



J & L PLANNING SERVICES

Town & Country Planning Acts

Appeal by Mr Parkhurst against the decision by the London Borough of Camden to refuse planning permission for a part single storey and part two storey extension at 49 Leverton Street, London NW5 2PE

Local Planning Authority Reference: 2021/5148/P

Appellants Reference: JL5622

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1. **INTRODUCTION**

- 1.1 This statement has been prepared in support of an appeal against a refusal of planning permission.

2. **THE APPEAL**

- 2.1 The appeal concerns a refusal of planning permission for a part single storey and part two storey extension. The Council's reason for refusal are as follows:

1 The proposed two storey rear extension, by reason of its siting, form, height, and design, would fail to preserve or enhance the architectural and historic form of the host building, the terrace, and the surrounding area. It would harm the character and appearance of the Conservation Area, and harm the setting of the neighbouring listed 'Pineapple' public house. It would therefore be contrary to policies D1 and D2 of the Camden Local Plan 2017 and policy D3 of the Kentish Town Neighbourhood Plan 2016.

2 The proposed single storey 'infill' extension, due to its height and depth on the boundary with 47 Leverton Street, would result in a loss of outlook and unacceptable sense of enclosure. It would therefore be contrary to policy A1 of the Camden Local Plan 2017.

3. **SITE AND SURROUNDINGS**

- 3.1 The appeal site comprises an end of terrace dwelling located on the west side of Leverton Street, south of the junction with Railey Mews. The immediate locality comprises a mix of residential and commercial/business uses.

4. **PLANNING CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) which came into force in July 2021, outlines the Government's requirements for the planning system and established how these will be addressed. The most relevant paragraphs are stated below:

Paragraph 7 states that: “The purpose of the planning system is to contribute to the achievement of sustainable development.” Paragraph 8 goes on to explain that “that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities’ health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

4.2 These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher, social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social

and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

4.3 Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as people's quality of life, including (but not limited to):

1. Making it easier for jobs to be created in cities, towns and villages.
2. Moving from a net loss of biodiversity to achieving net gains for nature.
3. Replacing poor design with better design.
4. Improving the conditions in which people live, work, travel and take leisure;
and
5. Widening the choice of high-quality homes.

4.4 The National Planning Policy Framework advocates that the statutory status of the development plan is the starting point for decision making. Proposed development that accords with an up to date Local Plan should be approved and proposed development that conflicts would be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up to date plan in place.

- 4.5 At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision making. Local planning authorities should approve development proposals that accord with statutory plans without delay, and grant permission where the plan is absent, silent, in determination or where relevant policies are out of date. All these policies should apply unless the adverse impact of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.
- 4.6 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Although visual appearance and the architecture of individual buildings are particularly important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural built and historic environment. Furthermore, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 4.7 Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.
- 4.8 Current Conservation area advice is concerned with the quality and interests of areas, rather than that of individual buildings, which should be the prime considerations identifying Conservation areas. There has been increasing

recognition in recent years that your experience of a historic area depends on much more than the quality of individual buildings, boundaries and thoroughfares; on particular “mix” of uses; on characteristic materials; on appropriate scaling and detailing of contemporary buildings, the quality of advertisements, shop fronts, street furniture and hard and soft surfaces; on vistas along streets and between buildings, and on the extent to which traffic introduces and omits pedestrian use of spaces between buildings. Conservation area designation should be seen as the means of recognising the importance of all these factors and of ensuring that conservation policy addressed with quality of townscape in its broadest sense as well as the protection of individual buildings.

4.9 It is considered that the quality and interest of this Conservation area would remain preserved as the appeal proposal would not:

- (i) Detract from the overall appearance, character and openness of the existing built form within the Conservation area; and
- (ii) The scale, mass and proportions of the appeal proposal would remain subordinate to the overall scale, mass and proportions of built forms within the locality.

4.10 Furthermore, current policy and advice places emphasis on the definition of an area’s interest should derive from an assessment of the elements that contribute to (and detract from) it. Conservation areas vary greatly, but certain aspects will almost always form the basis for a coherent assessment of the topography – for example, thoroughfares and property boundaries and its historical development; the archaeological significance and potential; the relevant building materials; the character and hierarchy of spaces; the quality and relationship of buildings in the area and also of trees and other green features. The assessment should always

include those unlisted buildings which make a positive contribution to the special interest of the area.

