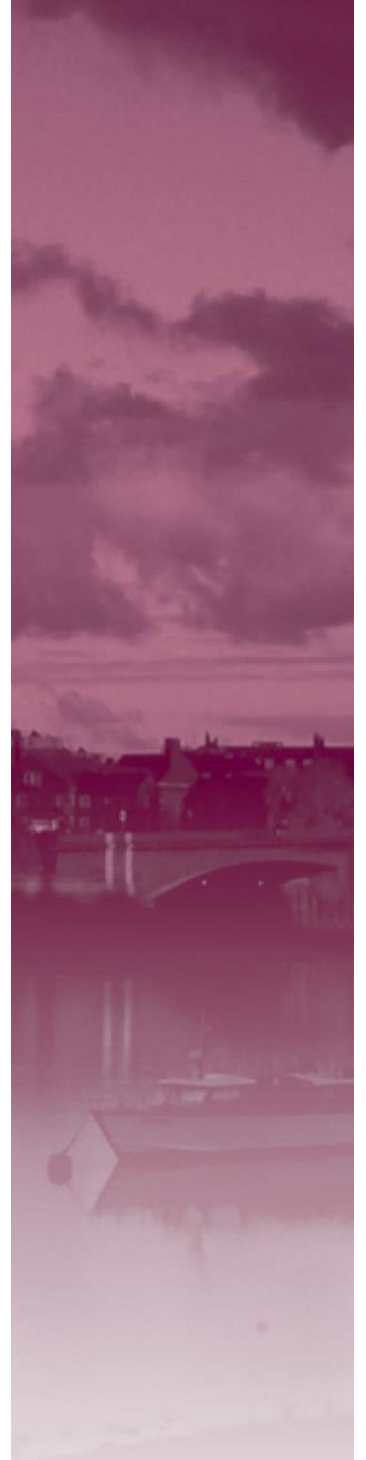


PLANNING APPEAL STATEMENT

ERECTION OF THREE STOREY REAR EXTENSION WITH SECOND FLOOR
TERRACE AND ASSOCIATED ROOF ALTERATIONS

104 Drummond Street, London, NW1 2HN

February 2019



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1.0 INTRODUCTION

- 1.1 This planning appeal statement has been prepared in support of an Appeal against Camden Council's decision to refuse planning permission for the erection of a three storey rear extension with second floor terrace and associated roof alterations (LPA Reference: 2018/4530/P).
- 1.2 The planning submission included the following drawings and reports:
 - Architectural Plans by MAP Architecture:
 - 1808: P00 - Site and Block Plan;
 - 1808: P01 - Proposed and Existing Lower Ground and Ground Floor Plan;
 - 1808: P02 - Proposed and Existing First and Second Floor Plan;
 - 1808: P03 - Proposed and Existing Elevations;
 - 1808: P04 - Proposed and Existing Section; and
 - A Design and Access Statement by MAP Architecture.

2.0 SITE AND SURROUNDING DESCRIPTION

- 2.1 The Appeal site relates to a four-storey building comprising lower ground, ground and two upper floors, located on the northern side of Drummond Street.
- 2.2 The building is in residential (Use C3) use and contains 2 x self-contained flats. There is a studio flat of 29sqm at lower ground floor level and an 87sqm two-bedroom maisonette on the ground, first and second floor levels.
- 2.3 The studio currently has direct access to 9.4 sqm amenity space and the larger residential unit on upper floor levels has access to 11.4 sqm amenity space at ground level, albeit most of this area is given to the access walk to the rear space.
- 2.4 The Drummond Street streetscene is uniform in character with retail and commercial units at ground floor level and residential above and very minimal modifications to the front elevations of the properties. In contrast the rear elevations of most of the buildings forming part of the terrace have been altered and there are no uniform significant architectural features along the length of the terrace.
- 2.5 Like at no.102 and 106 there is a chimney breast on the rear elevation of the building. To the rear, the fourth storey (second floor level) of the building is of a mansard style design with a valley roof clad in natural slate.
- 2.6 The site falls within the central Camden area with excellent public transport links and has a PTaL of 6b, which is the highest level of accessibility. It has easy access to bus routes and is a short walk to three Underground stations; Euston, Euston Square and Warren Street.
- 2.7 The property is not located within a conservation area, nor is it a listed building. The property is not in an area at risk of flooding.

