

3 Leverton Place

Response to revised planning Application 2016/1088/P

From Deborah Cook occupant at 9 Leverton Street, London NW5 2PH

1. Generally

3 Leverton Place is a charming three bedroom house in the Kentish Town Conservation Area; see figures 1, 2, 3 and 4. It is part of a block of three houses, 1, 2 and 3 Leverton Place, which were converted from former shops and flats between 2000 and 2002.



Figure 1. 1-3 Leverton Place



Figure 2. GF room of 3 Leverton Place



Figure 3. Garden of 3 Leverton Place



Figure 4. Existing plans of 3 Leverton Place

2. Overdevelopment and Loss of Amenity Space

The applicant has recently purchased 3 Leverton Place and wishes to enlarge the house by building over much of the existing garden at ground floor level and adding rear extensions at first and second floor level. There are a number of respects in which this proposal, if approved, would have a detrimental effect on the area. The first of these would be the loss of the existing garden at 3 Leverton Place. The amount of development proposed by the applicant over the back garden far exceeds the maximum of 50% allowed under permitted development and, given the size and character of the existing houses in the conservation area, constitutes an overdevelopment of the site. It is noted that CPG 1 requires *“the retention of a reasonable sized garden”* (4.10) where existing buildings are being altered.

The applicant describes the existing patio garden as an industrial type courtyard. Figure 3 shows that this garden has a great deal of charm and potential. Most people without gardens in London would love to have this amenity and there can be no justification in building over it.

CPG 1 states *“rear gardens make an important contribution to the townscape of the Borough and contribute to the distinctive character and appearance of individual buildings and their surroundings. Gardens are particularly prone to development pressure in the Borough with their loss resulting in the erosion of local character and amenity, biodiversity and their function in reducing local storm water runoff”* (6.24). Also *“Planning permission is unlikely to be granted for development whether in the form of extensions, conservatories, garden studios, basements or new development which significantly erode the character of existing garden spaces and their function in providing wildlife habitat”* (6.31).

The applicant sights the precedent of 1 and 2 Leverton Place for the current proposal to build over the garden and to create a roof terrace at first floor level at 3 Leverton Place. This is misleading. The only reason planning consent was granted in 2000 for the terraces at first floor level at the rear of 1 and 2 Leverton Place was the fact that the whole curtilage of these two sites had already been built over at ground floor level before the application was submitted. Indeed the application was at first rejected and was only passed following the introduction of light well patios into the single storey ground floor accommodation at the rear of each site. Permission, in other words, was not granted to build over existing gardens at that time.

In addition it is noted that the development of 1, 2 and 3 Leverton Place in 2001-2002, and in particular the conversion of the existing back extension roofs of the former shops into residential roof terraces at first floor level had a significant impact in terms of overlooking on the adjoining listed grade II houses and gardens at 7, 9 and 11 Leverton Street.

I request, therefore, that in assessing this application, the planning department and committee take into account the impact of this application in the context of the impact of the earlier consent to convert 1, 2 and 3 Leverton Place into houses which has already had a detrimental impact to the environment of the houses and gardens of 7, 9 and 11 Leverton Street. Given the designation of the conservation area in 2010 and the fact the current application site is adjacent to the curtilage of listed buildings on Leverton Street it is assumed that strict criteria will apply to this new application for changes to the external form and appearance of 3 Leverton Place than would have been the case in the past.

As well as impacting on neighbouring houses and gardens, approval of this planning application would cause the loss of a perfectly good existing dwelling and garden and its replacement with an enlarged dwelling that will impact still further on the environment of the neighbouring houses. This would be contrary to the spirit of Camden Development Policy DP2-2.2, 'Meeting our Need for Homes' which requires Camden to "*minimise social polarisation and secure mixed and inclusive communities, by securing a broad range of housing of different sizes and types to meet the needs of different groups and households in different circumstances*".

