

PLANNING APPEAL STATEMENT

PREPARED BY: Barnes Design
PROJECT: Garden Flat, 43 Countess Road LONDON NW5 2XE
LOCAL AUTHORITY: Camden
PLANNING REF: 2018/1058/P

1.0 Proposal:

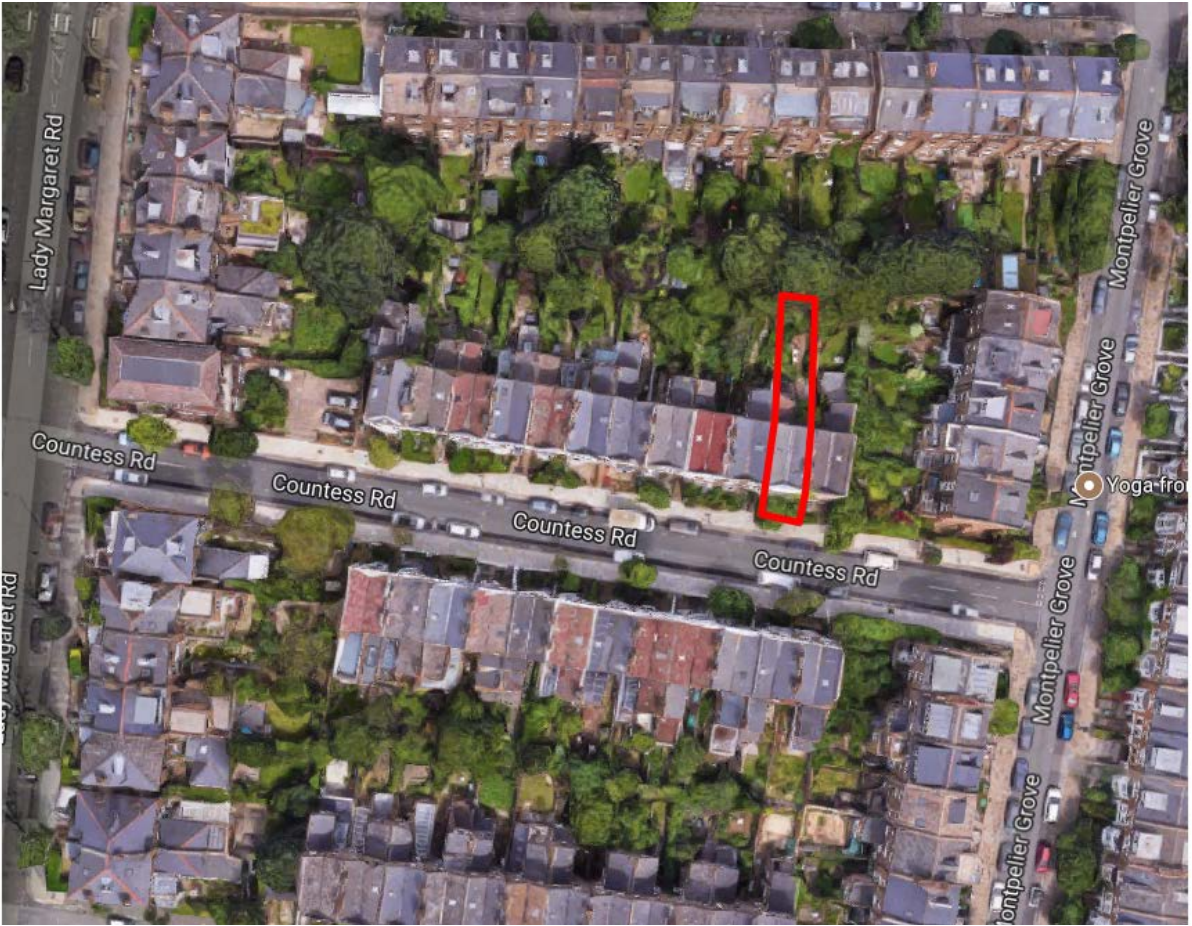
- 1.1 Erection of a single storey rear and side infill extension to ground floor flat, with a sunken terrace to the rear.

