

Appeal under S.78 of the Town and Country Planning Act 1990

On Behalf of:

Mr. L. Trevelyan

In respect of:

Erection of two storey rear infill extension with first floor roof terrace above enclosed by balustrade and raised parapet wall; alterations to openings within rear fenestration of closet wing.

Site:

9 Medley Road, London, NW6 2HJ

Statement of Case

London Borough of Camden reference: 2017/5490/P

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Contents

1	Introduction	Page 3
2	Site and Surroundings	Page 5
3	Planning History	Page 6
4	Policy Context	Page 9
5	Appellant's Case	Page 16
6	Conclusions	Page 18

Appendix 1	-	Officer's Report
Appendix 2	-	Flat 3 154 Iverson Road Appeal Decision (APP/X5210/W/16/3161284)
Appendix 3	-	Email Correspondence
Appendix 4	-	Letter from Nick Collins (Heritage Expert)

1 Introduction

1.1 Copesticks Ltd. has been instructed by Trevellyan Developments Ltd to submit this appeal against the refusal of planning permission, by the London Borough of Camden.

The Development and Application Context

1.2 The description of the proposed development is:

Erection of two storey rear infill extension with first floor roof terrace above enclosed by balustrade and raised parapet wall; alterations to openings within rear fenestration of closet wing.

1.3 The planning application (reference 2017/5490/P) was registered on 24th October 2017 and public consultation was carried out until 17th November 2017. No comments were received from neighbours.

1.4 Planning application was refused on 20th December 2017. The single reason for refusal was:

The proposed development, by reason of its height, bulk, scale, and detailed design, would fail to appear as a subordinate addition to the host building harming the character and appearance of the host building and surrounding area. The proposal is therefore contrary to Policy D1 of the London Borough of Camden Local Plan 2017 and Policy 2 of the Fortune Green and West Hampstead Neighbourhood Plan.

1.5 The proposed development will be considered against the policies highlighted and other material considerations discussed, along with a review of recent planning history in the area.

Officer's Report

1.6 The Planning Officer's report (Attached as **Appendix 1**) sets out the Authority's concern in some more detail; the Officer considers the main issues to be design and amenity. Amenity impacts are considered and dismissed, the Officer confirming no objection in terms of loss of light or privacy and the proposal would not result in an increased sense of enclosure from the outlook of No.8 Medley Road.

1.7 As per the reason for refusal, the authority's concern relates purely to design and moreover, the external appearance and the impact on the character of the area.

1.8 Paragraph 3.4 of the Officer's report highlights the extensions already undertaken along this terrace and raises concern purely because the proposal is not consistent with those previously undertaken, then goes on to

state that a two-storey infill extension may be considered acceptable, subject to appropriate massing and detailed design.

1.9 At paragraph 3.5 the Officer's report highlights that the proposed extension would match the rear building line of the closet wing and would use matching materials, including timber sash windows, but considers these aspects to be detrimental by being unduly bulky and disrespectful of the architecture of the host building. The root of this concern is that paragraph 4.10 of CPG1 (design) suggests that extensions should be subordinate.

1.10 The Officer's report states the belief that the position of the proposed extension is highly prominent due to the existence of Aerynn House immediately to the rear, which is a block of 12 flats recently constructed and accessed via a private, gated, pedestrian-only route through No.8 Medley Road.

1.11 The officer's report notes that the proposal includes a roof terrace and asserts that there are no examples of roof terraces in the surrounding area, thus rendering the proposal an unsympathetic and incongruous addition to the rear building line, which would be out-of-keeping with the pattern of development of the existing terrace.

1.12 Paragraph 3.7 then goes on to further assert that the extension would be prominent because it would be visible from neighbouring properties and their gardens. Paragraph 3.8 then acknowledges a lack of uniformity of fenestration along the terrace, but that the proposed changes to the size and appearance of the openings would be detrimental to the character and appearance of the building and the terrace.

The Proposal

1.13 The flats at No.9 Medley Road are of a form that if planning permission were to be sought for subdivision, the application would be refused. Also, aspects of the layout that are considered poor quality and need to be brought up to modern standards for the benefit of the residents. For example, the lower ground floor flat has a toilet that can only be accessed externally. The ground floor flat has a kitchen that is miniscule and the first floor flat has no private amenity space.

1.14 The application seeks to improve the standard of accommodation significantly, which is an aspect of the proposal that seems to have been overlooked in the necessary balancing exercise.

