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# Planning Appeal Statement

7-8 Jeffrey's Place, London, NW1 9PP

Iceni Projects Limited on behalf of  
Decadent Junior Ltd and City &  
Provincial Properties Ltd  
October 2018

ICENI PROJECTS LIMITED  
ON BEHALF OF DECADENT  
JUNIOR LTD AND CITY &  
PROVINCIAL PROPERTIES  
LTD

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**Planning Appeal Statement**  
7-8 JEFFREY'S PLACE, LONDON, NW1 9PP



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## APPENDICES

A1. DOCUMENTS SUBMITTED IN SUPPORT OF THIS GROUNDS OF  
APPEAL

# 1. INTRODUCTION

1.1 This appeal is submitted on behalf of Decadent Junior Ltd and City & Provincial Properties Ltd (the 'Appellant') against the refusal of planning application ref. 2018/2081/P for development at 7-8 Jeffrey's Place, London, NW1 9PP within the London Borough of Camden.

1.2 The refused application proposes the following development:

*"Erection of a single storey roof extension to create 1 x 3 bedroom flat"*

1.3 The planning application was refused on 5 July 2018 for the following reasons:

1. *The proposed development, by virtue of its siting, scale, materials and detailed design, would appear as an incongruous addition to the host building and the surrounding area within which it is located failing to respect its character and integrity. Furthermore the development would fail to preserve and enhance the character of the surrounding conservation area and cause harm to the setting of the Grade II Listed Buildings at no. 8-10 Ivor Street. The development is contrary to Policies D1 & D2 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2012.*
2. *Insufficient cycle storage space for 2 bicycles has been provided within the site and the proposal would therefore fail to provide a secure, convenient and high quality facility for all of bicycles, contrary to policy T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan 2017.*
3. *The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to Policy T2 of the London Borough of Camden Local Plan 2017.*
4. *The proposed development, in the absence of a legal agreement to secure a construction and demolition management plan and appropriate financial contribution towards implementation support, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.*

- 1.4 This Appeal is submitted primarily on the basis that the proposed development has been designed to be a high-quality addition that is complementary to the host building as well as the character and appearance of the surrounding Conservation Area and townscape, which has had specific regard to the setting of the listed buildings at 8-10 Ivor Place. Additionally, the reasons for refusal in relation to cycle parking and the need for planning obligations to be secured via a legal agreement have been addressed by this appeal through the provision of these relevant documents.
- 1.5 The Appellant's case put forward in this appeal can be summarised as follows:
- The proposed development has appropriately responded to the specific design feedback and conclusions from the previous planning application (LPA ref. 2015/4920/P) that was refused by the London Borough of Camden on 24 November 2015 and subsequently dismissed at appeal (PINS ref. 3147212) by the Planning Inspectorate on 20 July 2016. These two decisions confirmed the principle of providing a roof extension to the property and provided specific design feedback to inform a revised scheme.
  - The proposed design has resulted in a roof extension that appropriately responds to the materiality and architecture of the host building, as well as considering key views to the site from the wider conservation area and local area, including careful consideration of the setting of the Grade II listed buildings at 8-10 Ivor Street. This is evidenced through detailed design, heritage and townscape analysis and justification within the submitted planning application documentation.
  - Adequate space for 2 x cycle parking spaces was provided at ground floor level. Further detail demonstrating how this cycle parking storage meets the requirements of Policy T1 is enclosed with this Appeal.
  - The Section 106 planning obligations associated with the development being car free and for the requirement to provide a construction and demolition management plan and associated contribution have been addressed through the submission of a draft Section 106 Unilateral Undertaking with this appeal. The intent of the Appellant is to have a finalised Section 106 agreement completed by the time a decision is made on this Appeal.
- 1.6 This case is set out in further detail within this Appeal Statement, with further detailed design, heritage and townscape justification provided within a supporting Heritage Appeal Statement prepared by Icen Projects. This should be read in conjunction with this Appeal Statement.
- 1.7 A list of the documentation submitted in support of this Grounds of Appeal are provided at Appendix A1.

## Appeal Procedure

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- 1.8 This Appeal is submitted on the basis that the Appeal will be determined via the Planning Inspectorate's Public Hearing Procedure.
- 1.9 The Appellant is of the view that this is the most appropriate procedure for the following reasons:
- The principal reason for refusal is associated with design and conservation, which are both complex and subjective matters.
  - The Appellant provided a significant amount of design, heritage and townscape justification with the submitted application, which sought to demonstrate why the proposed development had responded to the previous refused application in full. This was significantly more detail than what was provided with the previous application which addressed the single reason for refusal in full.
  - The Appellant offered on numerous occasions throughout the assessment of the application to engage with the local planning authority's design and conservation officer to discuss the revised design approach and present the justification. This included offers of site visits, telephone and email correspondence.
  - Despite these offers, the local planning authority's design and conservation officer did not engage with the Appellant. The Appellant was also informed that the design and conservation officer did not visit the site during the assessment of the application and instead relied on a desktop approach only.
  - The Appellant therefore believes that the justification provided with the application was not given a full and thorough assessment. If a full and thorough assessment was undertaken, the Appellant is of the view that the local planning authority would have reached a different conclusion on the application.
  - Given the principal reason for refusal is in relation to subjective design and conservation matters, it considered both appropriate and necessary for these issues to be discussed by the local planning authority and the Appellant with an Inspector.
  - The Appellant therefore believes that in the interests of fairness and natural justice that these matters are discussed at a Hearing.

