
- 5.10 The reason for refusal states that the height and location of the proposed development would be detrimental to the character of the host building and surrounding streetscene.

5.11 The proposed fifth storey will be recessed from the front building line of the terrace by 0.95m and be angled away from the street in accordance with the Council's guidance. As shown in the figures 3 and 4 below, a number of properties have recessed stories of substantial height along Greville Street. Of particular note are numbers 12-14 Greville Street, which extend above the maximum height of number 15 and 16, with these properties identified in the Conservation Area statement as positive contributors to the special character of the area. However, despite these heights, from the street scene they appear as muted additions which are subordinate to the main building as viewed from the street and longer views along Greville Street. The same impact is considered in this instance.

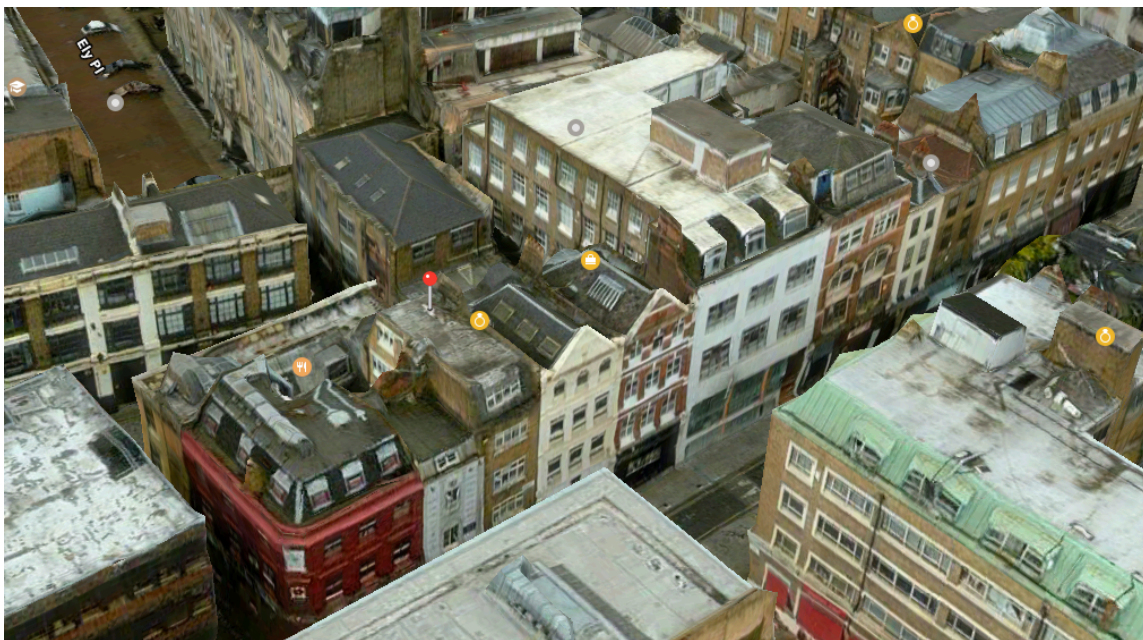


Figure 3 – Greville Street roof profile



Figure 4 – Greville Street roof profile, as viewed from Kirby Street

5.12 Policy DP24 states that development should consider the character, setting, context and the form and scale of neighbouring buildings. The neighbouring properties to the west of the appeal site, up to number 12 Greville Street all maintain a similar height that bring an element of uniformity to the terrace. It is also noted that they have recessed stories of varying heights above this consistent height. The proposed development seeks to build up the fourth storey to match the height of these adjacent buildings. This is considered to be in accordance with Policy DM24, enhancing the relationship of the site with the neighbouring properties and the wider terrace.

