FORWARD PLANNING
AND
DEVELOPMENT

75 Lawn Road, London, NW3 (LB Camden)
Statement of Case – Application 4 (2018/3428/P)

On behalf of: Mr Hogan and Mrs Slayton-Hogan

5 April 2019

FWPD/FL1

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1 Executive Summary

1.1 We are instructed to lodge an appeal on behalf of Mr Hogan and Mrs Slayton-Hogan (herein referred to as "the Appellant") against the refusal of London Borough of Camden of planning application (planning application reference: 2018/3428/P) for the erection of part one/part two storey side extension and rear extensions, side and rear dormer windows, alterations to driveway and associated works.

1.2 The key considerations associated with this appeal are set out in detail within this statement but can be summarised as follows:-

Conservation/Heritage Considerations

- Heritage significance is predominantly derived from the front elevation of the property. The front elevation of the property will be significantly enhanced by the proposals.
- The original footprint of this property included the garage and the proposed extensions should be assessed against the original footprint of the property.
- The LPA report into the proposed extension of no. 72 Lawn Road confirmed that the rear elevation of these properties were of a lesser significance, had no uniformity and had been subject to numerous adaptions and interventions.
- The development of no. 76 has undermined the original design intent of this end of the terrace. This was previously a detached house and no.75 Lawn Road was never intended to be a "pair" with this property.
- The only works which are considered to be unacceptable by the LPA are to the rear of the property which is not visible to the street. Therefore, this must be considered to cause "less than substantial harm" to the Conservation Area. The enhancements to this property should be considered to be a benefit.

Planning Considerations

- The proposal meets all the required tests for daylight/sunlight. Sense of enclosure is subjective with no specific policy test.
- Proposals are of a far lesser extent in terms of size and mass than those recently approved at no.77.

2 Introduction

2.1 We are instructed to lodge an appeal on behalf of Mr Hogan and Mrs Slayton-Hogan (herein referred to as "the Appellant") against the refusal of London Borough of Camden of planning application (planning application reference: 2018/3428/P) for the erection of part one/part two storey side extension and rear extensions, side and rear dormer windows, alterations to driveway and associated works

2.2 A planning application was submitted on the 2 August 2018 and validated on the 2 August 2018. It was refused on the 20th February 2019. The scheme proposed the

"Erection of part one/part two storey side and rear extensions, front, side and rear dormer windows, alterations to driveway and associated works".

2.3 The application assessed within this Statement is referred to as Application 4.

2.4 The reasons for refusal of this application are: -

Reason 1 – The proposed two storey rear extension, by reason of its, design, bulk, scale, mass and use of materials, would not be a subordinate addition to the existing dwelling and would harm the character of the existing dwelling and the surrounding conservation area. The proposal would therefore be contrary to policies D1 (Design) and D2 (Heritage) of Camden's Local Plan 2017 and CPG1 (Design).

Reason 2 – The proposed two storey rear extension, due to its size, scale, massing and position close to the boundary would have a detrimental impact on the amenities of No.74 Lawn Road in regards to overbearing and added sense of enclosure. The proposal is therefore contrary to Policies A1 (Managing the Impact of development) and D1 (Design) of the London Borough of Camden Local Plan 2017.

2.5 The plans, drawings and supporting information which were sent to the Council during the determination of the application forming the basis of this planning appeal are: -

- Application forms
- Drawing Nos: 4_101 Rev C, 4_102 Rev C, 4_103 Rev C, 4_104 Rev C, 4_050, 4_110, 4_111, 4_112,1722 4_112, 4_115, 4_301, 4_302, 4_303, 4_304, 4_310, 4_311, 4_313, 4_315, 4_316
- Design and Access Statement
- Planning Statement
- Daylight and Sunlight Report

- Arboricultural Impact Assessment Report.

Associated Applications

2.6 An appeal is also submitted against the refusal of London Borough of Camden planning application (planning application reference 2018/3114/P). This application is almost identical to application ref 2018/3428/P which is considered in this statement but proposed a first floor extension which is set back at first floor level from the rear building line.

2.7 This application also proposed the:-

"Erection of part one/part two storey side and rear extensions, front, side and rear dormer windows, alterations to driveway and associated works"

2.8 This associated application is known as Application 3 and a separate Statement of Case has been prepared to cover this appeal.

3 Site and Surroundings

3.1 No. 75 Lawn Road is situated on the west side of the road, adjacent to numbers 74 and 76 Lawn Road.

3.2 The property is a two-storey semi-detached, 1920s red brick residential property with four/five bedrooms. It has a garden to the front with steps leading to the front door. There is a sloped driveway to the side of the property leading to a garage. To the rear of the property is a generous garden.

3.3 As set out in the Design and Access Statement, historic plans from 1925 show the property laid out as it is currently i.e. a semi-detached property with a rear two-storey garage outrigger.

