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Our ref: 2018/3110/P
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The Planning Inspectorate
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Dear Sir/Madam,

Town and Country Planning Acts 1990 (as amended)
Planning Appeal Statement (Authority)
Appellant: Mr. Eli Pine
Site: 21 Maresfield Gardens, The Anna Freud Centre, NW3 5SD

I write in connection with the above appeal against the Council's refusal to grant planning permission for the following:

“Roof extension to include creation of crown roof with two rooflights on top, replacement of rear dormer with two dormers, one new front rooflight, reinstatement of chimneybreast on southern side, increase in height of the chimneybreast on the northern side, all to non-residential institution (Class D1)”

The Council's case is set out primarily in the delegated officer's report (ref: 2018/3110/P) that has already been sent with the questionnaire and is to be relied on as the principal Statement of Case. Copies of the relevant Camden Local Plan policies and accompanying guidance were also sent with the appeal questionnaire.

In addition, Council would be grateful if the Inspector would consider the contents of this letter which includes confirmation of the status of policy and guidance, comments on the Appellant's grounds of appeal and further matters that the Council respectfully requests be considered without prejudice if the Inspector is minded to grant permission.

1.0 Summary of the Case

1.1 The building is identified as a positive contributor in the conservation area. It has been occupied by the world renowned Anna Freud National Centre for Children and Families (formerly known as the Anna Freud Centre) since 1955. The premises are used at present as a teaching/training/research centre for post-graduate students.

1.2. The building is located on the western side of Maresfield Gardens and is occupied by a detached five storey building including room at the lower ground floor level and attic.

Whilst a certificate of lawful development was granted in 2018 to permit return of the premises back to the original single family dwellinghouse, , the premises appear to still be used for teaching/training and research facilities use class D1.

1.3 Planning permission was refused for the proposed alterations on 13th of April 2017 on the following grounds:

- The proposed roof extension, by reason of its resulting bulk, mass, form and detailed design would have a detrimental impact on the character and appearance of the host building, the group of buildings of which it forms a part and the wider Fitzjohns/Netherhall Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of Camden Local Plan 2017.
- The proposed 5th floor rooflight on the front slope, by reason of its location and size, would have a detrimental impact on the character and appearance of the host building, streetscene and wider Fitzjohns/Netherhall Conservation Area contrary to policies D1 (Design) and D2 (Heritage) of Camden Local Plan 2017.

2.0 Relevant History

There is one relevant planning decision on the council's records as follows.

2018/0138/P - Proposed use of the site as a dwelling house (Class C3) following the vacation of the current occupier and removal of existing outbuilding to rear. – **Granted 02/05/2018**

3.0 Status of Policies and Guidance

3.1 On the 3rd July 2017, the Camden Local Plan 2017 was formally adopted. The Council's policies are recent and up to date. The policy requirements of the now superseded Local Development Framework have been upheld by the Local Plan. They do not differ from the NPPF policies in relation to this appeal.

3.2 The following policies from the Camden Local Plan 2017 are relevant to this appeal:

- Policy D1 (Design)
- Policy D2 (Heritage)

3.3 With regard to supporting documentation in Camden Planning Guidance, the specific clauses most relevant to the proposal are as follows:

- CPG1 Design updated 2018 – Chapters 2, 3, 5
- CPG 6 Amenity 2018 - Chapters 2, 3

3.4 As the application site lies within Fitzjohns/Netherhall Conservation Area, and therefore Fitzjohns/Netherhall Conservation Area Statement 2001.

4.0 Comments on the appellant's grounds of appeal

Reason for refusal 1:

4.1 Appellant's Grounds of Appeal are summarised in italics and addressed subsequently as follows:

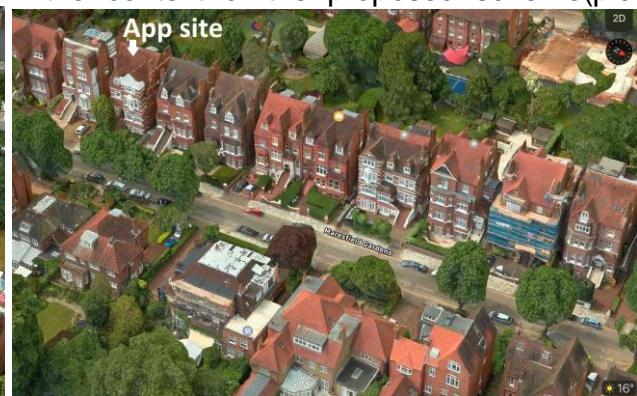
- (i) *The appellant argues that the bulk, mass and form resulting from the proposed extension to the roof would not have a detrimental impact on the character and appearance of the host building and group of buildings and the conservation area, given that the property is not part of a terrace and there is no rigid uniformity to the roofscape when viewed within the context of the streetscene, and from wider views either northwards or southwards in Maresfield Gardens, and that the proposal would not be noticeable nor an incongruous design change to the building, as expressed in the visualisations provided in the D&A, planning and heritage statement.*