2.0 Reason for Refusal:

- 2.1 *The proposed extension, by reason of its depth, width and scale, would appear as a dominant addition to the host building that would be out of keeping with the prevailing pattern of development. Therefore, it would result in material harm to the character and appearance of the host and surrounding buildings, as well as the Kentish Town Conservation Area, contrary to policies D1 and D2 of the Camden Local Plan 2017, and policy D3 of the Kentish Town Neighbourhood Plan 2016.*
- 2.1 *The proposed extension, by reason of its depth, size and siting along the shared boundaries with both adjoining properties, would be a dominant and unneighbourly addition that would lead to a material level of harm to the living conditions of nos 45 and 41 Countess Road by creating a material sense of enclosure and overbearing. Therefore, it would be contrary to policy A1 of the Camden Local Plan 2017.*

3.0 Application Site:

- 3.1 The property is a residential three-storey Victorian mid-terrace dwelling, split into two flats. Located within the Kentish Town conservation area, north east of Countess road. The street is made up of predominately three-storey residential terraced dwellings. The property is not listed.
- 3.2 Ariel shots of the application site, including birds eye view, front and rear 3dimension perspectives (image source: google maps).



4.0 Brief Overview:

- 4.1 The design process includes the clients wish to extend at the rear, whilst reconfiguring the internal layout. This would provide additional (& upgraded) accommodation with two bedrooms, one large bathroom and a large modern open plan living/dining area. The front of the property will remain the same, with the proposed extension at the rear being a sympathetic and complimentary addition to the existing building.
- 4.2 The client is a long-term lease holder of the ground floor flat.

5.0 Relevant Policy Applied –

- 5.1 National Planning Policy Framework (2012) &
5.2 Draft National Planning Policy Framework (2018)
- 5.3 London Plan (2016) &
5.4 Lifetime Homes (2010)
- 5.5 Camden Local Plan (2017)
Policy A1 managing the impact of development
Policy D1 design
Policy D2 heritage
Policy G1 delivery & location growth
Policy H1 maximising housing potential
- 5.6 Supplementary Planning (2017)
CPG1: design
CPG1: amenity
- 5.7 Kentish Town Neighbourhood Plan (2016)
Part 2 Section 3: maintaining character

6.0 Design & Appearance:

- 6.1 In line with **Policy A1: managing the impact of development**, the scheme has been designed to maintain the amenity and outlook of both adjoining occupants (**Policy A1: a. & e.**) This involves setting down the proposed extension by 0.4m and utilising the existing 2.3m height of both boundary walls. (please see drawing ref BD610.PA.02 attached). None of the boundary walls will exceed in height above 2.4m, 0.8m lower than permitted development rights.
- 6.2 Creating an infill extension by retaining the existing heights of the two boundary walls will maintain current outlook and privacy, nor will it have any resulting effect on daylight/sunlight or shadow (**Policy A1: a. e. & f.**).
- 6.3 The depth of the rear extension is in line with that of No.45 Countess Road and thus sets a precedent as an acceptable depth. In addition, it is acknowledged within the officer's report that "*the prevailing pattern of development contains extensions of a similar depth to the subject scheme*". The officers' report clearly contradicts the reason for refusal and acknowledges the prevailing pattern of development would be in keeping with the **Policies D1, D2 of Camden Local Plan 2017** and **policy D3** of the **Kentish Town Neighbourhood Plan 2016**.

- 6.4 **Policy D1 design:** The newly proposed extension has been designed carefully within the existing architectural style and language of the area. Paying attention to the existing massing and layout (**Policy D1: a. b. & f.**).
- 6.5 A traditional pallet of sustainable masonry materials will harmonise with the existing and adjoining properties. Multi glazed crittall doors & a frameless roof lantern will add a contemporary element to the house, whilst still being subservient. (**Policy A1: c. e. & j.**).
- 6.6 The revised layout will safeguard the viability of the property in benefitting a wide range of individuals. Laid out in a light and spacious manner, with wide set corridors and doorways leading into all main habitable rooms.
- 6.7 The design of the proposed accommodation was carefully considered and designed around the framework for **National Technical Housing Standards**, the **London Plan** and **Lifetime Homes**. This ensures that the property will be beneficial to a wide range of individuals and has the potential to be altered to the changing needs of the population over years to come. (**Policy A1: d. g. & n.**).
- 6.8 Through **Lifetime Homes Design Criteria (2010)**, access to the application site will be via the existing drop curb entrance. All entrances will have an accessible threshold with a max 15mm upstand and a min 800mm door width.
- 6.9 **Policy D1 d. sustainable design:** The building design intends to incorporate sustainable techniques wherever possible, thereby reducing CO2 emissions. Included in the proposal are a variety of sustainable features to ensure a high level of performance from the building and ensure sustainable life style practices.
- 6.10 Thermal Insulation: The roof space will be lined with insulation to meet current Building Regulation requirements. All the windows will use low-e double glazed units. Ventilation and heating: Passive cross ventilation will be provided was possible
- 6.11 Electricity and Lighting: Low energy lights will be installed throughout, including lights fitted by the external doors. The design aims to allow a high degree of natural daylight into the property, to alleviate the need for excessive use of electric lighting.
- 6.12 Macerators in kitchen sinks will reduce waste storage issues relating to odours and vermin.
- 6.13 **Policy D2 heritage:** The proposed scheme adopts a development strategy seen along the street, by creating a wrap-around rear extension (solely on the ground floor) that maximises the principle living spaces of the home. Our proposal projects 3m from the existing ground floor lean-to rear side return, matching the adjoining projection of the rear extension of no.45. (please see drawing ref BD610.PA.04 attached).
- 6.14 The scale of the extension will not exceed the existing height of the boundary walls on either side and will also retain more than 50% of the garden footprint. Private access and amenity of the ground floor flat will be retained, with the main living spaces having a more unified relationship with the outdoors. All existing trees and soft planting will be retained, with any additional planting being sympathetic and native to the surrounding area, helping to increase and maintain biodiversity. This will include topiary evergreens and low maintenance flowering perennials (**Policy D2: e. f. & h.**).