3. Daylight and Sunlight

The applicant asserts in Clause 2.3 of the Design and Access Statement that "*The current arrangement of roof terraces has led to a degree of overlooking between 2 and 3 and between no 2 Leverton Place and nos 9 and 11 Leverton Street due to the absence of any effective screening*" and argues that their proposal will solve this problem of overlooking.

This is misleading because this problem has already been addressed. Because the terrace at first floor level behind 2 Leverton Place did directly overlook my garden at 9 Leverton Street a timber screen was added on top of the garden wall between my garden and the garden of 3 Leverton Place, see Figure 6 and 9. While this reduced the overlooking to an acceptable level it has caused significant additional overshadowing of my garden from the west, see figure 8.

The applicant's proposal to add an even higher fence to the wall between the end of my garden and their proposed roof terrace and would make the overshadowing of my garden considerably worse. I note that CPG 1 states that the "*possible use of screens or planting to prevent overlooking of habitable rooms or nearby gardens*" should not reduce "*daylight and sunlight or outlook*" (5.24). Also "*For boundary treatments around listed buildings or in a conservation area we will expect: ...the works to preserve and enhance the existing qualities and context of the site and surrounding area*". (6.38).

The three storey flank wall of no 3 Leverton Place is approximately 9.5m away from the main rear wall of the two storey Leverton Street houses and approximately 7m away from the rear wall of their rear extensions. The wall and fence between the garden of 3 Leverton Place and 7 and 9 Leverton Street, at 2,700mm, is unusually high for a garden wall in London. Being positioned south west of 5, 7, 9 and 11 Leverton Street, 3 Leverton Place and its garden wall overshadows the gardens of all of these houses cutting out a very significant amount of sunlight and daylight. As a consequence these gardens are unusually shady, See Figures 5 and 6.

4. The Impact on 7 Leverton Street

Taking the impact of the planning application on the house and garden of 7 Leverton Street first, this house and garden is overshadowed for nearly two thirds of its width by the three storey flank wall of 3 Leverton Place. The angle of the sky horizon from the rear window of 7 Leverton Street to the roofline of 3 Leverton Place is 45 degrees. Just over a third of the garden of 7 Leverton Street is overshadowed by the rear extensions on the back of 3 Leverton Place. Here again the angle of the sky horizon is very steep and would be made even steeper by the proposed rear extensions to 3 Leverton Place if this application is approved, see figure 7.



Figure 5, Existing view from the garden 7 Leverton Street with line of the proposed 1st floor back extension to 3 Leverton Place indicated. Figure 6. View from the garden of 9 Leverton Street with the height of the proposed terrace fence at 3 Leverton Place indicated.

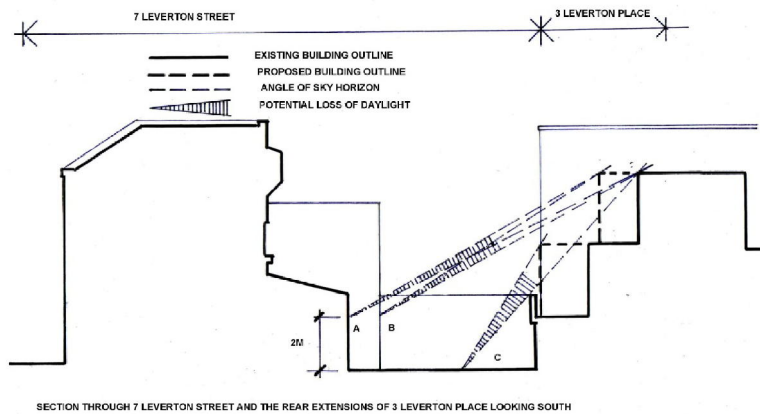


Figure 7. Section through 7 Leverton Street and the rear extensions of 3 Leverton Place showing impact of the proposed additional extensions on daylight and sky horizon.

