

**APPEAL BY MR JOHN GRABOWSKI**

**AGAINST NON DETERMINATION BY THE LONDON BOROUGH OF CAMDEN  
FULL PLANNING PERMISSION**

**Erection of two storey rear and single storey rear and side extensions, erection  
of front bin and cycle store and replacement boundary treatment.**

**29 Powlett Place, London, NW1 8DR**

**LPA APPLICATION REF: 2020/5467/P  
DATE OF DECISION: N/A  
DATE OF APPEAL: 16/03/2021**

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## **1.0 SITE & SURROUNDINGS**

- 1.1 In terms of context the application site is located within the administrative area of the London Borough of Camden, a Borough in north-west London (partly within inner London) divided into 18 three-member wards. The application site is located within the administrative ward of Haverstock.
- 1.2 The site comprises a two storey mid terraced C19 Victorian dwelling located on the northern side of Powlett Place. The surrounding area is predominantly residential in character comprising of terraced dwellings in a perimeter block layout. Generally, the properties on the street have landscaped front and rear gardens enclosed by low level boundary treatments to the front and close boarded fencing to the rear. There is no vehicular access to the front or rear of the properties on the street. Parking predominantly takes place on Harwood Street. Many of the properties on the street have been extended to the rear at single, two storey level or have had roof extensions.
- 1.3 The site is located within Harwood Street conservation area and is identified within the conservation area appraisal to be building which makes a positive contribution to the character and appearance of the conservation area.
- 1.4 A more detailed description of the site and its surroundings is contained in the design and access statement, see Appendix 1.

## **2.0 THE APPLICATION**

- 2.1 The application was received by the Local Planning Authority (LPA) on the 24<sup>th</sup> of November 2020 and made valid on the 23<sup>rd</sup> of December 2020. The application was assigned reference number 2020/5467/P.
- 2.2 The application sought full planning permission for the erection of a two storey rear extension, single storey side and rear extension, erection of a front bin and cycle store and replacement boundary treatment.
- 2.3 The two storey extension is to have a mono-pitch roof, the single storey wrap around is to have a part flat roof and part lean to roof. The extension is to be finished in brick, the pitched roofs are to be finished in slate and the flat roof is to be sedum. The proposed windows are painted timber/aluminium. The proposed doors are to be powder coated aluminium. The proposed boundary treatments are brick. The cycle and bin store are to be finished in timber panelling.

## 2.0 PLANNING HISTORY

### Appeal site

- 3.1 Planning permission was refused on the 5<sup>th</sup> of May 2002 (reference PEX 0200443) for the erection of a ground floor conservatory extension, first floor rear extension and mansard roof extension. The application was refused on the grounds that the mansard roof extension and associated loss of the butterfly roof profile would harm the appearance of the building and the street scape.

### Similar sites close to the appeal site

- 3.2 On the 23<sup>rd</sup> of August 2006 planning permission was granted (reference 2006/2988/P) for a part single and part two storey flat roofed rear extension to no. 16 Powlett Place.
- 3.3 On the 24<sup>th</sup> of May 2011 planning permission was granted for a two-storey rear extension at 96 Harwood Street (reference 2011/1389/P). On the 20<sup>th</sup> of September 2012 planning permission was granted for a part two storey and part single storey rear extension, replacement roof and associated alterations (reference 2012/3911/P).
- 3.4 The aforementioned planning applications and sites are materially similar to the appeal site. They are all located within Harwood Street Conservation Area, they are all terraced buildings identified within the Harwood Street Conservation Area appraisal as being buildings of positive merit, all the buildings are of a similar age, all of the buildings have similar design detailing, layout, proportions and a butterfly roof form (Figure 1). In addition, the rear elevations of no.96 Harwood Street and the appeal site can be glimpsed from public vantage points. There are numerous examples of two story rear extensions in the area, to the extent which they now form part of the established character. This includes a two storey extension to no.31 Powlett Place which is adjacent to the appeal site (Figure 2).

Site/ description	Existing elevation	Proposed elevation	Existing rear image	As built/ as proposed** image
<p><b>No. 16 Powlett Place (ref:2006/2988/P)</b></p> <p>Planning permission granted for a part 2 storey part single storey rear extension. The permission was not implemented.</p>				Permission not implemented.
<p><b>No. 96 Hamood Street (ref:2012/3911/P)</b></p> <p>Planning permission granted for a part 2 storey part single storey rear extension and replacement roof. The permission has been implemented.</p>				
<p><b>No. 29 Powlett Place (The appeal scheme)</b></p> <p>Part 2 storey part single storey rear extension. The development has not yet commenced but visuals are shown for the completed scheme.</p>				

Figure 1: Comparison of appeal proposal and previously consented extensions at No. 16 Powlett Place and No 96 Hamood Street.



