

**PLANNING, DESIGN
AND ACCESS
STATEMENT
3 LEVERTON PLACE**

Quality Assurance



Site name:	3 Leverton Place, London, NW5 2PL
Client name:	Mr Edzard van de Wyck
Type of report:	Planning, Design and Access Statement
Prepared by:	Vivienne Goddard
Signed	
Date	09/06/2017
Reviewed by:	Matt Richards
Signed	
Date	09/06/2017



Table of Contents

1.0	Introduction	1
2.0	Site and Surrounding Area	2
3.0	Planning History	3
4.0	Proposed Development	4
5.0	Planning Policy Context	4
6.0	Planning Considerations	6
7.0	Conclusions	8

1.0 Introduction

- 1.1 This *Planning, Design and Access Statement* has been prepared by Bidwells LLP, on behalf of our client, in support of a planning application for “*the creation of a rear roof terrace on the existing first floor flat roof with privacy screening and other associated works*” at 3 Leverton Place, NW5 2PL.
- 1.2 The conversion of the existing flat roof to provide a timber decked roof terrace provides a uniform design approach across the whole terrace which is considered to help improve the physical appearance of the rear of not just the application property, but the whole terrace. Timber screening will be positioned to avoid overlooking onto the adjoining gardens of Nos. 7, 9 and 11 Leverton Street. The proposed height of the screening ensures the necessary level of privacy and prevents overlooking whilst also ensuring that sunlight / daylight levels of the neighbouring properties are preserved. The Sunlight / Daylight report submitted with this application confirms that light levels to all windows would satisfy both sunlight and daylight BRE standards and would also pass the BRE overshadowing to gardens and open space test.

Application Documents

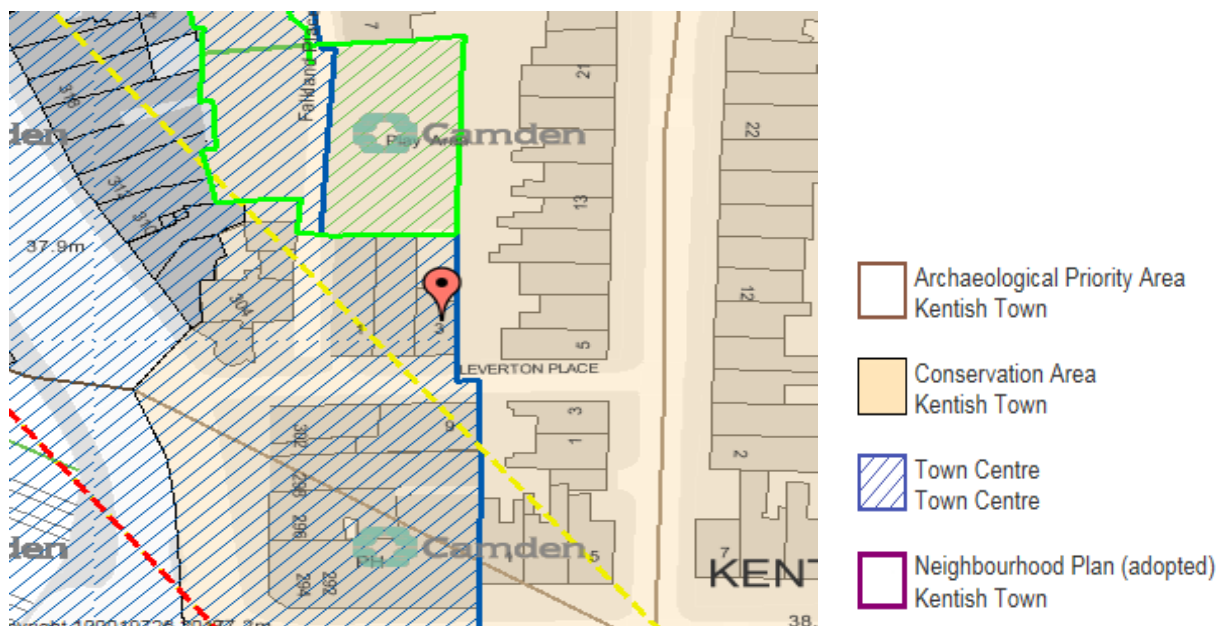
- 1.3 The application comprises the following documents:
- Applications forms and Certificate A;
 - This Planning, Design and Access Statement;
 - Existing rear elevation Ref 15 02 100
 - Proposed Rear Elevation; First Floor Plan and Screen Details Ref 1502 700 Rev C4
 - Photographs showing the existing situation;
 - Daylight and Sunlight Study (Neighbouring Properties) (2 June 2017) produced by Right of Light Consulting; and
 - Noise Impact Assessment (30 March 2017) produced by KR Associates.
- 1.4 The statutory application fee of £172.00 will be paid separately by the Applicant.

2.0 Site and Surrounding Area

- 2.1 The site is fully developed, comprising a 3 storey single family dwellinghouse. The property forms the east end of a terrace of 3no. residential properties. The rear elevation at first floor level provides a largely glazed elevation with 1no. timber framed opening and 1no. frameless window looking out over the flat roof.
- 2.2 No.s 1 and 2 Leverton Place have existing terraces on the full extent of the roof over the rear ground floor extension. The rear terraces between No.1 and No.2 are separated by a brick wall while No. 2 and No.3 are separated by railings which allows views between the roofs.
- 2.3 To the east, the property adjoins the gardens of Leverton Street and are separated by an existing low level timber screen and vegetation. To the north the property adjoins a child's play space.

