



APPEAL BY:

Mrs Eva Santner-Crook

AGAINST LONDON BOROUGH OF CAMDEN COUNCIL'S REFUSAL
TO GRANT PLANNING PERMISSION FOR:

Erection of roof extension with front roof terrace at fourth floor level

AT

Flat 3, 44 Falkland Road, London, NW5 2XA

London Borough of Camden Council's Reference: 2017/6999/P

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

May 2019

RJS PLANNING

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1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mrs Eva Santner-Crook, in support of the appeal lodged against the refusal of planning application reference 2017/6999/P.

1.2 The application was registered by the Council on 5th February 2018 and sought planning permission for the '*Erection of roof extension with front roof terrace at fourth floor level*' at Flat 3, No. 44 Falkland Road in London and although the scheme was revised to move the terrace to the rear, it was refused on 28th January 2019 for the following reason:

1. *The proposed roof extension with terrace, by reason of its bulk, form, detailed design, and loss of the historic roof line would appear as an incongruent and prominent addition to the terrace that would erode the character and appearance of the Kentish Town Conservation Area and would have an adverse impact on the street scene and the setting of the listed Our Lady Help of Christians church. As such, the proposed development would be contrary to Policies D1 and D2 of the Camden Local Plan 2017.*

1.3 This grounds of appeal will address the central concerns raised within the Council's reason for refusal, notably:

- Whether the proposed roof extension with rear roof terrace would appear as an incongruent and prominent addition to the terrace that would erode the character and appearance of the Kentish Town Conservation Area, and would have an adverse impact on the street scene and the setting of the nearby listed church

1.4 To set some context, this statement will first provide a description of the appeal site and the proposed development. This statement will then discuss the relevant national and local planning policy before responding to the Council's concerns.

2.0 RELEVANT PLANNING HISTORY

2.1 **Planning Application Reference: 2014/6597/P**

Erection of replacement single storey rear extension and installation of timber window at front ground floor level

Granted 9th December 2014

2.2 It is also noted that neighbouring property No. 48 Falkland Road was granted the '*Conversion of first second and third-floors to provide a self-contained studio flat and a 3-bedroom maisonette including the erection of a roof extension as shown on drawing nos.54/4A and 5A*' granted under planning reference 8701175 on 14th October 1987; and No. 58 Falkland Road was permitted the '*Erection of bathroom extension at roof level and conversion to provide two self-contained dwelling units at 58 Falkland Road, NW5*' granted under planning reference 15235 on 24th January 1973.

3.0 THE SITE

- 3.1 The appeal site is located to the southern side of Falkland Road, within the boundary of the Kentish Town Conservation Area that was extended north in 2011 up to Ospringe Road (part) and between Fortess Grove/Railey Mews to the west and Montelier Grove to the east, with the appeal site set within the southern edge of this extension.



Aerial View of the Appeal Site and Surrounding Area

- 3.2 This appeal relates to the top floor flat of the four storey end-of-terrace property, which although not listed, has the Grade II-listed church Our Lady Help of Christians to the west, which is separated from No. 44 by the church hall. To the east, the appeal property is adjoined by No. 46 which is a four bedroom single dwellinghouse, and backs on to a parking area and a large flatted development on Willingham Terrace to the rear.

- 3.3 The appeal property has a small garden to the front and a lawned enclosed garden to the rear, with the property also having been extended with a flat/green roof single storey addition to the rear.

- 3.4 Flat 3 is accessed via the communal front entrance, hallway and staircase, with the dwelling occupying the second and third floors of No. 44 and also benefiting from an attic.



