

August 2016

# Planning, Design and Access Statement

16-18 Kirby Street

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# Executive Summary

This Planning, Design and Access Statement has been prepared by JLL Planning on behalf of Princes Securities Ltd (the applicant) who owns the freehold of 16-18 Kirby Street, EC1N 8TS.

The proposal is for the:

*'Creation of a terrace at 2<sup>nd</sup> floor level on the existing rear flat roof structure'*

The property is currently in office use (basement, ground and five upper floors). The introduction of a terrace on the existing 2<sup>nd</sup> floor flat roof will provide an important external amenity space for the office tenants and will add interest to the appearance of the rear elevation.

It is our view that the proposal accords with the relevant development plans and that as such permission should be granted.

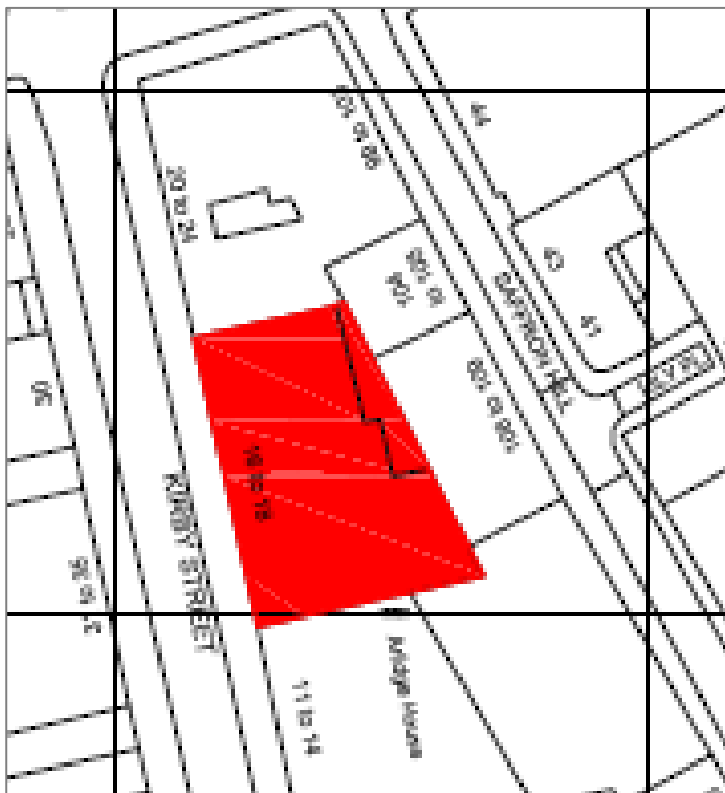
# 1 Introduction

- 1.1 This Planning, Design and Access Statement has been prepared in support of a full planning application for the creation of a terrace at 16-18 Kirby Street on the existing flat roof at 2<sup>nd</sup> floor level. The terrace will be located at the rear elevation and will serve as an ancillary space for the existing office occupiers on the 2<sup>nd</sup> floor.
- 1.2 The proposed terrace will improve the appearance of the site's rear elevation, adding interest and articulation to its design. The provision of a privacy balustrade will ensure that the proposal preserves and protects the amenity of neighbouring residents.
- 1.3 This document provides the planning background to the site, outlines the proposals, and then identifies how these comply with relevant planning policies. It should be considered alongside all of the other documents comprising the planning application package (see below for details of the format for submission).
- 1.4 This Planning, Design and Access Statement is structured as follows:
  - Section 1 describes the site and its surroundings and relevant planning history;
  - Section 2 summarises the proposal;
  - Section 3 sets out relevant planning policy and other material considerations;
  - Section 4 explains the justification for planning permission; and,
  - Section 5 provides the conclusions.

## Description of development

- 1.5 Full planning permission is sought for the creation of a terrace at 2<sup>nd</sup> floor level on the existing rear flat roof structure.

**Figure 1.1: Site location plan**



## **Format of submission**

- 1.6 This planning application comprises:
- Planning application fee of £195;
  - Planning application form and ownership certificates;
  - CIL form;
  - Drawings including:
    - Location and block plans, ref. no. 342-00;
    - Aerial Site Location, ref. no. 4113\_002\_AR;
    - Existing Layout, ref. no. 4113\_001\_EX;
    - Proposed Layout, ref. no. 4113\_003\_PRO; and
    - Elevations, ref. no. 4113\_004\_ELE.
  - Schedule of Photos; and
  - Planning, Design and Access Statement.
- 1.7 This planning application is submitted on behalf of Princes Securities Ltd, freeholder of 16-18 Kirby Street.

