

Grounds of Appeal
1 Rose Joan Mews
London
NW6 1DQ

Introduction

With respect to an Appeal against the decision of the London Borough of Camden to refuse planning permission for the erection of a front infill extension at first floor level.

LPA Reference: 2018/3408/P

This document comprises the Appellant's Statement of Case in respect of the refusal of planning permission for the erection of a front infill extension at first floor level of the property.

The application was refused on 31st August 2018 for the following reasons:

The proposed front infill extension, by reason of its siting, bulk, massing and scale, would have a materially detrimental impact on the character and appearance of the host building and its contribution to the wider streetscene contrary to policies D1 (Design) and G1 (Delivery and location of growth) of the London Borough of Camden Local Plan 2017 and Policy 2 (Design & Character) of the Fortune Green and West Hampstead Neighbourhood Plan.

The appellant contests these reasons for refusal.

The site



Figure 1 Aerial view of site (shown in red) in context (Courtesy Google)

The property is situated in a small cluster of mews style buildings to the rear of properties on Fortune Green Road. The property is not within a Conservation Area or Article 4 area, nor is the building a Listed building or within the vicinity of any.

The Fortune Green Road frontage generally comprises of traditional 3 storey terraces with commercial units on the ground floor and residential uses on the upper floors. No.98 is wholly in residential use.

There is no distinct style to the mews as a whole or the wider urban fabric beyond. Rose Joan Mews is comprised of ad hoc infill developments of various scales and designs overlooked by extensions of Fortune Green Road properties which are again of a range of scales and designs. It is noted though that variety and visual contrast between buildings of different ages is an intrinsic part of the character of the area.

1 Rose Joan Mews comprises a one and two storey building set to the rear of 98 Fortune Green Road, and forming part of a wider “mews” style development on the site of a former garage and other land at the rear of properties in Fortune Green Road. The building is “modernist” in its appearance with rendered walls and flat roofs, with aluminium framed windows and glass blocks providing the fenestration.

The property is in residential use as a two storey duplex studio flat, and in effect it is a semidetached property that is attached to a two storey house of similar form. The accommodation within the studio is limited on the ground floor to a WC and a single room comprising the main living/bedroom space and kitchen, with the first floor providing a bathroom, accessed by an internal staircase. It is a somewhat impracticable arrangement.

The first floor corner void proposed to be filled by the new extension does not fulfil any useful function. It is not accessible and it is not used as amenity space. The two facades that look onto this void are blank white rendered facades matching the rest of the property. The various parapets are covered in a light metallic grey flashing. One wall is punctuated by two vents.

The access road is of limited width and the surrounding developments are intended as being largely “car free”, with restrictions preventing residents from applying for residential parking permits in surrounding streets. There are however two car parking bays adjacent to the appeal property, at the rear of No.98, and also a further two bays opposite, and to the rear of No.94.

The proposal

The property is, and will remain, a single dwelling. The alterations and extension are intended to improve the internal spatial arrangement of the property. The proposed new works are primarily focused around a first floor extension.

The proposal seeks to infill the corner void at first floor with a high quality volume wrapped in a slatted timber screen. Two unaligned and different sized windows are proposed, one behind the screen, and one which interrupts the screen both on the southern elevation. The timber screen, associated detailing and wall behind are all proposed in a light grey colour complementing the host building and drawing on other monochromatic tones seen elsewhere in the mews. Internally the screen scatters light throughout the extension and provides a sense of privacy.