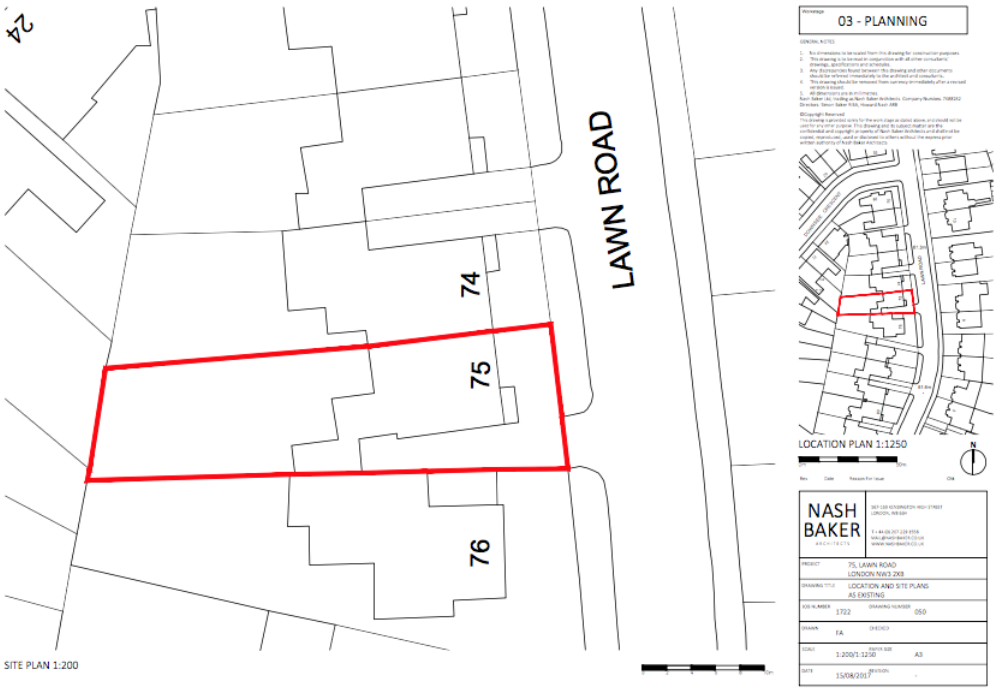


Image 1: Location Plan

3.4 The area is predominantly in residential use and the majority of the buildings along the west side of Lawn Road are houses built in red stock brick, semi-detached and are 2-3 storey in height. On the north side the buildings are semi-detached, 3 storeys exposed brick, Italianate stucco fronted houses.

Image 2: Street view

Image 3: Front elevation

3.5 The building is not listed but it is located within the Parkhill Conservation Area.

3.6 The Parkhill and Upper Park Conservation Area Appraisal and Management Strategy (2011) describes the character of Lawn Road as “typically of semi-detached pairs of houses with substantial trees in the front and rear gardens”.

3.7 The Conservation Area Appraisal also describes no’s 70-85 (consecutive) Lawn Road as making a positive contribution to the Conservation Area.

3.8 The site falls within the Gospel Oak Ward.

3.9 In terms of its existing state, the property has not been refurbished for over 50 years and has fallen into a state of disrepair. The building suffers from damp throughout due to poor waterproofing and insufficient ventilation. It also suffers from subsidence.

3.10 The property is located in a sustainable location with local retail uses being found on nearby Haverstock Hill with Belsize Park Underground Station being located within walking distance.

4 Planning History

4.1 A comprehensive review of the Statutory Register of Planning Applications held by the London Borough of Camden has been carried out.

4.2 There are four applications which relate to 75 Lawn Road. These can be summarised as follows:-

Application 1 – Planning application 2017/6726/P – This was refused in March 2018 and proposed alterations to the property. Further detail is set out below.

Application 2 – Planning application 2018/2136/P – This has not yet been determined by the LPA and relates to works to create a basement and above ground alterations similar to applications 1, 3 and 4.

Application 3 – Planning application 2018/3114/P – This was refused in February 2019 and a separate appeal has also been submitted in respect of this application. This proposes alterations to the property including a ground floor extension and set back first floor extension.

Application 4 – Planning application 2018/3428/P – This was refused in February 2019 and is the subject of this appeal. This proposes alterations to the property including a ground floor extension and first floor extension to the full extent of the ground floor extension.

Application 1 - 75 Lawn Road – Planning application 2017/6726/P

4.3 A planning application (ref: 2017/6726/P) was refused on 14 March 2018 which included single and two storey extensions to the side and rear. The description of development read as follows:-

"Erection of a part one/part two storey side and rear extensions, side and rear dormer windows alterations to driveway and associated works".

4.4 The reasons for refusal of this application are:-

Reason 1 – The proposed two storey rear extensions by reason of its design, bulk, scale, mass and use of materials would not be a subordinate addition to the existing

dwelling and would harm the character of the existing dwelling and the surrounding conservation area.

Reason 2 – The proposed extension of the existing side window into a dormer window, by reasons of its, design and size would be out of character with the host building and would harm the character of the terrace its forms a part of and the surrounding conservation area.

Reason 3 – The proposed two storey rear extension, due to its size, scale, massing and position close to the boundary would have a detrimental impact on the amenities of no. 74 Lawn Road in regards to overbearing and added sense of enclosure.

Officer's Delegated Report

4.5 The key points from the officer's report can be summarised as follows:-

- The design, scale and use of materials for the front projections would be considered proportionate to the original dwelling and would not be out of keeping within the street scene. ***Response – these elements have been retained as part of this application albeit with amended materiality to better match host property.***
- The extension of the existing side window into a dormer window would not be supported as it would be a dominant addition within the street scene which would not be in keeping with this half of the terrace. ***Response – the window will not be extended above the eaves. A separate side dormer will be erected in lieu of the previous proposal which does not break the eaves line***.
- There are no objections to the driveway being altered and new soft landscaping added to the front garden. ***Response – these elements have been retained as part of this application.***
- The two storey rear extension would not be a subordinate addition to the existing dwelling. ***Response – the materials have been amended to render and a Heritage Assessment prepared to analyse the extent to which the proposed extension is subordinate..***
- The roof dormers are not considered to cause a detrimental impact to the character and appearance of the existing dwelling or the surrounding area and are supported. ***Response – these elements have been retained as part of this application.***

- It is not considered that there would be a detrimental impact to the amenities of nos. 20 and 22 Downside Crescent in regards to overlooking and privacy. *Response – noted.*
- There would be no detrimental impact on no. 76 in regards to loss of light, overbearing, overshadowing or privacy. *Response – noted.*
- There will be no impact upon no. 74 by the proposed works to the front of the property. *Response – noted*
- The two storey rear extension would be overbearing and would create a sense of enclosure and poor outlook to no. 74. The use of red brick further adds to the extension appearing wide. *Response – the use of red brick has been amended to render and the proposed extension has been carefully detailed to ensure there is no impact upon the amenities of no. 74. This is demonstrated by visuals within this Statement.*
- There will be no impact on any trees. *Response – noted*

4.6 Further detail on how the Application 4 scheme addresses the Council's previous reasons for refusal (of Application 1) is set out in subsequent sections of this report.