Appeal Property Flat 3 No. 44 Falkland Road

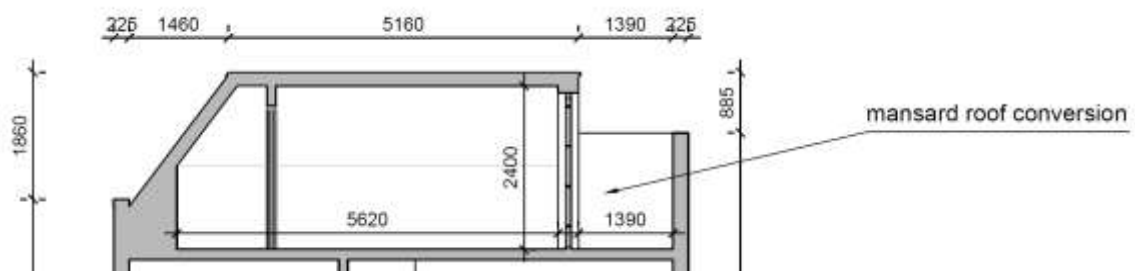
4.0 THE PROPOSED DEVELOPMENT

4.1 The appeal proposal originally sought planning permission for the erection of a roof extension with front roof terrace at the fourth floor level; however, it is important to note that significant alterations were made to the proposed scheme during the application process, with the appellant's architect having revised the design to follow the advice received from the Planning Officers at every stage, with slow responses from the Case Officer resulting in the application taking almost a year to reach a decision.

4.2 In this regard, the revisions made to the application since it was originally submitted are detailed below:

- the mansard roof form was changed so that the front and sides are sloped rather than vertical;
- the roof terrace with glazed doors was relocated from the front to the rear of the proposed roof extension;
- the doors were revised from aluminium powder coated black to painted white timber framed units;
- the existing flank wall and chimney stacks are to be retained as existing;
- the proposed window in the flank elevation is to be omitted from the scheme.

4.3 The mansard roof extension would be set back 0.225m behind the front façade and will have a front elevation which is pitched back so that its flat roof is set back a further 1.460m and projects a maximum of 1.875m above the existing front parapet. The mansard will also have pitched sides to retain the existing parapet walls to each side and the original chimney stacks. The rear elevation will have a vertical face containing glazed doors that will provide access to the proposed 1.39m deep by 4.77m wide roof terrace.



4.4 The proposal will facilitate the creation of an additional bedroom with an en-suite and rear terrace, to be accessed via a continuation upwards to the existing staircase.

4.5 The extension will be built utilising reclaimed London Stock bricks and the tiles of the current roof will be reused to ensure a match with the existing surrounding roofs. The proposed fenestration will also be white painted timber to complement the property.

5.0 RELEVANT PLANNING POLICY

5.1 The reason for refusal refers to policies D1 and D2 of the Camden Local Plan 2017.

5.2 Although not referred to within the given reason for refusal the National Planning Policy Framework is considered relevant. The following paragraphs provide a brief summary of the related policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

National Planning Policy Framework (NPPF) July 2018

5.3 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Presumption in Favour of Sustainable Development

5.4 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Achieving well-designed places

- 5.5 Section 12 of the NPPF refers to design, with paragraph 124 describing how the Government attaches great importance to the design of the built environment, stating 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.”*
- 5.6 Paragraph 127 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 5.7 Paragraph 130 states:
- “where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.*

Conserving and enhancing the historic environment

- 5.8 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 185 sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.9 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should

be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

- 5.10 Paragraph 195 states that local planning authorities should refuse consent if a proposed development would lead to substantial harm to (or total loss of significance of) a heritage asset.
- 5.11 The NPPF does not define “*substantial harm*” but it is widely accepted as including the total loss of a heritage asset, or fundamental compromise of its significance by means of extensive physical alterations, or inappropriate development within its setting. Such an impact can only be justified on the grounds that the harm is necessary to deliver important public benefits that outweigh the value of the heritage asset. In these terms it is absolutely clear that the application proposal will not result in “*substantial harm*” to the conservation area. Moreover, it must be pointed out that even the council do not state within the reasons for refusal that the proposal would lead to substantial harm to the historic significance of the heritage asset or conservation area.
- 5.12 Paragraph 196 of the NPPF states that where a development proposal would 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, where appropriate, securing its optimum viable use.
- 5.13 Local planning authorities should look for opportunities for new development within conservation areas and world heritage sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements to the setting that make a positive contribution to the asset should be treated favourably.

