



TOWN AND COUNTRY PLANNING ACT 1990

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APPEAL UNDER SECTION 78

WRITTEN REPRESENTATIONS

APPEAL BY: Mr Daniel Morgan

PROPOSAL

Erection of rear extension at second floor level

GROUNDS OF APPEAL

SITE: 158 Regents Park Road, London NW1 8XN

22 May 2018

LPA REFERENCE: Application No. 2017/6632/P

INTRODUCTION & RELEVANT BACKGROUND

Planning permission was refused on 6 April 2018 for the Appeal Proposal under Delegated Powers for the following reason:

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The proposed 2nd floor extension, by virtue of its design, height, bulk, and location on a mainly unaltered terrace of rear elevations, would cause harm to the character and appearance of the host building and the Primrose Hill Conservation Area, contrary to Policies D1 and D2 of the Camden Local Plan 2017.

SITE AND SURROUNDING AREA

This 4 storey terraced property, which is not listed, is situated within the Primrose Hill Conservation Area.

The dominant typology in the area is terraced rows of around four or five storeys facing the street, with smaller buildings of around two storeys to the rear.

The existing property is constructed of traditional brickwork with openings formed by arched brick lintels, with white painted timber sash windows to the front and rear of the property.

This group of buildings (96 -196 even, Regent's Park Road) are considered to make a positive contribution to the character and appearance of the Conservation Area.

The rear elevations of the neighbouring properties have undergone extensive modifications and have been altered and adapted over a number of years.

The site is a 5 minute walk from Chalk Farm underground station and 7-8 minute walk from bus services on Chalk Farm Road and Prince Albert Road.

RELEVANT LDF CORE STRATEGY AND DEVELOPMENT POLICIES 2010

Core Strategy

CS5 (Managing the impact of growth and development)

CS14 (Promoting high quality places and conserving our heritage)

Development Policies

DP24 (Securing high quality design)

DP25 (Conserving Camden's heritage)

DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2011 CPG1 Design; CPG6 Amenity

Primrose Hill Conservation Area Statement (2000)

Page | 3 London Plan 2011

NPPF 2012

PRIMROSE HILL CONSERVATION AREA STATEMENT (2000)

The Primrose Hill Conservation Area was designated on 1st October 1971 and extended to include the north part of Erskine Road on 18 June 1985. The designation report notes that the character of the area “*is made up of a series of well laid out Victorian terraces. It is residential in character, although there are a number of local industries, and it has its own shopping centres, a primary school and, because of the vicinity of Primrose Hill, is extremely well provided with open space*”.

The following guidance, relevant to the present submission, is included as follows:

Rear Extensions

PH25 Extensions and conservatories can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions, although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the Conservation Area is prejudiced.

PH26 Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area. In most cases such extensions should be no more than one storey in height, but its general effect on neighbouring properties and Conservation Area will be the basis of its suitability.

PH27 Extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings. The acceptability of larger extensions depends on the particular site and circumstances.

PH28 Rear extensions will not be acceptable where they would spoil a uniform rear elevation of an unspoilt terrace or group of buildings.

PH30 Conservatories, as with extensions, should be small in scale and subordinate to the original building and at ground floor level only. The design, scale and materials should be sensitive to the special qualities of the property and not undermine the features of original building.

Proposal

It is proposed to extend the 3 storey maisonette at 2nd floor level at the rear to provide additional residential space. The proposed extension would measure 4.87m in width, have a height of 4m and a rear projection of approximately 2.2m.

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The main issues for consideration are:

- The impact of the proposal upon the character or appearance of the host building and the surrounding conservation area and;
- The impact that the proposal may have upon the amenity of the occupiers of the neighbouring properties.

Impact on the host building and surrounding area

The property is occupied as a shop on the ground floor with a 3 storey maisonette (the subject of this application) above.

The application seeks permission for a modest rear extension at 2nd floor level which with some internal reconfiguration of the maisonette, would provide useful additional space to this family unit.

In terms of height, it is noted that the existing property is 4 storey in height. At its highest part the proposed extension would be significantly lower than the existing roof and overall be subordinate to the host building. It is noted that an extension of similar height and depth has been built to the rear of 164.

We supply below two photographs of the rear façade of the part of the terrace in question:



Photo 1- Rear View of Terrace with existing extensions shown



Photo 2-View from Application Site of existing development at rear

The extension would be constructed in matching brickwork and windows. It would only be visible from the rear and seen in the general context of the existing terrace which, as mentioned above, is not uniform in appearance.

Residential Amenity

The proposal would not materially impact on the living conditions of the occupiers of neighbouring properties in terms of a loss of sunlight/daylight or outlook. The Delegated Report confirms that the Council this to be the case.