Application 2 – 75 Lawn Road – Planning Application 2018/2136/P

4.7 A planning application (Ref: 2018/2136/P) was registered by the Council on 26 June 2018. This proposes the:-

"Formation of new basement level with front and rear lightwells, single storey rear infill extension, part single, part two storey side extension, front, side and rear dormer windows, front and rear landscaping, alterations to driveway and associated works"

4.8 This application is currently pending consideration by Camden Council due to matters relating to the basement works but officers have confirmed in correspondence that this application will be recommended for approval as it overcomes the reasons for refusal of application 1.

4.9 As a result, it is understood that the extent of the proposed extensions at ground floor rear and first floor front within Application 4 are acceptable.

Application 3 – 75 Lawn Road – Planning Application 2018/3114/P

4.10 A planning application was submitted on the 2 August 2018 and validated on the 2 August 2018. It was refused on the 20th February 2019. The scheme proposed the: -

"Erection of part one/part two storey side and rear extensions, front, side and rear dormer windows, alterations to driveway and associated works".

4.11 This application includes a first floor extension which is set back from the rear building line of the ground floor extension.

4.12 A separate appeal is submitted in respect of Application 3.

Other relevant applications – 75 Lawn Road

4.13 Planning permission (Ref: 2018/0697/T) was granted on 13 April 2018 for:-

"TPO REF: C844 2009) REAR GARDEN: 1 x Ash - Reduce to previous reduction points (approximate height reduction by 1-2m) to original 'frame-work' pollard (no cuts larger than 4-5cm diameter) and remove deadwood"

4.14 It is noted that TPO applications in relation to the felling of the Ash Tree in the rear garden were refused in 2012 and 2013.

Other relevant decisions

Recent applications

4.15 **72 Lawn Road –** Planning permission (2018/1802/P) was approved in 2018 for:-

"**Erection of a rear extension on the flat roof of the terrace at first floor level for ancillary residential floor area (Class C3)"**

4.16 **77 Lawn Road** – Planning permission (2016/1737/P) was granted in June 2017 for:-

"creation of basement to form additional living accommodation for existing dwelling and new 1 x self-contained 1 bed flat at lower ground flood level; alterations to driveway and erection of new boundary fencing; erection of part two storey and part

single storey side and rear extension; alterations to fenestration and associated works".

4.17 **81 Lawn Road** – Planning permission (2015/4039/P) was granted in September 2015 for:-

"erection of a single storey rear extension and two storey side extension following the demolition of the existing side and rear extensions and alterations to openings on side elevation".

Historic applications (pre 2010)

4.18 **72 Lawn Road** – Planning permission (8905326) was granted in February 1990 for:-

"Construction of a new garage and utility area at ground floor level and bedroom with en-suite bathroom and balcony at first floor level of single family dwelling".

4.19 **73 Lawn Road** – Planning permission (2004/0572/P) was granted in March 2004 for:-

"new side and rear dormer windows for the conversion of loft space into additional accommodation and the replacement of a ground floor side entrance with a window".

4.20 **76 Lawn Road** – Planning permission was granted in 1966 for:-

"the erection of garage and car port at side and formation of new means of vehicular access to the highway".

4.21 **78 Lawn Road** – Planning permission (2007/6177/P) was granted for:-

"installation of a dormer window in the side elevation at the front of the property".

4.22 **79 Lawn Road** – Planning permission (9501771) was granted in March 1996 for:-

"conversion of the existing attic space into residential accommodation include the installation of a dormer window at the rear, increasing the height of the window on the landing above the eaves and the installation of a circular window to the front gable".

4.23 It is evident from the number of applications for this group of properties, that they have undergone significant change whilst still retaining their character and appearance.

4.24 A number of properties within this group have been extended to the rear at ground and first floor level without detriment to the overall character and appearance of the Conservation Area as a whole.

5 Proposed Development (Application 4)

5.1 It is proposed to retain the existing residential use within the building.

5.2 The main alterations include:

- Rear extension;
- Side extension;
- Works at roof level.

5.3 The proposed works have been amended in response to the previously refused application (Ref: 2017/6726/P).

Rear extension

5.4 The rear extension is proposed to line up with the rear extension of no.76 Lawn Road (although will be set back slightly from the garage line of no. 76 Lawn Road) providing additional accommodation at ground and first floor levels.

5.5 The rear extension at ground floor level will effectively infill the area behind the kitchen and adjacent to the existing garage. The existing rear building line of the garage will be maintained which is also the same depth as the rear of no. 76 Lawn Road. At ground floor level the extension will extend 3.6 metres into the garden from the existing kitchen.

5.6 At first floor level the rear extension will occupy the same footprint as the ground floor level, infilling the area between the two rear bedrooms. The extension will extend 3.6 metres from the existing rear elevation.

5.7 This element has not been amended from the previous proposal but will be faced in render rather than brick.

Side Extension

5.8 In terms of the side extension, this will extend forwards of the existing garage to line up with the side extension at no. 76 Lawn Road (although it will be set back by 200mm from the garage line of no. 76 Lawn Road). This will extend forward by 6.5 metres from the

existing garage. At ground floor level the side extension will be set back by 5.8 metres from the front elevation of the property.

5.9 At first floor level, the side extension steps back by 4.4 metres from the building line at ground floor level.

5.10 The Council found this part of the previous scheme proposals acceptable.

Roof Alterations

5.11 The existing loft space is to be converted to form a second floor that will accommodate a bedroom/playroom with ensuite. This has not changed from the previous scheme and the Council found this part of the previous scheme proposals acceptable

5.12 A new dormer window will be added onto the rear elevation with a small flush velux window to the bathroom. This has not changed from the previous scheme and the Council found this part of the previous scheme proposals acceptable

5.13 The previously proposed feature window which extended above the eaves into a dormer has been replaced with a dormer window so as not to break the eaves line.

Front elevation

5.14 The proposed development will include the comprehensive renovation of the building, improving its contribution to the quality of the street scene of the Conservation Area, and upgrading its thermal and environmental performance. The facades will be restored and repointed.

5.15 The driveway will be altered along with new soft landscaping to the front garden.

5.16 The Council found this part of the scheme proposals acceptable and this element is not included in the reasons for refusal.

6 Planning Policy Framework

6.1 National Policy Guidance is produced by Central Government in the form of the National Planning Policy Framework, adopted in July 2018. This is a material consideration when determining planning applications.