Decision-making

- 5.14 Paragraph 38 states that Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Camden Local Plan 2017

- 5.15 The Camden Local Plan sets out the council’s planning policies and replaces the Core Strategy and Development Policies planning documents (adopted in 2010). It ensures that Camden continues to have robust, effective and up to-date planning policies that respond to changing circumstances and the borough’s unique characteristics and contribute to delivering the Camden Plan and other local priorities. The Local Plan will cover the period from 2016-2031. Policies D1 and D2 are referred to within the reason for refusal.

Policy D1: Design

- 5.16 The Council will seek to secure high quality design in development and will require that development:
- a. respects local context and character;
 - b. preserves or enhances the historic environment and heritage assets in accordance with Policy D2 Heritage;
 - c. is sustainable in design and construction, incorporating best practice in resource management and climate change mitigation and adaptation;
 - d. is of sustainable and durable construction and adaptable to different activities and land uses;
 - e. comprises details and materials that are of high quality and complement the local character;
 - f. integrates well with the surrounding streets and open spaces, improving movement through the site and wider area with direct, accessible and easily recognisable routes and contributes positively to the street frontage;
 - g. is inclusive and accessible for all;
 - h. promotes health;
 - i. is secure and designed to minimise crime and antisocial behaviour;
 - j. responds to natural features and preserves gardens and other open space;
 - k. incorporates high quality landscape design (including public art, where appropriate) and maximises opportunities for greening for example through planting of trees and other soft landscaping,
 - l. incorporates outdoor amenity space;
 - m. preserves strategic and local views;
 - n. for housing, provides a high standard of accommodation; and
 - o. carefully integrates building services equipment.

Policy D2: Heritage

- 5.17 Conservation areas are designated heritage assets and 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.

6.0 THE APPELLANT'S CASE

Introduction

6.1 The appellant's case will focus on the central concerns of the reason for refusal; notably, whether the proposed roof extension with terrace, by reason of its bulk, form, detailed design, and loss of the historic roof line would appear as an incongruent and prominent addition to the terrace that would erode the character and appearance of the Kentish Town Conservation Area and would have an adverse impact on the street scene and the setting of the listed Our Lady Help of Christians church.

6.2 The main considerations in the determination of this appeal are:

- Principle of the development
- Background
- Design and conservation
- Neighbouring amenity
- Further considerations

Principle of the development

6.3 The appellant has put forward a high quality residential scheme that would enhance the appearance and character of the existing property without negatively impacting upon the amenities of neighbouring residents or the locality, thus, conforming to the aims of national, regional and local planning policy.

6.4 The appeal site is within an urban setting and therefore, an extension to an existing dwelling house is considered acceptable in principle, subject to the scheme being in accordance with other relevant planning policies.

6.5 The proposed development is of a high standard of design that has been specifically chosen to complement the special characteristics of the street scene and the wider conservation area whilst taking into account the specific requirements of the National Planning Policy Framework relating to good design and the recommendations of Local Plan policy D1 (Design) and Policy D2 (Heritage).