4.11 It is considered that the key elements of this Conservation area are:

- (i) Highway alignments which would not be the subject of change.
- (ii) The imposing built forms and thoroughfares would remain preserved.
- (iii) The topography and any landscape features remain unchanged.

4.12 The Borough Council have provided two reasons for refusal which, in turn, raises two primary issues, these are:

- (i) character and appearance of a Conservation Area, together with the setting of the listed Pineapple Public House; and
- (ii) residential amenities of 47 Leverton Street.

4.13 In support of these concerns, the Council have referred to provisions within the Local Plan 2017, and the Kentish Town Neighbourhood Plan 2016. Within this context, the merits of the appeal will be assessed.

Character and appearance

D1

4.14 The requirements of this policy are satisfied for the following reasons:

- (i) The local context of the area is defined by two distinct elements. The first is the public realm of Leverton Street and the second is the public realm of Railey Mews. The Leverton Street frontage is one which is visually commanded by regularity, order and uniformity, whilst in sharp contrast, Railey Mews is a conglomeration of a variety and array of built forms and associated land uses. The siting and position of the appeal proposal, at the juxtaposition between these two striking contextual contrasts, provides a visual balance between the two environs.
- (ii) The urban grain of the locality and its historic environment is hugely influenced by the fenestration and architectural detail of existing built forms. The appeal proposal would incorporate materials, joinery details and architectural elements which is akin with the established rhythm of the area's built environment.
- (iii) The design of the appeal proposal, in terms of scale, mass, bulk and proportions, would not visually predominate its location. The primary and visually bold presence of the host property, its facade, fenestration and architectural detail, would remain of primary visual importance.
- (iv) The external materials and joinery details would match the host property.

- (v) The physical separation of the host property from the listed building by a carriageway, is crucial to maintaining the setting of this heritage asset.

- (vi) The siting of the appeal proposal alongside the Railey Mews frontage, provides further visual reassurance to ensure that the integrity of the listed building remains preserved.

- (vii) The overall height and scale of the appeal proposal, when compared to the listed building, would not represent a visually dominant feature and, in turn, would not adversely harm the setting of the listed building; and

- (viii) The siting of the appeal proposal, together with the prevailing pattern and form of development, ensures that the appeal proposal would not obscure strategic and local views.

D2

- 4.15 This policy is concerned with 'Heritage'. In order to assess whether the appeal proposal meets the requirements of the policy, the Kentish town Conservation Area Appraisal and Management Strategy (Adopted 11 March 2011), is both relevant and material. A copy of this document can be viewed via the Council's website.
- 4.16 The first reference to Leverton Street is made within the context of section 5.3 Character Zones (4) (page 17). The fenestration and detail of 'stucco' and the physical narrowness of the front gardens would remain preserved. Furthermore, the terraced built form of the host dwelling would also remain preserved (section 5.5 page 26).

- 4.17 The Pineapple Public House is first mentioned (page 25) with a description of its external appearance. The appeal proposal would not affect the physical fabric of the listed building.
- 4.18 Under the heading 'Buildings that make a positive contribution' (page 25), the appeal site is identified.
- 4.19 Under the heading 'Problems and pressures, and capacity for change' (page 28), reference is made to the following:

"... Poor alterations and erosion of details for example sash window replacement"

- 4.20 The appeal proposal would employ external materials, joinery details and boundary details which would be akin with the existing features and host property.
- 4.21 Under Part 2, a Management Strategy is advocated. A crucial element of the strategy is the control of development with reference being made to the Local Plan. Therefore, reference is made to preceding submissions which collectively demonstrate that the appeal proposal would not harm the character and appearance of the Conservation Area.

D3

- 4.22 This policy advocates 'Design Principles'. The principles advocated by the policy are similar in aims, objectives and, to a large degree, content to policies D1 and dD2. Therefore, reference is made to preceding submissions.