6.2 The Statutory Development Plan comprises of regional policies with the Mayor's London Plan (Consolidated with Alterations since 2011) (herein referred to as "LP"), adopted in March 2016 and at a local level the London Borough of Camden Local Plan adopted in 2017.

6.3 Supplementary Planning Guidance known as Camden Planning Guidance is also a material consideration along with the Parkhill Conservation Area Statement.

6.4 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

National Planning Policy Guidance
The National Planning Policy Framework (July 2018)

6.5 The NPPF document sets out the Government's planning policies for England and how these are expected to be applied. It summarises in a single document, previous national planning policy statements. The NPPF must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.

6.6 The NPPF introduces the presumption in favour of sustainable development although it makes plain that the development plan is still the starting point for decision making.

Regional Planning Policy – The London Plan
March 2016 (Consolidated with Alterations since 2011)

6.7 The LP sets out the relevant London-wide planning policy guidance, the relevant regional planning policy guidance for the Borough and forms a component part of the statutory development plan.

6.8 It aims to set out a framework to co-ordinate and integrate economic, environmental, transport and social considerations over the next 20-25 years. The LP is the London-wide policy context within which the boroughs set their local planning agendas.

6.9 The proposal has taken into account the most relevant LP policies and guidance affecting the proposals for the building. LP policies are referred to, where relevant, in Section 6 (Planning Considerations) of this Statement.

6.10 In addition to the LP, the Mayor has produced more detailed strategic guidance of issues, which cannot be addressed in sufficient detail in the Plan, through SPG documents. This does not set out any new policies but provides guidance of policies established by the LP.

6.11 The following policies from the LP are considered relevant to the proposals: -

Policy 3.14 – Existing housing
Policy 7.4 – Local character
Policy 7.6 – Architecture
Policy 7.8 – Heritage Assets and Archaeology

Camden Local Plan (2017)

6.12 The Local Plan was adopted by Council on 3 July 2017 and has replaced the Core Strategy and Camden Development Policies documents as the basis for planning decisions and future development in the borough.

6.13 The following Local Plan Policies are considered relevant to the determination of these proposals: -

H1 – Maximising Housing Supply
H3 – Protecting Existing Homes
D1 – Design
D2 - Heritage
A1 – Managing the Impact of Development
A4 – Noise and Vibration

Supplementary Planning Guidance

6.14 The relevant LBC Supplementary Planning Guidance includes:-

The Parkhill Conservation Area Statement (March 2011)
Camden Planning Guidance 1 (CPG1) – Design
Camden Planning Guidance 2 (CPG2) – Housing
Camden Planning Guidance 6 (CPG6) - Amenity

7 Principal Planning Considerations

7.1 The Appeal is to be determined pursuant to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that: -

"if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

7.2 The NPPF is a material consideration and sets the context for decision making including the presumption in favour of sustainable development.

7.3 The Statutory Development Plan comprises of regional policies with the Mayor's London Plan (Consolidated with Alterations since 2011) (herein referred to as "LP"), adopted in March 2016 and at a local level the London Borough of Camden Local Plan adopted in 2017.

7.4 It is evident from the officer's delegated report that the majority of the proposed alterations included within the application are acceptable. It is only the proposed two storey rear extension that is not considered acceptable.

7.5 Therefore, having regard to planning policy, the three main considerations associated with the proposal are:

1) Is the proposed two storey rear extension, by reason of its design, bulk, scale, mass and use of materials, considered to be subordinate addition to the existing dwelling?

2) Does the two storey rear extension preserve the character of the existing dwelling and the surrounding conservation area?

3) Does the proposed two storey rear extension, due to its size, scale, massing and position close to the boundary have a detrimental impact on the amenities of No.74 Lawn Road in regards to overbearing and added sense of enclosure?

7.6 We take each point in turn below.

1) Is the proposed two storey rear extension, by reason of its design, bulk, scale, mass and use of materials, considered to be a subordinate addition to the existing dwelling?

Planning Policy

7.7 The Government attaches great importance to the design of the built environment in the NPPF. Paragraph 124 states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

7.8 At paragraph 131 the NPPF stipulates that in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

7.9 LP policies 7.4, 7.5 and 7.6 relate to ensuring that development respects the local character of the area, promotes high quality public realm, and ensures that the architecture makes a positive contribution to a coherent public realm, streetscape and wider cityscape.

7.10 At a local level Policy D1 Design, states that the Council will seek to secure high quality design in development. The Council will require that development:

- respects local context and character;
- preserves or enhances the historic environment and heritage assets in accordance with "Policy D2 Heritage";
- is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
- is of sustainable and durable construction and adaptable to different activities and land uses;
- comprises details and materials that are of high quality and complement the local character;

- 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;
- is inclusive and accessible for all;
- promotes health;
- is secure and designed to minimise crime and antisocial behaviour;
- responds to natural features and preserves gardens and other open space;
- 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,
- incorporates outdoor amenity space;
- preserves strategic and local views;
- for housing, provides a high standard of accommodation; and
- 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.

7.11 The Camden Planning Guidance (2015) on Design (CPG1) provides more detailed information on design issues.

7.12 In relation to alterations, the CPG states that (in summary), Materials should complement the colour and texture of materials in the existing building.

7.13 With regards to rear extensions, the CPG provides some general principles (at paragraph 4.11). It states that rear extensions should:-

- Be secondary to the building being extended, in terms of location, form, scale, proportions, dimensions and detailing;
- Respect and preserve the original design and proportion 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,
- Not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution, privacy/overlooking and sense of enclosure;
- Allow for the retention of a reasonable sized garden;
- Retain the open character of existing natural landscaping and garden amenity.

7.14 Paragraph 4.12 states that ground floor extensions are generally considered preferable to those at higher levels and the width of extension should be designed so that they are not visible from the street and respect the rhythm of existing rear extensions.

Assessment

7.15 This section of the Statement assesses the Council's first reason for refusal. The first matter to consider is as follows:-

Is the proposed two storey rear extension, by reason of its design, bulk, scale, mass and use of materials, considered to be subordinate addition to the existing dwelling?