Figure 2: Existing and consented two storey rear extensions within the Hamood Conservation Area and in close proximity to the appeal site.

## 4.0 NATIONAL PLANNING POLICY/LEGISLATION

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

4.2 Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of conservation areas.

### NATIONAL PLANNING POLICY

#### *The National Planning Policy Framework (2019)*

4.3 At the heart of the NPPF is a presumption in favour of sustainable development (paras 7-14) and paragraphs 8, 9 & 11 are helpful in applying this presumption.

4.4 Paragraph 11 sets out how this is to be applied. It states that, for decision-taking, this means:

- *Approving development proposals that accord with an up-to-date development plan without delay; or*
- *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*
  - *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*
  - *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.*

4.5 The NPPF introduces three dimensions to 'Sustainable development' (Economic, Environmental & Social - para 8), and advises that they are interdependent and need to be pursued in mutually supportive ways.

4.6 In applying this approach, firstly, development must be considered to be sustainable taking into account all three of the dimensions of sustainable development; a development that is sustainable in only one dimension would not be considered sustainable for the purposes of the presumption. The appellant considers that the development meets all three threads of sustainable development.

4.7 Secondly, the decision-taker is required to consider whether the development accords with an up-to-date development plan – and if it does planning permission should be granted unless material considerations indicate

otherwise. The appellant considers that the development accords with the development plan.

- 4.8 Thirdly, the decision-taker is required to determine whether there are any relevant development plan policies, or the policies which are most important for determining the application, are out-of-date and if not, grant permission unless:
- *the application of policies in this Framework (NPPF) that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
  - *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.*
- 4.9 Section 5 refers to delivering a sufficient supply of homes. Paragraph 59 reiterates the governments objective of significantly boosting the supply of homes and states the importance of a sufficient amount and variety of land to come forward where it is needed and that land with permission is developed without delay.
- 4.10 Paragraph 68 states that small sites can make an important contribution to meeting the housing requirement of an area. Criterion c advises that local planning authorities should support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes. Criterion d states that local planning authorities should work with developers to encourage the subdivision of large sites where this could help to speed up the delivery of homes.
- 4.11 Section 11 refers to the effective use of land and paragraph 117 states that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. It states further at Paragraph 122(a) that planning policies and decisions should support development that makes efficient use of land; taking into account the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it.
- 4.12 Section 12 refers to achieving well-designed places. Paragraph 127 states that planning policies and decisions should ensure that developments; (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, (e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development 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.



- 4.13 Paragraph 130 states that 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.
- 4.14 Section 16 refers to conserving and enhancing the historic environment. 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) irrespective of the level of harm to its significance. Paragraphs 195 and 196 set out that where development proposals lead to harm to a designated heritage asset this harm should be weighed against the public benefits of the proposal.

## **5.0 THE DEVELOPMENT PLAN**

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.
- 5.2 For the purposes of this appeal, the adopted Development Plan for the London Borough of Camden comprises the London Plan (2021), the Camden Local Plan (2017) and Camden's Planning Guidance Documents (CPG's).
- 5.3 The following policies are considered relevant to the determination of this application:

### **London Plan 2021 (LP)**

- GG2 – Making the best use of land
- GG6 – Increasing efficiency and resilience
- D3 – Optimising site capacity through a design-led approach
- D6 – Housing quality and design standards
- G7 – Trees and woodland
- HC1 – Heritage conservation and growth
- T4 – Assessing and mitigating transport impacts
- T5 – Cycling
- T6.1 – Residential parking

### **Camden Local Plan 2017 (CLP)**

#### **G1 – Location and delivery of Growth**

- A1 – Managing the Impact of Development
- A3 – Biodiversity
- D1 – Design
- D2 – Heritage Policy
- CC1 – Climate Change and Pollution
- CC2 – Adapting to Climate Change
- T1 – Prioritising Walking, Cycling and Public Transport Policy
- T2 – Parking and car free development

### **Camden Planning Guidance Documents (CPG)**

- Amenity CPG (2018)
- Basements CPG (2018)
- Design CPG (2021)
- Energy Efficiency and Adaption CPG (2019)
- Home Improvements CPG (2021)
- Transport CPG (2019)
- Trees CPG (2019)
- Water and Flooding CPG (2019)

Harmood Street Conservation Area Statement (2005)

- 5.4 The full wording of the policies and that are most pertinent to the determination of the application can be found at Appendix 2 and 3.
  