Background

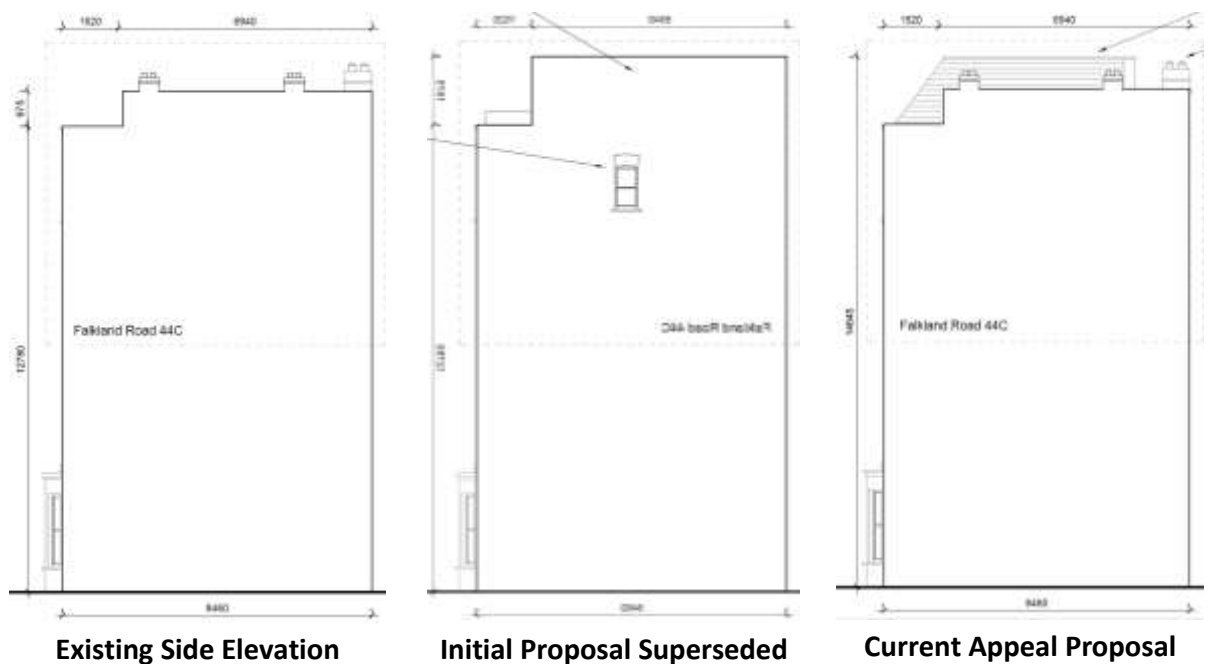
6.6 As detailed previously, the design of the proposed extension has been significantly altered to present a roof addition that is in keeping with the original architectural style of the property. The scheme initially proposed a front roof terrace and a roof extension with a glazed front elevation, with vertical sides and aluminium powder coated black framed units, together with changes to the western elevation, which included the removal of the existing chimney stack, the extension upwards of the side parapet wall and the installation of a new bathroom window at third floor level. Following discussions with Planning Officers, the proposed development has been altered to follow their advice, so that it is traditional in design.

Design and conservation

6.7 As illustrated below, the new design is far more sympathetic to the property, with a traditional mansard design now proposed which has the roof terrace to the rear and sloping elevations to the front and sides.



6.8 The current proposal also retains more of the original features of the property, with the side elevations shown below to demonstrate how the design has been modified to limit its possible impact upon the street scene of Falkland Road and the setting of the nearby listed Our Lady Help of Christians Church.



- 6.9 The proposed scheme, which has a mansard design that is more typical of the roof extensions within the vicinity of the appeal site and a more discrete rear terrace, would be a more compatible, with the retention of traditional feature such as the chimneys, ensuring that the proposal will harmonise with the architectural fabric of the locality.