7.16 The appellants and their architects sought to ensure that the Council's concerns in relation to the refused application were addressed through carefully considered design amendments to introduce an appropriate material.

7.17 The officers delegated report states at paragraph 4.6 that "the design and form of the dwelling although improved by the use of render on the rear extension, still does not reduce the bulk and mass on this back corner of the site. It is therefore considered that the two storey rear extension would not be a subordinate addition to the existing dwelling."

7.18 We do not agree with this statement for the reasons set out below.

7.19 The proposed rear extension will be brought in line with the rear extension at no. 76 Lawn Road and will extend over ground and first floors. The rear projecting part of the new extension will extend out to the rear of the host building by 3.6 metres at ground floor level and 3.6 metres at first floor level.

7.20 On both floors, the extension effectively infills the corner between the garage and first floor bedroom and the main part of the house.

7.21 There are a number of examples of rear projecting extensions on this group of properties.

7.22 The proposed rear extension has been designed to ensure it will appear as secondary to the building being extended. It will respect and preserve the original design and proportions of the building. It will also respect the historic pattern of the rear of these properties which are characterised by extensions. This will ensure it accords with Camden's Design SPG and specifically the criteria set out under paragraph 4.11.

7.23 In order to address officer comments, the proposed extension will be clad in white render which is considered to be an appropriate use of materials given the prevailing materials on the rear elevation and will ensure that the proposed extension reads as a subordinate addition. The extension will maintain a stepped building line which reflects the rhythm of the neighbouring rear facades at nos. 74 and 76.

7.24 The proposed rear extension has been designed to ensure it will appear as secondary to the building being extended. It will respect and preserve the original design and proportions of the building.

7.25 As is evident from the image below, the extension is well designed and sits well in its context, successfully lining up with the rear elevation of no. 76 and not appearing out of proportion.

7.26 It is important to note that there are a number of examples of rear projecting extensions on this group of properties. This is evident from the document prepared by the architects to address consultee comments (dated September 2018 and attached as Appendix 2 to this Statement).

7.27 The aerial image below is an extract from the Nash Baker response document and demonstrates clearly how the proposed rear extension will line up with the building line of the garages to no. 76 and no. 75 and extend no further into the garden than this point.

7.28 This image clearly demonstrates how the bulk, scale and mass of the proposed extension will sit appropriately within its context and can remain a subordinate addition to the property, as is demonstrated by rear extensions at no. 76 and no. 77.

7.29 The proposed rear extension to no. 75 extends 3.61 metres into the rear garden from the existing rear building line. By comparison the extension to no. 77 Lawn Road (as shown above) extends 4.09 metres into the rear garden.

7.30 In terms of an assessment against Policy D1, we comment as follows:-

The Council will require that development:

- respects local context and character;

It is evident that the immediate context and character of the rear of these properties, is one of variety. Rear extensions have been successfully achieved to a number of these properties. However, none of the extensions are visible from the street and as a result impact upon local context and character is limited. The proposed extension will respect the existing context and in addition, it can only be seen from no. 74 Lawn Road. Further assessment on context and character is provided within the following section of this Statement.

- preserves or enhances the historic environment and heritage assets in accordance with "Policy D2 Heritage";

Detailed assessment in relation to heritage matters and in particular impact upon the Conservation Area is set out below and within the Heritage Assessment (Appendix 1). However, it is important to note that the proposed extension will not be visible from the street and therefore impact upon the wider Conservation Area is limited. The principle elevation of the property will remain unchanged as a result of the proposal and it is widely accepted that the rear of properties is the most appropriate location for extensions (CPG1). The proposed development therefore preserves the historic environment.

- is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;

The proposal will incorporate sustainable design and construction methods and incorporate best practice in terms of resource management.

- is of sustainable and durable construction and adaptable to different activities and land uses;

The proposed extension has been designed to be sustainable and durable.

- comprises details and materials that are of high quality and complement the local character;

The proposed extension will incorporate high quality, contextual materials that complement the local character.

- 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;

The proposed extension cannot be seen from surrounding streets and open spaces. Therefore the street frontage will be preserved.

- is inclusive and accessible for all;

The primary access into the dwelling will remain as existing. A new secondary side door will be created within a garage-door-style entrance, which will provide step-free direct access to kitchen and utility areas from the driveway. Access to the rear garden will be via the kitchen dining room. A lift is proposed within the property.

- promotes health;

N/A

- is secure and designed to minimise crime and antisocial behaviour;

N/A

- responds to natural features and preserves gardens and other open space;

A generous rear garden of 16 m will be retained.

- 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,

In the rear garden, it is proposed to install new planting to provide a well landscaped family garden.

- incorporates outdoor amenity space;

See above

- preserves strategic and local views;

The proposal will not have any impact upon local views.

- for housing, provides a high standard of accommodation; and

The proposal will provide a high standard of residential accommodation.

- carefully integrates building services equipment.

All building services equipment will be integrated within the property.

7.31 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.

7.32 It is therefore considered that the proposal fully complies with the provisions of Policy D1 relating to design.

7.33 Turning to Camden Planning Guidance relating to design. CPG1 Design States at paragraph 4.9 that:-

"a rear extension is often the most appropriate way to extend a house or property"

7.34 As a result, the principle of the two storey rear extension is considered to be appropriate in accordance with Camden's planning guidance.

7.35 In terms of an assessment of the proposal against the general principles for extensions set out at paragraph 4.10 of the guidance, we comment as follows:-

- Be secondary to the building extended in terms of location, form, scale, proportions, dimensions and detailing

RESPONSE – *The extension infills an area to the rear at ground and first floor level. This equates to 1/3 of the original property in terms of width. It is located to the rear and has been carefully detailed to read as respectful to the host building.*

- Respect and preserve the original design and proportions of the building including architectural period and style.

RESPONSE – *The extension is to the rear and the primary significance of the original design of the building lies in its front elevation, the proportions of which, will not be affected.*

- Respect and preserve existing architectural features

RESPONSE – *there are no significant architectural features on the rear elevation*

- Respect and preserve the historic pattern and townscape

RESPONSE – *the rear of these properties have been greatly altered and extended and as a result, the historic pattern to the rear of these properties has been eroded over time.*

- Not cause a loss of amenity to adjacent properties

RESPONSE – *sunlight and daylight has been tested and shown to comply with BRE standards. The images set out within this statement demonstrate that there will be no adverse sense of enclosure to no. 74 as a result of the proposed extension. The proposal does not lead to any overlooking or loss of privacy.*

- Allow for the retention of a reasonable sized garden.