## 2 The site and its surroundings

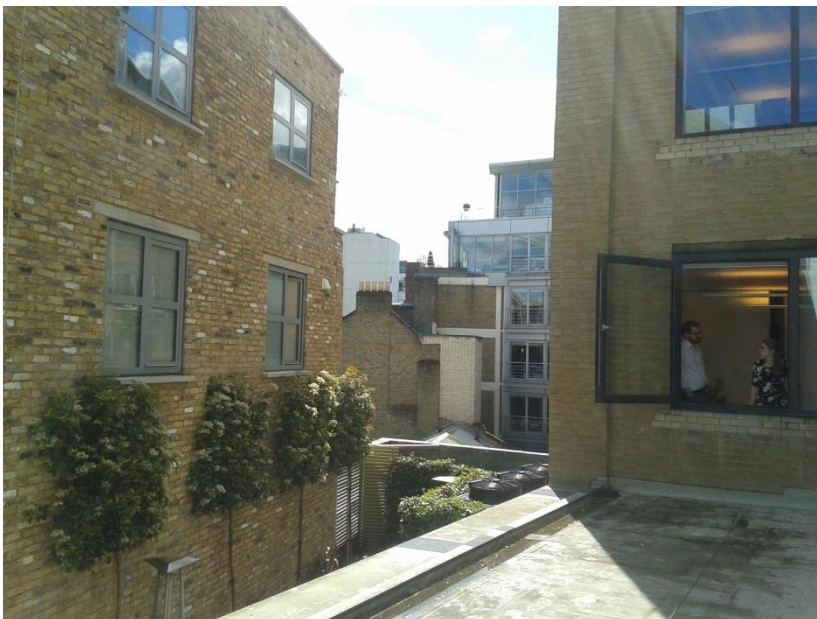
### The Site

- 2.1 16-18 Kirby Street is an office building (Class B1a) located on the eastern site of Kirby Street, within the administrative boundary of the London Borough of Camden ('LBC'). The site forms part of a building originally numbered 15-19 Kirby Street.
- 2.2 The building sits on a 0.045 ha plot and consists of a basement, ground and five upper floors fronting Kirby Street.
- 2.3 There is an existing terrace located at the rear of the first floor, which was created following planning permission ref: 2004/4109/P.
- 2.4 A rear terrace on the 4<sup>th</sup> floor was permitted on 12<sup>th</sup> of January 2016 with ref. xxxx to be located on an existing flat roof of the building.
- 2.5 The site is located within the Hatton Garden Conservation Area and is not locally or statutorily listed.

**Figure 2.1: The rear flat roof at 2<sup>nd</sup> floor**



**Figure 2.2: The rear flat roof at 2<sup>nd</sup> floor**



## **Surroundings**

- 2.6 The surrounding area is mixed in character and includes office accommodation, residential units and retail outlets.
- 2.7 Towards the northern reach of Kirby Street, buildings are predominately in residential and office use and range from 2 to 5 storeys. Opposite to the site is the Unite Students accommodation block, which comprises of 6 storeys.
- 2.8 Towards the southern reach of Kirby Street, ground floor retail units provide access to restaurant / café uses and diamond / jewellery outlets in association with the cluster of jewellery shops on Hatton Garden. The upper floors of these buildings largely consist of offices, with one residential block at the end of the street. These buildings are on average 4 storeys high.
- 2.9 The urban grain in this location is very tight, and as such the rear of the site is located less than 10m from the rear of 104-105 Saffron Hill and 106/109 Saffron Hill. 104-105 Saffron Hill is currently in office use (Class B1) on ground and first floor and residential (Class C3) on second, third and fourth floor levels. 106-109 Saffron Hill is currently in office use on the basement, ground, first and second floors with residential use (Class C3) on third and fourth floor.

## Planning History

### The Site

- 2.10 A search of LBC's online planning register reveals a number of planning applications relating to the site. These are summarised in table 2.1 below.

**Table 2.1: Site planning history**

Application Number	Proposal	Decision	Decision Date
2015/6357/P	Creation of a terrace at 4th floor level on existing flat roof structure to office	Granted	12-01-2016
2014/3495/A	Display of 1x non illuminated projecting sign to shop front elevation	Granted	10-06-2014
2014/3494/P	Replacement of existing single entrance door with double doors to the front ground elevation	Granted	10-06-2014
2004/4109/P	Rear extensions at basement, ground, first floor levels, extension at roof level and the installation of a new front elevation to an existing office building (Class B1) together with installation of new plant to the rear	Granted	15-11-2004
8702033	The formation of a new entrance doorway	Granted	30-09-1987
9401475	Alterations to front elevation at ground floor level	Granted	04-11-1994
9480044	The display of internally illuminated fascia sign	Granted	15-03-1994
8702033	Formation of new entrance doorway	Granted	03-08-1987
8501879	Installation of additional AC equipment to roof	Granted	04-11-1985
N16/12/C/12232	The change of use from light industrial to offices	Granted	10-01-1972

### Surrounding Area

- 2.11 There have been a number of applications for terraces in the wider local area. These are summarised in table 2.2 below.