The proposed rear extensions would lead to a loss of daylight to the ground floor windows of 7 Leverton Street at A and B on the diagram. They would also lead to loss of daylight across the garden of 7 Leverton Street between the back of the house and the point at which the existing rear extensions cut off the daylight horizon at C on the diagram. Given that this garden is already severely deprived of sunlight and daylight and additional loss would be unacceptable.

5. The Impact on 9 Leverton Street

Looking now at the potential impact of the current application on my house and garden at 9 Leverton Street, figure 8 shows that the screen of the proposed first floor roof terrace behind 3 Leverton Place would significantly raise the daylight horizon from my kitchen window at A. This would extend the full width of my garden. The diagram shows that the sky horizon was already raised significantly by the introduction of a fence on top of the garden wall to reduce overlooking from the first floor terrace behind 2 Leverton Place, approved in 2000. Because 1, 2 and 3 Leverton Place already cuts out most of the south west sunlight and daylight from my garden, the additional reduction in daylight caused by this proposal, if the application is approved, would be very detrimental.

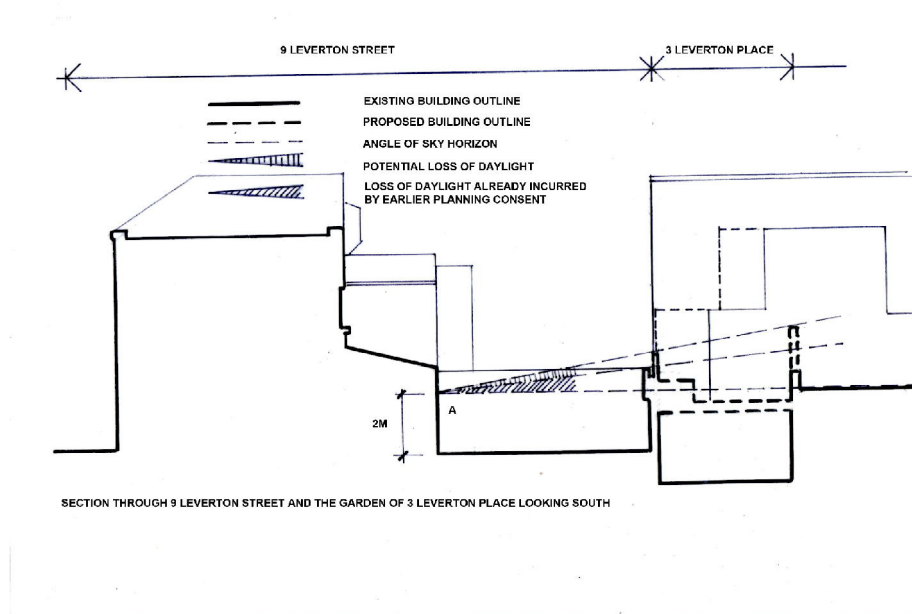


Figure 8. Section through 9 Leverton Street and 3 Leverton Place showing impact of proposed screening to the proposed 1st floor roof terrace at 3 Leverton Place on daylight and sky horizon.

The applicant notes that foliage in my garden already screens it from 3 Leverton Place. Figure 6 shows that the bamboo does not extend the full width of the garden and, even if left as it is, would not screen my garden from a terrace over the rear half of the garden of 3 Leverton Place. In addition the bamboo will, in due course, need to be cut back in order to limit overshadowing. The planting should not, therefore, be relied upon to act as screening.

6. The Impact on 11 Leverton Street

The proposed first floor roof terrace at 3 Leverton Place would extend across about three quarters of the width of the end of the garden at 11 Leverton Street. The existing wall and fence between 11 Leverton Street and 3 Leverton Place is 300mm lower than in my garden. Their garden wall and fence would therefore be raised by a full 800mm above the existing by the proposed first floor roof terrace screen at 3 Leverton Place. Again this would have a significant loss of daylight to the house and garden of 11 Leverton Street if planning consent is granted.