RESPONSE – *a garden of 175 m2 will remain which exceeds London Plan standards*

- Retained the open character of existing natural landscaping.

RESPONSE – *there will be no impact upon natural landscaping or garden amenity.*

7.36 Paragraph 4.12 of CPG1 relates to the height of rear extensions and states that **"extensions should respect the existing pattern of rear extensions where they exist".**

RESPONSE – *The eaves and ridges heights match the existing and are therefore respectful. The rear elevations of nos. 72 – 85 are varied and there is no prevailing existing pattern. The approved precedent at no. 77 further supports the variety of rear treatments. This is supported by the comments made by LB Camden in their report in relation to no. 72 Lawn Road ("there is no consistency in scale, symmetry and uniformity with the neighbouring properties to the rear additions") and set out at paragraph 3.18 of the Heritage Assessment.*

7.37 Paragraph 4.14 of CPG1 relates to the width of rear extensions and states that "**rear extensions should be designed so that they are not visible from the street and respect the rhythm of existing rear extensions"**

RESPONSE – *the extension is not visible from the street and there is no consistent rhythm of existing rear extensions.*

7.38 Paragraph 4.15 also states that the rear of some buildings may be architecturally distinguished and contribute to the townscape. That is not the case with no. 75 Lawn Road.

7.39 It is therefore considered that the proposal complies with the provisions of CPG 1 relating to Design and specifically the general principles relating to extensions.

7.40 The Heritage Assessment ("HA") prepared by the Heritage Practice provides detailed commentary in respect of the extent to which the proposed extension can be considered to be subordinate to the host property. The key points from this report are summarised below.

7.41 As a starting point the "rear projection and garage wing of no. 75 Lawn Road are not extensions, it has been demonstrated that these were integral parts of the house from the time of construction" (6.18, Heritage Assessment).

7.42 The HA states at 6.11 that "no. 75 is a large house. This indicates that the proposed rear extension would not challenge the size and scale of the existing dwelling".

7.43 The HA makes plain that the proposed area of the first floor rear extension is 13.08 sqm which represents c4.5% of the total GIA of the proposed scheme. As a result, the proposed first floor extension is considered to be a "relatively minor addition to an otherwise acceptable level of accommodation" (6.15, HA).

7.44 As a result, it is considered that the rear extension will have a minimal impact both on surrounding properties.

7.45 Overall, the proposed extension and alterations are considered to be of a high standard of design and will comply with local design policies and guidance contained within CPG1 – Design and Policy D1 of the Local Plan.

7.46 It is therefore considered that the proposed extension is an acceptable and proportionate addition to the property which is subordinate to the host property.

2) Does the two storey rear extension preserve the character of the existing dwelling and the surrounding conservation area?

7.47 Under paragraph 189 of the NPPF, in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting.

7.48 Paragraph 192 states that in determining planning applications, local planning authorities should take account of:-

- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- The desirability of new development making a positive contribution to local character and distinctiveness.

7.49 A proposal should not lead to substantial harm to or total loss of significance of a designated heritage asset unless it can be demonstrated that the harm or loss is necessary to achieve substantial public benefits (paragraph 195).

7.50 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal (paragraph 196).

7.51 The effect of an application on the significance of non-designated heritage assets should be taken into account in determining the application (paragraph 197).

7.52 Policy D2 Heritage states that the Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.

7.53 In order to maintain the character of Camden's conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas.

- The Council will:
- require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;
- resist the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area;
- resist development outside of a conservation area that causes harm to the character or appearance of that conservation area; and

preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage.

Assessment

7.54 This section of the Statement assesses the Council's first reason for refusal. The second matter to consider is as follows:-

Does the two storey rear extension preserve the character of the existing dwelling and the surrounding conservation area?

7.55 A statement has been prepared by The Heritage Practice (Appendix 1) which assesses in detail the impact of the proposal upon the character of the existing dwelling and the surrounding conservation area.

7.56 It is recognised that the host building along with the group from 70-85 Lawn Road make a positive contribution to the character and appearance of the conservation area.

7.57 It is considered that the contribution made by the properties, as a group of semi-detached houses in the garden suburb style, is predominantly derived from the appearance of their front elevations and not the rear elevations of the houses.

7.58 As set out in the Design and Access Statement submitted with the original application (and included as an Appendix to this statement), the property hasn't been refurbished for over 50 years and has fallen into a tired state of disrepair. The building suffers from damp throughout, due to poor waterproofing and insufficient ventilation. The house is of solid masonry construction and both walls and roof remain uninsulated. Consequently, the building has a low energy efficiency rating (category D). Furthermore, the existing timber roof structure is noticeably deflecting along the length of the rafters and beams and will be replaced or repaired. The facades will be renovated and redecorated, including repointing.

7.59 These improvements are also detailed at paragraph 6.5 and 6.6 of the HA.

7.60 As a result, as a whole, the proposed restoration of this building will undoubtedly enhance the appearance of the building and as a result the character and appearance of the Conservation Area will be enhanced. This should be seen as a significant benefit to the scheme as a whole.

7.61 The ground and first floor rear projecting extension will have a limited impact upon the character and appearance of the Conservation Area. It only extends from the rear building line by 3.6 metres which will ensure that it will remain subordinate to the host building thus preserving the character and appearance of the Conservation Area.

7.62 The rear elevation is only visible in limited private views and not at all from the street, which is the primary consideration for impacts upon the character and appearance of the Conservation Area.

7.63 As a result, it is not considered that there will be any harm to the significance of the Conservation Area as a Designated Heritage Asset and as the character and appearance of Lawn Road will be preserved as a result of the proposed extensions and enhanced through the wider restoration works proposed, it is evident that the statutory duties imposed by the 1990 Act are upheld by the proposal.