Residential amenities of 47 Leverton Street

4.23 The amenity concerns of the Council are specifically concerned with outlook and the potential sense of enclosure. Other amenity considerations, such as privacy and passage of light are not the subject of concern. Within this context, the merits of the appeal will be assessed.

A1

4.24 The following factors collectively ensure that the amenities of 47 Leverton Street would remain preserved:

- (i) The single storey element of the proposal would be adjacent to the boundary with 47 Leverton Street.
- (ii) The flat roof profile, together with the height and alignment of the boundary treatment.
- (iii) The separating distances between the proposed elevation of the appeal proposal and the position of windows serving habitable rooms with 47 Leverton Street; and
- (iv) The position, orientation and angles of outlook from windows serving habitable rooms within 47 Leverton Street and the siting and position of the appeal proposal.

4.25 The above factors collectively ensure that the appeal proposal would not harm the outlook, or result in a sense of enclosure, in respect of the existing and future occupiers of 47 Leverton Street.

5. **CONCLUSIONS**

5.1 The appeal proposal, by virtue of the reasons stated above, would not harm the character and appearance of the Conservation Area or the Listed Building. Neither would the appeal proposal harm the residential amenities of 47 Leverton Street.

5.2 In conclusion, the appellant respectfully requests that the Inspector upholds the appeal.

APPENDICES

APPENDIX A

PERSONAL STATEMENT

Background

We purchased 49 Leverton Street on 22 June 2020 as our first full house – rather than a flat. The house is currently laid out as a 3 Bedroom house with 1 bathroom. It has an awkward extension that connects to a previous garage that has been internalized, leaving only a small concrete courtyard for external space. This awkward layout meant this house was one of the only ones in the area within our means as it cost less than others of similar size in the area, but those have a more logical family layout and use of rooms. However, we saw great potential in this house and the ability to make it our forever home.

We are both long-time residents of North London. Rosalind grew up 15 minutes away where her mother still lives, while Justin has lived in either Camden or Islington for the past 21 years. Since living together we first lived in a small flat in Camden, until our first daughter was born. We then moved to a larger 2 bedroom flat on the Camden-Islington border, just 400m from our current house. We had a second child and were expecting our third child when we purchased 49 Leverton Street. Unfortunately, that pregnancy ended prematurely but we continue to pursue extending our family.

We both work for London based Universities – one at the London School of Economics and Political Science, and the other for the London School of Hygiene and Tropical Medicine – with over 3 decades combined service to London-based universities. Our children both attend the local Primary School – for which we have been dedicated members of the school community, serving as class reps, attending PTA meetings, and serving on the School Development Committee as well. We have built up many connections with local businesses and friends in the area over the past decade that we have lived in the immediate vicinity, and we further are members of the local (Leverton) street association and the Tufnell Park Parents group.

Need

We have applied for planning permission to serve a number of our needs. Both of us have worked from home extensively since the COVID pandemic hit the UK in 2020. Justin in particular is a Programme Director for a Master's Degree and requires regular private meetings with students for academic pastoral support. We both participate in lectures, meetings, conferences, workshops and supervision of postgraduate students (Masters and PhD) - requiring quiet and private space in the form of a home office/study. Our growing family needs further led to a need for additional bedroom space in the form of a nursery. We also wish to increase the outside garden space, from the small concrete courtyard of 20m² to a larger space which could facilitate outside seating as well as an increase in greenery as well to be better suited for a family home and with the added environmental benefits.

Previous applications

We submitted an initial application that involved a loft conversion to provide us with 2 extra rooms (a 4th bedroom, in line with other houses of this size in the area, and one to use as a study) (application 2021/0074/P). This application was rejected. Our house is in a row of houses with 'butterfly' style roofs in a local conservation area. The conservation officer objected citing the local development plan which stated that roof heights would ideally not be raised. Based on this, we did

not appeal that decision given it was a clearly stated priority for the Council. Instead, we decided to apply for planning to achieve our goals in an alternative way in line with all the existing local development plans or conservation elements.