I therefore register my objection to the two extensions proposed to the rear elevation of 3 Leverton Place at first and second floor level which would particularly affect the daylight in 7 Leverton Street and the proposed addition of a screen 500mm higher than the existing screen on top of the garden wall and fence between 3 Leverton Place and 9 Leverton Street and 800 higher than the existing wall and fence between 3 Leverton Place and 11 Leverton street.

Both the extensions and the terrace privacy screening would further overshadow gardens and rear windows of the houses on Leverton Street and would therefore not meet the requirements of DP 26.3 which states *“A development’s impact on visual privacy, overlooking, overshadowing, outlook, access to daylight and sunlight and disturbance from artificial light can be influenced by its design and layout, the distance between properties, the vertical levels of onlookers or occupiers and the angle of views. These issues will also affect the amenity of the new occupiers. We will expect that these elements are considered at the design stage of a scheme to prevent potential negative impacts of the development on occupiers and neighbours. To assess whether acceptable levels of daylight and sunlight are available to habitable spaces, the Council will take into account the standards recommended in the British Research Establishment’s Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice (1991)”*

Given that the houses in Leverton Street are listed and are in a conservation area every effort must be made to protect the environment in which they are located from further degradation in terms of loss of sunlight and daylight.

7. Privacy and Overlooking

It has been pointed out to the applicant by the planning department in a pre-planning consultation that the proposed roof terrace at first floor level over the existing garden of 3 Leverton Place would overlook the gardens of 7, 9 and 11 Leverton Street if there were no additional screening provided (see Design and Access Statement clause 3.1). As already explained, the installation of an additional timber screen would be unacceptable due to the further loss of daylight it would cause to the houses and gardens of 7, 9 and 11 Leverton Street. The only alternative, which would be to have no additional screening, would also be unacceptable due to the overlooking and loss of privacy this would entail to the houses and gardens of 7, 9 and 11 Leverton Street. Such an alternative would be contrary to DP26 as quoted above and CPG 1 which requires that alterations to existing properties should *“not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure”* (4.10). The application proposal fails to meet these criteria.

My ground floor kitchen has glass doors and a glass roof facing the garden. Because the kitchen is open plan with the rest of my ground floor living room the view from a terrace at first floor level over the garden of 3 Leverton Place would make much of my living space visible, see figure 9. I

therefore object to the proposal to build a roof terrace at 1st floor level over the garden of 3 Leverton Place because of the serious loss of amenity this would cause me, either in terms of loss of daylight or in terms of loss of privacy.



Figure 9. View out of the ground floor kitchen of 9 Leverton Street. Figure 10. View of the rear of 9 Leverton Street showing the kitchen and bedroom windows.

My bedroom window at first floor level would also be clearly visible from a first floor roof terrace over the garden of 3 Leverton Place with a distance of only 9.5m between them.

8. Noise

There is, however, a problem that the additional screening to the end of my garden, installed to prevent overlooking from the first floor terrace at the back of 2 Leverton Place in 2002 did not solve which is the transfer of noise from that roof terrace to my garden. This is a problem I have to live with, but the proposal to introduce another roof terrace even closer to my garden over the garden of 3 Leverton Place would create an additional acoustic issue. Noise from this closer roof terrace would be even more audible in my garden and living area at no 9 and the gardens of 7 and 11 Leverton Street than the noise from the existing roof terrace behind 2 Leverton Place.

I note that DP 28 states that *“The Council will seek to ensure that noise ... is controlled and managed and will not grant planning permission for... development likely to generate noise pollution.”*

Far from seeing the terraces behind 1 and 2 Leverton Place as a precedent for the introduction of another terrace behind 3 Leverton Place I hope the planning department will accept that these earlier developments have already compromised the local environment and that the introduction of yet another first floor roof terrace, immediately adjacent to the ends of the gardens of 7, 9 and 11 Leverton Street will compromise it further.