7.64 There are other examples of rear projecting extensions on Lawn Road, including at Nos. 72, 77 (ref. 2016/1737/P) and 78 Lawn Road. This demonstrates that these properties can be extended whilst preserving the character and appearance of the Conservation Area.

7.65 The HA concludes at paragraph 6.23 that "the appeal scheme would not have a harmful impact on the conservation area as a whole and given that the street elevation of no. 75 makes the greatest contribution to local character and appearance, the appeal scheme would enhance the character and appearance of the conservation area".

7.66 The design, bulk, scale, mass and use of materials for the proposed rear extension will preserve the character and appearance of the Conservation Area in accordance with the provisions of the NPPF, the London Plan, Policy D2 of the Local Plan and the Conservation Area Appraisal. In respect of the works proposed to the front elevation of the property, the appeal scheme can be considered to enhance the character and appearance of the conservation area. The proposal will therefore uphold the statutory duties imposed by the 1990 Act.

3) Does the proposed two storey rear extension, due to its size, scale, massing and position close to the boundary have a detrimental impact on the amenities of No.74 Lawn Road in regards to overbearing and added sense of enclosure?

7.67 Local Plan Policy A1, Managing the impact of development, states that the Council will:-

"seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity. We will:

- **seek to ensure that the amenity of communities, occupiers and neighbours is protected;**
- **seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;**
- **resist development that fails to adequately assess and address transport impacts affecting communities, occupiers, neighbours and the existing transport network; and**
- **require mitigation measures where necessary"**

7.68 The factors the Council will consider include:

- visual privacy, outlook;
- sunlight, daylight and overshadowing;
- artificial lighting levels;
- transport impacts, including the use of Transport Assessments, Travel Plans and Delivery and Servicing Management Plans;
- impacts of the construction phase, including the use of Construction Management Plans;
- noise and vibration levels;
- odour, fumes and dust;
- microclimate;
- contaminated land; and
- impact upon water and wastewater infrastructure.

7.69 Camden's Planning Guidance relating to amenity provides detailed information relating to overlooking, privacy and outlook.

7.70 This states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. It states that design measures to reduce overlooking and loss of privacy include obscured glazing, screening.

Assessment

7.71 This section of the Statement assesses the Council's second reason for refusal. The key issue to consider is as follows:-

Does the proposed two storey rear extension, due to its size, scale, massing and position close to the boundary have a detrimental impact on the amenities of No.74 Lawn Road in regards to overbearing and added sense of enclosure?

7.72 Issues surrounding amenity have been carefully considered as part of the design development stage and it is considered that the proposals will not result in any adverse amenity impacts.

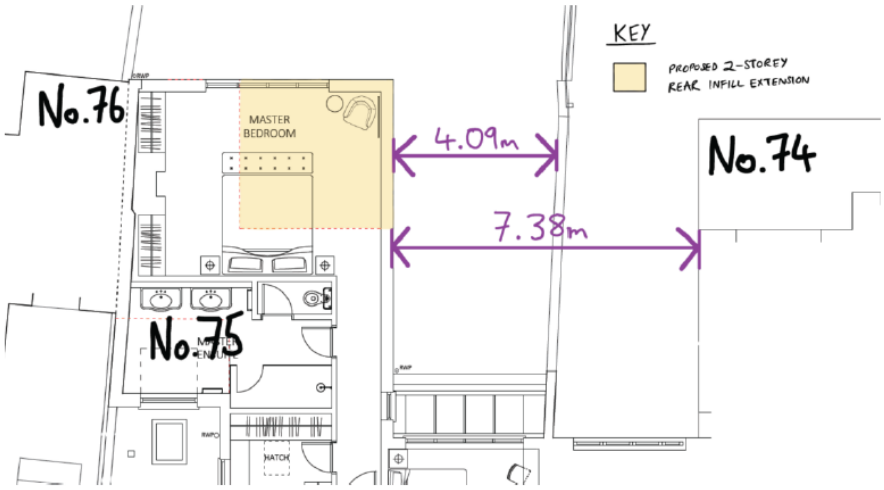
7.73 The officer's delegated report makes clear that there will be no adverse impacts upon the amenities of the properties at no. 76 Lawn Road or nos. 20 and 22 Downside Crescent.

7.74 The officers delegated report states that "the proposed revised part single, part two storey infill extension would not extend any closer to the boundary with no. 74" (Officers Report, 5.5)

7.75 In addition, neither the ground floor or first floor extension will extend beyond the existing rear building line.

7.76 The officers report describes the proposed extension as a "modest infill of 3.6m deep by 3.7m wide".

7.77 The extension will still be 7.38m from no. 74 Lawn Road as shown on the image below and included in the Nash Baker response document (Appendix 2).



Extract showing extent of proposed rear extension which will be no closer to No.74 than the existing flank wall.

7.78 Paragraph 5.4 of the officers delegated report stated that the extension would be overbearing, and would create a sense of enclosure and poor outlook to their adjacent rear and side windows. It also stated that the extension intrudes into the 45 degree visibility zone

of no. 74's ground floor living room windows. Officers also considered that the proposal could lead to overshadowing of no. 74.

7.79 We respond as follows to the points raised by officers:-

- Whether or not a proposed extension is overbearing is an entirely subjective matter.

- The proposed infill extension is 7.4m away from no.74, and bar small obscured casements, there are no side facing first floor windows to either no.75 or 74.

- The flank wall of the rear extension is moved no closer to no. 74 than the existing extension. I.e. the extension simply extends the existing flank wall of the rear extension into the garden. As a result, the sense of enclosure will not be increased and the daylight/sunlight tests show that the VSC is not adversely affected.

- The dining room/kitchen to no. 74 has a number of windows on different elevations so the impact of the proposal is greatly reduced.

- The ground floor windows of no. 74 Lawn Road will have an amended view but given the distance from the boundary with no. 74 this is not considered to be an adverse impact.

- The proposed extensions do slightly encroach onto the 45 degree vision splays of the windows of no. 74 but again the daylight and sunlight tests have taken this into account and have been shown as being within acceptable limits.