**Table 2.2 Surrounding planning history**

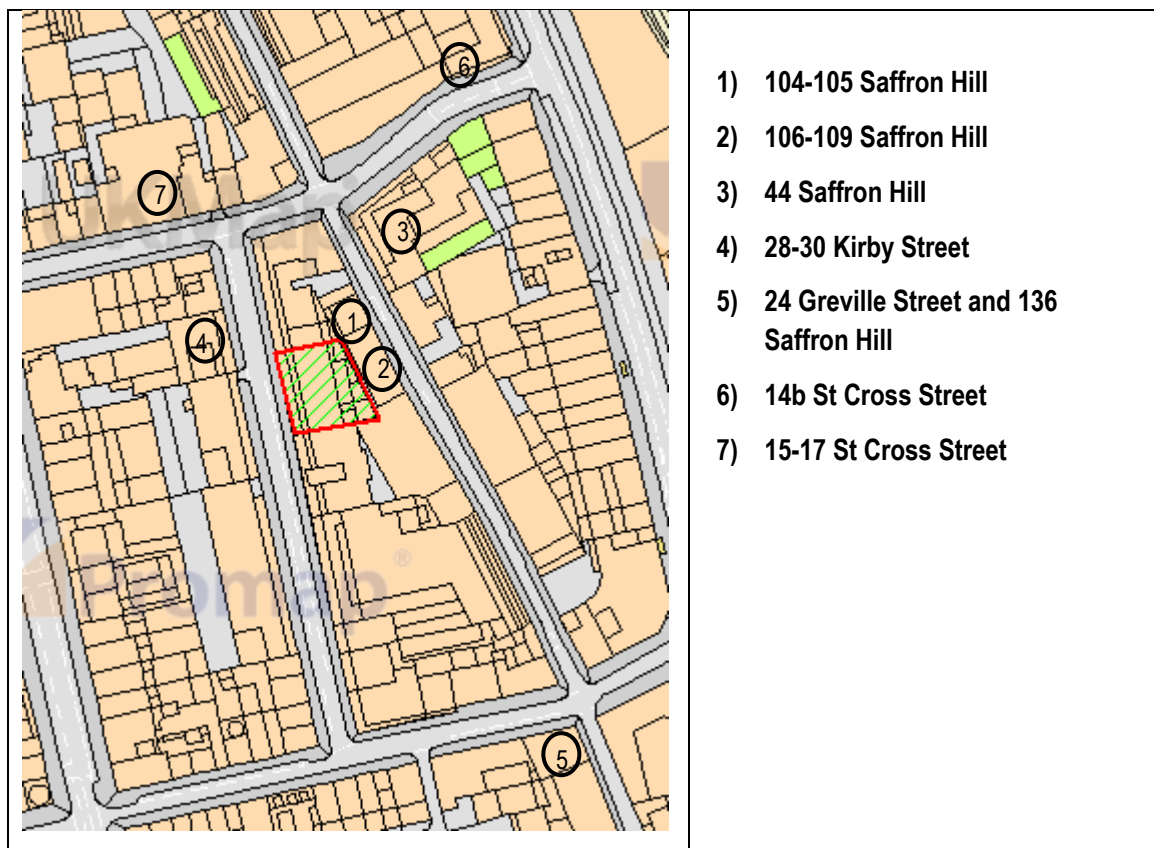
Application Number	Address	Proposal	Decision	Decision Date
<b>Kirby Street</b>				
2011/5901/P	28-30 Kirby Street (B1 Business, C3 Dwelling House)	Comprehensive redevelopment including the provision of terraced areas at 1 <sup>st</sup> , 4 <sup>th</sup> , 5 <sup>th</sup> and 6 <sup>th</sup> floor levels	Granted	23-02-2012
<b>Saffron Hill</b>				
2016/1601/P	104 Saffron Hill (B1a Business – Office)	Alterations to the main building entrance including partial demolition to provide a wider glazed entrance section	Granted	13-05-2016



Application Number	Address	Proposal	Decision	Decision Date
2011/5571/P	44 Saffron Hill (C3 Dwelling House)	Erection of 5 <sup>th</sup> and 6 <sup>th</sup> floors including the provision of external terraces at 6 <sup>th</sup> and 7 <sup>th</sup> (roof top) floors	Granted	20-07-2012
2010/0949/P	104-105 Saffron Hill (B1a Office, C3 Dwelling House)	Change of use from office (Class B1) at second, third and fourth floor levels to residential (Class C3) to create three self-contained flats (1x1 bed and 2x2 bed units).	Granted	05-03-2010
2008/3887/P	60-66 Saffron Hill (C3 Dwelling House)	Alterations to the roof level terrace including the construction of a glazed balustrade	Granted	23-09-2011
2010/4669/P	106-109 Saffron Hill (B1 Office, C3 Dwelling House)	Erection of 3 <sup>rd</sup> and 4 <sup>th</sup> floors with associated external terraces at 4 <sup>th</sup> floor level to create 4 residential units and remodelling of existing office space	Granted	08-08-2011
2006/0221/P	24 Greville Street and 136 Saffron Hill (B1 Office)	Construction of extension and construction of ground, 1 <sup>st</sup> and 3 <sup>rd</sup> floor level terraces	Granted	08-03-2006
<b>St Cross Street</b>				
2012/4162/P	14b St Cross Street (B1 Office)	Alterations to existing roof terrace at 7 <sup>th</sup> floor level	Granted	08-10-2012
2012/3560/P	25b St Cross Street (C3 Dwelling House)	Installation of glass privacy screens on rear/side parapets to create a roof terrace	Granted	04-09-2012
2010/1253/P	15-17 St Cross Street (B1 Office)	Construction of additional storey of office accommodation with associate roof terrace areas at newly created 5 <sup>th</sup> floor	Granted	07-02-2011
<b>Greville Street</b>				
2014/5148/P	27 Greville Street (B1 Office)	Construction of mansard roof extension to create 5 <sup>th</sup> floor with roof terrace above	Granted	16-01-2015
2012/4146/P	8-9 Greville Street and 25 Hatton Garden (C3 Dwelling House)	Redevelopment including formation of roof terrace	Granted	04-12-2014