- 5.5 The appellant considers the proposal to be in accordance with the adopted development plan. Paragraph 11 of the NPPF sets out that decision makers should be approving development proposals that accord with an up-to-date development plan without delay. The planning application was submitted to the Local Planning Authority on 23<sup>rd</sup> of November 2020, was validated by the Local Authority on 23<sup>rd</sup> of December 2020 with a valid date of 24<sup>th</sup> of November 2020, the decision was due to be issued on the 19<sup>th</sup> of January 2021. The Local Authority has failed to determine the application in a reasonable and timely manner.

## **6.0 THE APPELLANTS CASE**

6.1 The key considerations in determining this appeal are considered to be:

- 1) Principle of development
- 2) Design and visual impacts
- 3) Heritage impacts
- 4) Neighbour amenity impacts
- 5) Living conditions for future occupants
- 6) Access and Highway impacts
- 7) Arboricultural Impacts
- 8) Energy and water efficiency

### Principle of development

6.2 There are no National or Local Planning policies which prevent extensions to existing residential dwellings with respect to general principle. Therefore, the development is considered to be acceptable in principle.

### Design and visual impacts

6.3 Paragraph 127 of the NPPF outlines that decisions should ensure that developments are visually attractive and are sympathetic to local character. Paragraph 130 states that 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.

6.4 Policy D3 of the LP sets out that all development must make the best use of land by following a design-led approach. The policy also states that developments should enhance local context, respect local character and be of high-quality architecture.

6.5 CLP Policy D1 requires development to be of the highest architectural and urban design quality, have regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area.

6.6 The aims of Policy D1 are further reinforced by guidance contained within the Camden Planning Guidance (CPG) on Home Improvements. In relation to rear extensions, it is advised that extensions are subordinate to the host building and respect the original design, proportions, architectural detailing and materials of the host building whilst ensuring a reasonable sized garden is retained. The guidance continues that extensions should respect and preserve the historic pattern and established townscape of the surrounding area and ensure that extensions have a height, depth and width that respects the existing common pattern and rhythm of rear extensions at nearby sites, where they exist.

- 6.7 The appeal site comprises a mid-terraced C19 Victorian style dwelling constructed of yellow stock bricks with a slate butterfly roof with chimney projecting above and large sash windows. The site has a landscaped front garden with timber post and rail fencing to the front (figure 3a). The rear garden is also landscaped but enclosed with 1.8 metre high close boarded fencing. The rear elevations of the buildings on the part of the street in which the site is located is publicly visible from Castle Mews, which is located approximately 30 metres to the north-east of the rear elevation of the building at its closest point (figure 3b).



Figure 3: (a) Left - existing principal elevation and (b) right - rear elevation of the appeal site. Note the two-storey mono-pitch extension at no.31 Powlett Place.

- 6.8 The most architecturally significant parts of the building are its sash windows and their surrounds, the butterfly roof form and parapet and its chimneys.
- 6.9 The properties on the street are of a similar age and design. As shown at figure 1, many of the properties on the street and the surrounding area have been extended to the rear at single or two storey level, including the two storey extension to the neighbouring dwelling at No. 31 Powlett Place. Single and two storey rear extensions form part of the existing character of the area. The scales, designs and materials finishes of these extensions vary but include flat roofs, pitched roofs, brick and render.
- 6.10 The proposed extension comprises of a narrow two storey wing and an 'L' shaped single storey wrap around. The two storey element mirrors that of the neighbouring two storey extension. The eaves steps down from that of the host building and the roof pitch is sympathetic to the main building. See the elevation plans at Appendix 4.
- 6.11 The single storey element projects a small distance beyond the proposed two storey wing and that of the neighbours whilst infilling between the wing and the shared boundary with the neighbour at No.27 Powlett Place. The extension has a part pitched and part flat roof which picks up on the butterfly roof form of the host building.

- 6.12 The proposed extension is subservient in scale and footprint to the host building. The extension is sympathetic to the design, proportions and detailing of the main building. The plot would retain a rear garden depth of approximately 10 metres, which would provide ample amenity space for the future occupants of the dwelling. The proposed extension is in keeping with the scale, design and layout of both historic and modern rear extension to similar properties in the locality.
- 6.13 From the available public vantage point on Castle Mews, only the upper parts of the extension would be visible above the existing rear boundary treatments. The extension will balance the two storey extension at No.31, would not impinge on the butterfly roof form of the host building and would integrate well with the host building and the wider terrace (figure 4).