1.15 In addition, the Applicant has sought to use traditional high quality materials, including for example timber sash windows with Victorian sill and lintel features, to be sympathetic to the character of the building, this approach is encouraged by the Authority's design guidance.

1.16 The Appellant considers this to be a high quality development proposal, making the best use of the available land and building and ensuring that the flats offer a decent quality of life for residents. As such, it is considered that the reason for refusal is unjustified and unsound, as will be discussed further below

2 Site and Surroundings

2.1 Medley Road is a small cul-de-sac off Iverson Road. The eastern side of which is a terrace of 7 three storey properties, set back from the road with small front gardens. The final three properties on the street do not directly front the road, as there is no through access, instead fronting a paved area adjacent to a garage at the end of the road. Parking in Medley Road is via residents permit. Medley Road also contains a number of mature trees on both sides of the road.

2.2 The western side of the street comprises a terrace of four properties, which appear in height as being two storey, as the ground floor is at basement level therefore being much lower in height than the opposite side of the road. Two of the properties within this terrace have large rear extensions.

2.3 There is also a further larger building adjoining 9 Medley Road and set forward of the building line, This property is much larger and more prominent than its neighbours appearing to be a further storey greater in height. It also contains a pedestrian access from the street through to Aerynn House (flats). There is also a single storey flat roof garage at the end of the road which adjoins this building.

2.4 9 Medley Road, like the adjoining properties is set back from the road with access via steps to the ground floor entrance and down to the basement flat. The rear of the property faces on to the tall blank gable of Aerynn House.

2.5 From Medley Road, it is possible to see the wide range of rear extensions, including first and second floor roof terraces at 166, 158 and 156 Iverson Road.

2.6 At the end of the road (directly to the south is the overground line between Barking and Gospel Oak (the closest stations being West Hampstead to the east, with Brondesbury to the South –West. Beyond the railway line is Heritage Lane (West Hampstead Square) which contains numerous apartment blocks. There is also the Thameslink Station further along Iverson Road as you head to West End Lane. The Appeal site is highly accessible by public transport and sustainably located.

2.7 The wider area is primarily residential in nature, there is a children's play area on Iverson Road to the south west of the site, and a number of office buildings to the north east. Iverson Road contains a variety of residential styles including modern apartment blocks and traditional Victorian terraced properties .

2.8 Close to the junction of Medley Road with Iverson Road, is the junction of Iverson Road with Maygrove Road, directly to the north of the site (as the crow flies) is Liddell Road which contains an Industrial Estate, comprising of a variety of units which back onto the Thameslink Railway Line.

3 Planning History

3.1 It is appreciated that each application should be determined on its own merits, however, it is considered that Planning Authorities need to be consistent in their approach to development, to give Applicants and their professional advisers some confidence that features that they see in the area and wish to incorporate into their development have a reasonable chance of being approved. This is what enables design to be innovative and individual, rather than dogmatic adherence to a specific set of standards, or monotonous pastiche.

3.2 There are many examples of planning permission having been granted by the Authority for very similar proposals to that the subject of the Appeal. The following are just a few examples in the area.

3.3 2015/4837/P - 158 Iverson Road - Erection of a single storey rear extension and infill, creation of a roof terrace at rear first floor and installation of light well on the front elevation. Granted 12-01-2016

3.4 2017/3273/P - 136B Iverson Road - Erection of a part single, part double storey rear extension with roof terrace at first floor level to flat. Granted 04-10-2017

3.5 2016/6650/P - Flat C 160 Iverson Road - Creation of second floor roof terrace to the rear of the existing house Granted 22-02-2017

3.6 2016/3431/P - Flat 3 154 Iverson Road - Alterations to rear roof slope for the installation of door providing access to proposed roof terrace at third floor level enclosed by new balustrade. Appeal Allowed 16-02-2017

3.7 The Appeal decision (APP/X5210/W/16/3161284) is attached at **Appendix 2**, but some notable points from the Inspector's letter include:

The appeal property comprises the upper floors of an attractive three storey mid terraced property which has rooms within the roof space. The appeal proposal would create a formal balcony on the flat roof area of an existing rear outrigger which would be enclosed by a 1.1m high metal balustrade. In addition a 1.8m high privacy screen would be erected along its common boundary with No 152.

Section 5 of Camden's Adopted Design Guidance (CPG1), provides more detailed advice on roofs, terraces and balconies and advises that roof alterations are likely to be acceptable where, amongst other criteria, alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form.