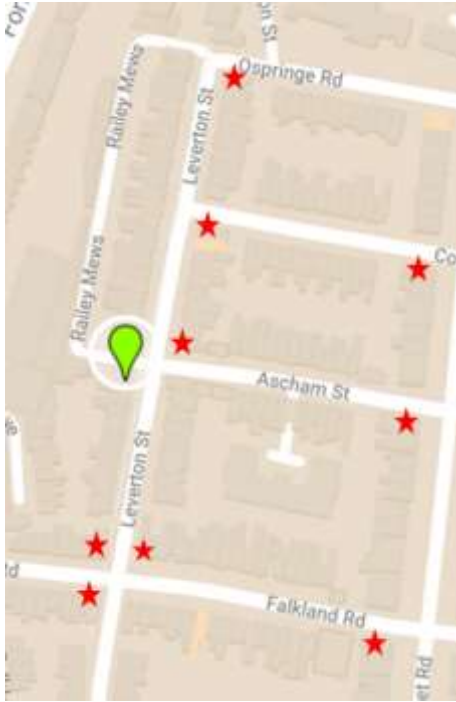
We then submitted a second application to change the shape slightly of our existing extension and add a roof terrace for more outside space (application 2021/0500/P). There were a number of local objections raised to this terrace, so we removed it from the plans. We decided that a more appropriate design would be to remove the existing extension and construct a rear extension off the back of the house which we put into another application for a single storey extension after this without the roof terrace element (application 2021/2735/P). While this was approved, we did not feel it was a viable solution to our needs. While it provided us with more garden space, it results in a loss of internal space of that same amount. This led to the current proposal with added a 2nd story outrigger to compensate for the lost internal space to the larger garden area.

Design

Our current application under appeal (2021/5148/P) was designed with a local architect who had very recently designed a renovation and plan that was approved by the council at number 90 Leverton Street – a similar end of terrace house on the same road, in an even more prominent position than our own, due to the large pedestrian traffic and open space around St Benet's Church (and its gardens) as well as Rainbow Nursery School and Eleanor Palmer Primary School – the vast majority of which would have direct view of 90 Leverton street based on its position. Our architect was successful in their planning application (approved in 2018) for 90 Leverton – both for a Loft conversion, but also for a 2 storey rear extension of moderate size as well (planning application 2018/3364/P).

This style of extension requested is a very common historical feature for end of terrace houses in the area. Indeed, of similar design houses on our road, more than half already have such a feature. The house diagonally across from ours on the same junction at 52 Leverton St has one, as do 3 of the 4 houses on the next junction down from ours. Figure 1 below is a map of the area with corner houses indicated which have a 2 story (or larger) outrigger. 49 Leverton indicated with Green pin.

Figure 1



Our architect designed our plans with a few key issues in mind. First, the design gives us the additional space we need to allow us to both extend our family as well as have a study or working from home with the necessary privacy, as needed by our jobs. Second, the design extends our outside space by 35% - allowing a reasonably size garden for a family house, and rationalizing the extension from an awkward and less usable space to one which facilitates family cooking, dining, and reception. The greater garden space of course also permits more plant life and biodiversity from the existing paved concrete courtyard, which we were advised was of interest to the council as well.

As noted, our previously approved application was able to expand the outside space, but it would reduce the internal floorspace of the house by 7m² to do so. Adding a relatively modest 2nd story outrigger (similar to the smallest of those indicated in the map above) would permit us to maintain the same internal space, yet achieve our goals of an additional bedroom and study; and also achieve an important increase in outside space. We believe this to be an ideal compromise for our family needs while in keeping with the important historical and conservation features of the area.

The design was done with the local neighbours and neighbourhood in mind. Indeed, while our previous application included a roof terrace that led to a number of objections by local residents primarily concerned with overlook or noise, for this application under appeal, we did not have a single objection from any local residents or neighbours. The elements our architect included were quite modest compared to similar buildings in the area, and as noted the same architect had similar features (and more) approved on the same road very recently. The single storey extension was designed to ensure it was well below the 45% sight line from the middle of the neighbour's ground floor rear window at number 47 Leverton St. We have a good relationship with these neighbours, and they are supportive of our plans. Furthermore, 47 Leverton Street also has a single storey extension, so our extension would mostly mirror this, and would be adjacent to the thin external corridor leading to their rear garden, not imposing on the views from their main garden space either.