Figure 4: CGI image of the proposed rear extension when viewed from Castle Mews.

- 6.14 The proposed brick boundary treatment would re-establish a brick boundary treatment to the front of the site, in keeping with that of the neighbouring properties. The proposed bin and cycle store are discreetly located and would reduce the harmful impact of visual clutter to the front of the property.
- 6.15 The proposed materials include black brick to the ground floor, yellow brick to the first floor, slate to the pitched roofs, sedum to the flat roof, painted timber sash windows and powder coated aluminium rear door. The proposed materials are sympathetic to the host building and that of the wider terrace.
- 6.16 The proposed extension would not harm the appearance of the host building, the street scene or the character of the area. The development is considered to be in accordance with Policies D1 of the LP, D3 of the CLP or Camden's adopted design CPG's.

#### Heritage impacts

- 6.17 Case law dictates that decision makers are required to give great weight to any harm to the significance of a heritage asset. Section 16 of the NPPF reflects the statutory duty insofar as it requires a consideration as to whether the

proposal preserves and enhances the significance of the heritage asset, making a balanced judgement having regard to the scale of harm or loss and the significance of the heritage asset (paragraphs 192-196).

- 6.18 Policy D1 and HC1 of the LP require development proposals that affect heritage assets and their settings should conserve their significance and appreciation within their surroundings.
- 6.19 CLP Policy D2 states that the Council will preserve, and where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas.
- 6.20 Whilst the appeal building is not listed, it is located within Harmood Street conservation area and identified as part of a group of buildings which make a positive contribution to the character of the conservation area. The site is some distance from the nearest listed building and is not considered to be within the setting of any listed buildings.
- 6.21 The Harmood Street Conservation Area Statement (2005) sets out the special interest of the area is primarily derived from the short period of development between 1840 and 1870 with small terraces of well detailed houses with a distinct cottage character which remain largely unaltered. The buildings were constructed using yellow stock bricks over two storeys, with a cottage character. Many properties have stucco surrounds to windows and doors and simple stuccoed parapet cornices. The butterfly roofs are finished in slate with the central gutter running to the back of the building. The area remains remarkably free from roof extensions which creates a cottagey feel. The statement sets out that most buildings in the area contribute positively to the character and appearance of the area. Features that detract from the area include unsympathetic materials, neglect, dereliction, the loss of front boundary treatments.
- 6.22 The appeal building forms part of the terrace which is identified as making a positive contribution to the character of the conservation area. The reason being is that the building has been largely unaltered and retains its cottage character. The Conservation Area Statement acknowledges that there is pressure for extensions to existing buildings, but where these are positioned to the rear there is little or no impact on the Conservation Area due to the rear of properties being screened by intervening built form and landscaping.
- 6.23 Castle Mews is not located within the conservation area, likely due to the fact that it is characterised by large scale modern flat blocks. The proposed extension is modest in scale and would appear as a sympathetic and subservient addition to the existing building. The proposal would improve the visual relationship between the existing building and neighbouring building at No. 31 Powlett Place by balancing the existing rear projection. The extension will be viewed in the context of the neighbouring extension and modern developments on Castle Mews. The proposal would not impose on a key

viewpoint within the Conservation Area. The features of significance are to be retained including the sash windows, butterfly roof form, parapet and chimney. The proposed fenestration is in keeping with the host property.

- 6.24 The proposal re-instates a low-level brick wall to the front of the property and the cycle and bin store would reduce visual clutter which would be an enhancement to the street scene and the character of the conservation area.
- 6.25 The proposal is considered to enhance the character and appearance of the conservation area. The proposal therefore accords with the aspirations of Policies D1 and HC1 of the London Plan and D2 CLP.

