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Our ref: 2022/1899/P
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The Planning Inspectorate
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Temple Quay House
2 The Square
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Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal submitted on behalf of Mr Edward Randall
Site Address: Flat 3, 37 Platt's Lane, London, NW3 7NN

I write in connection with the above appeal against the Council's refusal to grant planning permission for the following:

'Enlargement of first floor rear conservatory to the residential flat (Class C3)'.

The Council's case is set out in the delegated officer's report (ref: 2022/1899/P) that has already been sent with the questionnaire and is to be relied on as the principal Statement of Case. Copies of the relevant Local Plan policies and accompanying guidance were also sent with the appeal questionnaire.

In addition, the Council would be grateful if the Inspector would consider the contents of this letter which includes comments on the Appellant's ground of appeal and further matters that the Council respectfully requests to be considered without prejudice if the Inspector is minded to grant planning permission.

1.0 Reason for refusal (bulk, visual prominence and detailed design):

1.1 The officer's report (paras 3.8) offers a full analysis of the proposed size and design and concludes that the proposed extension, by virtue of its increased volume would increase the bulk of the extension and be overly dominant at first floor level. It has been argued that this would be detrimental to the character and appearance of the building, and would fail to preserve the character or appearance of the conservation area.

1.2 In paragraph's 5.10 to 5.12 of the appellant's statement of case it is suggested that the depths of the existing conservatory and the 2019 approved conservatory result in a "somewhat discordant and uncomfortable setback" and argue that a full depth extension reduces the "otherwise staggered and incongruous form". The Council would refute this claim. The existing

extension includes a set back from the rear elevation of the single storey extension below. The Council are of the view that the existing and approved conservatories retain a meaningful set back which helps to reduce the prominence of the extension at first floor level particularly from public vantage points along Briardale Gardens where much of the neighbouring buildings above ground floor level can be appreciated. It must be noted that the appeal scheme is not a full depth extension but would also retain a small flat roof area of the lower ground floor extension thereby continuing to maintain some form of setback. What is clear is that the increase in the footprint of the extension proposed as part of the appeal scheme would almost double the length of the extension from 2.1m to 3.9m thereby increasing its footprint, volume and bulk and resultant prominence at first floor level. The Council continues to argue that this would have a detrimental impact on the character and appearance of the Arts and Crafts building as well as the Regington Frogna Conservation Area.

1.3 In paragraph 5.18 of the appellant's statement of case the appellant argues that, in their view, it was the materials that the Inspector found unacceptable in his decision relating to the 2019 brick built extension that was refused by the Council under ref 2019/5927/P. They go on to claim in paragraph 5.24 that a fully glazed conservatory is the most appropriate design in terms of the impact on the character and appearance of the host building and the surrounding properties and the conservation area. This assumption is based on the fact that the Council refused a brick built extension in February 2019 (ref 2019/5927/P). In his appeal decision (ref APP/X5210/W/20/3249286) the Inspector stated that a timber framed conservatory would be '*lighter*' and "*less prominent in appearance*" (paragraph 9), and therefore less harmful than a brick built extension and dismissed the appeal. However this view related to a conservatory of a smaller footprint than the appeal scheme. The Inspector not only considered the materials but the larger volume of the extension. In paragraph 7 of the appeal decision the Inspector found that it was the additional volume together with the unacceptable use of brick that would make the extension bulky and prominent addition to the building. In relation to the appeal proposal, as stated in paragraph 3.8 of the officer's delegated report, it is the increased volume which would increase the bulk of the extension and would result in an overly dominant extension at first floor level that would be considered harmful to the character and appearance of the building. The enlarged conservatory would have a noticeably greater impact on the character of the terrace as a whole and from views from the street along Briardale Gardens.

1.4 In paragraph 5.28 of the appellants statement of case images of the existing conservatory (below left) and the proposed enlarged conservatory (below right) have been generated and the differences between the two have been stated as "subtle".



Figure 1 (above): Extract images taken from page 13 of the appellants statement of case

1.5 The Council would refute this claim and would contend that these photos illustrate how much larger the proposed extension would be in terms of its extended length, additional glazing on the side elevations and extended roof. The proposed extension would be almost double the length of the existing extension and would therefore be more prominent due to the increased volume at first floor level on the rear elevation of the building.

1.6 Glazed conservatories at first floor level on the rear elevation such as the appeal proposal are not typical features that form part of the wider character of this part of Platt's Lane or this part of the conservation area. In paragraph 3.2 of the officer's delegated report it is considered that the existing conservatory is not particularly characteristic of the conservation area. The increase in volume and bulk of the proposed extension would be prominent at first floor level and would be considered harmful to the character and appearance of the conservation area.

Pre-application advice in 2018:

1.7 In paragraph 5.13 to 5.15 of the appellant's statement of case there are extract paragraphs from the pre-application enquiry advice provided by the Council. The appellant suggests that the advice received in 2018 is still highly relevant to the current appeal scheme and therefore provide support for the current proposal. This view was expressed prior to the 2019 permission that an extension may be able to be extended further. However the Council's final position was that an additional setback of over 1m was required to make the proposal acceptable and that was what was subsequently granted permission in 2019 and again in 2022. These permissions are considered to be of more relevance than pre-application enquiry advice provided in 2018.

1.8 Additionally, the appellant draws the Inspectors attention to the extract from the pre-application enquiry response that relates to the assessment of the impact of the proposal on the character and appearance of the pair of semi-detached properties (nos. 37 – the appeal site and no. 39 Platt's Lane). The Council took the view that the enlargement of the conservatory would not harm the character or appearance of the pair as there have been a number of unsympathetic alterations to the rear of no. 39 and to the roof of no. 37 so their uniformity and symmetry has been lost. This issue is not disputed by the Council and was not cited as part of the reason for refusal of the proposal. The scheme was refused on fundamental issues such as bulk, visual prominence and detailed design which are the primary issues to be addressed when assessing the impact of the design on its context.