## 2. THE SITE AND SURROUNDINGS

- 2.1 The subject site is situated at 7-8 Jeffrey's Place, NW1 9PP. It is located on within the Camden Town with Primrose Hill Ward within the administrative boundary of the London Borough of Camden.
- 2.2 The site contains a three-storey building that is used for residential purposes. The site is rectangular in shape and occupies the full extent of the site. The existing building was recently converted from a B1 (a) office use to C3 residential accommodation under prior approval in 2015 (LPA Ref: 2015/0232/P). The existing building retains its historic industrial look and feel, comprising brick walls, metal doors and metal framed windows. A Site Location Plan is provided at Figure 2.0.

**Figure 2.0 Site Location Plan, Source: Emrys Architects**



- 2.3 The site is located within the Jeffrey's Street Conservation Area. The Conservation Area is characterised by early 19<sup>th</sup> Century Georgian developments, primarily residential in nature. The site does not contain any listed buildings. The nearest listed building is the Grade II listed terrace at 8-10 Ivor Street to the south.
- 2.4 The site is bound by residential properties to the north, south, east and west. The neighbouring buildings vary in height, bulk and architectural style. Development within the Conservation Area does not follow a strict uniformity in its design with buildings comprising brick and/or rendered walls, timber and/or metal framed windows and a mix of pitched, flat or mansard roof designs.

- 2.5 The site has an excellent public transport accessibility level (PTAL) rating of 6b, with numerous bus routes operating within the vicinity of the site, along with London Underground and National Rail services operating from Camden Road Station to the south of the site.



### 3. RELEVANT PLANNING HISTORY

- 3.1 The relevant planning history for the proposed development relates to a previous application and appeal which sought planning permission for the creation of a single storey roof extension to create a 2 x bedroom unit. This application was refused by the local planning authority on 24 November 2015 (LPA ref. 2015/4920/P) and subsequently dismissed at appeal by the Planning Inspectorate on 20 July 2016 (PINS ref. 3147212).
- 3.2 The feedback received from these two decisions has informed the design of the proposed development, which has sought to respond to the reasons for refusal in full.
- 3.3 The reasons for refusal noted by the local planning authority in their decision were associated with:
- Design and conservation – with the design of the roof extension considered to be out of character to the host building and the Conservation Area and was also considered to be a harmful addition in the setting of the Grade II listed building at 8-10 Ivor Street.
  - Daylight and sunlight impacts – it was considered that, in the absence of a daylight and sunlight assessment, the roof extension would detrimentally harm the amenity of neighbouring residents.
  - No Section 106 Legal Agreement – the local planning authority required a legal agreement to secure the development as car free.
- 3.4 In the subsequent appeal proceedings, the Inspector considered the proposed application and ultimately dismissed the appeal on design and conservation grounds only. These reasons were:
- The scale, bulk, proportions, fenestration and contemporary design of the roof extension would introduce a harmful contrast at odds with the traditional architectural composition of the existing building.
  - The roof extension would be visible and unduly prominent from Jeffrey's Place and Ivor Street given the further increase in height and would be viewed as a dominant feature in the townscape, failing to preserve the character and appearance of the Conservation Area and being harmful to the setting of the Grade II listed building at 8-10 Ivor Street.

3.5 The Inspector's decision formed an important consideration for the Appellant and the design team in preparing the proposed development. The key conclusions from these decisions that informed the revised development proposals included:

- The principle of providing a rooftop extension to be building is acceptable, subject to appropriate design and consideration of surrounding heritage assets.
- The design of the roof extension needs to relate to the architectural composition of the existing building.
- The design of the roof extension needs to consider its visibility from throughout the Conservation Area
- The design of the roof extension needs to consider its relationship with the setting of the listed buildings at 8-10 Ivor Street.

3.6 These were the key objectives that formed part of the brief for the design team and were addressed in full in the refused application.

#### **Detailed analysis of previous LPA and Planning Inspectorate Decisions**

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3.7 As noted above, the design team undertook a thorough review of the previous scheme and the decisions from the local planning authority and the Inspector.

3.8 A detailed analysis of the previous comments from the local planning authority and the Inspector on various planning considerations, and how the proposed scheme responded, is set out in Table 3.0.

**Table 3.0 Detailed analysis of how the proposed development responded to the comments raised on the previous refused scheme**

<b>Comments by LB Camden/Planning Inspector</b>	<b>Response</b>
<b>Design and heritage</b>	
Camden officer: The extension fails to relate to the integrity of the host building. The existing building has a distinct fenestration pattern, design and symmetrical form.  Inspector: The existing building has a balanced façade with symmetry of window positions and detailing. The scale, bulk, proportions, fenestration and contemporary design of the	This proposal has taken a design-led focus to provide a scheme that compliments the existing building and surrounding area. The shape of the extension takes the form of a dual-pitched roof.  The development occupies most of the roof space however it has been designed to ensure the lowest point is at the perimeter with a height to eaves of only 1.5m. In terms of bulk, mass