2.12 The map below shows the location of the applications for terraces closer to the site.

**Figure 2.3: Site map showing location of terrace applications**



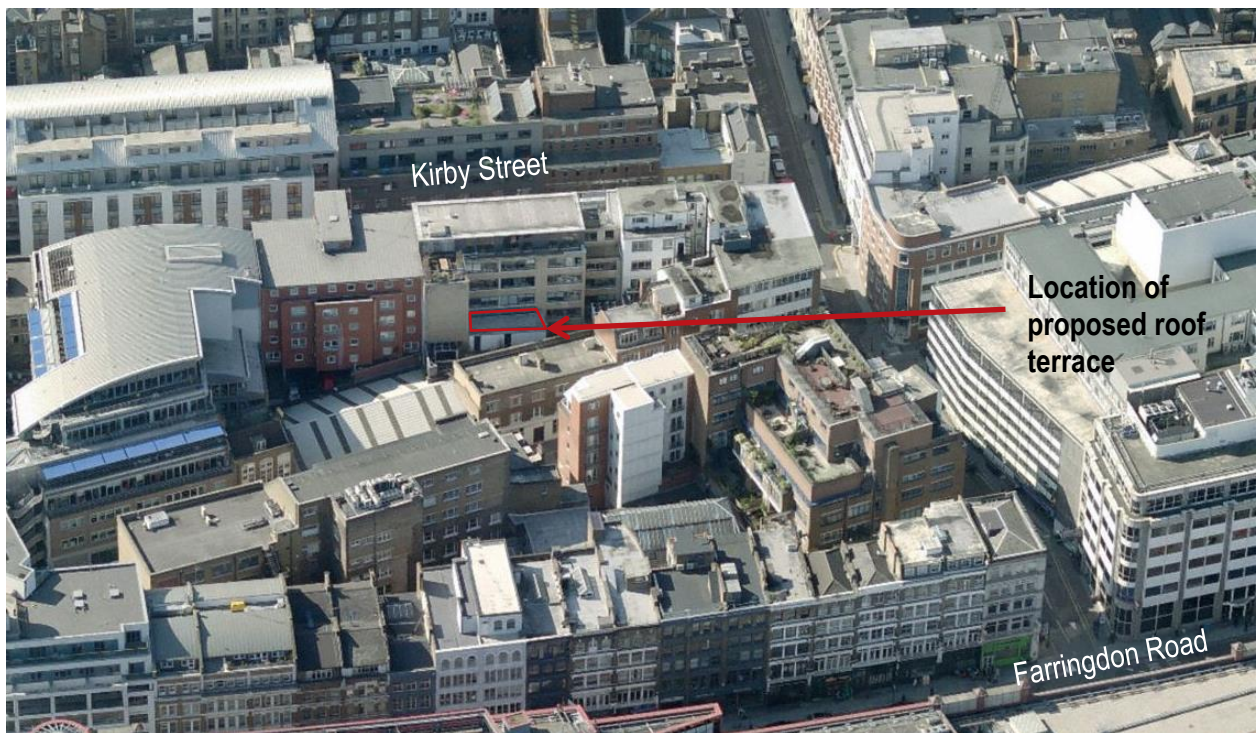
2.13 As shown in the submitted photographic survey, there is also a roof terrace present at 104-105 Saffron Hill.

## 3 The proposals

### Proposal

- 3.1 It is proposed to create a roof terrace at 2<sup>nd</sup> floor level, on a flat roof above the first floor extension which was completed in 2004.
- 3.2 The terrace will serve as an ancillary outside space for the existing office occupier.

**Figure 3.1: Location of proposed roof terrace**



### Design

- 3.3 The proposed terrace will cover the full dimensions of the flat roof, which is 28 sqm.
- 3.4 It will consist of timber decking, with a 1.8m high privacy balustrade of frosted glass delineating its perimeter. A 1.1m glass balustrade will be erected internally to protect the existing roof lights.
- 3.5 The existing window which overlooks the flat roof will be replaced by a new framed glass entrance door.
- 3.6 Access to the terrace will be DDA compliant ensuring ease of use for all members of staff and of the public.

### Privacy / overlooking mitigation

- 3.7 Given the character of this area, the rear of the site is in very close proximity to the rear of other buildings on Kirby Street and Saffron Hill. As a result, there is already significant overlooking from the site onto the rear of the properties fronting Saffron Hill. ,
- 3.8 The accompanying photomontage shows the views from existing office windows on the 2<sup>nd</sup> floor looking towards the rear of the properties on Saffron Hill. As it can be seen, the existing high degree of overlooking is not only from this site, but also from other neighbouring buildings onto the residential and commercial buildings on Saffron Hill. It is considered, therefore, than the introduction of a terrace in this location will not worsen this level of overlooking.
- 3.9 Nevertheless, careful consideration has been given to protecting the privacy and amenity of neighbouring occupiers as far as can be achieved in this dense urban context.



