



Chartered Town Planners & Architectural Technicians

**APPEAL UNDER SECTION 78 OF THE
TOWN & COUNTRY PLANNING ACT 1990**

Mansard roof extension.

Appeal by: Mansoor Ullah.

Property Address: 5 Mornington Place, NW1
7RP.

Planning Authority Ref: 2021/0124/P.

May 2021

1.0 INTRODUCTION

1.1 This appeal statement is submitted on behalf of Mansoor Ullah (the appellant) in respect of the refusal of planning permission by Camden Council for development comprising a mansard roof extension at 5 Mornington Place, NW1 7RP. The appellant has retained the services of 4D Planning to make this appeal.

1.2 The application was registered by the Council on the 05th February 2021. The application was refused on the 26th March 2021.

1.3 Planning permission was refused for the following single reason:

“The proposed mansard roof extension by reason of its height, bulk, mass, and detailed design, would result in an incongruous and bulky addition that would harm the unimpaired roof line of this terrace and so would be detrimental to the character and appearance of the host building, the terrace of adjoining buildings and the Camden Town Conservation Area, contrary to policies D1 (Design) and D2 (Heritage) of the London Borough of Camden Local Plan 2017.”

2.0 APPLICATION PROPERTY AND SURROUNDING AREA

2.1 The existing property is a modest three storey terraced property located on the north side of Mornington place. The property has an average size rear garden relative to the area.

2.2 The site is located within a residential area. There is variety in architectural form and style in buildings nearby. There are many examples of roof extensions in the vicinity, and indeed they are considered part of the established character of the area. Nearby roof extensions are indicated in Figure 1 below.

2.3 The site is located within the Camden Town Conservation Area.

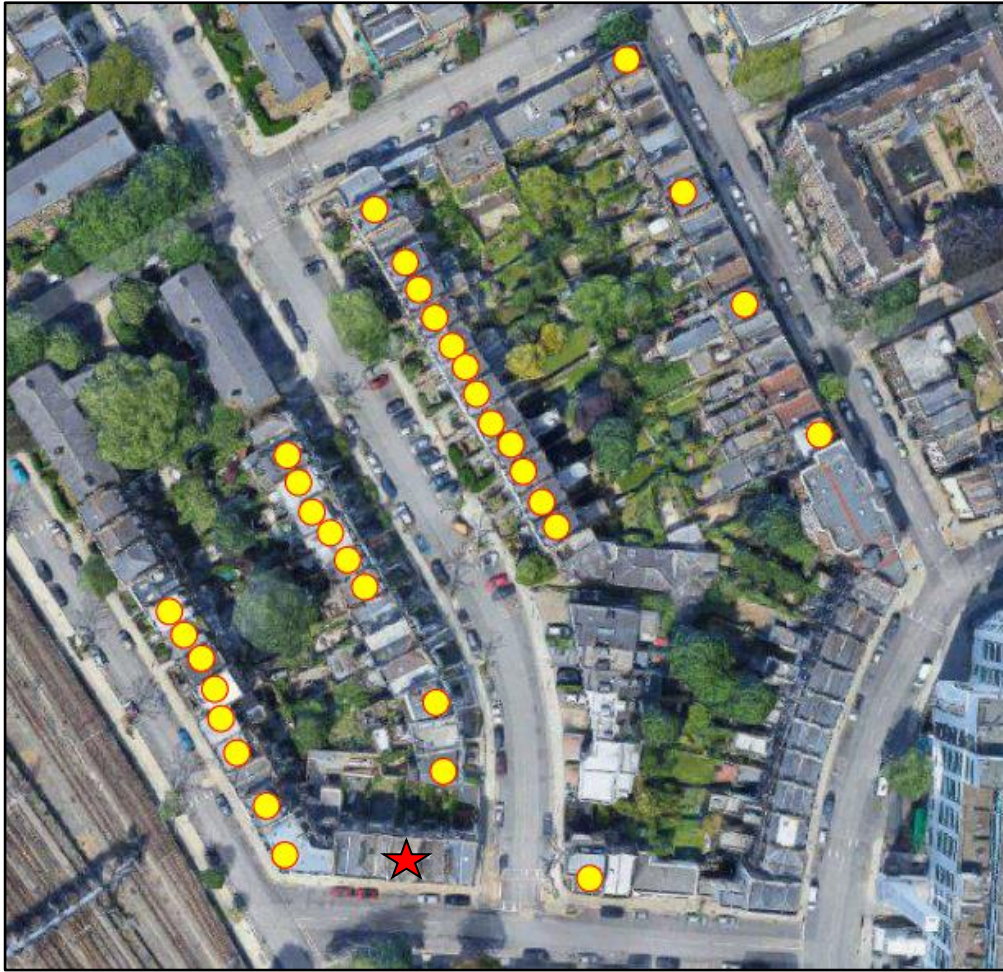


Figure 1 – Existing roof extensions in vicinity of No. 5 which is denoted by red star.