Comments by LB Camden/Planning Inspector	Response
extension would introduce a harmful contrast at odds with the traditional architectural composition of the existing building.	<p>and scale the development appears as a subservient addition to the existing building.</p> <p>The design of the development has significantly evolved from what was initially proposed under the refused application.</p> <p>The development provides a significant benefit to the public by positively contributing to the local housing stock.</p>
<p>Camden officer: The extension does not respect the proportions of the existing building. Proportions are respected by the window openings with ground floor windows measuring 2.2m in height, first floor windows 1.9m in height and second floor windows 1.5m in height.</p> <p>Proposed extension would protrude 2.3m above the parapet of the parent building, appearing over-dominant in terms of its bulk and out of proportion with the existing building.</p>	<p>The design of the development considers the detail and fenestration of the existing building and provides a complimentary, contemporary addition that purposefully does not replicate the proportions of the existing building at the subject site. The development has a more successful relationship with the existing building than the initial proposal under the refused application.</p> <p>The development provides a significant benefit to the public by positively contributing to the local housing stock.</p>
Camden officer: Aluminium material would be an inappropriate contrast with the existing building.	<p>The roof extension is to comprise dark grey perforated metal panels as cladding with a measured amount glazing to ensure no adverse impact to neighbouring amenity.</p> <p>Whilst the roof material and colouring differs from the traditional brickwork on the existing building, it offers a sustainable and contemporary design solution that would complement the architectural features of the existing building.</p> <p>The principle of contemporary roof designs (similar to the one proposed here) has been established in the Conservation Area and as</p>

Comments by LB Camden/Planning Inspector	Response
	such the proposed development would be in keeping established development in the local area.
Camden officer: 7-8 Jeffrey's Place has been identified in the Jeffrey's Street Conservation Area Statement as being out of scale with its surroundings in its existing form. Any extension would have to respect the form/scale of the development.	The proposed roof extension has been specifically designed to respect the proportions of the existing building.
Camden officer: Principle of an extension is acceptable but it should respect the existing roof form and the existing original details should be precisely matched.	<p>The development has been designed to respect the detail and fenestration of the existing building whilst simultaneously providing a complimentary, contemporary addition.</p> <p>From a review of other planning applications in the vicinity of the site, it is noted that planning permission has been granted for a number of roof extensions of varying shapes, sizes and designs as well as development with contemporary roof styles in the Jeffery's Street Conservation Area. Some examples include:</p> <p>9 Jeffrey's Place London NW1 9PP (LPA Ref: 2016/66425/P);</p> <p>Former garages rear of 174 Camden Street and 29 Prowse Place London NW1 9PN (LPA Ref: 2016/2137/P); and</p> <p>7 Ivor Street London NW1 9PL (LPA Ref: 013/5131/P).</p>
<p>Camden officer: The extension would result in harm to the setting of the Grade II listed building on Ivor Street and the skyline of the conservation area by virtue of the additional height, bulk and mass added to the existing building.</p> <p>Inspector: The development would be viewed as an overly dominant feature in the townscape and</p>	In its present form, the flat roof of the existing building at the subject site is partly visible when viewed from the south of Ivor Street, when facing the aforementioned Grade II listed building. The development has been designed to ensure that the lowest part of the pitched roof (the eaves) is located at a similar height to the

Comments by LB Camden/Planning Inspector	Response
<p>would fail to preserve the character and appearance of the Jeffrey's Street Conservation Area. Although the extension would be setback, it would remain visible and unduly prominent along Jeffrey's Place and Ivor Street, particularly in the context of the Grade II listed building at 8-10 Ivor Street, given it would further increase the height of the existing building. The glazing would also add to its visual prominence.</p>	<p>existing parapet. The roof gradually increases in height with the highest part of the pitched roof at the centre.</p> <p>The design and visual appearance of the development has been carefully considered in the context of the Grade II listed building at 8-10 Ivor Street. The development at 7-8 Jeffrey's Place is visible from the vista experienced when emerging from the railway arches in a northerly direction on Prowse Place. Whilst the proposal will make a change to this view, the overall setting will remain the same. The proposed change is not considered to fundamentally generate a change to the significance of the listed building.</p>
<b>Residential amenity</b>	
<p>Camden officer: The terrace would be set in from the roof perimeter and the existing parapet would shield overlooking to 8 and 10 Prowse Road.</p>	<p>The proposed terrace has been carefully sized, positioned and located to ensure that it does not result in a mutual loss of privacy between neighbouring occupiers and future occupiers of the residential unit.</p>
<p>Camden officer: Downward views from the proposed windows would not result in privacy concerns to neighbouring properties (e.g. dwellings opposite the site on Jeffrey's Place or the dwellings on Ivor Street).</p> <p>Inspector: The setback and oblique angle of downward views towards the affected areas would prevent unacceptable loss of privacy to occupiers of surrounding properties.</p>	<p>The new dual-pitched roof design is an improvement on the previous box-shaped design.</p>
<p>Camden officer: Direct sunlight received by the dwellings opposite the host building (e.g. no.'s 16, 17 and 18) on Jeffrey's Place would be reduced as a result of the proposed extension. No daylight/sunlight report has been submitted to</p>	<p>The pitched roof design of the development coupled with the low height proposed at the roofs perimeter (approximately 1.5m) would ensure that the development would not reduce</p>