- 3.10 The proposed terrace fronts 106-109 Saffron Hill, which at basement, ground, first and second floors is in office use. Immediately to the north, there is 104-105 Saffron Hill which accommodates offices at ground and first floors, and residential above. Therefore in order to respect the privacy of nearby occupiers, it proposed that the 1.8m high privacy balustrade will be of frosted glass. This will prevent any views towards neighbouring buildings from the 2<sup>nd</sup> floor of 16-18 Kirby Street.
- 3.11 This is illustrated below in figure 3.2.

**Figure 3.2: Current Roof Layout and Neighbouring Uses**



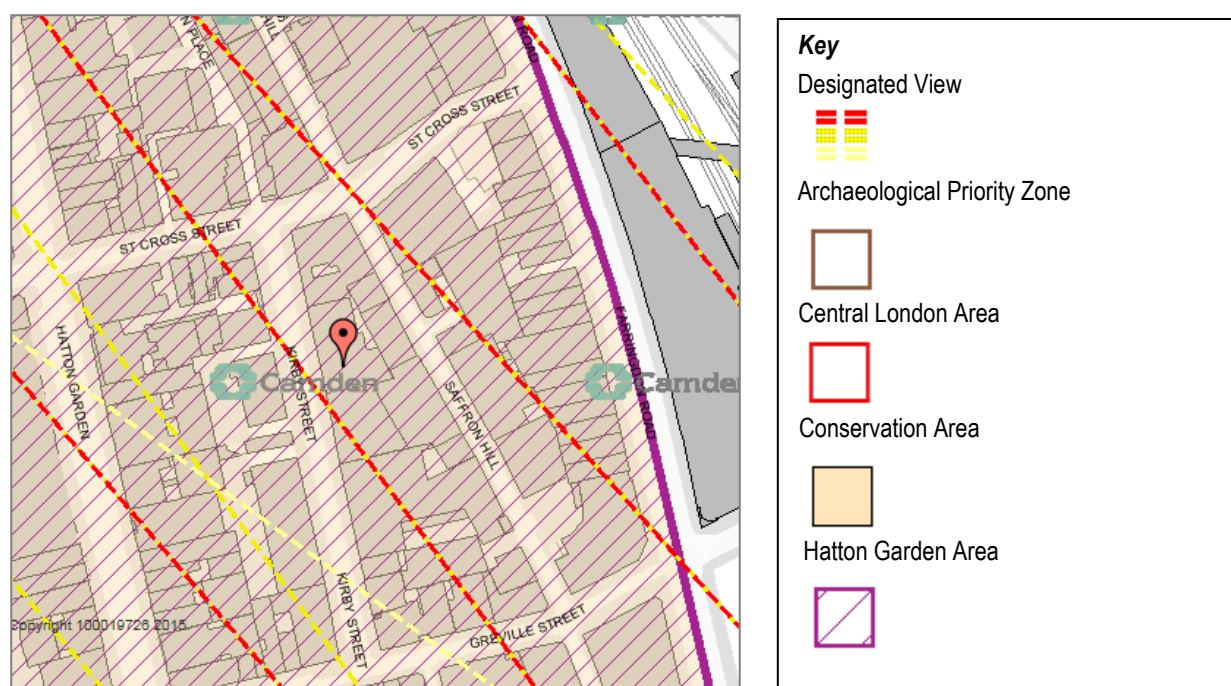
## 4 Relevant planning policy

- 4.1 The application site is situated in an area under the administrative control of LBC.
- 4.2 Section 38(6) of the Planning & Compulsory Act 2004 states that applications must be determined in accordance with the relevant Development Plan unless material considerations indicate otherwise.
- 4.3 The statutory Development Plan relating to the site comprises:
- The London Plan (LP, consolidated with alterations since 2011 (March 2016));
  - LBC's Core Strategy (CS, 2010);
  - LBC's Development Policies (DP, 2010); and
  - LBC's Emerging Local Plan (LP, 2016).
- 4.4 Regard should also be had to any relevant Supplementary Planning Documents and the Government's National Planning Policy Framework (NPPF, 2012).
- 4.5 The section below sets out policy designations relating to the site before reviewing adopted and emerging planning policy.

### Site Designations

- 4.6 The site is designated on the LBC Policies Map, and falls within:
- Designated View (2A.1 Parliament Hill summit to St. Paul's Cathedral – Right Lateral Assessment Area);
  - Archaeological Priority Area (London Suburbs);
  - Central London Area (Clear Zone Region) CLA;
  - Conservation Area (Hatton Garden); and,
  - Hatton Garden Area.

Figure 4.1: Extract from Policies Map



## National planning guidance

### National Planning Policy Framework (NPPF, March 2012)

- 4.7 The NPPF was adopted in March 2012 and is considered fundamental to Government Reforms to promote economic growth and make the planning system more accessible.
- 4.8 At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking (paragraph 14).

#### Design

- 4.9 In relation to design, paragraph 59 stipulates that design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, massing, height, landscape, layout, materials and access. Para 60 further adds that *“planning policies and decision should not attempt to impose architectural styles of particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”*.