- 6.15 **Policy G1 delivery & location growth & Policy H1 maximising housing potential:** The proposal makes best use of the site by maximising housing potential but still retaining more than 50% of Camden's limited soft landscaping. The self-contained flat increases the provision of mixed use housing, whilst considering the quality of design and its surroundings (**Policy G1: a. b. c. d. & Policy H1**).

7.0 Relevant Local Planning History

- 7.1 Relevant Local Planning History for Rear & Side Extensions approved:

2017/4447/P	35 Countess Rd - 14.08.2017	Granted
2016/6493/P	44 Countess Rd - 14.12.2016	Granted
2016/2796/P	17 Countess Rd - 25.05.2016	Granted
2012/6703/P	24 Countess Rd - 06.03.2013	Granted
2012/5772/P	38 Countess Rd - 07.11.2012	Granted
2011/6283/P	29 Countess Rd - 06.01.2012	Granted
2010/2406/P	26 Countess Rd - 09.06.2010	Granted

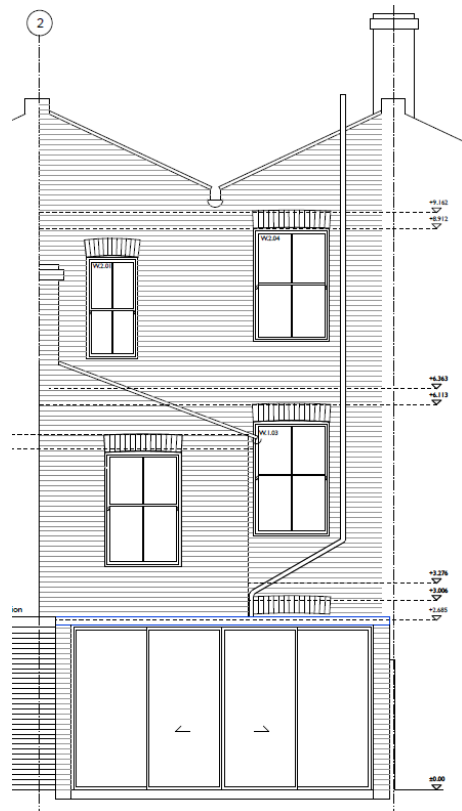
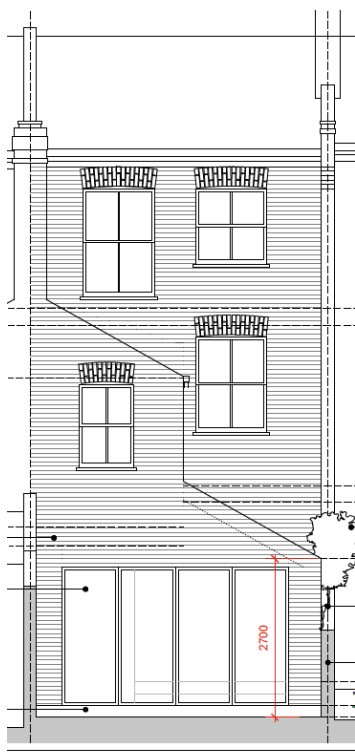
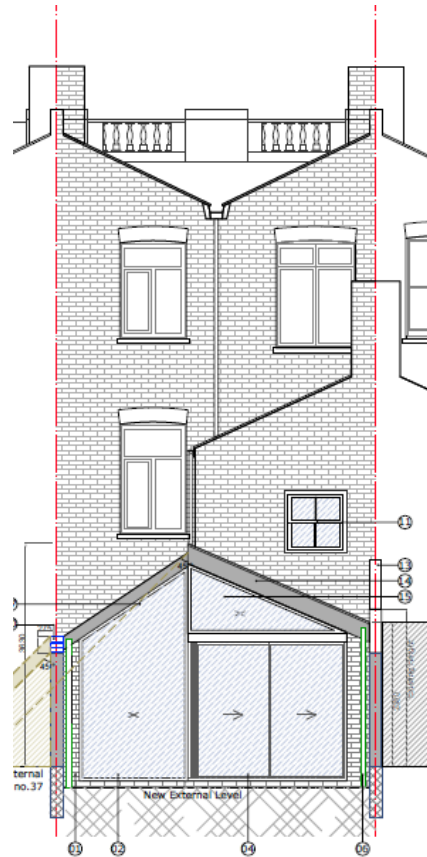
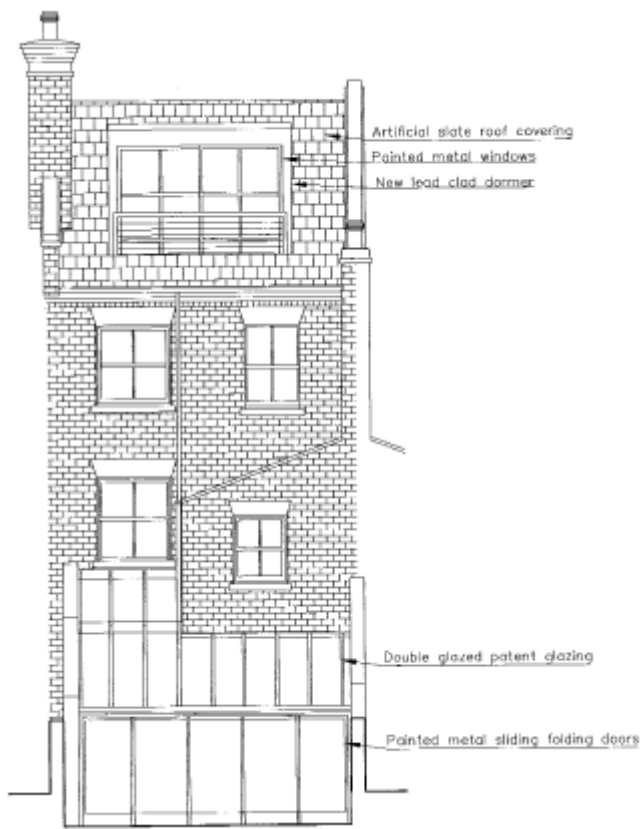
- 7.2 Relevant Local Planning History for Rear & Side Extensions approved prior to 2011 Conservation Area boundary change:

9200219	04 Countess Rd
2015/622/P	05 Countess Rd
PEX0200977	15 Countess Rd
PEX0200704	20 Countess Rd
PEX0100772	23 Countess Rd
PEX0200741	29 Countess Rd
PEX0200741	33 Countess Rd
8802173	39 Countess Rd