Reference to 18 Roderick Road as a similar example of a scheme that was allowed at appeal:

1.9 In paragraph 5.37 to 5.43 of the appellant's statement of case it makes reference to another property at 18 Roderick Road that was refused planning permission (ref 2019/1137/P) on 09/11/2021. An appeal (ref APP/X5210/D/21/3288156) was lodged with the Planning Inspectorate and was allowed on 21/03/2022. The appellant claims that the proposal are similar and has provided a copy of the documents to try to substantiate this claim. The Council would argue that the schemes are not directly comparable for the following reasons.

1.10 Firstly the sites are located in different conservation areas and comprise properties of different architectural style and age. No. 18 Roderick Road is located in the Mansfield Conservation Area and is a 3 storey Victorian mid-terrace property with two story rear extension that forms part of its original construction. Its rear elevation is fairly utilitarian and includes no decorative architectural features. In comparison, the appeal property is located in the Redington Frogal Conservation Area and comprises a semi-detached 3 storey building designed by CHB

Quennell and built by GW Hart between the end of the 19th century and the start of the 20th century. The London stock brick rear elevation includes red brick banding below the eaves, and red brick lintels above the windows.

1.11 Secondly, the site characteristics are not comparable to each other. No. 18 Roderick Road is part of a terrace of properties where the Inspector noted that there are other examples of similar alterations at second floor level within the vicinity. The same cannot be said of the appeal site. The appeal site is the only property within this part of Platt's Lane that has a conservatory at first floor level and its enlargement to the size and width of the appeal proposal would serve to make it more prominent and harmful to the original character and appearance of the building.

1.12 Thirdly, the rear elevation of no. 18 Roderick Road is situated back-to-back with that of terraced properties on Shirlock Road with no views from any public vantage point. The Inspector considered that the scale and design of the extension would ensure that local distinctiveness would be retained and would not be visible from the public realm where the street scene would remain unaltered. In comparison, the rear elevation of the appeal site is visible from public views along Briardale Gardens through the substantial gap between no. 2B and the rear of no. 39 Platt's Lane. The Council contend that the enlarged extension, due to its bulk and massing would make it an incongruous addition to the Conservation Area.

1.13 Fourthly, the detailed design of the extensions are completely different. The extension that was allowed at No. 18 Roderick Road was considered by the Inspector to be modest in size measuring 1.6m deep by 2.3m wide by 2.5m in height and was constructed from brick. The appeal proposal is larger at 3.9m (length) by 4.2m to 4.7m (width) by 2.1m (to the eaves) to 3m (to the ridge). The Inspector should note that the original proposal for the extension at no. 18 Roderick Road was a pergola style conservatory measuring 5m deep by 3.5m wide by 4.24m in height. This was not considered acceptable by officers as it was too deep, bulky and not in keeping with the existing building. The scheme was revised to reduce its size and scale and its materials changed from glass to brick.

1.14 Overall, the appellant's statement of case is not considered to have addressed the concerns raised by officers in relation to the reason for refusal and the proposal is still considered to remain contrary to policies D1 and D2 of the Local Plan (2017) and Policy SD5 of the Redington Frogna Neighbourhood Plan.

2.0 Conclusions

2.1 Based on the information set out above, and having taken into account all the additional evidence and arguments made, it is considered that the proposal remains unacceptable for those reasons set out within the original decision notice and remains contrary to the Council's policies.

2.2 The information submitted by the appellant in support of the appeal does not overcome or address the Council's concerns. For these reasons the proposal fails to meet the requirements of the policies and therefore the Inspector is respectfully requested to dismiss the appeal.

3.0 Conditions

3.1 If the inspector were mindful to overrule the Council's determination, it would be requested that conditions to secure various requirements are attached to the decision. A list of suggested conditions is outlined below.

CONDITIONS

1	<p>The development hereby permitted must be begun not later than the end of three years from the date of this permission.</p> <p>Reason: In order to comply with the provisions of Section 91 of the Town and Country Planning Act 1990 (as amended).</p>
2	<p>All new external work shall be carried out in materials that resemble, as closely as possible, in colour and texture those of the existing building, unless otherwise specified in the approved application.</p> <p>Reason: To safeguard the appearance of the premises and the character of the immediate area in accordance with the requirements of policy D1 and D2 of the London Borough of Camden Local Plan 2017 and Policy SD5 of the Redington Frognaal Neighbourhood Plan.</p>
3	<p>The development hereby permitted shall be carried out in accordance with the following approved plans Site location plan; PL/2/2019/01; PL/2/2019/02; PL/2/2019/03; PL/2/2019/04; Letter from agent dated 25/11/2019; Planning consultation response dated 19/02/2020.</p> <p>Reason: For the avoidance of doubt and in the interest of proper planning</p>
4	<p>The windows in the northern and southern side extensions of the enlarged extension hereby approved shall be obscure glazed and fixed shut to an internal height of 1.7m and shall be permanently retained and maintained thereafter.</p> <p>Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy A1 of the Camden Local Plan 2017.</p>
5	<p>The flat roofed area to the rear of the conservatory extension hereby approved shall not be used as a roof terrace and access onto this area shall be for maintenance purposes only.</p> <p>Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policy A1 of the Camden Local Plan 2017.</p>

If any further clarification or submissions are required, please do not hesitate to contact me (Elaine Quigley) by the direct dial telephone number or email address quoted in this letter.

Yours faithfully,

Elaine Quigley
Senior Planning Officer
Supporting Communities Directorate