- 5.13 The proposed additional storey is of a comparable height to those already present along the terrace. As such the proposed addition is considered to be in keeping with the existing precedent on the street and have a muted appearance that is not visible from the street scene. This is considered to be in accordance with CS14 of the Core Strategy and Policy DP25 of the Development Policies, which seek new development to preserve or enhance the Conservation Area.
- 5.14 The two figures above demonstrate that a fourth storey with recessed fifth are subordinate additions to the host buildings and wider terrace. Despite the height increase above number 15 and 16 Greville Street, they safeguard their character and preserve the character of the Conservation Area.
- 5.15 The Council references the detailed design of the additional storey as part of the reason for refusal. The officer report acknowledges that the mansard would be in accordance with Council's guidance, with a 70-degree angle and have a slate tile roof. The Council also state that the fenestration is acceptable, with the design replicating the existing style of window, however state that the design constitutes part of the reason for refusal owing to lack of detail regarding the brickwork and window material. This is element could reasonably be conditioned in its own right to safeguard the Conservation Area rather than forming part of the reason for refusal.

5.16 In any event, for the avoidance of doubt the extension will be comprised of materials that match the host building and retain the character of the Conservation Area in accordance with Policy D1 of the Local Plan which seeks new development to respect local context and character and be comprised of materials that are high quality and complement the local character. This can be conditioned by the Inspector if considered necessary.

Relationship to number 18 Greville Street

- 5.17 The Council note that number 18 is identified as a positive contributor, however for the avoidance of doubt this is incorrect. Number 18 is not listed within the Conservation Area statement as being a positive contributor.
- 5.18 Notwithstanding this, the Council state that an additional storey at the site would create an excessive contrast in heights between the two adjoining buildings. The report only discusses the additional storey when referencing the relationship to number 18 and so it is accepted that the building up of the fourth storey to the front building line is considered acceptable in this context. It is considered that given the proposed set back of the fifth storey, and extensive height of the existing party wall, the proposal would not generate any larger contrast than what is already present at the site.
- 5.19 It is proposed that the height differences along Greville Street contribute to the character of the area. The proposal is not considered to demonstrably alter the existing situation and as such is acceptable.

Relationship to number 15 and 16 Greville Street

- 5.20 The officer report states that an additional storey on the site would be harmful to the pair of positive contributors, numbers 15 and 16 Greville Street. Property numbers 15 and 16 are highlighted in the Hatton Garden Conservation Area statement as being unlisted buildings of merit that make a positive contribution to the special character and appearance of the area. It is considered that as existing, the two neighbouring properties of this pair, the appeal site and number 14 Greville Street do not match in height, character or overall design, and as such they detract from the pair's special character. The proposed extension will result in the front building line of the fourth storey of the appeal property being built up to match the fourth storey height of number 14 Greville Street. This will improve the symmetry of both properties, enhancing their presence within the setting of numbers 15 and 16, ensuring that the two remain prominent features whilst improving the wider relationship with the remaining terrace.
- 5.21 Policy DP25 of the Development Policies and D2 of the Local Plan states that the Council will only permit development within Conservation Areas that preserves and enhances the character and appearance of the area. The proposal is therefore considered to be in accordance with these policies.

Views from Kirby Street

- 5.22 It is noted that the junction of Kirby Street is not identified as a significant local vista in the Conservation Area.
- 5.23 The Council in the officer report state that the proposed extension will cause more harm to the Conservation Area owing to the sites positioning opposite the junction with Kirby Street.
- 5.24 The viewpoint from Kirby Street, owing to the narrow configuration of the road network is limited to the appeal site, number 16 Greville Street and partial views of numbers 15 and 18 Greville Street. As already stated owing to the set back of the proposed fifth storey, this will ensure that it appears subordinate to the host building and retain the character of the site's neighbouring properties.
- 5.25 It is also noted that Kirby street is identified in the Conservation Area statement as being largely destroyed during the Second World War. As a result, the vast proportion of buildings on the road are 20th century additions of neutral merit, or as actually detracting from the Conservation Area.
- 5.26 Given that the long viewpoints would be from Kirby Street which provides little merit to the Conservation Area and that the proposed height increase would be minimal in this context, it is considered that the proposed development will retain the character of the Conservation Area, in accordance with Policy CS14 of the Core Strategy and Policies DP24 and DP25 of the Development Policies.