4.2 Due to the building's location within a conservation area, and being considered to make a positive contribution to it, the officers have the statutory duty to ensure that special attention has been paid to the desirability of preserving and enhancing the character of appearance of the conservation area, under s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Enterprise and Regulatory Reform Act 2013. The appellant states that no harm would be caused to the host building, group of buildings and wider conservation area., The Council disagrees. Furthermore the appellant does not indicate if the proposed development preserves or enhances the host building, group of buildings and wider conservation area.

4.3 Within the Fitzhons Netherhall Conservation Area statement, there is great emphasis on the important role of roofs within the streetscene, as detailed in para 3.3 and 3.5 of the officer report. The buildings along the western side of the street, which the application site is part of, have a prominent appearance along the street, with small front gardens which allow clear views to the side of the buildings and to the rear gardens, even though they are closely grouped together. It is noted that the buildings towards the northern side of the Maresfield Gardens, beyond no. 19 (pic. 1) are more similar in their character, appearance, typology and pattern as identified in the conservation area statement; however, the applicant refers to and illustrates within the D&A and Statement of Case, images and references towards the southern end of the street, which is less relevant in the context of the proposed scheme(pic.2)



Pic. 1



Pic. 2

4.4 The proposed roof extension, as shown in the visualisations provided, would change the roof profile by increasing its volume and significantly extend the ridge width, which would

result in an alien construction, harming the appearance and character of the host building to the streetscene and group of buildings. The comparison between the existing (pic.3) and proposed (pic. 4) visualisations clearly indicates how due to the increase in slope angle, the sides of the existing roof dormer at fourth level would be covered within the new roofslope, losing its composition and overall character, becoming a window in the roofslope rather than a projecting dormer, which would significantly harm the character and appearance of the host building



Pic. 3



Pic. 4

4.5 As such, it is considered that the proposed changes to the roof profile and increase in roof volume would not preserve nor enhance the character and appearance of the host building, group of buildings and wider conservation area.

(ii) *The appellant acknowledges the importance of the application site to the townscape, given its position in between the prominent building at no. 19 and the recessed one at no. 23. He also argues that the proposed roof extension is similar to the one existing at no. 23 projecting bay, and does not appear as incongruous as the one at no. 19, concluding that the proposal would form a transition between the two neighbouring properties, and be in keeping with but also enhancing the character and appearance of the conservation area.*

4.6 The Council disagrees. The appellant wrongly refers to the building at no. 23 as being recessed when in reality it has the same front building line as the buildings on the western side of the road, from no. 19 onwards towards the northern end of Maresfield Gardens, as it can be seen on the site location plan (pic. 5) and from site visits.



Pic. 5

4.7 The appellant acknowledges that the extension at no. 19 is incongruous and tries to find similarities with the neighbouring buildings, namely the roof of the projecting bay at no. 23. It is highlighted that the roof form of the projecting bay at no. 23 is a feature of the bay window, not a change in the roof profile due to the significant increase in the ridge width, which is greatly similar with the development that took place at no. 19.

4.8 As such, the council, does not identify the need for a transition between the buildings at no. 23 and no. 19. No planning permission was granted for the development at no. 19 and this is identified as a singular and detracting example of incongruous development along the street, which does not deserve the special consideration of being replicated in a future development within this group of buildings part of the northern end of Maresfield Gardens.

- (iii) *The appellant indicates that in terms of detail design, the details of the continuation of the brickwork on both sides of the building can be addressed through a pre-commencement condition. It also states that the proposals would further enhance the character and appearance of the conservation area through the reinstatement of the chimney stack on the eastern side, in accordance with para 200 of the NPPF and para 5.9 of CPG 1, and that this would conceal the reprofiling of the roof when viewed from the south.*

4.9 The Council argues that architectural detailing and richness which the building holds including on the side elevations (pic. 6), would be greatly difficult to match as part of the proposed development, due to the changes in the roof profile and therefore changes in angle of the banding on side elevations. The appellant did not indicate that this element of the development would be possible but suggests reliance on a planning condition. In the event that the Inspector considers this appeal should be allowed, the Council nevertheless would ask that this condition be included in a pre-commencement condition.



