



TOWN AND COUNTRY PLANNING ACT 1990

APPEAL UNDER SECTION 78

WRITTEN REPRESENTATIONS

APPEAL BY: Mr Gili Rosenheimer

PROPOSAL

Single storey rear extension

FINAL DRAFT RESPONSE TO LPA STATEMENT OF CASE

SITE: Flat A 30 Upper Park Road London NW3 2UT

7 October 2021

LPA REFERENCE: Application No. 2021/0400/P

PINS REF- APP/X5210/W/21/21/3276374

RESPONSE

The GOA have set out in full the Appellant's Case and we do not propose to repeat what has already been stated.

We have considered the Council's Response to the GOA and will focus our comments on the specific matter raised under the heading- **COMMENTS ON APPELLANT'S GROUNDS OF APPEAL**- in page 6 of the LPA Statement of Case which comments:

"....The precedent which the appellant has referred to (21 Parkhill Road) is over 100m from the application site and it is within a different group of buildings in a different street scene. It cannot be taken as a justification for the appeal proposal, which must be assessed in relation to its own circumstances...."

We note the Council's response above and refute its assertion we are praying in aid of precedent.

In seeking to differentiate the appeal site from 21 Parkhill Road the Council states:

- 21 Parkhill Road is 100m away
- Different street scene and different group of buildings

The distance from the appeal site is minimal and more importantly both sites are situated within the same Conservation Area. Furthermore, we disagree that that the street scene and buildings are different.

The primary issue in our submission is the inconsistent application of the policy and the Council has approached the assessment of the proposal based on alleged cumulative impact rather than considering it on its own merits.

There is no clear statement or evidence provided by the LPA as to why the approved development at 21 Parkhill Road met planning policy whereas the Appeal proposal does not.

Since submission of our Appeal on 3 June 2021 a further application for a similar proposal at 10 Upper Park Road (LPA Ref-2021/1764/P) was approved on 31 June 2021 and attach a copy of the Decision Notice and approved plans for information and consideration by the Inspector.

We note this application was objected to by several Residents and the Conservation Area Advisory Committee yet was granted conditional permission.



This decision adds support to the Appellant's case the proposed development complies with the relevant planning policy and should be granted planning permission.

Page | 3 We confirm the conditions proposed by the Council are acceptable.

In conclusion and having regard to the evidence submitted in support of our Client's Appeal we respectfully request the Inspector allows this Appeal and grants conditional permission for the proposed development.

SJP/07/10/21