#### Neighbour amenity

- 6.26 Paragraph 127 of the NPPF sets out that decisions should create places which are safe, inclusive and accessible which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.27 Policy D3 of the LP states that proposals should deliver appropriate outlook, privacy and amenity. Policy D6 sets out that the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 6.28 CLP policy A1 seeks to protect the amenity of Camden's residents by ensuring the impact of development is fully considered and ensuring that development protects the quality of life of occupiers and neighbours by not granting permission that would give rise to amenity harm to neighbouring residents.
- 6.29 The amenity aspirations of CLP policy A1 are expanded upon within the adopted amenity CPG (2018) which sets specific amenity standards for development.
- 6.30 At the time of writing, no neighbour objections were received in response to the public consultation.
- 6.31 The proposed single storey extension spans the full width of the site, the two storey extension is set back from the shared boundary with no.27 Powlett Place and does not project beyond the two storey rear projection of no.31 Powlett Place. The neighbour at no.27 Powlett Place has a single storey rear extension which is set back off the shared boundary and similar to the depth of the extension proposed. The neighbour at No.31 Powlett Place has two storey rear extension, adjacent to the shared boundary, of a similar depth to the extension proposed.
- 6.32 In respect to privacy, no windows are proposed in the side elevations of the proposed extension. The proposed first floor bedroom window is greater than 18 metres from the south facing elevation of the flat block to the north and 10



metres to the shared boundary. There is a large tree in the rear garden of No.27 Powlett Place which would restrict intervisibility between the appeal site and the flat block to the north, for large parts of the year. The proposal would not give rise to any adverse privacy impacts.

- 6.33 In terms of daylight and sunlight, the most affected window is the ground floor window of No.27 Powlett Place. The window is north facing and is already light limited by virtue of existing rear extensions which project beyond it. The proposed extensions pass the 25 degree and 45 degree tests cited in the BRE's Site layout planning for daylight and sunlight: A guide to good practice. The proposal would not impinge on light entering the primary amenity area of the neighbouring property which is considered to be towards the rear of the site. The proposal would not give rise to unacceptable day or sunlight impacts.
- 6.34 The proposed extension is to be set into the ground with the roof pitch of the two storey element sloping towards the shared boundary with the most affected neighbour at No.27 Powlett Place. The single storey element is modest in height and does not project significantly beyond the existing rear extension and that of the neighbours. The proposal would not give rise to unacceptable overbearing, loss of outlook or increased sense of enclosure impacts.
- 6.35 The proposed development would not give rise to any unacceptable neighbour amenity impacts and there would be no conflict with the amenity objectives of Policy D3 of the LP, CLP Policy A1 of the or the Amenity CPG (2018).

#### Living conditions for future occupants

- 6.36 Paragraph 127(f) of the NPPF states that planning decisions should 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.
- 6.37 Policy D6 of the London Plan states that housing development should provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners.
- 6.38 CLP Policy H6 states that in all developments the Council will encourage design of all housing to provide functional, adaptable and accessible spaces, and expect all self-contained homes to meet the national derived space standards. The CLP advises that private amenity space is also important in adding to residents' quality of life and CLP Policy D1 requires development to incorporate outdoor amenity space.
- 6.39 The existing 2 bedroomed dwelling at 63 square metres gross internal floor area falls below the recommended minimum of 70 square metres as set out in the Technical housing standards – nationally described space standard and table 3.1 of the London Plan.

- 6.40 The proposed extension would result in the two bedroomed dwelling having a gross internal floor area of approximately 77 square metres and therefore exceeding the minimum standards set out in the space standard. The proposed floorspace and layout of the dwelling is more conducive to family living and is more readily adaptable to meet the varying needs of existing and future occupants. These are public benefit weighing in favour of the development.
- 6.41 The proposed development constitutes a high quality design which would provide a comfortable and spacious living environment for the occupants. The proposal is considered to be in line with the occupant amenity objectives of Policies D3 and D6 of the LP, CLP Policies H6 and D1 and paragraph 127 of the NPPF.

#### Access and highway impacts

- 6.42 Section 9 of the NPPF promotes sustainable transport. Paragraph 109 sets out that development should only be refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 6.43 Policy T2 sets out that development proposals should deliver patterns of land use that facilitate residents making shorter, regular trips by walking and cycling. Policy T5 sets out that 2 cycle parking spaces are required per 2 plus bedroomed dwelling. Policy T6.1 sets out that residential development in all areas with a PTAL rating of 5-6 shall be car free.
- 6.44 CLP Policies T1 and T2 of the Local Plan highlight the importance of prioritising walking and cycling as a sustainable mode of transport and indicate that car-free development across the borough is a key aim.
- 6.45 The site is located in an area with a PTAL rating of 6a meaning that the site is highly accessible via public transport. The site currently does not have and is incapable of providing on-site vehicle parking.
- 6.46 The site has ready access to local shops, open spaces, bus stops, train stations, underground stations and places of employment within reasonable walking and cycle distance. The proposal is for a car free development which is considered to be acceptable on this site.
- 6.47 The future occupants would have access to a secure cycle store within the front garden, capable of providing parking for 2 bicycles.
- 6.48 The proposed development would provide a car free development with adequate cycle storage and would not result in any severe highway safety impacts. The proposed development is in line with LP Policies T2 and T6.1 and CLP Policies T1 and T2.