The entirety of the single storey extension is also not visible from any road, as the property has an existing parapet wall along Railey Mews which is higher than the single storey. The only visible

element would be the second story outrigger which would extend approximately 3 metres and, as already mentioned is very common in houses of this area.

Figure 2 below are images of the existing flank wall and a mock-up in blue of the approximate placement of the second storey element.

Figure 2



For comparison, figure 3 below shows the existing 2nd storey extensions on end of terrace properties in close proximity to our own – including the house diagonally across at number 51 Leverton, and two of the three houses on the next junction down (13 and 15 Falkland place)

Figure 3



Application, response, and refusal

We had an original email from the planning officer assigned to our case (Adam Greenhalgh) on 6 January 2022 stating that the part second story extension would be OK. However, the next day the planning officer replied again by email to say that the conservation officer was objecting to the design. He forwarded the text of the conservation officer's reasons for objection.

We were surprised and somewhat concerned by the conservation officer's argument. First, they stated that they only reviewed the case by looking on Bing Maps – indicating they had not even done a site visit. Second, they made a set of arguments about the terrace and the views of the terrace that did not seem to be accurate. Specifically, they said the following:

"I have now looked on Bing maps and can see clearly that this particular mid Victorian terrace retains an unbroken row of rear elevations. This is increasingly rare. I can also see that No.49 has developed the garden space leaving only a modest courtyard.

It looks to me that on balance the proposed second storey to the rear extension would break the historic character of the rear elevations along this part of Leverton Street and which would be seen from Railey Mews. These gaps allow open and distant views of trees, open sky and distant roofs. Gaps such as these allow back land views which are important elements and contribute positively to the character and appearance of the Kentish Town CA. "

The conservation officer also claimed, *"In addition along the return of Railey Mews on the opposite corner is the former pub which has a similar height boundary – again building a second storey at No. 49 would break this reflected pattern."*

A number of these claims simply were not accurate or based on incorrect information. So, for example – the final point made about the pub at 51 Leverton street was particularly odd. The pub, in fact has a 2nd story outrigger extension. It is set back from Railey Mews, but it also has a higher flank wall, and further down the extension also has a pyramidal shaped glass rooflight that extends well above one story (nearly to two at its peak). So, there is no existing symmetry, and adding a 2nd story outrigger would make the reflection more similar, not less.

We were also surprised by the claims that this would break the historic character of the elevations, given the ubiquity of this style of extension on end of terrace properties in the area. The statement about 'views of trees' and 'distant roofs' did not make sense to us – as no trees or distant roofs are visible from Railey Mews due to the height of the parapet wall that exists next to our property. Any visit to the site would have shown this. The small size of the extension (as seen in Figure 2) means no roofs of the terrace would be obscured. We decided to investigate further and realised that Bing Maps images are taken from an elevated height platform that can at times see above the existing flank wall in a way that is not reflective of pedestrian views. We also discovered that the claim of an unbroken row of rear elevations of our terrace was simply not accurate – as while most buildings in the terrace have a single-story extension, at least one house in the middle of the terrace has no extension at all. Furthermore, the claim that the rear elevations of our terrace are visible from Railey Mews was also clearly inaccurate and due to the lack of a site visit (and reliance on inaccurate images from Bing Maps which could see above the parapet wall).

As such, we decided to write to Mr Greenhalgh, the planning officer, to raise these concerns and point out the potential errors in the conservation officer's reasoning based on inaccurate evidence. We did this in good faith in line with advice provided by the gov.uk website that suggest applicants reach out to planning officers to resolve any issues involved in planning applications. We drafted a detailed letter with images and explanations of the inaccuracies of the conservation officer's points for Mr Greenhalgh to share with the conservation officer. We attach that letter below:

Letter sent to planning officer – Dated 8/2/2022

Dear Sir/Madam

We are grateful to Adam Greenhalgh, the planning officer for passing this letter on to you. We are writing in relation to our recent planning application 2021/5148/P at 49 Leverton Street NW5 2PE.