9. Rear Elevation

A good deal of effort has been expended in the applicant's Design and Access Statement in presenting the changes to the rear elevation as improvements to the conservation area. The claim is that the proposed extensions to the rear elevation of 3 Leverton Place improve the massing and composition of the rear elevation of 1 – 3 Leverton Place. Looking at the before and after drawings of the elevation on application drawing NMA 15 02 100 it is very hard to say which is the more authentic or appropriate?

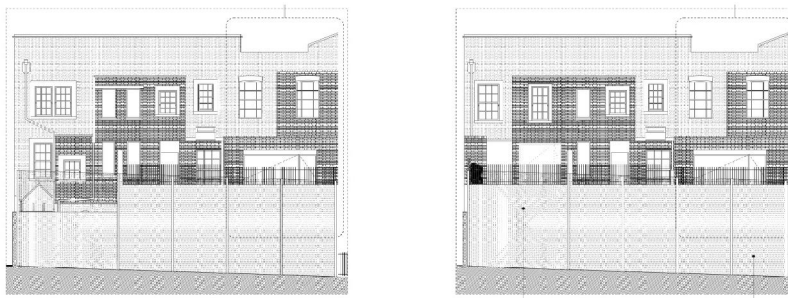


Figure 10. Can you tell, without the titles, which is the existing and which the proposed elevation?

This is because the extensions are desired primarily to provide more internal floor space and the presentation of these changes as enhancements to the conservation area is a transparent attempt to divert attention from the fact that they benefit no-one except the applicants and would impact negatively on neighbouring properties. I have no objection to any tidying up of the elevation of 3 Leverton Place just as long as this does not involve further extensions to the existing building that causes further overshadowing of the adjacent gardens and houses on Leverton Street. I note that CPG 1 states that *"In most cases, extensions that are higher than one full storey below roof eaves/parapet level, ... will be strongly discouraged."* One of the proposed extensions is to the top floor of 3 Leverton Place.

10. Internal Layout

Given that 3 Leverton Place is a recently converted house with up to date facilities, I cannot see the justification for tearing it apart in order to turn it into a house that is too large for the land it occupies. Clearly the applicants have bought a house that they consider too small and now wish to make drastic changes to it in order to create more space. If they needed a bigger house they should have bought one in the first place. Given the likely cost of implementing the work proposed in their planning application it would seem that the applicant could have afforded a larger house that did not need radical conversion, thereby avoiding the need to completely remodel a perfectly satisfactory existing dwelling. Small houses are characteristic of this conservation area and there is considerable demand for them in Camden. To rebuild this house would be a waste of resources and of embodied energy. The existing volume of the house and its garden should therefore be protected.

Even if it is accepted that the applicant has a right to alter the layout of the house, the proposed revised layout is unsatisfactory in a number of respects.

- The proposal to build over the existing garden at ground floor level involves a significant loss of garden space and creates two bedrooms with very limited outlook and daylight and no sunlight. The means of escape from both proposed ground floor bedrooms passes through another habitable room, the study, before reaching safety meaning both bedrooms are therefore rooms within rooms.
- The proposed extension to the rear of 3 Leverton Place at first floor level is not essential to the proposed revised layout. The open plan kitchen-dining-living room would still work if the existing external walls were retained, albeit with a slightly smaller dining table than the ten place table shown, thereby avoiding the additional overshadowing of the adjacent houses and gardens.
- Nor is the rear extension at second floor level essential to the proposed new layout for the house. The proposed extension provides space for a separate WC and some additional storage. The WC could easily be accommodated in the existing extension at the rear of the second floor. The provision of additional storage is not a sufficient justification for the extension to the rear elevation and the additional overshadowing of neighbouring gardens this would cause. The means of escape from the proposed second floor bedroom passes through another habitable room, the kitchen-dining-living room, before reaching safety meaning this bedroom also has a compromised means of escape.

The means of escape from all three bedrooms will all require a fire engineered means of escape solution which seems inappropriate in the context of a domestic dwelling. The proposed internal layout is, in other words, if anything less compliant with current standards than the existing layout except in terms of floor area.

Deborah Cook



21th March 2016