3.0 RELEVANT PLANNING HISTORY

- 3.1 There is no recent planning history in relation to the appeal site.

4.0 DESCRIPTION OF PROPOSAL

- 4.1 The Appeal scheme is for the erection of a three storey rear extension with a rear amenity terrace at second floor level and alteration to the main roof level.
- 4.2 The scheme seeks permission for the erection of a 1.8m deep full width two storey rear extension and resultant alterations to the rear elevation and the internal layout to the two self-contained flats.
- 4.3 At present the studio of 29 sqm has access to 9.4 sqm of lower level courtyard amenity space. The proposed extension will increase the floor area of the studio to 35 sqm and the amenity space will increase to 9.5 sqm.
- 4.4 The maisonette at upper floors currently has access to a 11.4 sqm at ground, albeit arranged in an L-shaped narrow configuration. This amenity will be partially excavated to make room for the lower ground floor. The remaining parcel of 3.8 sqm will be secondary to a 8.6 sqm rooftop terrace which will be accessed internally. In total, the unit will have 12.4 sqm of amenity space. The proposal will provide additional internal and external floorspace to the existing residential units.
- 4.5 The internal layout of the maisonette will be reconfigured to change it from a two bedroom flat to a three bedroom/two bedroom plus study room flat. The proposed two storey extension will increase the floor area of the unit from 87 sqm to 99 sqm. The proposed unit will have a high quality private amenity space in the form of second floor roof terrace and a modest terrace at ground floor level.
- 4.6 The extension would be constructed from stock brick with white render to match the existing rear elevation. The windows and doors would be timber framed sash windows and glazed doors.
- 4.7 The proposed a second floor roof terrace will be secured by a black painted metal balustrade.

5.0 THE COUNCIL'S DECISION

- 5.1 The application was made valid on the 24th October 2018.
- 5.2 On the 8th January 2019, the application was refused under delegated powers for the following 2 reasons:
1. *The proposed 3 storey rear extension because of its height, bulk and mass would fail to respect the established character of rear extensions on this terrace and would result in harm to the character and appearance of the host building and the terrace;*
 2. *The proposed roof level alterations that included a parapet and door and screening associated with the roof terrace would result in harm to the character and appearance of the host building and the terrace of properties.*
- 5.3 A copy of the case officer's report and the decision notice are included in the appeal documents.

6.0 RELEVANT PLANNING POLICIES

- 6.1 The relevant planning policies are those cited in the Council's reasons for refusal, being Policy D1 (Design) of the Camden Local Plan 2017 and the Camden Planning Guidance 1 Design (CPG 1 Design).
- 6.2 For ease of reference each of these policies are set out below:

Camden Local Plan 2017

Policy D1 Design

"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;
- f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
- g. is inclusive and accessible for all;
- h. promotes health;
- i. is secure and designed to minimise crime and antisocial behaviour;
- j. responds to natural features and preserves gardens and other open space;
- k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
- l. incorporates outdoor amenity space;
- m. preserves strategic and local views;
- n. for housing, provides a high standard of accommodation; and
- o. carefully integrates building services equipment.

The Council will resist development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

Camden Planning Guidance 1 Design (CPG 1 Design) March 2018

Rear Extension

“4.10 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.

4.13 *In most cases, extensions that are higher than one full storey below roof eaves/parapet level, or that rise above the general height of neighbouring projections and nearby extensions, will be strongly discouraged.”*

Roof Alterations and Extensions – General Principles

“5.7 Additional storeys and roof alterations are likely to be acceptable where:

- There is an established form of roof addition or alteration to a terrace or group of similar buildings and where continuing the pattern of development would help to re-unite a group of buildings and townscape;

- *Alterations are architecturally sympathetic to the age and character of the building and retain the overall integrity of the roof form;*
- *There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm.”*

7.0 MATTERS IN AGREEMENT

7.1 Notwithstanding the Council’s decision to refuse the application, the following matters are agreed between the parties.

Width and Depth

7.2 The principle of 1.8m deep full width rear extension to the building is acceptable in principle.

Design

7.3 The detailed design of the rear extension, with stock brick and render to match the existing rear elevation, was not cited as a reason for refusal.