### Arboricultural Impacts

- 6.49 LP Policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained.
- 6.50 Policy A3 of the CLP sets out that the council will seek to protect and secure additional trees and vegetation.
- 6.51 The proposed extension has been designed to avoid harming the semi-mature sycamore tree located within the rear garden of no.27 Powlett Place. Owing to the location of the tree, its species, distance from the nearby properties and suitability for long term retention, the tree is considered to be a Category B tree. The tree is located approximately 7.1 metres from the existing rear extension with a canopy of between 4 and 5 metres. The proposed extension would be approximately 6.45 metres from the tree and the new patio approximately 3 metres from the tree. The proposed patio will encroach on the RPA of the tree by approximately 3% of the total RPA. The shallow works within the RPA to provide the new patio will be undertaken by hand tools under the supervision of a chartered arboriculturist. The proposal would not require any works to the tree itself. Subject to the provision of tree protection fencing and an exclusion area for works and materials storage, the proposal would not have a detrimental impact on the neighbouring tree. Full methods statement, protection details and impact assessment can be found in Tree inspection report at Appendix 5.
- 6.52 The proposal would not have an adverse impact on nearby trees and therefore is in line with LP Policy G7 and CLP Policy A3.

### Energy and water efficiency

- 6.53 Policy SI2 of the London Plan sets out that residential development should achieve a minimum 10% reduction beyond current building regulation requirements. Policy SI5 sets out that development proposals should achieve mains water consumption of up to 105 litres per head per day (excluding an allowance of up to 5 litres for external water consumption). Policy SI13 promotes sustainable drainage solutions.
- 6.54 CLP Policy CC1 requires all development to minimise the effects of climate change and encourage all developments to meet the highest feasible environmental standards. CLP Policy CC2 requires all development to be resilient to climate change and to adopt appropriate climate change adaptation measures.
- 6.55 Policy CC1 and CC2 is supplemented by the Energy Efficiency and Adaptation CPG (2019) which requires carbon emissions to be reduced following the energy hierarchy.

- 6.56 The proposal is to form part of a refurbishment to the whole building including electrical, heating, plumbing and drainage works. The intention is to fully upgrade the existing building and maximise its energy and water efficiency. Proposed measures including additional wall and roof insulation, proposed new windows to be double glazed, installation of an energy and water efficient central heating system, new water efficient fixtures and fixings. The proposal is envisaged to exceed current building regulation requirements.
- 6.57 The proposed building is located in a highly accessible location with the dwelling designed to achieve high levels of water and energy efficiency. The proposal is for a car free development in a highly accessible location whereby the future occupants have ready access to essential day to day services and facilities by foot, bicycle and public transport. The green roof and landscaping provides a sustainable urban drainage solution whilst delivering ecological benefits. The proposed development accords with LP Policies SI2 and SI13 of the London Plan, CLP Policies CC1, CC2 of the CLP and the adopted Energy Efficiency and Adaptation CPG (2019).

## **7.0 SUMMARY AND CONCLUSION**

- 7.1 The appeal seeks planning permission for the erection of a part single and part two storey rear extension, replacement front boundary treatment and erection of a bin and cycle store to the front of an existing residential dwelling at No.29 Powlett Place.
- 7.2 The NPPF sets out that all development should be considered in the context of a presumption in favour of sustainable development and that for decision making this means approving development proposals that accord with an up-to-date development plan without delay.
- 7.3 The proposed development constitutes high quality design which is sympathetic to the host building and the local context. The proposal preserves the contribution in which the site makes to the character and significance of the Harmood Street Conservation Area.
- 7.5 The extension has been carefully designed to avoid giving rise to adverse neighbour amenity impacts with respect to loss of privacy, loss of light, loss of outlook and overbearing impacts.
- 7.6 The development provides a high standard of accommodation which provides ample internal and external amenity space, ready access to day to day services and facilities, safe access and adequate waste storage and cycle parking arrangements.
- 7.7 The proposed extension and associated refurbishment has been designed to improve energy and water efficiency and incorporates a sustainable form of drainage in its green roof, which also would provide ecological benefits.
- 7.8 The proposal fulfils the three dimensions of sustainable development and fully accords with the adopted development plan. There are no material planning considerations which indicate that the development should be determined against anything but the adopted development plan. It is therefore respectfully requested that planning permission is granted.