Comments by LB Camden/Planning Inspector	Response
<p>demonstrate otherwise. Sunlight and daylight to buildings to the west, south and east would be unaffected by the proposed roof extension.</p> <p>Inspector: Information submitted includes a BRE daylight and sunlight report which identifies a minor impact upon light provision to neighbouring properties. As such the development would not have an unacceptable overshadowing effect on the daylight of neighbours.</p> <p>Whilst there would be some effect on the light provision to 16 to 20 Jeffrey's Place and 6 to 8 Ivor Street in particular, the degree would not be significant enough to warrant a refusal in this instance.</p>	<p>the amount of daylight and sunlight received by neighbours.</p> <p>A daylight and sunlight assessment of the potential impacts of the proposed development demonstrated that potentially affected windows and rooms of properties in the immediate vicinity satisfy all of the BRE daylight and sunlight tests by virtue of retaining their absolute guideline value or retain 0.8 of their former value.</p>
<p>Inspector: The development (with setbacks and oblique angles of roof design) would not result in overbearing impacts on the occupiers of neighbouring properties. The height, scale and massing of the existing building is already somewhat imposing on the outlook of neighbouring properties.</p>	<p>The revised design of the development is an improvement on the initial roof design proposed under the refused application. As such the development would not result in overbearing impacts to neighbouring occupiers.</p>
<p>Camden officer: Noise omitted from a two bedroom flat is unlikely to result in a discernible increase in cumulate noise levels.</p> <p>Inspector: The occupation of flats has the potential to increase general levels of activity typical of that of a household, but the additional noise and disturbance would not be harmful to the living conditions of neighbouring occupiers.</p>	<p>Whilst the revised proposal includes an additional bedroom, it is unlikely that the single residential unit would result in a discernible increase in cumulative noise level or disturbance to neighbouring occupiers.</p>
<b>Energy and sustainability</b>	
<p>Camden officer: The design and access statement confirms levels of energy efficiency would meet sustainably targets.</p>	

Comments by LB Camden/Planning Inspector	Response
<p>Considering the location of the proposed extension, a dwelling at roof level is not considered possible to meet the majority of the 16 point criteria in the lifetime homes.</p> <p>Sedum green roof around the perimeter would maintain greater water retention and improve the green environment.</p> <p>Inspector: There would be environmental benefits related to energy efficiency and provision of a sedum roof.</p>	<p>The proposals has been designed to incorporate a number of sustainable design solutions that meet sustainability targets.</p> <p>The proposals will use low tech materials in combination with a wildflower green roof and high performance glazing and external envelope.</p> <p>Energy efficiency is at the thrust of the design with the inclusion of appropriate heating, cooling and power systems to minimise CO2 emissions.</p> <p>Additionally, bathroom design features will comprise dual flush toilets, a low flow shower heads and spray taps to conserve water.</p>
<b>Transport and parking</b>	
<p>Camden officer: Given the high PTAL rating (6a second highest) and the area being identified as suffering parking stress, if the application were recommended for approval the developer would be required to enter into a s106 legal agreement to ensure the development is car free.</p> <p>Inspector: The site is within a Controlled Parking Zone and Council have indicated that the site is within an area of on-street parking stress. A s106 legal agreement would be necessary to ensure the development is car free and does not conflict with the local development plan.</p>	<p>A car free development is sought to ensure no worsening of the current situation.</p>
<p>Camden officer: The design and access statement confirms 1 cycle parking space but the plans do not illustrate where the space will be located.</p>	<p>The new proposal is for a 3x bedroom flat. The existing cycle storage space at the ground floor level will accommodate two additional cycle parking spaces (drawing reference: 1422-0200-AP-301).</p>

Comments by LB Camden/Planning Inspector	Response
<b>Public benefit of development</b>	
Inspector: The development offers potential benefits in terms of increasing housing supply and housing choice in a sustainable location with excellent public transport links. There would be temporary economic benefits with regard to the associated construction works.	The development provides a large home meeting the aims of policy H7 of the Local Plan (2017) which seeks to create a mixed, inclusive and sustainable community.



## **4. THE PROPOSED DEVELOPMENT**

- 4.1 There is a critical need for new housing within London, with housing the number one land use priority within London and within the London Borough of Camden.
- 4.2 The London Plan (2016) quantifies the housing need in London, with the London Borough of Camden needing to provide a total of 889 new homes per year over a ten-year period. The emerging London Plan (2017) will see this annual target increase to 1,086 per year.
- 4.3 Both the London Plan and the Camden Local Plan also requires the optimisation of housing on sites that have good access to public transport. Policy 3.3 and 3.4 of the London Plan encourage increasing housing supply through the optimisation of housing potential on all sites. The emerging London Plan identifies that this can occur through a number of interventions to existing properties, including through conversions and roof extensions.
- 4.4 The refused application proposes the creation of a single storey roof extension to the existing building to enable the creation of a 3 x bedroom family sized unit. The unit would be 115sqm in size and would provide a 15.9 sqm roof terrace.
- 4.5 The 3 x bedroom unit would provide a high standard of living with three generously sized bedrooms, two bathrooms, a well-structured internal layout, a spacious living/kitchen/dining area and a private roof terrace for the enjoyment of future residents.
- 4.6 The design of the roof extension has sought to improve upon the design of the previous scheme that was considered by the Planning Inspectorate in 2016. The resulting design comprises a modest contemporary pitched roof extension that complements the architectural features of the existing building. The use of a pitched roof and setbacks ensures that the roof extension's visibility is minimal throughout the limited views of the property from within the Conservation Area, including from Jeffrey's Place, Prowse Place and Ivor Street.
- 4.7 The design of the proposed development is considered to be of a high-quality and complimentary to the character and appearance of the conservation area and surrounding properties. It also ensures an acceptable relationship with the setting of the listed buildings at 8-10 Ivor Street, which is achieved through the use of a pitched roof setback behind the existing rear parapet line.
- 4.8 When compared to the previous application that was dismissed at appeal (refer to Figure 4.0), the proposed roof extension is a marked improvement, and represents a positive addition to the local townscape and conservation area.