7.4 The retention of the rear chimney breast, which is notable in the row of the three properties (nos. 102, 104 and 106) is acceptable.

7.5 The proposed timber framed sash windows and proposed doors were found to be acceptable as they were not cited in the refusal reasons.

Roof Terrace

7.6 The officer’s report confirms, at paragraph 2.8, that the creation of a second floor terrace with balustrading is considered appropriate in terms of its design and the principle of it being at high level.

Amenity Impact

7.7 The case officer’s report, at paragraph 3.2, confirms that due to the modest depth of the rear extension there would be no adverse loss of light to or outlook from the adjoining residential occupiers.

7.8 The case officer also confirmed at the same paragraph that the proposed windows of the extension would not cause unacceptable overlooking as there are already established views to the rear and the flank wall of the adjoining building. As such the scheme would not lead to new or harmful levels of overlooking.

7.9 The case officer’s report at paragraph 3.3 confirmed that the proposed amenity terrace would not have an adverse impact on the amenities of the neighbouring occupiers. The views from the amenity terrace would look into already established views, typical of rear residential locations.

Sustainability

7.10 There was no objection raised to the improved sustainability of the property as a result of the proposed extension.

8.0 GROUNDS OF APPEAL

8.1 The Council refused the application for 2 reasons and we will deal with each of these in turn.

Reason for Refusal 1 – Height, bulk and mass of the rear extension

- 8.2 The Council’s first reason for refusal alleged that the proposed three storey rear extension, by virtue of its height, bulk and mass would fail to respect the established scale of rear extensions on this terrace and would result in harm to the character and appearance of the host building and the terrace.
- 8.3 Policy CPG1 requires that the extension be designed to be subordinate to the host building in terms of location, form, scale, proportions and detailing.
- 8.4 The case officer confirmed that the proposed depth and width of the rear extension is acceptable. The concern relates to the height of the extension.
- 8.5 The house is three storeys tall when viewed from the street and is four storeys at the rear as this elevation including the basement. The proposed extension to the rear of the property will be at lower ground, ground and first floor levels. The height of the rear extension, when viewed from ground level will be two storeys, one storey below roof level.
- 8.6 In the officer’s delegated report at paragraph 2.5 the Council concluded that the eaves level of the property is at the top of the first floor level and not the top of the valley roof because there is a distinct line of changing materials from brick to slate. This led the officer to raise concern that the rear extension would terminate at eaves level and therefore not a full storey beneath eaves level. Based on this judgement, it was therefore considered that the scheme is contrary to Policy D1 of the Local Plan.
- 8.7 It is clearly shown on the existing rear elevation and section AA that although there is a change of material at the top of the first floor, there is no eave line between first and second floors and the second floor is habitable space. The building has a continuous building elevation from the basement all the way up to the valley of the roof. The proposed two storey rear extension terminates at the top of first floor which would be full storey beneath the full storey second floor level which complies with the first condition of paragraph 4.13 of CPG1 – the extension is lower than one full storey below the roof eaves.
- 8.8 In addition, 108 Drummond Street has a three storey rear extension to the rear. A 3D google image is provided in Appendix 1. The proposed rear extension at 104 of 1.8m deep would be less than the existing 2.4m deep rear extension at 108. The proposal rear extension at 104 will be both lower and shallower when compared to the existing rear extension at 108. It is therefore considered that the proposal is in full compliance with the second part of paragraph 4.13 of CPG1 as it is not higher than the general height of neighbouring projections and nearby extensions. The policy does not require both tests to be met but one or the other.
- 8.9 The proposed extension terminating at the top first floor level represents a subordinate addition to the host building, is a modest extension to the rear of the terrace and is no higher than the general height of the neighbouring projections and nearby extensions.
- 8.10 It is therefore considered that the proposed two storey rear extension above ground is in full compliance with Policy D1 (Design) of Camden Local Plan and the Camden Planning Guidance 1 design (CPG1 Design).