#### Heritage

- 4.10 The site falls within the Hatton Garden Conservation Area, a designated heritage asset. Paragraph 132 requires LPAs to apply *“great weight”* to conserving such assets. The more important the assets, the greater the weight should be.
- 4.11 Paragraph 132 notes that where a development proposal will lead to ‘less than substantial harm’ to the significance of a designated heritage assets, then *“this harm should be weighed against the public benefits of the proposals, including securing its optimum viable use”*.

## Regional planning policy

### London Plan (LP, March 2016) update

- 4.12 The LP sets out the London Mayor’s strategic aspirations for development in London to 2031. Local Plan area expected to be in general conformity with these policies, which are by their very nature more generalised than those adopted by individual Borough’s like LBC.

#### Design

- 4.13 Policy 7.6 states that development proposals should not cause *“unacceptable harm to the amenity of surrounding building, particularly residential buildings, in relating to privacy, overshadowing, wind and microclimate”*. Proposals should also optimise the potential of sites.
- 4.14 Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings (Policy 7.4). Furthermore, proposals should have regard to the pattern and grain of existing space and contribute to a positive relationship between urban structures.
- 4.15 Policy 7.2 expects development proposals to be of the highest standards of accessibility and include design which seeks to ensure that development can be used safely and easily by all.

#### Heritage

- 4.16 Policy 7.8 should *“incorporate measures that ... protect and where appropriate, present’ London’s heritage assets. Development that affects heritage assets and their settings should conserve their significance by being ‘sympathetic to their form, scale, materials and architectural detail”*.

#### Economy

- 4.17 Policy 4.2 recognises the importance of offices stating that management and mixed use development and redevelopment of offices provisions should be supported to improve London’s competitiveness. Additionally, the renewal and modernisation of existing office stock will be encouraged.

## London View Management Framework

- 4.18 Policy 7.11 seeks to protect vistas towards strategically important landmarks by designating landmarks, viewing corridors and wider consultation areas. These elements together form protected vistas.
- 4.19 New development should not harm, and where possible should make a positive contribution to, the characteristics and composition of the strategic views and their landmark elements. It should also *“preserve or enhance viewer’s ability to recognise and to appreciate strategically important landmarks in these views”*.

### Local planning policy

#### LBC Core Strategy (CS, 2010)

- 4.20 The CS sets out the key elements of the LBC’s vision and helps it define and plan for the future by covering the physical elements of location and land use and addressing factors that make places ‘attractive, sustainable and successful’.

### Amenity

- 4.21 Policy CS5 outlines how LBC will manage the impact of growth and development in the borough. LBC will protect the amenity of Camden’s residents and those working in and visiting the borough by:
- *“Making sure that the impact of developments on their occupiers and neighbours is fully considered;*
  - *Seeking to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities; and*
  - *Requiring mitigation measures where necessary”.*
- 4.22 Supporting paragraphs 5.7 and 5.8 outline the importance of protecting amenity through successfully managing growth in Camden. LBC will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties or, where this is not possible, to take appropriate measures to minimise potential negative impacts.

### Design

- 4.23 Policy CS14 seeks to promote high quality places by ensuring that places and buildings are attractive, safe and easy to use. Developments need to be of the highest standard of design that respects local context and character.
- 4.24 Supporting paragraph 14.4 further highlights the importance of design by stating that *“development schemes should improve the quality of buildings, landscaping and the street environment and through this, improve the experience of the borough for residents and visitors”*. LBC will not accept design that is considered inappropriate to its context or which fails to take opportunities to improve the character and quality of an area and the way it functions.
- 4.25 Supporting paragraph 14.18 emphasises the importance of high quality landscaping. LBC will expect development schemes to provide a high standard of landscaping and boundary features such as walls and fences. The appropriate use of landscaping such as ‘green roofs’, ‘brown roofs’ and ‘green walls’ are encouraged.

### Heritage and Views

- 4.26 In addition to promoting good design, Policy CS14 seeks to preserve and enhance LBC’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens.
- 4.27 The important views of St Paul’s Cathedral and the Palace of Westminster from sites inside and outside LBC, and important local views will be protected.
- 4.28 Supporting paragraph 14.25 seeks to ensure that development is compatible with such views in terms of setting, scale and massing and will resist proposals that we consider would cause harm to them. Development will not generally be acceptable if it obstructs important views or skylines, appears too close or too high in relation to a landmark or impairs outlines that form part of the view.



## Economy

- 4.29 Policy CS8 promotes a successive and inclusive Camden economy. This includes providing a range of employment premises, protecting existing employment sites, as well as providing innovative new employment floorspace in developments.

### **LBC Development Policies (DP, 2010)**

- 4.30 The DP sets out the detailed planning criteria used to determine application for planning permission in LBC.

## Design

- 4.31 Policy DP22 promotes sustainable design and construction measures including incorporating green or brown roofs and green walls wherever suitable.
- 4.32 Policy DP24 expects all developments to be of the highest standard of design and to consider: the character, setting, context and the form and scale of neighbouring buildings.