Mr Greenhalgh informed our architect that you raised objection to the application on a set of criteria, primarily based on your review of Bing Maps images of the site.

However, we are writing to kindly ask if you would please be willing to visit the site in person to judge the possible visual impact of this application before rendering a decision, as we believe the online Bing images are not an accurate source of information on their own.

We are very willing to accept your decision if based on a full assessment of the visual impact. Indeed, we had applied for a loft conversion previously which was turned down on conservation grounds and which we did not appeal.

Our concern in this case is primarily because the street view images on Bing Maps appear to be taken from an elevated camera well above pedestrian head height, and thus not indicative of what the visual impact would be from a pedestrian perspective. Indeed, in one view from Railey Mews, you can see the roof of the rearmost extension in the images (which would require a height of over 8 foot, at least).

We believe this has implications for the issues you mentioned in your decision criteria given to Mr Greenhalgh and would like to highlight some points for your kind consideration:

First, You had noted that there was an 'unbroken row of rear elevations' along this terrace. There are a few points we would like to bring to your attention:

- a) There is not an unbroken row, as while most houses in this terrace have a single-story rear extension, at least one mid-terrace house (#39 Leverton) has no rear extension at all. Of those which do have them, heights vary as well, and some have terraces on top as well, some are sloped and some are flat.*
- b) Also, the existing parapet wall obscures all visibility of the rear extensions of this terrace from standing height. The only way to see them would be from an elevated platform (such as that which created the Bing maps images). I attach some example photographs below which shows how the existing parapet wall blocks views of the rear of the terrace. Again we would kindly ask if you could visit the site to assess this.*
- c) 49 Leverton is an end of terrace house which commonly differs from the rest of the terrace and, in this area, commonly have a 2nd story outrigger extension. Examples include numbers*

13, 14, and 15 Falkland Road (junction with Leverton Street), 35 Ascham Street, and 52, 70 and 90 Leverton Street. I have indicated some of these on a map attached below showing half or more corner houses have this.

Your letter to Mr Greenhalgh also stated that (from Railey Mews) the extension could block views of trees, open sky, and distant roofs. Again, we feel that if you can visit the site, you will see that from a standing height no view of any trees or roofs are visible which this could obscure. The only way to see a tree from Railey Mews appears to be from an elevated platform (such as that of Bing street images) but not from a pedestrian perspective.

A further reason we hope you can visit in person is in relation to a point made about mirroring the walls of the pub opposite. There is very little in common between these two sides, however. The pub flank wall is higher than our existing one by several feet, and then the pub has a pyramid shaped skylight further to the rear which at its peak would be similar height to our proposed outrigger. The pub also has its own 2nd story outrigger as well (although it is set back from Railey mews).

Finally, you mentioned our previously approved scheme. That scheme allows us to increase our garden area by over 7m² in its size – and would rectify the historic developments which resulted in a small concrete courtyard, providing a traditional rear garden space. We greatly wish to do this and achieve the increase in garden space. Unfortunately, however, without the 2nd story room, we would lose internal floor space to achieve this benefit. We have a growing family and are expecting another child, while also working as keyworkers in university education – requiring work from home space that can be used for confidential student meetings at times. This proposal would therefore allow us to accommodate a growing family and work from home needs, while still achieving the benefit of increased and proportionate garden space. Our architect can also redesign the single stoery extension roof to slope as in the previous application as well to minimize visual impact to the neighbors – which was suggested by Mr Greenhalgh already.

We therefore hope you can take these factors into account and ask you to please consider our request to visit the site in person before rendering your final judgment. We believe once you visit the street you will see just how minimal an impact this addition would have, and also be able to note just how common this form of outrigger is at junctions in the area.