Reason for Refusal 2 – Roof Level Alterations

- 8.11 The decision notice alleges that the proposed roof level alterations, including the raised parapet, door opening and screening, by virtue of their design, form and location on the building would result in harm to the character and appearance of the host building and terrace of which it forms part.
- 8.12 It is important to consider the existing context in order to evaluate whether the proposal would bring any unacceptable harm to the character and appearance of the host building and to the terrace.

- 8.13 Along the terrace, 102 and 104 have valley roofs, 106 has a flat roof and 108 has a pitched roof. There is no consistent roof form along the terrace. In addition, the existing rear chimney breast between 102 and 104 separates two roofs which as a result, part of the valley roof is obscured when view from the rear. The proposed raised parapet wall at the second floor level will be at the same height with Nos 106 and 108. The design reflects the existing roof height with 106 and 108. The terrace has been largely altered, the proposal would help to re-unite the rear elevation of the terrace and would not cause additional harm in compliance with paragraph 5.7 of CPG1.
- 8.14 The Council has confirmed in the case officer's report that the roof terrace with the proposed balustrading is considered appropriate in terms of its design and the principle of it being at a high level. The proposed door opening is necessary to provide access to the roof terrace. A door opening to roof terrace could also be found at no. 112 and no. 110 as there appears (in the google image) to be a door opening at top floor. Doors at this level would not be clearly discernible in the public view or from a ground level vantage, and therefore cannot be argued to cause harm.
- 8.15 The proposed privacy screen between 104 and 106 will be up 1.8m and would not affect the outlook to the adjoining residential occupiers. The privacy screen could be designed as obscured glazed or planter screen to soften the design and would not be detrimental to the character or appearance of the building. The Appellant would be happy to accept a condition requiring the detailed design of the privacy screen to be approved by the council, should the Inspector consider this necessary.
- 8.16 It is therefore submitted that the proposed rear roof level alterations, including the raised parapet, door opening and screening, by virtue of their design, form and location on the building would not result in any unacceptable harm to the character and appearance of the host building and the terrace. The proposal is in full compliance with Policy D1 (Design) of the Camden Local Plan 2017 and the Camden Planning Guidance 1 Design (CPG1 Design).

9.0 CONCLUSION

- 9.1 This planning appeal statement has been prepared in support of an Appeal against Camden Council’s decision to refuse planning permission for the erection of a three storey rear extension with second floor terrace and associated roof alterations (LPA Reference: 2018/4530/P).
- 9.2 The proposed three storey rear extension (with 2 storey above ground level) will provide additional internal floorspace and external amenity area to the existing residential units.
- 9.3 The principle of 1.8m deep full width rear extension of the building, retention of the rear chimney breast, the creation of the second floor terrace was accepted by the Council. The Council was also satisfied that the proposal would not cause unacceptable amenity impacts to the neighbouring properties. The two reasons for refusal were 1) the height, bulk and massing of the proposal would fail to respect the established scale of the rear extensions on this terrace which in turn would harm the character and the appearance of the host building and terrace and 2) the proposed roof level alterations that included a parapet and door and screening associated with the roof terrace would result in harm to the character and appearance of the host building and the terrace of properties.
- 9.4 With regards to the first reason of refusal, the case officer confirmed that the proposed depth and width of the rear extension is acceptable. The concerns relate to the height of the extension. The proposed rear extension is two storey when viewed from ground level. The Appellant does not agree that the roof eaves terminates at the top of the first floor level. The proposed two storeys rear extension terminates at the top first floor which would be a full storey beneath the second floor level. The proposed rear extension will also be lower and shallower than the existing rear extension at 108. The proposal is in full compliance with paragraph 4.13 of CPG1.
- 9.5 With regards to the second reason of refusal, the raised parapet wall, door opening and screening are carefully designed. The door opening is necessary to provide access to the roof terrace. The details of screening can be dealt with by condition to ensure an appropriate design. The parapet wall will bring the height of 104 to be the same as 106 and 108. The proposal would not result in any unacceptable harm to the character and appearance of the host building and terrace. The proposal is in full compliance with Policy D1 (Design) of the Camden Local Plan 2017 and the Camden Planning Guidance 1 Design (CPG1 Design).
- 9.6 The Appellant submits that the proposal is in full compliance with the relevant planning policies and it is therefore respectfully requested that the appeal be allowed with appropriate conditions.

Appendix 1