## Heritage

- 4.33 Policy DP25 seeks to maintain the character of LBC's conservation areas. As such, DP25 will *"only permit development within conservation areas that preserves and enhances the character and appearance of the area"*.

## Amenity

- 4.34 Policy DP26 seeks to protect and quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. Factors considered under this policy include: visual privacy and overlooking; overshadowing and outlook; sunlight, daylight and artificial light levels; noise and vibration levels; odours, fumes and dust; microclimate; and, the inclusion of appropriate attenuation measures.
- 4.35 Supporting paragraph 16.3 reinstates the importance of amenity that can be influenced by its design and layout, the distance between properties, the vertical levels of onlookers and occupiers and the angle of views. LBC will expect that these elements are considered at a design stage of a scheme to prevent potential negative impacts of the development on occupiers and neighbours.

### **Other material considerations**

#### **London View Management Framework SPG (LVMF, 2012)**

- 4.36 The LVMF provides the policy framework for managing the impact of development on key panoramas, river prospects and townscape views.
- 4.37 A planning application for a proposal that could affect a Designated View should be accompanied by an analysis that explains, evaluates and justified any visual impact on the view. The analysis should consider the likely significant, scale and magnitude of the effect caused by the proposal's size, shape or design with reference to the London Plan.
- 4.38 The site falls within the designated Parliament Hill London Panorama. There are a number of outlooks on the hill, but *"some of the best panoramic views are from the summit, towards the City of London, St Paul's Cathedral and the Victoria Tower of the Palace of Westminster"*.

#### **Camden Planning Guidance CPG 1 (Design)**

## Heritage

- 4.39 Chapter 3 provides guidance on identified heritage assets, which include conservation areas. Paragraph 3.7 states that LBC will only permit development within conservation areas that preserves and enhances the character and appearance of the area.

## Design

- 4.40 Chapter 5 provides advice on roof alterations and on proposals for balconies and terraces. LBC will seek to ensure that roof alterations are sympathetic and do not harm the character and appearance of the buildings or the wider townscape in the borough.



- 4.41 Paragraph 5.24 states that balconies and terraces should form an *“integral element in the design of elevations. The key to whether a design is acceptable is the degree to which the balcony or terrace complements the elevation upon which it is to be located”*. Consideration will be given to the following aspects:
- Detailed design to reduce the impact on the existing elevation;
  - Careful choice of materials and colour to match the existing elevation;
  - Possible use of setbacks to minimise overlooking – a balcony need not necessarily cover the entire available roof space;
  - Possible use of screens or planting to prevent overlooking of habitable rooms or nearby gardens, without reducing daylight and sunlight or outlook; and
  - Need to avoid creating climbing opportunities for burglars.
- 4.42 A terrace provided at roof level should *“be set back behind the slope of a pitched roof... or behind a parapet on a flat roof”*. A terrace should normally comply with the following criteria:
- The dimensions of the roof should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property.
  - A terrace will only normally be acceptable on the rear of properties. It is normally inappropriate to set back a mansard roof to provide a terrace.
  - Any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground.
  - It should not result in overlooking of habitable rooms of adjacent properties.

### **Camden Planning Guidance CPG 6 (Amenity)**

#### **Overlooking and privacy**

- 4.43 Chapter 7 seeks to protect the privacy of existing dwellings and to secure mitigation measures where overlooking is unavoidable.
- 4.44 Development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. New roof terraces should be carefully designed to avoid overlooking. To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. The minimum requirement will be the distance between the two closest points on each building (including balconies).
- 4.45 Where this standard cannot be met, LBC may require applicants to incorporate some of the following design measures into the scheme to ensure overlooking is reduced to an acceptable level. Design measures to reduce the potential for overlooking and the loss of privacy include:
- Use of obscure glazing;
  - Screening by walls or fencing; and,
  - Screening by other structures or landscaping.
- 4.46 Where landscaping is used as a method of screening, arrangements for ongoing maintenance should be put in place and this may be secured by a planning condition.

## 5 Justification for planning permission

- 5.1 This section considers the key issues relating to the proposals in the context of relevant national, regional and local planning policy, as well as material considerations.
- 5.2 The following issues are key to the application and are considered in turn below:
- (a) The design of the terrace;
  - (b) The impact on residential privacy / overlooking;
  - (c) The impact on designated heritage assets;
  - (d) The impact on designated views.

### **(a) The design of the terrace**

- 5.3 Planning policies expect balconies and terraces to form an integral element in the design of elevations to complement the elevation upon which they are located. In designing the proposed terrace, consideration has been given to the following aspects:

#### **Detailed design to reduce the impact on the existing elevation**

- 5.4 The existing building is of no particular architectural merit and the design will only involve a slight change to the rear of the property, as well as incorporating sensitive high quality features and materials that will not result in an adverse impact on the existing elevation. It therefore complies with Policy CS14 which seeks to promote high quality places and to conserve LBC's heritage.

#### **Careful choice of materials and colour to match the existing elevation**

- 5.5 The materials proposed will complement the character of the area and the neighbouring properties and ultimately improve the rear appearance of the building, in line with Policy CS14 and paragraph 5.24 of CPG 1.