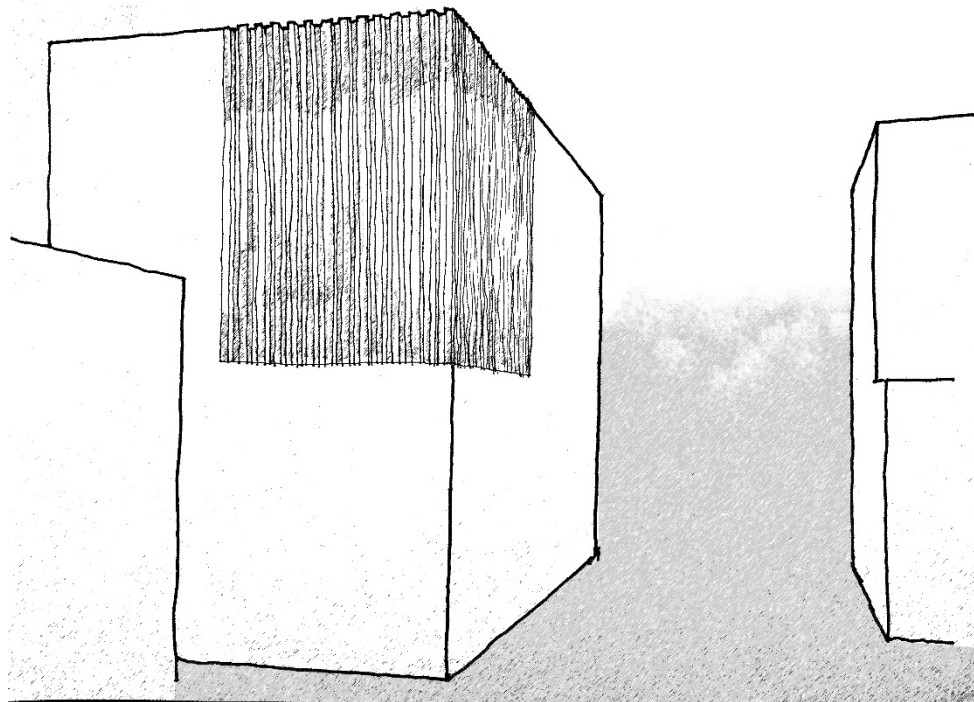


Figure 2 3D sketch showing proposal from Rose Joan Mews

The layout is improved greatly by the addition of the extension which will give an increased floor area of approximately 10 sq. meters (100 sq. ft.) of living space on first floor, in the form of a small bedroom, thereby significantly improving the amount of floorspace and “usability” of the accommodation.

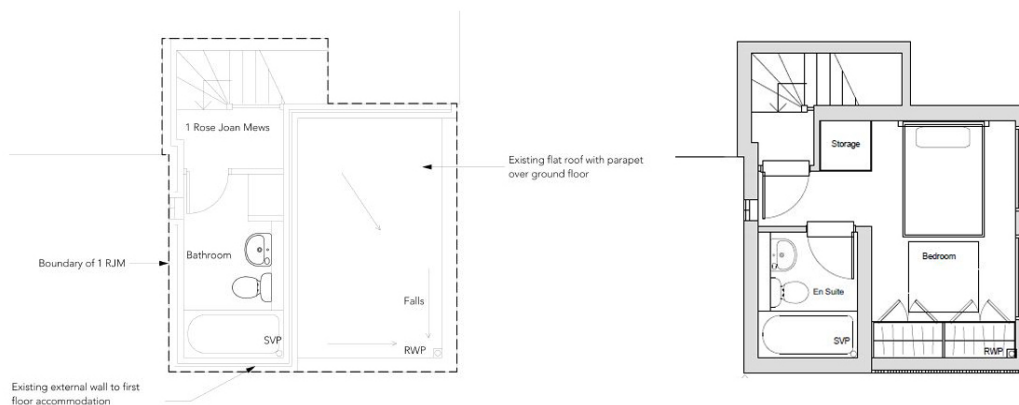


Figure 3 Existing and Proposed first floor plans as submitted

Relevant planning history

An application for a similar extension was submitted in 2017 and refused [Ref; 2017/3652/P]. An appeal was subsequently lodged in January 2018 and dismissed in May 2018.

The Appeal Decision states the following;

‘I conclude that the proposal would have an unacceptable harmful effect on the character and appearance of the host property and the area. It would be contrary to Policies D1 and G1 of the

Council's Local Plan, which seek, amongst other matters, high quality development that respects local context and character. It would also be contrary to Section 7 of the National Planning Policy Framework (Framework).'

The Council acknowledge that there are no concerns regarding loss of light or outlook, or overbearing impact arising from the development. They also acknowledge there are no parking or highway safety issues.

Also of relevance is a recent decision at No.14 Rose Joan Mews, where planning permission [2017/3589/P] was granted on 10th October 2017 for the erection of a rear extension at first floor level.

The appellants case

The reasons for refusal are primarily regarding design and as a result are subjective in nature. The appellant believes too much weight has been given to the design of the host building in the context of the character of the immediate area and as a result a balanced decision that considers the benefits has not been reached.

The Delegated Report for the application (2018/3408/P) contains assessment comments that the appellant would like to respond to. The officer's assessment states the following;

3.2 The proposed extension would materially alter the character and appearance of the building. The building presently derives visual interest from the 'cut away' massing to the front of the building, which is a typical means by which modernist architecture reduces the appearance of massing and scale. The same 'cut-away' feature is also evident at the property opposite (no's 14 and 15 Rose Joan Mews).The Inspector agrees, stating in the previously dismissed appeal report that,

"the recess performs an important visual function and reflects the distinctive character of the appeal building and the surrounding properties of a similar design."

The Inspector continues to state that by infilling this area, the building would result in a box like form that would not be sympathetic to the style and appearance of the host dwelling.

As previously stated the character of the immediate context in Rose Joan Mews and to the rear of Fortune Green Road is defined as being haphazard and eclectic with no particular overall styles. Infill developments and extensions are common.