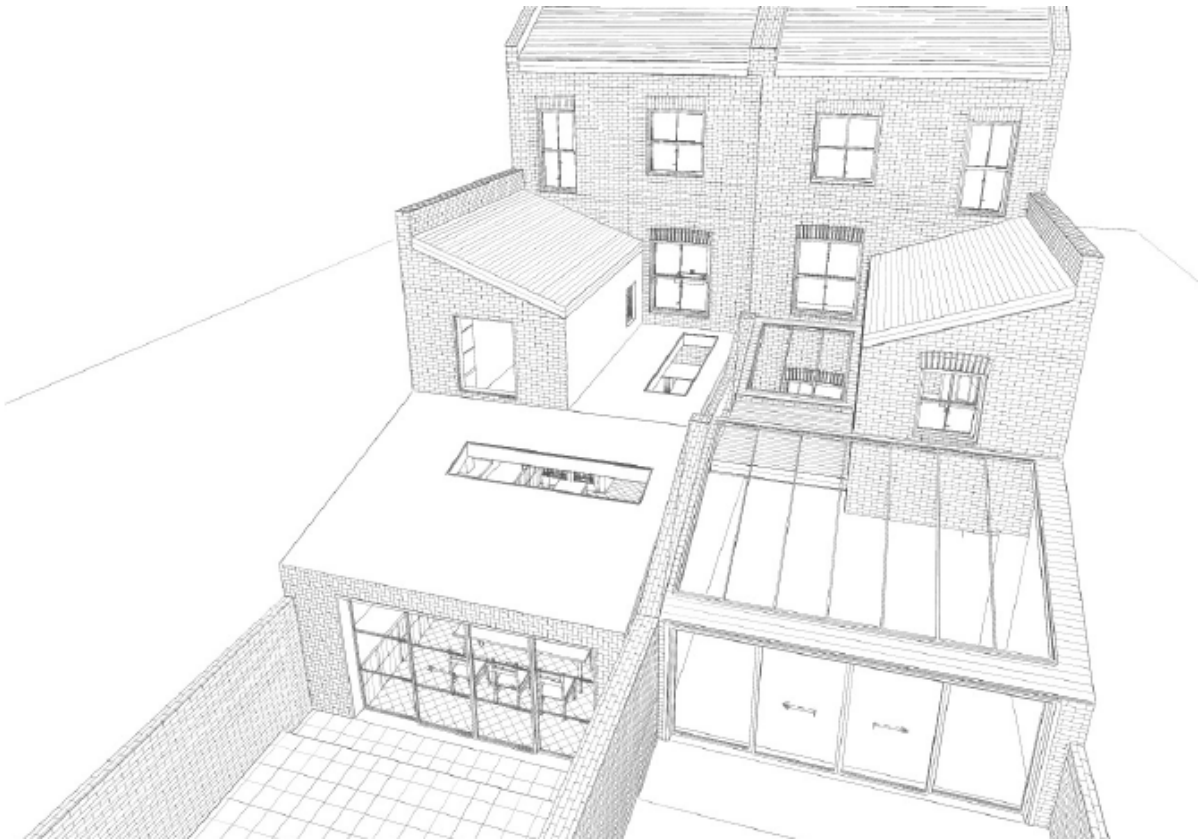
- 7.3 The principle refusal(s) for side return applications have been due to impact on neighbouring amenity, outlook and failure to appear subordinate to the existing building. Objections to proposals include impact on amenity, daylight and disturbance of build works
- 7.4 *Paragraph 3.7 of CPG1 states: "We will only permit development within conservation areas, and development affecting the setting of conservation areas, that preserves and enhances the character and appearance of the area"... "Rear extensions should be designed to: be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing".*

8.0 Example of Recent Approvals

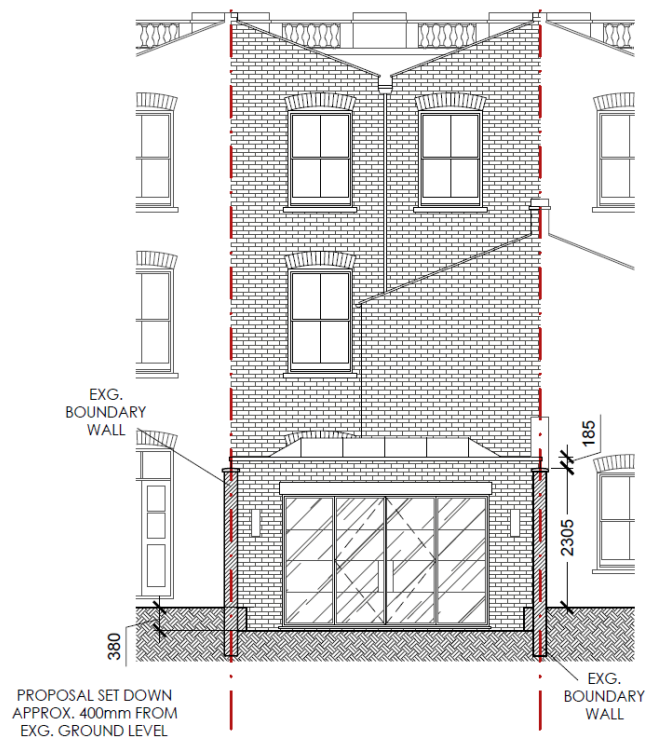
8.1 Proposed Rear Elevations for No.15, 35, 16 & 44 Countess Rd:
(image source: Camden Planning Portal)