The appeal property does not lie within a conservation area, and the proposed alterations would be to the rear elevation of the terrace which has limited visibility from wider public views.

....Furthermore, the alteration would be within the middle of the rear elevation of the terrace, where it is not visually conspicuous from neighbouring streets, and consequently it would not have a significantly harmful effect on the character or appearance of the surrounding area.

The rear elevation of the terrace already displays a number of extensions and alterations. Although I did not see any other privacy screens, there are a number of roof terraces which have been enclosed by balustrades which differ in their heights and design. Consequently it is difficult to see how the proposed screen/balustrade, which would not be substantial in scale, would appear incongruous. I do not therefore consider that it would have a materially harmful effect on the character or appearance of the host property or indeed the surrounding area in view of the proposals limited visibility to public views. Furthermore, the Council have suggested a condition to require the final design and materials of the screen and balustrade to be agreed with the Council, and I am satisfied that such a condition would be reasonable and necessary to safeguard the appearance of the area.

3.8 From the above extracts, it is noted that:

- A 1.8m high privacy screen at third floor level was considered acceptable; the proposed balcony was next to a window of the adjacent property.
- The Inspector found that the proposal was consistent with CPG1, as it was sympathetic to the age and character of the building.
- The fact that the site does not lie within a Conservation Area was material.
- Despite the fact that the proposed balcony would be visible from many of the same viewpoints as the appeal proposal at 9 Medley Road, the Inspector considered that there is limited visibility from wider public views and the site was not visually conspicuous from neighbouring streets and as a result of this, it would not have a significantly harmful effect on the character or appearance of the surrounding area.
- Despite there being no other privacy screens present, the rear of the terrace displays a number of extensions and alterations and consequently, the Inspector determined that the additions would not be incongruous and the works would not have a materially harmful effect on the character or appearance of the property or the surrounding area.
- The Inspector considered that a materials condition was necessary and reasonable to ensure the development would safeguard the appearance of the area.

3.9 2016/2290/P- Flat 4 146 Iverson Road - Alterations to roof of existing rear extension to facilitate the creation of a raised terrace at 2nd floor level. Granted 29-07-2016

3.10 The above recent examples demonstrate that the Authority has embraced similar proposals to the Appeal development in the immediate area, these are all examples at properties within about 100m of the appeal site, all approved within about the last 2 years. The Appellant considers that this approach, allowing well-designed individual tastes to add diversity to the street scene is the correct approach to development management and that an overly prescriptive approach should be avoided, where it is not warranted, i.e. outside a Conservation Area.

4 Policy Context

4.1 The planning policy context and material policy considerations comprise the National Planning Policy Framework, also, the London Borough of Camden Local Plan and Supplementary Planning Guidance.

National Planning Policy Framework

4.2 At paragraph 6, the NPPF sums up the purpose of the planning system:

“to contribute to the achievement of sustainable development...”

4.3 Paragraph 7 of the NPPF then goes on to set out the three dimensions that the planning system must contribute towards sustainable development; these being economic, social and environmental roles.

4.4 The development would contribute to the economic role of sustainable development, through investment and construction.

4.5 In terms of the social role, the proposed works will result in a development that meets the needs of the owners and occupiers and contributing positively overall to the housing stock of the City.

4.6 The environmental role of sustainable development is defined as:

“Contributing to protecting and enhancing our natural, built and historic environment....”

4.7 The proposed development would not conflict with this aim; the proposed extension would protect the character of the built environment, whilst changing it nominally to improve the function of the property as dwellings.

4.8 Paragraph 11 of the NPPF confirms that planning applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. Paragraph 13 confirms that the NPPF is itself a material consideration. Paragraph 14 of the NPPF goes on to state:

“At the heart of the National Planning policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking...”

For decision-taking this means:

Approving development proposals that accord with the development plan without delay...”

4.9 Paragraph 56 of the NPPF states the Government's view that good design is a key aspect of sustainable development and indivisible from good planning. Good design should contribute positively to making places better for people, emphasising both the social and environmental roles that planning and the development should have in delivering sustainable development.

4.10 Paragraph 58 of the NPPF relates to design and states that planning decisions should aim to ensure that developments:

- *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- *establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;*
- *respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;*
- *create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and*
- *are visually attractive as a result of good architecture and appropriate landscaping.*

4.11 The Appeal proposal is exemplary in terms of conformity with this policy. The proposed extension will function well and add to the overall quality of the area, it will create a comfortable place to live; it will respond to local character, including use of traditional materials and represent modest innovation. The proposal represents good architecture, improving the dwellings and making the best use of the building, whilst respecting the character, layout and appearance of the surroundings.