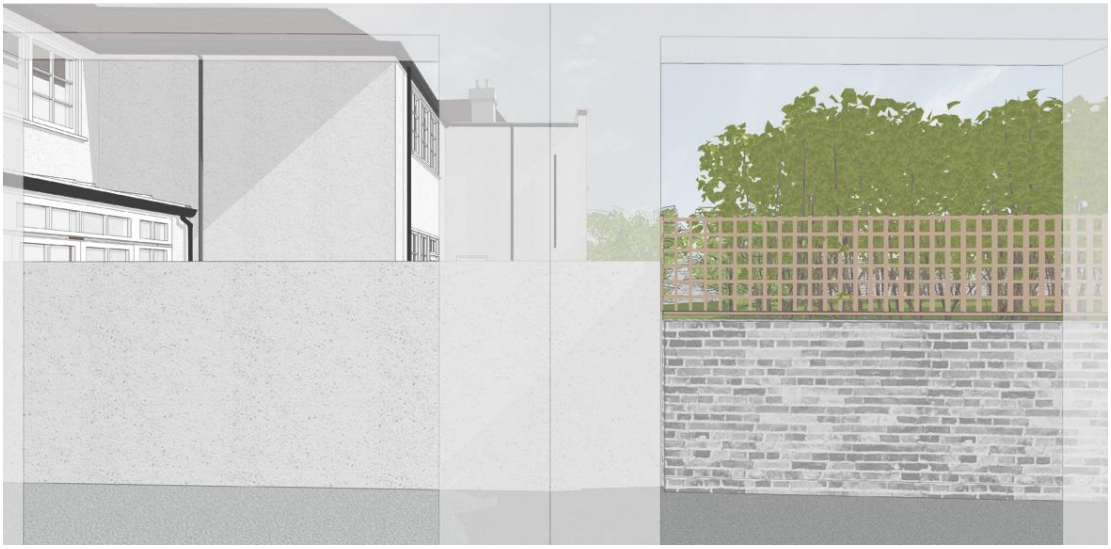
- In terms of approved works at no. 77 (Ref: 2017/1737) and the impact upon no. 76, the 5.5m long ground floor garage is due to be replaced with a 9.7m long ground floor extension which closes a visual 'gap' in between the two buildings, and this is located only 4m away from a ground floor set of French doors on side elevation of no.77. At first floor, the extension is stepped away to leave a 5.5m gap between no. 77 and no. 76, but increases this existing blank first floor façade wall by a further 4m in depth. There are no side windows at first floor on either no. 76 or 77. As these approved works at no. 77 are closer to no. 76 and of a greater depth than those currently proposed at no. 75 (impacting upon no. 74) it cannot be said that the proposed scale and mass of the proposed extension at 75 is excessive or unacceptable , when there is precedent for approval of a two storey rear extension which is located 2m closer to the adjacent building than is proposed here and is in the immediate vicinity.

- The proposed width of the two storey rear extension at no. 77 is just over 4m and the whole original host building is circa 10.8m. This means that the approved two storey extension is over a third of the width of property and is almost identical in scale to that which is proposed at no. 75.

- It is also notable that the approved extension to no. 77 Lawn Road, encroached slightly on the visibility splays of no. 76.

- It is also important to note that the rear building line of the proposed rear extension to no. 75 almost aligns with the rear building line of the existing rear extension at no. 76 Lawn Road.

7.80 The views from no. 74 set out below demonstrate how the proposed extension will not be overbearing or create an adverse sense of enclosure to the adjacent property.



View 1: Existing view from dining room - the existing view taken 0.3m inbound from no.74 Lawn Road's glazed dining room doors looking at the existing flank elevation of no 75 Lawn Road.

View 2: Proposed view from dining room - the proposed view taken 0.3m inbound from no.74 Lawn Road's glazed dining room doors looking at the existing flank elevation of no 75 Lawn Road.

View 3: Existing 1m view - the existing view taken 1m inbound from no.74 Lawn Road's glazed dining room doors looking at the existing flank elevation of no 75 Lawn Road

View 4: Proposed 1m view - the proposed view taken 1m inbound from no.74 Lawn Road's glazed dining room doors looking at the existing flank elevation of no 75 Lawn Road

7.81 The proposed side and rear extensions have been designed to limit the impact on the neighbouring properties and it is not considered that they would cause any undue overshadowing, poor outlook or appear overbearing when viewed from the neighbouring properties. The fenestration has also been designed to prevent undue overlooking into neighbouring gardens. Any views into neighbouring gardens would be at an oblique angle rather than direct, which is considered to be acceptable.

7.82 The response document prepared by Nash Baker and attached at Appendix 2 to this statement, includes sketches of the relationship between no. 77 Lawn Road and 76 Lawn Road.

8 Summary and Conclusions

8.1 The proposed alterations and extensions to this building will provide improved residential floorspace and a high-quality environment for the current owners. The scheme is an excellent design conceived by Nash Baker Architects.

8.2 The proposal will result in the increase of residential floorspace. The proposal will result in rationalised and improved accommodation throughout the building. The proposal therefore complies with local policies relating to the provision of high quality residential accommodation.

8.3 The proposed scheme has been amended from the previously refused scheme (Ref: 2017/6726/P) to address the comments made by officers in their delegated report.

8.4 The amended proposed extensions and alterations have been carefully designed to ensure they read as subordinate additions and alterations to the property.

8.5 Careful consideration has been given to the relevant policies and in particular the Camden Planning Guidance relating to design, throughout the design development process.

8.6 The proposed rear extension is subordinate to the existing building and reflects the architectural approach adopted along this group of properties. The extension will create important additional residential floorspace whilst retaining a generous rear garden. It will not be visible from the street and can only be seen from limited private views. It therefore accords with the principles set out in CPG1 (paragraph 4.11).

8.7 The use of materials and design of the rear extension will preserve the character and appearance of the Conservation Area.

8.8 The proposed restoration works to the front elevation which are included in this application will enhance the character and appearance of the conservation area and should be seen as a key benefit to the scheme proposals as a whole.

8.9 There will be no detrimental impact upon residential amenity as a result of the proposals.

8.10 Overall, the proposal complies with the relevant policies at national, regional and local level and it is therefore considered that the proposal is acceptable in planning terms and we respectfully request that this appeal should be allowed.