Thank you very much for your time in reading this and consideration of our request

Yours Sincerely

Justin Parkhurst and Rosalind Miller

49 Leverton Street

Images below:

View adjacent to proposed outrigger – no trees or roofs visible:



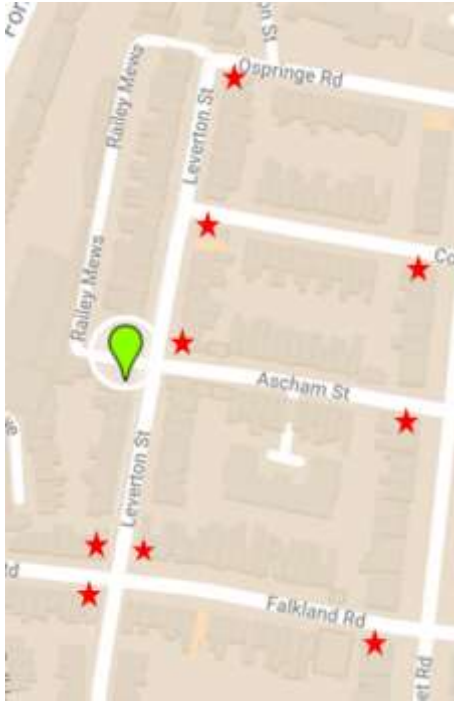
View from rear illustrating how existing flank wall obscures rear extensions (outrigger outline in blue would not obscure roofs of the terrace):



View of pub rear extension – different shape, height, and features as well as pub outrigger



Map of area with corner houses indicated which have a 2 story (or larger) outrigger. 49 Leverton indicated with Green pin.



Response to our feedback

Unfortunately, after we sent our detailed feedback and correction to the planning and conservation officers, they did not change their view on opposing our plans. What was particularly frustrating is that in their final decisions, they simply changed the wording of their objections – making up new ones, or removing or altering others to avoid the inaccuracies or errors that we pointed out to them in good faith. Thus, in the final rejection they no longer refer to an unbroken row of rear elevations, but instead reworded this to say there is an unbroken row of elevations ‘from the first floor up’ – which was not their original concern. They added new concerns not mentioned before about the spacing between our house and the house at 1 Railey mews, claiming that this modest outrigger would impact on the gap between the 3 story houses on Leverton street and the two storey houses that start at 1 Railey Mews. This concern was never raised before, and seemed to be newly made up to have more to put in a refusal. It seems particularly odd as well given that the outrigger depth of 3m would still leave around 10m of single storey existing parapet wall before the boundary of 1 Railey Mews was reached – so it cannot be seen to have a dramatic effect on this spacing. The rejection reasons still talked about a balance of shape with the pub across, failing to note that the pub has a second storey outrigger and a higher than one storey pyramidal roof in the rear as well that means there is no symmetry to speak of or break. The refusal letter now specifically mentions views of Falkland Road which not only is new – but again makes no sense as there is no possible way to view the houses on Falkland road from Railey Mews given the existing flank wall which is over 8 feet high – so to argue this modest second story extension somehow blocks these views (which don’t exist) was another surprise to us. Finally, the refusal fails to mention the ubiquitous historical nature of this form of small second story extension on end of terrace properties in the conservation area, and fails to acknowledge the same style extension was approved on the same road in 2018.

In Conclusion

In summary, this is an application that is in line with the existing local conservation and development plans and documents. It was designed by the same firm who had a similar (but more extensive) application approved on the same road just a few years earlier. It was designed modestly with no objection from any neighbours, and done to be similar to many of the end of terrace houses in the area. This application will allow us to develop our property into a long-term family home keeping us in the area to which we have contributed to and are highly invested in – potentially for decades to come (in line with the ‘don’t move, improve’ philosophy).

The main points of objection by the conservation officer were based on potentially incorrect information which, when noted to them, simply led to them changing their wording to avoid the contradictions with the evidence provided of their errors. We believe their reasons of ‘not in keeping’ with local elements is not only arbitrary but also against the evidence that in fact our design was very much based on local features and conservation documents. When we pointed out the errors in good faith, they simply created new unsubstantiated arguments on which to refuse permission, including ones verifiably false (such as the claim that views of Falkland Road or of trees could be affected, or claims of mirroring the neighbouring pub). In doing this, particularly without a site visit by the conservation officer, we believe these individuals were being unreasonable and in breach of their public law duties of rational and evidence-based decision making.

We thank you for your time and consideration of our appeal and the evidence provided.