**Figure 4.0** Comparison between proposed roof extension and previous roof extension that was dismissed at appeal in July 2016, *Source: Emrys Architects*



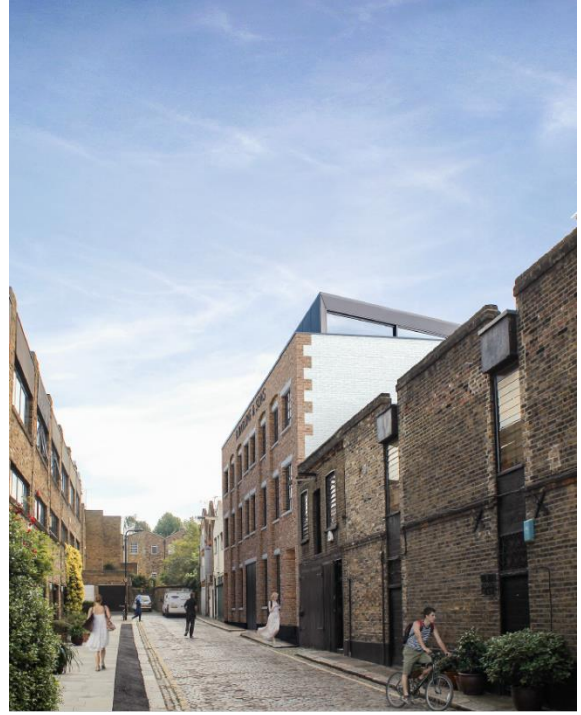
*View from Jeffrey's Place. Proposed scheme is to the left with the refused scheme to the right.*



*View from Ivor Street. Proposed scheme is above with the refused scheme to below.*







*View from Prowse Place. Proposed scheme is to the left with the refused scheme to the right.*

## 5. GROUNDS OF APPEAL

5.1 Planning permission was refused on 5 June 2018 for the erection of a single storey roof extension at roof level in order to provide a new residential unit that would contribute to the local housing stock. The application was refused for the following reasons:

1. *The proposed development, by virtue of its siting, scale, materials and detailed design, would appear as an incongruous addition to the host building and the surrounding area within which it is located failing to respect its character and integrity. Furthermore the development would fail to preserve and enhance the character of the surrounding conservation area and cause harm to the setting of the Grade II Listed Buildings at no. 8-10 Ivor Street. The development is contrary to Policies D1 & D2 of the London Borough of Camden Local Plan 2017, the London Plan 2016, and the National Planning Policy Framework 2012.*
2. *Insufficient cycle storage space for 2 bicycles has been provided within the site and the proposal would therefore fail to provide a secure, convenient and high-quality facility for all of bicycles, contrary to policy T1 (Prioritising walking, cycling and public transport) of the Camden Local Plan 2017.*
3. *The proposed development, in the absence of a legal agreement securing car-free housing, would be likely to contribute unacceptably to parking stress and congestion in the surrounding area, contrary to Policy T2 of the London Borough of Camden Local Plan 2017.*
4. *The proposed development, in the absence of a legal agreement to secure a construction and demolition management plan and appropriate financial contribution towards implementation support, would be likely to give rise to conflicts with other road users and be detrimental to the amenities of the area generally, contrary to policies G1 (Delivery and location of growth), A1 (Managing the impact of development), T3 (Transport infrastructure), T4 (Sustainable movement of goods and materials), DM1 (Delivery and monitoring), A4 (Noise and vibration) and CC4 (Air quality) of the London Borough of Camden Local Plan 2017.*

5.2 In order to address each element of the refusal in turn, the remainder of this document is laid out as follows:

- Design and conservation;
- Cycle storage;

- Car free development; and
- Construction Management Plan.

### **Design and conservation**

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5.3 The principal reason for refusal identified by the local planning authority is reason for refusal 1, which relates to design and conservation. The reason for refusal relates to the design of the roof extension, including its scale and materiality, its relationship with the existing building, as well as its visual appearance within the wider Conservation Area and to the setting of 8-10 Ivor Street.

5.4 These matters are addressed below. They are also addressed in greater detail in the supporting Heritage Appeal Statement, prepared by Icen Projects, which is submitted in support of this appeal.