4.12 Paragraph 59 of the NPPF relates to the formulation of policies rather than decision making, but its emphasis is clear. Good design needs to relate to the surroundings more widely than the existing building. Also, that unnecessary prescription in design matters should be avoided. It states:

*“Local planning authorities should consider using design codes where they could help deliver high quality outcomes. **However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.**”* (emphasis added)

4.13 The fact is that the Council's supplementary design guide is extremely prescriptive, if interpreted as a specific set of requirements, rather than an advisory guidance document. Paragraph 60 of the NPPF goes on to state:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

4.14 This paragraph of the NPPF is particularly pertinent; the proposal successfully promotes local distinctiveness, but does not conform word-for-word with the Authority's guidance document.

London Borough of Camden Local Plan

4.15 Policy G1 Delivery and Location of Growth, this is an overarching strategic policy that sets out how the Authority will seek to deliver homes, jobs, infrastructure and facilities to meet Camden's identified needs. Most pertinently, the policy states:

“The Council will deliver growth by securing high quality development and promoting the most efficient use of land and buildings in Camden by (inter alia):

a. supporting development that makes best use of its site, taking into account quality of design, its surroundings, sustainability, amenity, heritage, transport accessibility”

4.16 The Local Plan recognises that making the most efficient use of land and buildings is essential; here the proposal represents good design, it is perfectly in keeping with the character of the area, it would have no impacts on amenities or heritage assets and the site has good transport accessibility. The proposal represents sustainable development in a highly accessible location.

4.17 Policy A1 relates to Managing the Impact of Development and seeks to protect amenities and ensure development has no unmitigated detrimental impact. The policy is referenced in the Officer's report, which confirms that the proposal would have no unreasonable impact.

4.18 Policy D1 Design is perhaps the most pertinent Local Plan policy and is discussed in the Officer's report and referenced in the reason for refusal. The Policy states (inter alia):

The Council will seek to secure high quality design in development. The Council will require that development:

- a. respects local context and character;*
- b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;*
- c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;*
- d. is of sustainable and durable construction and adaptable to different activities and land uses;*
- e. comprises details and materials that are of high quality and complement the local character;*
- m. preserves strategic and local views;*
- n. for housing, provides a high standard of accommodation;*

4.19 The proposed development complies with this policy; the design of the extension respects the local context and character. The site is not a heritage asset and is not seen in the context of any heritage assets; as such, to apply Conservation Area or Listed Building standards of scrutiny would be unreasonable. The construction methods will be sufficiently sustainable and durable. The materials used will complement the character of the existing building and the wider surroundings, including matching brickwork and timber sash windows, despite the non-heritage setting.

4.20 The proposed extensions will have no impact on strategic views and in reality none on local views, the extension would be modest in scale, respecting the building line, whilst maximising the benefit to residents. The extension will be visible from private spaces and the public using the railway line; indeed, residents of Aerynn House will walk directly past the extension, but this is not the public realm and the extension will have no material impact on their enjoyment of their immediate surroundings. It could not reasonably be considered overbearing, given that the residents would pass it in the context of walking through an undercroft access. It will not detrimentally impact on the visual amenity of the area, particularly given that the rear elevation of the terrace is not of great architectural value, it is not particularly uniform, especially the relationship between 8 & 9 Medley Road.

4.21 The proposed development is considered to reasonably comply with the policies of the Local Plan.

Camden Planning Guidance 1 - Design

4.22 Although not referenced in the reason for refusal, CPG1 was cited in the Officer's report; it includes detailed guidance on extensions at chapter 4. Paragraph 4.7 suggests that materials should match the existing wherever possible, including window frames and facing materials. This was proposed through the application, but Officers suggested through correspondence that alternative materials should be considered, including glazed structure with a lean-to zinc roof (discussed further later).

4.23 Paragraph 4.10 of CPG1 sets out general principles for rear extensions, stating:

Rear extensions should be designed to:

- *be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;*
- *respect and preserve the original design and proportions of the building, including its architectural period and style;*
- *respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;*
- *respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;*
- *not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure;*
- *allow for the retention of a reasonable sized garden; and*
- *retain the open character of existing natural landscaping and garden amenity, including that of neighbouring properties, proportionate to that of the surrounding area.*

4.24 The proposed extension would appear secondary to and distinct from the main building and the closet wing, due to its lower overall height, but would respect the proportions and the architectural period and style. The proposal would not cause a loss of amenity to adjacent properties and would enhance the amenities of residents of the property, including provision of private amenity space for the first floor flat.