Design and impact on the building and surrounding Conservation Area

The Primrose Hill Conservation Area was designated on 1st October 1971 and extended to include the north part of Erskine Road on the 18th June 1985.

The designation report notes that the character of the area *“is made up of a series of well laid out Victorian terraces. It is residential in character, although there are a number of local industries, and it has its own shopping centres, a primary school and, because of the vicinity of Primrose Hill, is extremely well provided with open space”*.

The application property forms part of a terrace 96-196 (even) Regents Park Road which the CA Statement considers make a positive contribution to the character and appearance of the Conservation Area.

In consideration of Camden Planning Guidance 1 (Design), rear extensions should be designed to:

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be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;

Proposal complies

respect and preserve the original design and proportions of the building, including its architectural period and style;

Proposal complies

respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks;

Not Applicable

respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space;

Not Applicable

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;

Proposal complies

A separate Daylight Assessment has been supplied which concludes the proposed extension would not have a material impact on the properties either side.

The submitted plans do not indicate windows along the flank walls of the rear extension.

The only new windows are to be located on the rear elevation, hence the proposal would not directly face neighbouring windows and therefore no overlooking would occur. Accordingly the proposal would comply with Policy DP26.

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.

Not Applicable

Noise and disturbance

No new plant is proposed nor indeed any relocation of existing plant. Accordingly there will be no additional noise generated as a result of the proposed extensions.

The Council's Objection

In paragraphs 2.6 and 2.7 of the Delegated Report (DR) the Council sets out its principal objection to the proposal as follows:

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“..The Council considers that the proposed extension would be out of keeping with the established form of development to the rear, by virtue of its design, height and scale. It would introduce a new form of development that would disrupt the uniformity, cohesiveness and undeveloped rhythm of the rear elevation of the terrace. It would result in development that is not sympathetic to the character of the host building or the terrace, and would fail to appear subservient by being 2 storeys high and full width. Its design is also inappropriate in that the height of the parapet would cause additional harm to the appearance of the fenestration by rising higher than the lower cills of the third floor windows.

2.7. The extension would be visible in private views from Eglon Mews, with some public views from Berkley Road, which both form part of the character of the conservation area. These views would be harmed by the proposed development, which would fail to preserve or enhance its appearance or character.”

It is incorrect to say that the rear elevation of the terrace is uniform, cohesive in appearance and has an “undeveloped rhythm”.

In paragraph 2.5 of the DR it is confirmed that within the terrace, there is an example at no. 164 of a partial-width rear extension at 1st and second floor levels; however, the Council states, this is an historic development allowed in 1973 under a previous development plan, and there are no other extensions in the terrace above first floor level.

It is accepted that each case must be determined on its merits and we have never argued that the extension should be permitted because of what has been built at No. 164.

Nevertheless, in our view, the fact that the terrace has been altered is of significance and should be weighed in the planning balance.

In our submission this very modest extension, simple in design, and with the use of appropriate materials will appear subordinate to the existing building and have no detrimental effect on the appearance of the terrace as a whole.

It is noted that Policies DP24 and CPG1 (design) advocate a general presumption towards resisting extensions that rise above the general height of neighbouring projections and nearby extensions. In this case the extension would be of a similar height to that at No. 164.

Further we consider that when viewed in the context of surrounding development it will not appear intrusive or out of keeping; there will be very limited public and private views and we submit that

where it can be seen from, the extension will be viewed from some distance away and in the context of the existing terrace as a whole, to which it will be clearly subordinate.

Third Party Representations

The Primrose Hill Conservation Area Advisory Committee objected on the following grounds:

“In basic contradiction of Primrose Hill Conservation Area Statement policy guidance PH27, which states that extensions should be in harmony with the original form and character of the house.

Comment

Based on our assessment and analysis above we submit that the modest extension proposed respects the original form and character of the property and accordingly would be in harmony with it.

Would lead to significant loss of daylight and sunlight to habitable rooms in the adjoining property no. 160.

Comment

The Sunlight and Daylight Report submitted demonstrates there will be no significant loss of sunlight and daylight to habitable rooms and the Council Officers concur with this assessment.

Would lead to a harmful loss of openness at the rear of the building”

Comment

There will be no harmful loss of openness to the rear of the building.

Conclusions

The proposed rear extension would not affect the front façade of the property and will appear subordinate to the existing building; it will appear consistent with the site’s context and have a minimal impact on the terrace and the Primrose Hill Conservation Area.

The proposal would have no adverse material impact on the amenities of the occupiers of the residential units on either side.

In summary, the extension and alterations proposed will provide useful additional residential space to the existing maisonette and have been designed with regard to the relevant Policies of the adopted Development Plan, the relevant Design Guidance and the Policy Guidance in the Primrose Hill CAS.



Accordingly we conclude that the proposal merits Officer support and the grant of conditional planning permission.

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SJP/22/05/2018