The host building has little aesthetic, architectural or artistic value. By way of its detailing, internal arrangements, form or proportion it should not be considered that the host building has any real significance. The appellant believes the design of the infill will make a positive contribution to the host building.

The value that the cut away or reduction of massing has in determining the host buildings character as a piece of 'modernist' architecture is minimal. Removal of the cut away section of the massing will not detract from its modernist design intent. Modernist architecture can be described in various ways but it cannot be said that a cutaway is typical. For example the RIBA state that Architectural Modernism is characterised by:

- *asymmetrical compositions*
- *use of general cubic or cylindrical shapes*
- *flat roofs*
- *use of reinforced concrete*

- *metal and glass frameworks often resulting in large windows in horizontal bands*
- *an absence of ornament or mouldings*
- *a tendency for white or cream*

[<https://www.architecture.com/knowledge-and-resources/knowledge-landing-page/modernism>]

In this way the appellant believes the proposal complies with Policy D1 Design as it is respectful of local context and character, and comprises details and materials that are of high quality and complement the local character as noted elsewhere in the officer's report (3.5).



Figure 4 View of rear of Fortune Green Road from Rose Joan Mews (Courtesy Google)

The officer's assessment also states the following;

3.3 By reason of its location at the entrance to the mews, this would have a harmful impact on public views into the street from Fortune Green Road, eroding the current interesting glimpse of contemporary architecture. It would also materially detract from the appearance of the building opposite, which the application property mirrors. In the previously dismissed appeal, the Inspector agrees the proposal would be harmful in views from within the mews and from the main road.

The host building is over 22 metres away from Fortune Green Road and the entrance to the mews. It should be noted here that within the Fortune Green and West Hampstead Neighbourhood Plan Policy 2: Design and Character point 9, Rose Joan Mews is not considered to be part of a key local view or streetscape as noted in A11 and shown on Map 2. Although the materiality and detailing of the two buildings that make up 1,2 14 & 15 are the same they are not significantly uniform that their similar character should be required to be maintained at the expense of any extension or amendment.

It should also be noted that the argument regarding the symmetry of numbers 1,2 14 & 15 is undermined by the recent consent granted to extend number 14 Rose Joan Mews [2017/3589/P] at first floor level. The Appeal Decision [APP/X5210/D/17/3188631] for the previous proposals on the site dismisses its consideration, but in light of the wording in the officers report the appellant reasserts that this should be a material consideration.



Figure 5 View 1 of Rose Joan Mews from Fortune Green Road (Courtesy Google)



Figure 6 View 2 of Rose Joan Mews from Fortune Green Road (Courtesy Google)

The officer's assessment goes on to say the following;

3.4 The proposal has attempted to overcome the previous reason for refusal by cladding the extension in grey timber slats to create a more lightweight corner in contrast to the solid render of the rest of the building. It is not considered this achieves the desired effect and would still create a box like form that would not be sympathetic to the modernist architectural style.

The appellant maintains that the design is appropriate for a mews extension. The proposal seeks to infill the corner void at first floor with a volume wrapped in a slatted timber screen. The timber screen, associated detailing and wall behind are all proposed in a light grey colour complementing the host building and drawing on other monochromatic tones seen elsewhere in the mews. It is intended that the extension will be of a high quality.

In contrast to the traditional mews architecture of solid enclosures with tiny windows and little daylight, this design creates a lightweight addition to the mews, but still respects the contextual language of modernist ideals and visual variety of the surrounding area. This kind of mews design uses a common language used across London and is fully appropriate for use in this context.



Figure 7 Precedent examples of screened mews typologies

Conclusion

The appellant holds the view that the Council has overstated the significance of both the host building and the recess at the expense of the improvement of the residential accommodation. The appellant seeks a balanced view that fully considers the benefits of improving the residential amenity, however small. The Council's focus on improving quality of residential accommodation is noted in the Camden Local Plan (3.281). The proposal's improvement of the Borough's housing stock is recognised in the previous appeal decision.

The newly revised National Planning Policy Framework (NPPF) puts emphasis on making effective use of land, i.e. 118 d) states; Planning policies and decisions should; d) Promote and support the development of under-utilized land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

Chapter 12 'Achieving Well-designed Places' in the new NPPF also states that design should not be used as a reason to object to development where a scheme complies with local plan policies. A proposal has been put forward that provides greater comfort on the design quality to improve how the addition looks within its mews context. The appellant understands that there are greater build cost implications with achieving this design. The quality and appearance of the facing materials that make up the addition can be controlled through condition.

The optimum viable use of the building is its present use as a private home and the proposed extension maximises the usability of this residential property for this purpose. As per Camden Local Plan Policy G1, the proposals assist in making best use of the site.