#### **Design, scale and materiality**

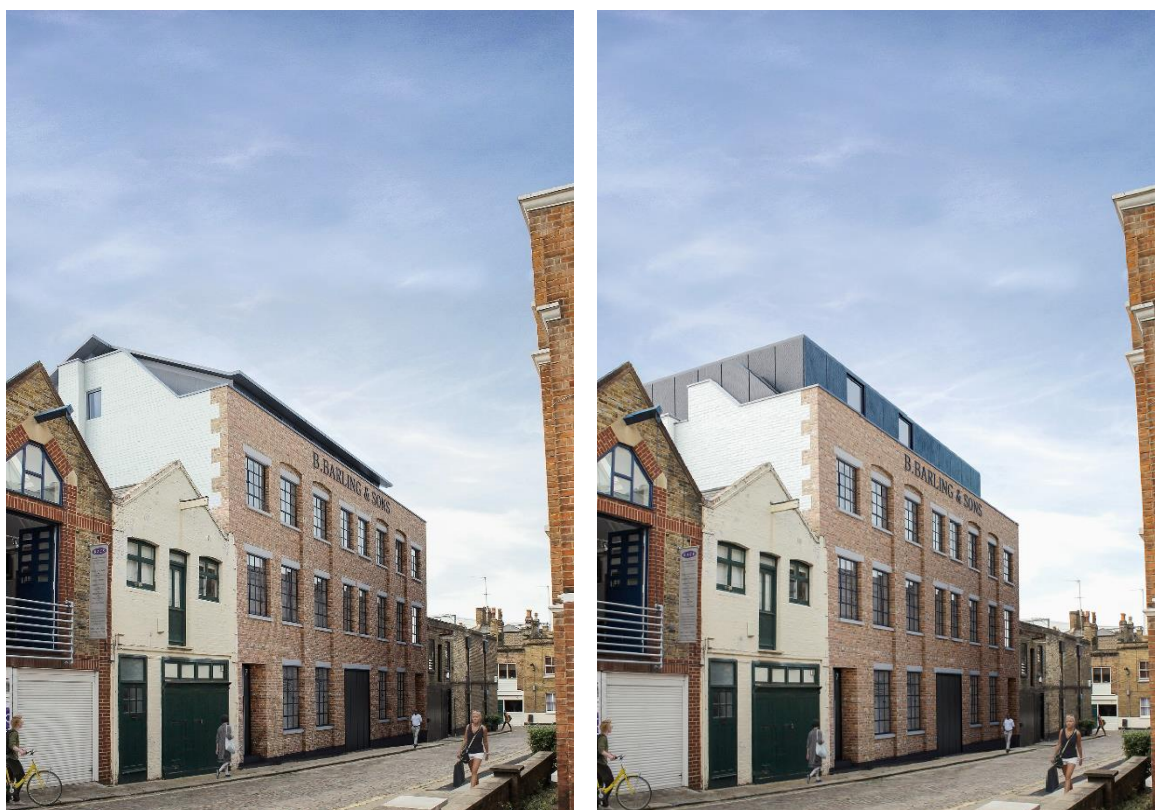
5.5 The design, scale and materiality of the proposed roof extension has sought to respond to the character of the existing building, as well as the wider context of the site.

5.6 The design for the roof extension is for a contemporary single storey pitched roof, with this approach considered to be an effective way to enhance the appearance of the building and preserve the character and appearance of the Conservation Area. This design approach is an improvement when compared to the previous scheme (refer to Figure 5.0), with the flat roofed design discarded as a design approach. This has resulted in a roof extension that is of a scale and design that compliments the existing building, minimises its visibility and references surrounding roof forms, where pitched roof forms are the predominant roof form in the Conservation Area.

5.7 The grey materiality of the roof extension also reflects the predominance of grey roof finishes within the wider area, which includes the use of lead and slate. There are also a variety of other materials used in buildings throughout the Conservation Area, including the use of wood, metal and rendered finishes, which all relates to the evolution of the area over time.

5.8 The use of workshop-style window form for the extension has reflected the positioning of the windows of the existing building, ensuring that the roof extension would respond to the architectural rhythm and language of the existing building. These windows, due to the location behind the parapets of the existing building, would not be readily visible from the public realm, nor from any private views to the building. This is evidenced by drawing 1422-0300-AP-303 prepared by Emrys Architects, enclosed with this submission.

**Figure 5.0** Comparison of the proposed scheme's pitched roof compared with the previous scheme's flat roof



- 5.9 Furthermore, it is noted that in the local planning authority's assessment, Jeffrey's Place contains a wide variety of window treatments, sizes and forms of fenestration, with the character being one of difference not uniformity. The proposed full height glazing, of which very little will be visible within the public realm, will therefore not be, and cannot be, incongruous in this existing multifarious context. In addition, the assessment of the building having traditional vertical hierarchies of fenestration, in that the 'scale of fenestration diminishes moving up the building', is not the case with the existing building with the first and second floors sharing the same window height. Either way, the glazing in the additional floor would not result in the extension being perceived as being taller, nor will it be in competition with the existing fenestration on the existing building. It can easily be read as contemporary but sympathetic addition to the building.
- 5.10 It is noted that the existing building has a flat roof, however it is clear when observing the roof form across both Jeffrey's Place and the wider conservation area that there is no clear uniformity nor can the developments within the street objectively be described as having a 'flat roofed appearance' as a defining characteristic. It is noted that there is a parapet level to many of the buildings, however there is a steep pitched roof which is very visible at number 9 Jeffrey's Place as well as the gable ended roofs at No's. 4, 5 and 6, which directly adjoin the site.



- 5.11 The recent completion of the roof extension to 9 Jeffrey's Place (refer to Figure 5.1), a former industrial building, was designed as a contemporary addition to the existing building, with the use of standing seam zinc and aluminium glazed windows for its materiality. 9 Jeffrey's Place is immediately to the rear of 8-10 Ivor Street, with this contemporary design considered acceptable by the local planning authority when granting planning permission on 6 March 2017 (LPA ref. 2016/6642/P). While 9 Jeffrey's Place is a smaller building than the subject site, the consented roof extension demonstrates the acceptability of contemporary roof extensions to a former industrial building within the Jeffrey's Street Conservation Area. The visual representation of this scheme is shown at Figure 5.1.
- 5.12 Additionally, the introduction of a roof extension to 9 Jeffrey's Place has altered the views to the subject site from Prowse Place and Jeffrey's Place. The roof extension can be easily visible from vantage points along Prowse Place which serves to decrease the overall dominance of the existing building in these vistas (refer to Figure 5.2).