8.2 Proposed Rear Elevations for no.15 & 17 Countess Rd:
(image source: Camden Planning Portal)



8.3 Our Proposed Rear Elevation (2018/1058/P) for no.45 Countess Rd
(image source: Barnes Design)



9.0 Examples of built rear & side extensions

9.1 no.24 & 30 Countess Rd (image source: Apple Maps)



9.2 no.38 Countess Rd (image source: Apple Maps)



9.3 no. 15 & 17 Countess Rd (image source: Apple Maps)



9.4 no.45 Countess Rd, adjoining owner to no.43 (image source: Rightmove)



10.0 Conclusion

- 10.1 In reference to policy D1 'Design' of the Camden Local Plan and the precedent of applications approved within the area. It can be strongly argued that the proposed development does consider the '*character, setting, context and scale of the neighbouring buildings*'. In line with Policy D2 'Heritage', the simple flat roof parapet extension preserves the principle layout of the rear elevation, whilst enhancing the character and appearance through a pallet of matching and complementary materials. A subservient and sympathetic addition in comparison to previous applications recently approved above.
- 10.2 *Paragraph 3.7 of CPG1 states: "We will only permit development within conservation areas, and development affecting the setting of conservation areas, that preserves and enhances the character and appearance of the area"... "Rear extensions should be designed to: be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing".*
- 10.3 We reject the case officer's claims that the '*combined depth, width and overall scale and massing of the proposed extension would appear excessive and fail to appear subordinate to the host dwelling*'. The scheme is one of many wrap-around extensions seen within the conservation area (as highlighted above) and has been designed to sit subservient to the existing building. The depth of the extension is proportionate to the existing building and soft landscaping, retaining more than 50% of the garden space (please see drawing ref BD610.PA.04).
- 10.4 The proposed side and rear extension is in line with similar wrap around extensions on Countess Road and reads as a closet wing. The extension is clearly subordinate to the host building to respect and preserve the original proportions of the building and character of the area.
- 10.5 '*Policy A1 of the Local Plan 2017 states seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered. It seeks to ensure that development protects the quality of life of occupiers and neighbours by only granting permission for development that would not harm the amenity of neighbouring residents. This includes privacy, outlook, daylight and sunlight. CPG6 (Amenity) provides specific guidance with regards to privacy, overlooking and outlook.*'
- 10.6 The proposed extension has been designed as an infill, utilising the existing height of the two adjoining boundary walls. This is to ensure that the existing outlook, amenity and privacy of both adjoining properties is maintained (please see drawings ref BD610.PA.02). By setting down the proposed extension by 0.4m and utilising the existing 2.3m height of both party walls, none of the boundary walls will exceed in height above 2.4m, 0.8m lower than permitted development rights. To help soften the visual appearance of the proposal from the flat above, a sedum planted roof can easily be installed. This will not only help to increase and maintain biodiversity but address any concerns of outlook from first and second floor windows.
- 10.7 It is noted within the report that No.45 would suffer a material sense of enclosure from the proposals. It should be considered that No.45 already has a significant rear and side extension to their property which already creates a self-inflicted dark and enclosed courtyard space. The existing rear extension is in line with our proposal and the side extension is only 0.8m from the applicant's boundary. The extension at No.45 could be viewed as being more out of keeping within the Kentish Town Conservation

Area than what is proposed and less subservient in terms of design and closet wing effect. Please see image below & point 9.4.

- 10.8 The levels of privacy, outlook, daylight and sunlight will be negligible on the neighbouring properties. The privacy of neighbours is unaffected due to it only being a single storey extension. The outlook as discussed earlier is only 185mm above the existing fencing and thus has no material harm to the neighbours.



- 10.9 For the reasons above, we would like to appeal Camden Council's reasons for refusal and hope that the Planning Inspectorate will see the positive addition the submission brings to the application site and wider conservation area.

11.0 Appendix

- 11.1 Planning Drawings Submitted inc:

Existing Plan Layouts, Elevations & Sections (BD610.EX.01)
Proposed Plan Layouts, Elevations & Sections (BD610.PR.01)
Proposed Rear Elevation (BD610.PR.02)
Proposed Roof Plan (BD610.PR.03)

- 11.2 Planning Appeal Drawings in context:

Existing & Proposed Elevation (BD610.PA.01)
Existing & Proposed outlook from adjoining properties (BD610.PA.02)
Existing & Proposed Plans (BD610.PA.03)
Existing & Proposed Roof Plan (BD610.PA.04)
Proposed Rear Elevation in context to Existing extension of adjoining owner (BD610.PA.05)