4.25 Paragraph 4.14 relates to the width of rear extensions and suggests that they should respect the rhythm of existing rear extensions. It is noted that the Authority often approves single and two storey infill extensions between closet wings. In this instance, the site sits adjacent to an anomalous end terrace building; number 8 Medley Road is completely distinct from the other properties in the terrace and does not include a closet wing. This bespoke solution is considered to be appropriate in these individual circumstances.

Fortune Green and West Hampstead Neighbourhood Plan.

4.26 The reason for refusal includes reference to the Neighbourhood Plan and specifically Policy 2: Design and Character. The policy requires all development to be of a high quality of design, which complements and enhances the distinct local character and identity of Fortune Green and West Hampstead. The policy requires development proposals, including extensions to be consistent with the form, function, structure and heritage of its context - including the scale, mass, orientation, pattern and grain of surrounding buildings, streets and spaces.

4.27 The Applicant would contend that the proposal would entirely respect the quality character of the surroundings and would assimilate well with the host building and the immediate context. The proposed development is consistent with the Neighbourhood Development Plan and it is noted that no objections were received from neighbours, or the body that prepared the NDP.

5 The Appellant's Case

5.1 From the Officer's report, it is clear that the objection to the rear extension relates principally to the inclusion of the roof terrace and the privacy screen wall proposed. Through correspondence received during the course of the application, as in the Officer's report, it was confirmed that a two storey extension here would be acceptable in principle, but further concern was raised by Officers relating to the external appearance. The Appellant's primary contention is that the refusal is unreasonable and unjustifiable and that the proposed development is perfectly acceptable in the form proposed.

5.2 As noted above, the Officer's report states that there are no roof terraces in the vicinity of the site. This is not the case and in fact the Local Planning Authority has approved numerous such features for properties on Iverson Road, which overlook the Appeal site and a number of these are visible from the public realm, from Medley Road. The Planning Officer has stated that the roof terrace and the screen wall would be incongruous and detrimental to the character of the area. The Appellant would however tend to agree with the findings of the Inspector in the case relating to 154 Iverson Road, who determined that the roof terrace and privacy screen could not be considered incongruous and that it was sympathetic to the character of the area.

5.3 Two further factors that were considered material by the Inspector that the Appellant considers important in this case, are that site does not lie within a Conservation Area and that the site, as with 9 Medley Road, is not visually conspicuous and visibility is limited from public views. This is particularly pertinent; the Appellant would acknowledge that good design is important, but would contend that it is unreasonable for the Authority to seemingly apply design requirements comparable to proposals in Conservation Areas or for Listed Buildings. The proposed development is sympathetic to the character of the building, it proposes high quality traditional materials and Officers confirmed that in principle a two-storey extension is acceptable, but the proposed development should not be required to absolutely preserve the character and appearance of the building or the surrounding area.

5.4 Late in the planning application process, the proposal was referred to the Conservation Officer and a number of suggestions were made to improve the proposals (Correspondence attached at **Appendix 3**), including that:

the roof terrace should be removed from the scheme as the 1.8m high privacy screening required to protect the neighbouring amenity of No. 8 Medley Road would be a visually prominent and incongruous feature at this level and would lead to the appearance of a three storey extension when viewed from the side.

5.5 Firstly, it is noted that this is a completely inconsistent approach to the numerous approvals for roof terraces and privacy screens to Iverson Road, including a third floor roof terrace. Additionally, the extension would not realistically be viewed from the side, it is not part of a vista; perhaps in a snapshot view from a passing

train the extension would appear to be three-storey, but for residents of Aerynn House, walking towards the extension, it would be seen for what it is, a two storey extension with a roof terrace. Indeed, when the same residents are walking towards Aerynn House, they, like the residents of No.9 Medley Road, are presented with the blank 4 storey end elevation of the apartment block.

5.6 It was suggested that a shadow gap should be included, so to set back the extension. In some instances a shadow gap is beneficial, where an extension is different in design to the principal structure to avoid an uneasy transition, but here, the proposal would tie-in very well with the existing and has been designed to appear as an integral part of the dwelling, as encouraged by CPG1.