Design and Conservation

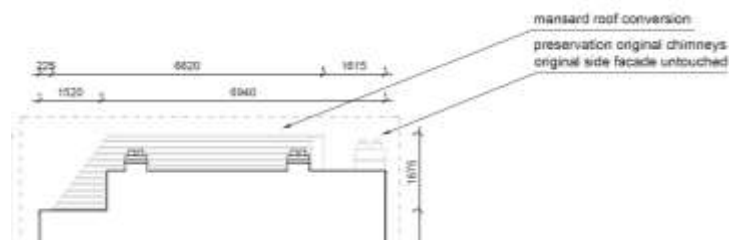
- 6.10 Paragraph 124 of the NPPF states that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 6.11 As described in section 16, the NPPF sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability to ensure new development makes a positive contribution to local character and distinctiveness.
- 6.12 Local Plan Policy D1 (Design) seeks to secure high quality design in development and requires that development respects local context and character whilst preserving or enhancing the historic environment and heritage assets in accordance with Policy D2 (Heritage).
- 6.13 Taking the above policy requirements into consideration the appellant has put forward a well-thought-out scheme that respects the original architecture, scale, materials, colour and detailing of the building and does not detract from the character or setting of the appeal property, thus achieving the aims of the Council’s Planning Guidance ‘Design’.
- 6.14 Section 5 of the planning guidance for ‘Design’ relates to roofs, terraces and balconies with paragraphs 5.14 to 5.19 relating to mansard roofs. The guidance states that mansard roofs are often the most appropriate form of extension for a dwelling with a raised parapet wall and low roof structure behind and that they are often a historically appropriate solution for traditional townscapes.
- 6.15 The proposed pitch of the mansard and the external tile cladding that will reuse the original roof tiles from the existing roof, will ensure the development follows the recommendations contained within the Council’s design guidance. Furthermore, the side parapet wall and chimney stacks would be retained to maintain the original flank wall profile when viewed from Lady Margaret Road to the west. The proposal will therefore retain the end-of-terrace backdrop behind the listed church, to provide a scheme that is sympathetic to the proportions and architecture of the host property and respects its setting close to the listed building.
- 6.16 It is not unacceptable in principle to extend a building within a conservation area, even when in close proximity to a Grade II Listed Building, and it could not be reasonably considered that the proposed works would adversely affect the historic fabric or architectural features of the host property or the nearby building of significance.

- 6.17 The proposed mansard extension and roof alterations are of a size and appearance comparable and proportionate to their surroundings and would not result in harm to the street scene or the setting of the nearby grade II listed church. As pictured below, the church building is far more prominent in the street scene and dominates the junction of Lady Margaret Road and Falkland Road, with the appeal property set over 50m behind its front elevation.



Grade II Listed - Our Lady Help of Christians Church

- 6.18 The proposed change created by allowing the appeal proposal would only add a small section of grey slate roof to be visible above the existing side parapet, with the original profile and chimney stacks to be retained.



Proposed Mansard Roof Extension Side Elevation

- 6.19 When considering the impact of a proposed development on the significance of the listed church, its setting and the wider conservation area as designated heritage assets, it is argued that the proposed development would not lead to substantial harm of a heritage asset.
- 6.20 Although the NPPF does not define “*substantial harm*” it is widely accepted as including the total loss of a heritage asset, or fundamental compromise of its significance by means of extensive physical alterations or inappropriate development within its setting. In these terms it is absolutely clear that the proposal would not result in “*substantial harm*” to the heritage asset or conservation area; with many more prominent roof additions visible within Falkland Road and to the rear of properties on Lady Margaret Road to the north of the listed church.

6.21 In the Council's assessment of the proposal, they have stated that the property is within a terrace that has largely retained its original butterfly roofs with their distinctive rhythm of V parapets to the rear and that there is only one example of a mansard roof extension within the terrace, at No. 48, which was granted planning permission under planning application reference 8701175, prior to Falkland Road being incorporated into the conservation area. No. 58 Falkland Road has also been extended with a single dormer and alterations to the rear parapet, granted under application reference 15235. The Council has claimed that these extensions are out of keeping with the historic roofline and are considered to be harmful to the appearance and character of the terrace and the wider conservation area; however as pictured below, the actual impact of these changes is limited, and given that the existing roofline has not remained unaltered over the years, it is argued that the appeal proposal ought to be deemed acceptable.



Rear Elevation of the Host Terrace



Rear Elevation of the Appeal Property and the Mansard Extension at No. 48

6.22 As the Council has raised the retention of the V parapet as an important issue within the conservation area setting, the appellant's architect has provided alternative plans (See **Appendix A**) which have the same roof design and rear terrace, however, retain the V parapet and include a discrete glazed balustrade. The appellant would therefore be grateful if the Inspector could consider these alternative plans, if the appeal proposal is thought unacceptable.

6.23 It should also be noted that, although within a conservation area, the rear of the appeal terrace backs on to a car park and a mix of rear elevations, together with a large, 1960s flatted development which is located on Willingham Terrace.