**Figure 5.1** Approved elevations for the proposed roof extension at 9 Jeffreys Place





**Figure 5.2** View to the subject site from Prowse Place showing the recently completed roof extension to 9 Jeffrey's Place



#### **Impact of the proposals on the Conservation Area**

- 5.13 As noted above, following the previous application that was dismissed at appeal, the design team adopted a new design approach that sought to minimise the visual impact and prominence of the roof extension. This included consideration of views to the building from key areas within the Conservation Area, including from Ivor Street, from Prowse Place and from Jeffrey's Place.
- 5.14 The pitched roof is considered to achieve high quality design that would not alter the way the existing building is read or understood within the Jeffrey's Street Conservation Area. At present, the existing building is identified in the Conservation Area Appraisal as being out of scale and character with the rest of the Conservation Area, but is also identified as being a positive contributor. It's overall height and scale therefore helps to demonstrate how the development of this area has evolved.
- 5.15 In the local planning authority's comments on the proposals, no acknowledgement was made identifying that Jeffrey's Place is distinct from the surrounding streets in the Conservation Area. Jeffrey's Place was historically a place consisting of workshops, manufacturing facilities and warehousing. This makes the character and appearance of Jeffrey's Place both distinct from the surrounding streets and reflective of an important part of the Conservation Area's history. The Conservation Area is described by the local planning authority as 'predominately residential' which

falls short of giving the full picture or proper consideration to the history of the site. The existing building's appearance as being out of character with the Conservation Area is linked to the development of Jeffrey's Place, with this historical development a key defining feature of the Conservation Area and the site as a positive contributor to its significance.

- 5.16 Furthermore, it is concluded by the local planning authority that the roof extension would serve to further emphasise the over-dominance of the site within the Conservation Area. As noted above, this is identified in the Conservation Area Appraisal as being one of the defining features of the site which is part of its positive contribution.
- 5.17 The addition of the discreet rooftop extension that minimises its visibility would therefore not change the way the existing building would be read or understood within the Conservation Area. It is also not considered to add significant height that would result in the building becoming overly dominant, whose height and scale is a feature of the building that is identified as a positive contribution to the Conservation Area.
- 5.18 As such, it is considered that the proposed roof extension would not be detrimental to the building as a contributor to the Conservation Area and would therefore preserve the character and appearance of the Conservation Area.

#### **Relationship with the listed buildings at 8-10 Ivor Street**

- 5.19 The massing and visibility of the previous scheme on site, that was dismissed at appeal, was considered to cause harm to the setting of the listed building at 8-10 Ivor Street. The revised proposals have significantly reduced the visibility of the roof extension, with this reduced massing and prominence minimising the harm that the previous proposals were seen to have caused.
- 5.20 The revised design is now subservient and complimentary to the existing building and, as identified above, would not change the way the building is read or understood within the wider Conservation Area and from the setting of the listed buildings at 8-10 Ivor Street.
- 5.21 Presently, the existing building is visible when approaching Ivor Street from the railway arches. This is one of the main views of the listed buildings in their wider townscape setting. As such, the visibility of 7-8 Jeffrey's Place forms part of the characteristics of the setting of the listed buildings. The proposed development would make a change to this vista, however the overall understanding and experience of this view would remain unchanged. The setting of the listed buildings would continue to contain the view of a former warehouse building.
- 5.22 Due to the significantly reduced massing, prominence and perceived bulk of the roof extension, when compared to the refused scheme, it is considered that there would be no harm caused to this relationship. It would not result in a harmful relationship between the two buildings and it would not

alter the way 8-10 Ivor Street is experienced. A comparison of views including the between the current view, the proposed scheme and the previous refused scheme are provided at Figure 5.3, which helps illustrate this point.

**Figure 5.3** Comparison of views from the corner of Ivor Street and Prowse Place



*Current view*



*View with the proposed scheme*





*View with the previously refused scheme*

#### **Assessment of the application from the local planning authority**

- 5.23 The proposed development was subject to a significant amount of design work from the design team and the Appellant, which included detailed design, heritage, townscape and planning justification with the submitted planning application. Collectively, this work demonstrated that the proposed development responded to the key conclusions and comments from the previous scheme that was dismissed at appeal.
- 5.24 One of the key conclusions that came from this review of the previous scheme was that the principle of providing a roof extension to the property was acceptable. This was consistent in both the local planning authority's and Inspector's decisions.
- 5.25 Despite this, the Appellant was informed at an early stage that the local planning authority's design and conservation officer objected to the proposals 'in principle'. Given the planning history of the site as a key material consideration, this was considered an unacceptable approach to take from an assessment perspective. It is also noted that this view was reached without the benefit of a site visit, with the reason given for this due to a heavy caseload.
- 5.26 A number of requests to meet with the design and conservation officer on site or to discuss via telephone were denied and the local planning authority was also unable to confirm that the design and conservation officer has reviewed and understood the significant design, heritage and townscape justification that was provided with the application.

- 5.27 We consider that the desktop based assessment from the design and conservation officer to be an unacceptable approach to take for the assessment of the proposals, with a more open dialogue between the local planning authority and appellant likely to result in a different outcome for the proposals.
- 5.28 A number of different design and material options for the roof extension have been developed by Emry's Architects, each of which would respond and reference to a certain feature within the Conservation Area. These options are enclosed with this submission and demonstrate how different design options could have been discussed with the local planning authority, which was not possible to achieve.
- 5.29 A copy of the relevant correspondence between the Planning Agents and the local planning authority are enclosed with this submission.
- 5.30 Due to the subjective nature of these design and conservation matters and given the fact that the design process and rationale for the proposed scheme was not able to be discussed with the local planning authority's design and conservation officer, it is considered that a hearing would be the most appropriate appeal procedure for this issue to be discussed with the Inspector.