3.0 PROPOSED DEVELOPMENT

3.1 It is proposed to construct a mansard roof extension to the property. No new building footprint is proposed. The extension would facilitate the addition of a new bedroom in the property.

3.2 In terms of external materials, the extension would be finished grey slates, white frame windows to match existing, and lead dormers.

4.0 PLANNING HISTORY

4.1 According to Camden Council's online planning records, there are no recent / relevant planning records.

5.0 PLANNING POLICY

National Planning Policy Framework (2019)

5.1 The National Planning Policy Framework 2019 (NPPF) seeks to promote a wide choice of house types and home ownership. Para. 59 states:

“To support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.”

The proposed development would enhance the range of house types and house tenures available in the area.

5.2 The NPPF is particularly supportive of rooftop development and this marks a distinct new emphasis compared to the previous 2015 NPPF. Para. 118(e) states:

“Planning policies and decisions should:

... support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers”.

The proposed development is a prime example of development that should be facilitated under the above policy provision. The modest roof extension would sit within the confines of the existing property (i.e. within existing front and rear parapet walls). The application property is one of only five properties in the terrace all of which have been extended or altered to some degree and it is a middle terrace property with no side view visible – it isn’t as if the property is part of a large homogenous terrace of unaltered properties, or an end of terrace property that would be particularly visible. The extension has been designed in a unified manner with the existing building. There would be little if any adverse visual impact, and indeed it is strongly contended that the proposed works would enhance the area.

The New London Plan (2021)

5.3 The new London Plan (2021) encourages the optimisation of housing (Policy D6), and requires that housing be of the highest quality internally and externally (Policy D4, D5, and D8). The importance of different sizes and types of dwellings is also recognised (Policy H10). ***The proposed residential development accords with these policies***

5.4 London Plan policy H2 (small sites) states that:

“Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

1) significantly increase the contribution of small sites to meeting London’s housing needs

...

Boroughs should:

1) recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites

...”

5.5 Policy H2 is expanded upon in para. 4.2.4 where it is stated:

“Incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for small sites set out in Table 4.2. This can take a number of forms, such as: new build, infill development, residential conversions, redevelopment or extension of existing buildings, including non-residential buildings and residential garages, where this results in net additional housing provision”

It is considered the proposed development is wholly in compliance with new London Plan policies. Small sites such as the application site are hugely important to enhancing housing supply. The new London Plan is clear that in order to provide new and/or enhanced housing, local character will evolve and change over time.

Camden Local Plan (2017)

5.6 Figure 3 below is an extract from the Camden Proposals Map. The property is not affected by any designations other than being within a conservation area, and within the Euston Area Plan which is not considered relevant to the proposal.