#### **Possible use of setbacks to minimise overlooking – a balcony need not necessarily cover the entire available roof space;**

- 5.6 Given the small size of the existing flat roof on which the proposed terrace is to be located, it is not considered feasible to incorporate set-back in this instance. A privacy screen is proposed to avoid any overlooking onto neighbouring properties.

#### **Need to avoid creating climbing opportunities for burglars**

- 5.7 This terrace will be constructed on an existing flat roof at 2<sup>nd</sup> floor level with a 1.8m privacy screen. It is not considered that this will result in climbing opportunities for burglars and thus complies with supporting paragraph 5.24 of CPG 1 on Design.

#### **The dimensions of the roof should be sufficient to accommodate a terrace without adversely affecting the appearance of the roof or the elevation of the property;**

- 5.8 The size of the 2<sup>nd</sup> floor flat roof (xxx sqm) is sufficient to create a small ancillary space for the office occupiers. The proposed terrace area is modest and will not adversely affect the appearance of the rear elevation.

#### **A terrace will only normally be acceptable on the rear of properties. It is normally inappropriate to set back a mansard roof to provide a terrace;**

- 5.9 The terrace will be located on the rear elevation of the building and will not be altering a mansard roof.

#### **Any handrails required should be well set back behind the line of the roof slope, and be invisible from the ground;**

- 5.10 The proposal will not affect the roof line of the building.

- 5.11 The balustrade will not be visible from public spaces or from Kirby Street, as the proposed terrace is on the rear elevation. The balustrade will be visible from the rear of the site but as stated above, the choice of materials will ensure that the proposal fits in with the existing elevation.
- 5.12 Given the above, it is considered that the proposal will ensure excellent design and improve the quality of the area. Therefore, this is in line with LP policies 7.2, 7.4 and 7.6, local policies DP 22, DP 23 and DP 24 and CS14, and will also meet the requirements of CPG 1 on design.

***(b) The impact of residential privacy and overlooking***

- 5.13 The proposed location directly fronts 106-109 Saffron Hill and 104-105 Saffron Hill. In order to maintain the privacy of neighbouring residential occupiers, it is proposed to install a privacy balustrade that is 1.8m in height.
- 5.14 The proposed balustrade's frosted glass will be in accordance with supporting paragraph 4.46 of CPG 6, which states that obscure glazing can be used to reduce the potential for overlooking and the loss of privacy. Indeed, the frosted glass will significantly restrict views towards neighbouring buildings.
- 5.15 Additionally, the terrace will only be used as an ancillary space by the office occupiers of the 2<sup>nd</sup> floor. The use of the terrace will be restricted so that no use will take place in the evening, during weekends and bank holidays.
- 5.16 It is considered, therefore, that the proposal will have negligible impact on the privacy of neighbouring buildings in accordance with policy DP23, CS supporting paragraphs 5.7 and 5.8 and the requirements of CPG 6.
- 5.17 It is also noted that the existing terraces permitted in the locality and at 4<sup>th</sup> floor level confirm that the principle of the creation of a terrace at 16-18 Kirby Street is acceptable.

***(c) The impact on designated heritage assets***

- 5.18 The site falls within the Hatton Garden Conservation Area, a designated heritage asset.
- 5.19 The building is neither statutorily nor locally listed. None of the neighbouring buildings on Kirby Street or Saffron Hill are statutorily or locally listed.
- 5.20 The proposal will only affect the appearance a small section of the rear elevation of the building, which cannot be seen from Kirby Street, Saffron Hill, St Cross Street or Greville St, as the buildings are arranged as a 'perimeter block' which prevent views to the rear façade of the building.
- 5.21 By improving the appearance of the flat roof, the proposal will add interest and articulation to the design of the building and have no adverse impact on the appearance and character of the Hatton Garden Conservation Area.
- 5.22 Additionally due to the presence of terraces in neighbouring buildings, this proposal will be in line with the existing character of the area.
- 5.23 Given the above, it is considered that the proposed terrace adheres to local policies CS14 and DP25, and the requirements of CPG1.

***(d) The impact on designated views***

- 5.24 The site falls within the designated panorama of Parliament Hill (2A.1).
- 5.25 The proposal relates to the 2<sup>nd</sup> floor of a basement, ground and five upper floors building. No element of the proposal will protrude above the height of the existing building, nor will it protrude above the height of the neighbouring buildings. Therefore the proposal will not impact the designated London Panorama.
- 5.26 The proposal is therefore in accordance with LBC policy CS14 and the London View Management Framework SPG.

## 6 Conclusions

- 7.1 This planning application proposes the creation of a terrace on the 2<sup>nd</sup> floor at the existing flat roof structure.
- 7.2 The proposed design is sympathetic to the appearance and character of the area. As it is to the rear of the site, the proposal will have no impact on Hatton Gardens Conservation Area.
- 7.3 Careful consideration has been given to the privacy and amenity of neighbouring residential occupiers. A 1.8m privacy balustrade of frosted glass will be installed that significantly restricts views towards neighbouring buildings from the 2<sup>nd</sup> floor.
- 7.4 It is our view that the application accords with relevant national, regional and local planning policies and that it is appropriate to grant planning permission.



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