6.24 As pictured here, this building does not share the architectural merit of the surrounding older terraces, and given the mix of more utilitarian rear elevations, it is argued that the introduction of a mansard roof extension and terrace in this location, would not have the negative impact suggested by the Council.



Flats to the Rear of the Appeal Terrace

6.25 It should also be noted that as recently as 2018 new flats have been added to the rear estate which are also visible within the church setting.

6.26 Whilst it is acknowledged that the appeal site is within a conservation area which affords a higher level of protection, this in itself does not mean that the proposed extension is unacceptable in principle or that the alterations to the roof of the building would be of detriment to the appearance of the host property or the wider conservation area setting. It is absolutely clear that the appeal proposal will not result in substantial harm, or even less than substantial harm, to the Kentish Town Conservation Area.



View to the Rear of No. 44



Roofscape to the Rear including the Church Hall Roof

6.27 When considering the visual impact of proposed works it is also important that due consideration is given to a) where the impact will be perceived and b) what the actual or demonstrable impact would be. It follows that the impact on the public realm (i.e. the street scene) will be greater than that of works which will have no impact on the public realm, such as changes to rear elevations.

- 6.28 In this instance, due to the height of the appeal terrace, the proposed works would have a very limited visual impact on the streetscene and would only just be visible within the backdrop of the listed church, with the feature brickwork end gable being unaltered by the proposal.



- 6.29 As such the proposed works would therefore clearly sustain the significance of the conservation area and people's experience of it and it is strongly asserted that the significance and appreciation of the conservation area within the zone of influence of the proposal would not be compromised by the proposed works. It is therefore questioned as to what actual impact the works would have on the conservation area.

- 6.30 Given that the locality also has a variety of roof extensions within the street scene opposite the appeal site and to the eastern end of Falkland Road, is a gross exaggeration to suggest that the proposed works would appear as an incongruent and prominent addition to the terrace that would erode the character and appearance of the Kentish Town Conservation Area.



Terrace opposite the Appeal Property



Rear of Terrace fronting Lady Margaret Road - North of the Listed Church

- 6.31 It is clear that the street frontages and the public realm within the conservation area provide the main features and characteristics of the area rather than the rear elevations of buildings, where the main change to the property will be visible. The appellant asserts that the proposed works would therefore cause no actual or demonstrable harm to the character or appearance of the street scene or the setting of the listed Our Lady Help of Christians church, with other existing extensions being far more prominent than the proposed roof extension and rear terrace.

6.32 In regard to the proposed roof terrace, this has now been relocated to the rear of the mansard roof extension to follow the advice received from Planning Officers and the guidance contained in Camden's Planning Guidance 1 which states that a terrace will only normally be acceptable on the rear of properties and that it is normally inappropriate to set back a mansard to provide a terrace. The Council has therefore confirmed that *"the relocation of the proposed roof terrace to the rear of the building is an improvement compared with the original scheme"*.

6.33 Whilst it is conceded that the Council seek to retain V parapet features where possible, it is argued that the terrace does not have an unaltered rear elevation and that changing this property in a similar manner to the extension at No. 48 will not have a significant visual impact.

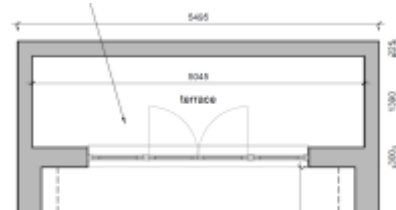


Existing and Proposed Rear Elevations of No. 44

6.34 The appellant's architect has also given consideration to the detailed design of the proposed terrace to reduce the impact on the existing elevation. It is therefore strongly argued that whilst the development put forward within the appeal proposal infills the rear valley parapet the proposed alterations would not disrupt *"the prevailing rhythm of the parapet line to the rear of the terrace"*, which has already been altered at No. 48.

6.35 Although the vertical face of the mansard represents a non-traditional design feature, it is also asserted that its set-back 1.39m behind the parapet wall would be an unobtrusive addition that would be barely visible when viewed from the rear of the terrace.