Pic. 6

4.10 With reference to para 200 of NPPF (2018 & 2019) this states that LPAs should look for opportunities for new development in CA and World Heritage Sites, and “*within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that makes a positive contribution to the asset (or which better reveal its significance) should be treated favourably.*” The Council argues that the conservation area statement highlights the importance of the roof scape within the mid-late Victorian

architecture and that insensitive alterations to the roofs would erode further the character and appearance of the conservation area. It is therefore considered that the proposed roof re-profile, increase in roof volume and ridge width would cause significant harm to the roof form which is considered an element of significance for the host building. It is therefore considered that the harm caused by these alterations would not be outweighed by the reinstatement of the chimney stack. Whilst the reinstatement of the chimney stack would be a welcomed addition in principle, in the contexts of the proposed works, this would sit on an exacerbated and out of context roof form which would not preserve the appearance of the host buildings, neighbouring ones and wider conservation area.

Reason for refusal 2

- (iv) *The appellant argues that the proposed rooflight is at third level rather than fifth floor as described in the officer report and reason for refusal 2. He goes on and states that the proposed rooflight would comply with CPG1 as it would be flush with the roof slope, would not conflict with other architectural roof elements and would not be introduced in an uncluttered roof scape. The appellant identifies that rooflights are evident in the upper part of the roof slopes of no's 10, 15, 24, 33 and 37, and states that the rooflight would not be seen from the street level and be concealed by the reinstatement of the chimney stack, and that this would have a modest size.*

4.11 The appeal building has five levels or floors including the lower ground floor and attic level, as such, the proposed rooflight would sit at fifth level. The appellant choses to refer to this as third floor which is acceptable. Initial submission included a dormer window at this level and the applicant was advised that no roof alterations at this level would be acceptable.

4.12 The Council relates to the significance of the roof scape within Victorian buildings and identifies that a rooflight close to the ridge, is not a characteristic feature for these buildings. It is noted that the existing rooflight at no. 23 (pic. 7) is located in a similar position, and that this is visible from the street scene in its current form, regardless of the existence of both chimney stacks on both sides of no. 23. The proposed rooflight is assessed in addition to the effect of the proposed changes in the roof profile which would increase significantly the visibility of such alteration at this level, as shown in the visualisations included by the appellant.



Pic. 7

4.13 The Council indicates that in addition to no. 23, within the northern end of the street (as considered beyond no. 19) on the western side, there are two rooflights close to the ridge level of no. 37, which are similarly not supported by any planning records. It is highlighted that the examples of the buildings at nos. 10, 15, 24 lie on the eastern side of the road and they are not supported by planning records. These are also not considered particularly relevant in this instance, given the buildings hold a different typology of roof form and appearance, compared with the application site and the buildings part of the northern end of the street. It is noted, that regardless of the fact that this is a different typology of building with a different character and appearance than the appealed building, there are 2no. rooflights at the fifth floor of no. 15, which have a smaller size than the proposal, and are positioned in a sensible location behind the central gable, having been granted consent (app ref 2004/2600/P dated 20/08/2004).



Pic. 8 - no. 10 unlawful rooflight



Pic. 9 - no. 15 approved rooflights

4.14 As such, in light of the above the Council maintains its position, that the proposed rooflight due to its size and location close to the ridge height, on a proposed re-profiled roof form, would have a detrimental impact on the character and appearance of the host building, streetscene and wider conservation area.

5.0 Conclusions

5.1 Based on the information set out above, and having taken account of all the additional evidence and arguments made, it is considered that the proposed roof extension, by reason of its resulting bulk, mass, form and detailed design would have a detrimental impact on the character and appearance of the host building, the group of buildings of which it forms a part and the wider conservation area.

5.2 In addition, the proposed 5th floor rooflight on the front slope, by reason of its location and size would have a detrimental impact on the character and appearance of the host building, streetscene and wider conservation area.

5.3 The information submitted by the appellant in support of the appeal does not overcome or address the Council's concerns. For these reasons the proposals fail to meet the requirements of policy and therefore the Inspector is respectfully requested to dismiss the appeal.

6.0 Conditions: should the inspector be minded to allow the appeal

6.1 If the inspector were mindful to overrule the Council's determination, it is requested that the following conditions are applied in order to limit visual impact in terms of design and conservation:

- No development shall take place until full details, scale 1:5, 1:10 ,of the proposed architectural detailing on both side elevations of the building, shall be submitted to and approved by the local planning authority in writing.

The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017.

- Before the relevant part of the work is begun, detailed drawings, or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning authority:
 - a) Manufacturer's specification details of all facing materials (to be submitted to the Local Planning Authority) and samples of those materials (to be provided on site).

The relevant part of the works shall be carried out in accordance with the details thus approved and all approved samples shall be retained on site during the course of the works.

Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and of the London Borough of Camden Local Plan 2017.

If any further clarification or submissions are required, please do not hesitate to contact Nora-Andreea Constantinescu by the direct dial telephone number or email address quoted in this letter.

Yours faithfully,

Nora-Andreea Constantinescu
Planning Officer
Supporting Communities Directorate