#### **Cycle storage**

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- 5.31 The submitted planning application provided a Proposed Ground Floor Plan (drawing ref. 1422-0200-AP-301) which indicated provision for more than 2 x cycle parking spaces for the proposed unit. This cycle parking is highly secure with access provided to residents only, in accordance with the Policy T1 of the Camden Local Plan 2017.
- 5.32 Notwithstanding, the Appellant has provided the following with the Appeal:
- Detailed and dimensioned plans, section and elevation of the cycle store showing 4 x cycle parking spaces (drawing ref. 1422-0200-AP-301 and 1422-0200-AP-306); and
  - Manufacturers details of the cycle parking racks (drawing ref. 1422-0200-AP-306).
- 5.33 This evidence demonstrates that the proposed development would make adequate provision for cycle parking, in accordance with Policy T1 of the Camden Local Plan.

#### **Car free development**

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- 5.34 The proposed development would be car free, with the occupiers of the resultant unit unable to gain a resident's parking permit. This was agreed to by the Appellant in the submission of the planning application.

- 5.35 Due to the local authority recommending the application for refusal, the Section 106 legal agreement was not progressed.
- 5.36 A draft Section 106 Unilateral Undertaking has been submitted with this Appeal which confirms the Appellant's agreement to this planning obligation. It is the intent of the Appellant to finalise this legal agreement by the time a decision is made on this appeal.

#### **Construction Management Plan**

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- 5.37 The proposed development would result in temporary disruption to residents within the existing building, as well as residents and businesses within the vicinity of the site. The Appellant is committed to ensuring that all practicable measures are implemented during demolition and construction works to minimise this disruption and agrees to provide a detailed Demolition and Construction Management Plan. The Appellant also agrees to make a financial contribution to assist the local planning authority in the implementation of the Demolition and Construction Management Plan.
- 5.38 It is also noted that due to the local authority recommending the application for refusal, the Section 106 legal agreement was not progressed.
- 5.39 A draft Section 106 Unilateral Undertaking has been submitted with this Appeal which confirms the Appellant's agreement to this planning obligation and financial contribution. It is the intent of the Appellant to finalise this legal agreement by the time a decision is made on this appeal.

## 6. CONCLUSIONS

- 6.1 This appeal is submitted on behalf of Decadent Junior Ltd and City & Provincial Properties Ltd against the refusal of planning application ref. 2018/2081/P for development at 7-8 Jeffrey's Place, London, NW1 9PP within the London Borough of Camden.
- 6.2 This Appeal is submitted primarily on the basis that the proposed development has been designed to be a high-quality addition that is complementary to the host building as well as the character and appearance of the surrounding Conservation Area and townscape, which has had specific regard to the setting of the listed buildings at 8-10 Ivor Place. Additionally, the reasons for refusal in relation to cycle parking and the need for planning obligations to be secured via a legal agreement have been addressed by this appeal through the provision of these relevant documents.
- 6.3 The case set out within this Appeal Statement can be summarised as follows:
- The proposed development has appropriately responded to the specific design feedback and conclusions from the previous planning application (LPA ref. 2015/4920/P) that was refused by the London Borough of Camden on 24 November 2015 and subsequently dismissed at appeal (PINS ref. 3147212) by the Planning Inspectorate on 20 July 2016. These two decisions confirmed the principle of providing a roof extension to the property and provided specific design feedback to inform a revised scheme.
  - The proposed design has resulted in a roof extension that appropriately responds to the materiality and architecture of the host building, as well as considering key views to the site from the wider conservation area and local area, including careful consideration of the setting of the Grade II listed buildings at 8-10 Ivor Street. This is evidenced through detailed design, heritage and townscape analysis and justification within the submitted planning application documentation.
  - Adequate space for 2 x cycle parking spaces was provided at ground floor level. Further detail demonstrating how this cycle parking storage meets the requirements of Policy T1 is enclosed with this Appeal.
  - The Section 106 planning obligations associated with the development being car free and for the requirement to provide a construction and demolition management plan and associated contribution have been addressed through the submission of a draft Section 106 Unilateral Undertaking with this appeal.
- 6.4 Further detail is provided within the supporting Heritage Appeal Statement prepared by Iceni Projects Limited.

- 6.5 This Appeal Statement has also set out the reasons why a Hearing is considered to be the best procedure for this appeal to be determined. This is primarily due to the need to discuss a number of complex design and conservation matters, the local planning authority's approach to the assessment of the application and the need for a number of subjective matters that are best debated through the appointed Inspector.
- 6.6 For the reasons set out in this Appeal Statement and supporting documentation, it is considered that this appeal should succeed and planning permission granted to planning application reference 2018/2081/P.



## **A1. DOCUMENTS SUBMITTED IN SUPPORT OF THIS GROUNDS OF APPEAL**

A1.1 The following documents are submitted in support of this Grounds of Appeal:

- Site Location Plan, prepared by Emry's Architects;
- Existing and proposed drawings, prepared by Emry's Architects;
- Alternative elevation drawings, prepared by Emry's Architects;
- Plan, section and elevation of the cycle store, prepared by Emry's Architects;
- Email correspondence between local planning authority and planning agent;
- Heritage Appeal Statement, prepared by Icen Projects;
- Draft Statement of Common Ground; and
- Draft Section 106 Unilateral Undertaking, prepared by Clyde and Co.