5.7 It was also suggested that a more modern, glazed design might be successful with a lean-to style pitched roof in a material such as zinc. The Appellant would agree that such a design could indeed create a successful extension, but it is simply not appropriate in this instance. The proposal seeks to improve the habitable space of three flats, to bring them up to suitable, basic, modern standards, but these are not upmarket luxury apartments and as such, the Appellant needs to be mindful of costs. Furthermore, the proposed external appearance, the materials and detailing have been designed to comply with the advice in CPG1 and as such, the Appellant considers the design and appearance to be fundamentally sound.

5.8 The Appellant does however find it encouraging that the Authority would suggest that a distinct, modern adaptation can be successful and that the advice within CPG1 is guidance and not strict policy. The Appellant is also appealing a refusal of an application for dormer windows, which deviate nominally from the guidance of CPG1 and represent a more modern interpretation of feature that is common in the area.

5.9 The Appellant accepts that each application must be determined on its merits, but considers that the Local Authority is taking a completely inconsistent approach when considering the range of similar proposals that have been approved recently for properties on Iverson Road and which overlook the Appeal site.

5.10 One of the key aspects of local and national planning policy that is particularly pertinent is the aim to make the best use of land and buildings available, which the application is seeking to do. The Government is now actively bringing forward measures to encourage extending buildings upwards to make more efficient use of existing developed land, the proposal is consistent with the broad aims of this emerging government policy.

5.11 The Appellant accepts that good design is indivisible from good planning, but considers that the Authority is seeking an unnecessarily high standard of design, which is simply not warranted in this location and in relation to this existing property and group of buildings. The proposed extension is of high quality design and suitable materials and detailing is proposed. The proposal strikes a good balance between visual impact and the need for homes to have utility and to function as a comfortable place to live. Where buildings are protected as heritage assets, it is right to be more cautious but good design is not simply about the external appearance, in

this case the Architects have created comfortable and functional homes, whilst remaining entirely sympathetic to the character of the area and having no impact on the amenities of neighbouring occupiers.

5.12 Despite recent intervention from an Appeal Inspector, noting that, as with the application site, nearby 154 Iverson Road does not lie within a Conservation Area, the Council involved the Conservation Officer in the decision making process, given this, the Appellant has sought advice from a Heritage Consultant to inform the Statement of Case. The advice letter from Nick Collins, a Member of the Institute of Historic Building Conservation, is attached as **Appendix 4**. In his professional opinion, Mr. Collins considers that the proposals would appear modest within their context and entirely reasonable.

5.13 The heritage advisor also notes that:

The proposed extension has been carefully detailed to ensure that the materials, proportions, window detailing (including cills and jack arches) have been designed to be in keeping with the rest of the building.

Adjacent to the small terrace, which is screened by a parapet wall to the side, is a passageway under the adjacent building – further lessening the impact of the extension and demonstrating that there is no rhythm or regularity to the rear elevations along Medley Road.

The proposal will not be visible from the public realm and will therefore have no impact on the wider streetscape – which itself is varied, the building next door for example being of an entirely different proportion to No.9 Medley Road.

5.14 The heritage expert concurs with the Appellant's view that there is no particular rhythm or regularity to the rear of this terrace and that there is a distinct difference between 8 and 9 Medley Road; this creates an exception that the proposal successfully builds upon to create a high quality and entirely reasonable extension that will enhance the living accommodation of the flats significantly.

6 Conclusions

6.1 The Appellant would contend that the proposed development accords with the Development Plan and that there are no material considerations of sufficient weight, individually, or cumulatively that would indicate that planning permission should not be granted.

6.2 The works, the subject of the Appeal are suitable and appropriate in their setting and well-proportioned and positioned in relation to the host building. The works comply with the Authority's design guidance and are consistent with other decisions by the Authority and the Planning Inspectorate in the immediate and wider area.

6.3 The Appellant considers that the proposed development would constitute sustainable development.

6.4 At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. It is the Appellants contention that in this case, given its merits, the presumption in favour should be engaged and the Appeal allowed.

6.5 Given all of the above, it is respectfully requested that the appeal be allowed and planning permission granted for the proposed rear extension and roof terrace.

6.6 The application proposals were amended in December 2017 and the privacy screen was amended from being obscure glazed to brick because the Officer had asserted that the proposed privacy screen would be visually prominent and incongruous. Should the Inspector prefer, the Appellant would be content to accept a condition approving the superseded plan, requiring the obscure glazed screen, as opposed to the brick screen, as determined; it is considered that no party would be prejudiced as a result of such a change.