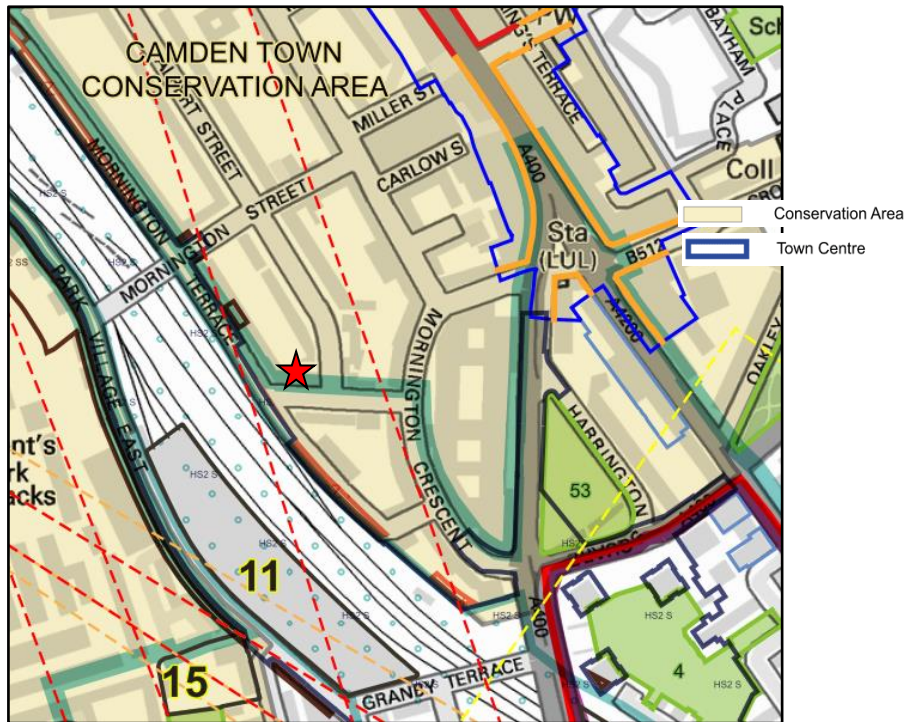


Figure 3 – Extract from Camden Policies Map 2017. Approx. location of site is denoted by red star.

5.7 Policies D1 and D2 of the Local Plan relate to design and heritage respectively. They require that high quality design is achieved in all development, and that development in conservation areas preserves or enhances the character of the conservation area.

It is considered the proposed works are in compliance with the above Local Plan Policies as follows:

- *The works would not result in any increase in building footprint.*
- *The mansard would be modest in size and set back from the front and rear elevations.*
- *The mansard would not have prominent visibility from public vantage points. It is set in approx. 1.1m from the front and rear elevation.*
- *It is noted there is a variety of roof forms and mansard extensions in the immediate vicinity.*

5.8 Policy A1 of the Local Plan seeks to ensure that amenity is not compromised through new development. The mansard would not provide for any greater level of overlooking than what exists at present. Given the set-backs from the front and rear elevations, there would be no adverse overshadowing or overbearing impacts.

Camden Design CPG (2015)

5.9 Para's 5.6 – 5.13 of this Guidance relates to roof extensions. Amongst the design recommendations set out include:

“...roof alterations are likely to be acceptable where:

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

...There are a variety of additions or alterations to roofs which create an established pattern and where further development of a similar form would not cause additional harm...

Alterations to, or the addition of, roof dormers should be sensitive changes which maintain the overall structure of the existing roof form”.

A roof alteration or addition is likely to be unacceptable in the following circumstances where there is likely to be an adverse affect on the skyline, the appearance of the building or the surrounding street scene:

- *There is an unbroken run of valley roofs;*
- *Complete terraces or groups of buildings have a roof line that is largely unimpaired by alterations or extensions, even when a proposal involves adding to the whole terrace or group as a coordinated design;*
- *Buildings or terraces which already have an additional storey or mansard;*
- *Buildings already higher than neighbouring properties where an additional storey would add significantly to the bulk or unbalance the architectural composition;*
- *Buildings or terraces which have a roof line that is exposed to important London-wide and local views from public spaces;*
- *Buildings whose roof construction or form are unsuitable for roof additions such as shallow pitched roofs with eaves;*
- *The building is designed as a complete composition where its architectural style would be undermined by any addition at roof level;*
- *Buildings are part of a group where differing heights add visual interest and where a roof extension would detract from this variety of form;*
- *Where the scale and proportions of the building would be overwhelmed by additional extension”.*

The proposed mansard roof extension has been designed with this guidance in mind. There is a wide variety of roof form types in the vicinity including Mornington Place, Albert Street, and Mornington Terrace and the proposed works would compliment this positive variety. The works would scarcely be visible from public vantage points and they do not materially adversely alter the overall original dwelling structure – there are no long range view towards the site and it not the terminus of any vistas. The roof extension would be set quite a bit back from the front and rear elevations (approx. 1.2m) thereby assimilating the modest increase in height proposed to the parent property.

The extension would be finished in high quality contemporary materials to match those on the original property.

Camden Town Conservation Area Appraisal and Management Strategy (2011)

5.10 The Management Strategy sets out that the special character of this part of the conservation area is the diverse and changing architectural styles over the last two hundred years which include: early to mid-19th century houses now fronted by shops, mid Victorian stucco terraces, Victorian Gothic buildings, late Victorian and Edwardian red brick parades, and 20th century buildings.