Traditional hardwood doors and windows



6.36 Given the above points, the proposed roof terrace and mansard roof extension ought to be considered acceptable in design terms as they represent additions which are proportionate in scale to the host property, and will not visually dominate the existing building or its immediate surroundings; with the overall development having a design which reflects the style and details of the appeal terrace and the changes made within neighbouring terraced rows, in compliance with Camden Local Plan. Nevertheless, as the Council has raised concerns regarding the loss of the V parapet, the appellant has requested that alternative plans be drawn, which retain this original feature. Therefore, if the Inspector shares the Council's concerns, the appellant would be grateful if revised plans DD_201_B and DD_104_B could be considered as a suitable alternative design.

Neighbouring amenity

- 6.37 Paragraph 127 of the NPPF states that planning policies and decision should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.38 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. The factors the council consider include visual privacy, outlook; sunlight, daylight and overshadowing.
- 6.39 The Council has assessed the proposed roof extension, which will only project a maximum of 1.875m above the existing front parapet, with a width of 4.7m at its highest point, and have concluded *“it is unlikely to result in a significant loss of light to habitable rooms of the dwellings opposite compared with the existing height of the building and the relationship between the terraces”*.
- 6.40 It has also been confirmed that *“The rear roof terrace would not result in a loss of privacy to adjoining occupiers, and would be unlikely to result in noise disturbance due to its size of 5m wide and 1.4m long. The finished floor level of the terrace would be 1.7m below the rear parapet, preventing views to surrounding properties or gardens. As such, the proposed development (as amended) is considered to be acceptable from an amenity perspective”*.

Further considerations

- 6.41 It is also important to take into consideration the benefits of providing an additional bedroom within the appeal property, together with creating some outdoor amenity space for the dwelling, thus improving the standard of residential accommodation offered by the appeal dwelling for current and future occupants.
- 6.42 One of the main concerns of the Council is the loss of the V parapet at the rear of the property; however, it is now possible to keep this feature as the roof terrace has been relocated from the front to the rear of the property. A discrete glazed balustrade across the V could also be installed to maintain safety whilst protecting the privacy of neighbouring occupiers. As previously detailed, the appellant has therefore had an alternative design drawn up, which he hopes the Inspector may consider as a suitable revision at this stage in the planning process, as this will improve the appearance of the finished design and retain this original feature of the property, to the benefit of the wider conservation area setting.
- 6.43 It is noted that the Council has received comments from some nearby residents, with objections made to the initially proposed front terrace. It is therefore argued that the concerns raised have now been overcome with the repositioning of the proposed terrace to the rear of the dwelling.

7.0 CONCLUSION

- 7.1 Whilst it is understandable that the Council would want to prevent unsympathetic development, the appellant has no desire to gain permission for works that are not worthy of the existing building, the nearby grade II listed church or the wider conservation area setting and feels strongly that the proposed roof extension and terrace would preserve the appearance of the site and sustain the significance of the heritage asset whilst contributing to the amenity levels of current and future occupants of the dwelling.
- 7.2 However, it is considered that the Council have adopted an overly cautious approach in appraising the appeal proposal which represents a proportionate addition and an appropriate alteration that would complement the scale of the existing building and, as such, it is evident that the proposal would not result in substantial harm or even less than substantial harm to the conservation area.
- 7.3 As pictured below, there are many roof additions visible from the appeal property and it is therefore unjustifiable to claim that the proposed would harm the locality.



View from the Appeal Property

- 7.4 The National Planning Policy Framework (NPPF) states that decision-makers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. The proposed erection of a mansard roof extension and rear terrace would not be contrary to national or local planning policy and, for the above reasons, it is politely requested that this appeal is allowed.
- 7.5 As previously stated, the appellant would be willing to retain the rear V parapet as part of the proposed scheme, and has submitted alternative plans and elevations within **Appendix A** (DD_201_B and DD_104_B) which it is hoped the Inspector will consider as an appropriate alternative scheme.