Reason 2

The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to policies CS11 (Promoting sustainable and efficient travel) and CS19 (Delivering and monitoring the Core Strategy) of the London Borough of Camden Local Development Framework Core Strategy, policies DP18 (Parking standards and the availability of car parking) and DP19 (Managing the impact of parking) of the London Borough of Camden Local Development Framework Development Policies and policy T2 of the Emerging Camden Local Plan 2016.

- 5.27 Without prejudice to this appeal, a legal agreement has been prepared by the Appellant, and will be submitted to the Council and Inspector. The legal agreement is the most appropriate way of securing car-free housing as noted within the second reason for refusal.
- 5.28 This agreement resolves all points raised in the second reason for refusal and as such this reason falls away.

Reason 3

The development would fail to provide adequate cycle parking facilities for the residential element of the scheme and would therefore provide substandard housing development, and would fail to promote cycling as a healthy and sustainable way of travelling in this highly accessible location, contrary to policies CS6 and CS11 of the Local Development Framework Core Strategy, policies DP17 and DP18 of the Local Development Framework Development Policies, and policy T1 of the Camden Local Plan Submission Draft 2016.

- 5.29 The reason for refusal is centred on lack of cycle parking. The constraints on site are such that suitable cycle parking provision is not possible to be provided in this instance. Whilst this is the case it is not considered to render the entire development unacceptable in its own right.
- 5.30 The Council, at an application at number 28 Greville Street noted that 2 cycle spaces were required in that instance. However, it was concluded that owing to constraints on site, it was overly onerous to insist that cycle parking be included with the design and Camden's parking standards for cycles could be waived in this instance (ref 2012/6379/P).
- 5.31 It is considered that the same approach could have been taken in this instance. To therefore refuse on this basis is considered unreasonable.

Reason 4

In the absence of a legal agreement to secure a Construction Management Plan and Highways Contribution, the development would fail to ensure that the development can be implemented without causing detrimental impact to residential amenity or the safe and efficient operation of the highway network in the local area or that the repair of any construction damage to transport infrastructure and the reinstatement of footway surfaces following development is secured. The development would therefore remain contrary to policies CS5 and CS11 of the Camden Local Development Framework Core Strategy, policies DP20, DP21 and DP26 of the Local Development Framework Development Policies as well as policies A1 and T4 of the Emerging Camden Local Plan.

- 5.32 The submission of a construction management plan is considered to be excessive but in the event that the Inspector agrees that one is required, this can be conditioned.
- 5.33 Without prejudice to this appeal, a legal agreement has been prepared by the Appellant, and will be submitted to the Council and Inspector. This legal agreement would be the most appropriate way of securing the Construction Management Plan contribution in the event that the Inspector agrees with the Council and imposes a condition to that effect.
- 5.34 The requirement for a highways contribution is considered to be excessive and does not reasonably relate to the scale of development proposed. In any event such matters are dealt with under a different legislative regime, namely the Highways Act.

5.35 The agreement as suggested above resolves all points raised in the fourth reason for refusal and as such this reason falls away.

6 Conclusion

- 6.1 This appeal is made under Section 78 of the Town and Country Planning Act 1990 (as amended). It sets out the Appellants case against the refusal of planning permission by the London Borough of Camden.
- 6.2 The Council confirm that quality of accommodation of the proposed flat would be acceptable, the design of the mansard roof is in accordance with Council guidance and neighbouring amenity will be safeguarded as a result of the development.
- 6.3 The proposal will result in the creation of a new 2-bedroom dwelling, in accordance with Policy DP5 of the Development Policies and Policy H7 of the Local Plan which both highlight 2-bedroom units as being highly prioritised within the borough.
- 6.4 The proposal will be a high quality development that takes cues from the character of Greville Street, retaining and enhancing the character of the Conservation Area, improving the symmetry of the terrace and creating an additional recessed story of a height that is comparable to neighbouring properties on Greville Street.
- 6.5 It is considered that the legal agreement submitted by the applicant will respond to all points raised in reasons 2 and 4 of the Decision Notice.
- 6.6 The proposal is therefore considered to be in accordance with regard to the Development Plan of Camden and with regards to the NPPF. Accordingly, the Inspector is respectfully requested to allow the appeal and grant planning permission.