5.11 No. 5 Mornington Place is noted in the Appraisal for its triumphal arch with pilasters motif similar to No. 3 Albert Street. No. 5 is also included as one of many ‘positive’ buildings in the Conservation Area.

5.12 With regards roof alterations and extensions, the Appraisal and Management Plan notes:

“The Conservation Area retains many diverse historic rooflines which it is important to preserve. Fundamental changes to the roofline, insensitive alterations, poor materials, intrusive dormers, or inappropriate windows. can harm the historic character of the roofscape and will not be acceptable”.

5.13 Whilst it is noted that No. 5 Mornington Place is referenced as one of many buildings which make a positive contribution to the conservation area, it is submitted that the development in question would not adversely alter its visual appearance from the public realm. There exists precedent nearby for development such as that proposed (discussed below), and as stated the many examples of roof extensions in the vicinity are considered part of the established character of the area. The works will not adversely affect the original interior floorspace, and the works are to be carried out with the least possible further disturbance to the historic structure of the building. The new mansard roof will not be a prominent feature as it will be mostly hidden by the existing parapet wall. It will not adversely affect the streetscape and the overall appearance of the terrace.

5.14 It is also noted that No. 5 is being proposed as an addition to The National Heritage List for England. However it is understood that no formal recommendation has been made and accordingly this matter can not factor into the assessment of the appeal.

Precedent

5.15 There are many roof extensions of varying forms and sizes in the vicinity. In Appeal decision APP/X5210/W/16/3164620 the Planning Inspectorate upheld an appeal for a mansard roof extension at nearby 38 Arlington Road which is Grade II listed. Furthermore No. 38 had a butterfly roof, as the application property in this instance has.

5.16 There is precedent elsewhere for mansard roof extensions including No. 2 Mornington Place which is adjacent the application site, and further north on Albert Street at No. 81B (Ref. No. 2017/1808/P / 2017/2342/L).

5.17 The existence of developments for which planning records may be unknown must be accepted and their effect on the character and appearance of the area taken into account. The Planning Inspectorate has taken such a view before (APP/Q5300/D/13/2209053 is one such example).

5.18 It is considered the proposal would have a positive impact on the character and appearance of the conservation area. Even if one were to take the view that the proposal might marginally fail to preserve or enhance the character and appearance of the Conservation Area, contrary to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the level of harm would be at the lower end of 'less than substantial'. Paragraph 196 of the NPPF states that where a development 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 including, where appropriate, securing its optimal viable use. It is submitted that one public benefit to the proposal is the achievement of more roof-top uniformity in terms of massing and appearance to public views where such few limited views do exist. Thus public benefit would outweigh any minor harm potentially caused by the proposal, and the proposal could be considered acceptable accordingly.

6.0 GROUNDS OF APPEAL & CONSIDERATION OF PLANNING ISSUES

6.1 The single reason for refusal is summarised as follows:

- mansard roof extension by reason of its height, bulk, mass, and detailed design, would result in an incongruous and bulky addition that would harm the unimpaired roof line of this terrace and so would be detrimental to the character and appearance of the host building, the terrace of adjoining buildings and the Camden Town Conservation Area.

6.2 *It is important to note that the refusal reason does not cite any concern with respect to impacts on neighbouring residential amenity, or quality of accommodation proposed.*

6.3 It is also pointed out that the applicant engaged proactively with the Planning Authority and submitted revised designs to address Planning Officer comments received during the assessment of the application, although the Planning Officer concluded that revised designs were not sufficient to address concerns. These revised designs are submitted to accompany the appeal and provide for one traditional sash timber framed window instead of two to align with the fenestration to the lower floors of the property, and also one window to the rear and a rooflight on the mansard.

6.4 It is considered the content of this appeal statement above comprehensively refutes the reason for refusal.

7.0 CONCLUSION

7.1 It is submitted in this Appeal Statement that the single Planning Authority reason for refusal is not appreciative of specifics of the site and its context. There would be negligible visual impact to the public realm from the proposal extension. Being sited entirely at roof level with limited visibility from the rear, the extension would scarcely be visible save from a handful of private properties.

7.2 The proposed roof extension works would facilitate the provision of a small amount of additional floorspace. The works represent a logical and practical way of adapting the appellant's home to suit changing needs and requirements.

7.3 There is significant precedent nearby for mansard roof extension to non end of terrace properties and in this regard the Planning Authority decision is inconsistent and without substance.

7.4 The proposed development is considered to be in compliance with the Local Plan.