Development Plan Allocations and Other Designations

- 2.4 The site is located within the designated town centre and within an archaeological priority area. The building is not listed, but is located within the Kentish Town Conservation Area. It is identified within the *Kentish Town Conservation Area Appraisal* as being a building that makes a positive contribution to the character of the conservation area.
- 2.5 The site is within Flood Zone 1 with a low risk of flooding. The site has a high public transport accessibility with a PTAL of 6b. The area to the rear is the designated Falkland Place Open Space.



Extract from Proposals Map

3.0 Planning History

3.1 The relevant planning history for the application site is detailed below:

- On 31 January 2017 planning permission (Ref. 20167/1088/P) was granted for the *“erection of rear ground floor extension. Erection of rear first floor infill and second floor part width extensions. Changes to rear elevation fenestration details”*.
- On 9 February 2017 (Ref. 2017/0362/P) a non-material amendment application to works under planning permission 2016/1088/P dated 11 May 2016 for a rear ground floor extension, rear first floor infill and second floor part width extensions and changes to rear elevation fenestration details; namely alterations to the rear elevation first floor window.
- On 21 November 2000 planning permission (Ref. PEX0000728) was granted at No.s 1, 2 and 3 Leverton Place for *“Change of use of three ground-floor shops with flats above to three family dwelling houses entailing external alterations including the erection of railing around the rear roof terrace and the provision of balconettes on the front elevation”*.

3.2 On 12 March 2001 Planning permission (Ref. PEX0100201) was refused at No.s 1-3 Leverton Place for the *“variation of planning permission dated 21st November 2000 (PEX0000728) to provide a plant room/conservatory on the roof of each property, rear roof terrace and minor external alterations, including solar heating panels, as shown by drawing numbers 4A/LP/0301, 3A/LP/1000, 3A/LP/800 & 1A/LP/800”*.

3.3 With regard to the neighbouring property at No.2 Leverton Place, the following application is relevant:

- On 24 June 2013 planning permission (Ref. 2013/2557/P) was granted for the replacement of existing roof lantern with flush rooflight and installation of new rooflight over existing courtyard to enlarge existing first floor terrace to dwelling (Class C3).

3.4 The planning officers delegated report supporting a terrace in this location stated that *the “extended terrace would not have any impact on the amenity of neighbours given that it is surrounded by a high fence which prevents direct overlooking”*.

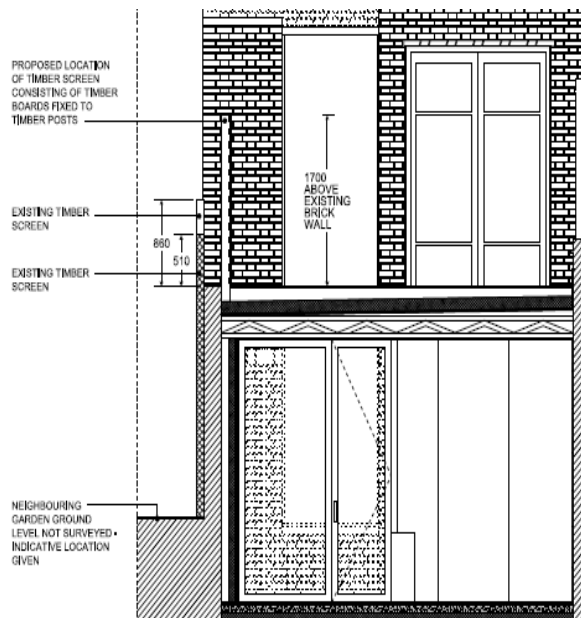
4.0 Proposed Development

4.1 Planning Permission is sought for:

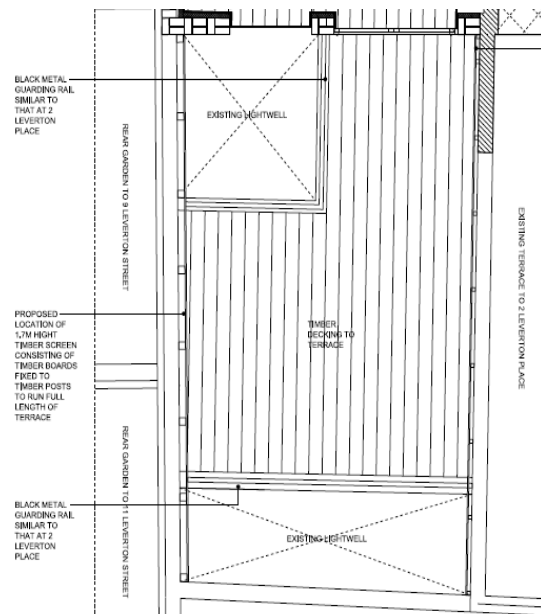
"The creation of a rear roof terrace on the existing first floor flat roof with privacy screening and other associated works".

4.2 A timber decking terraced is proposed across the extent of the flat roof. The existing lightwells will remain and will be surrounded by a black metal guard rail. This will largely mirror the layout and materials used on the adjoining terrace at No.2 Leverton Place.

4.3 Access to the terrace will be via timber framed double doors. A 1700mm timber screen will replace the existing smaller 860mm screen running along the eastern boundary. This will consist of timber boards fixed to timber posts to run the length of the terrace. This will ensure that privacy to the gardens of No.s 7, 9 and 11 Leverton Street is maintained.



Proposed Elevation



Proposed first floor terrace

5.0 Planning Policy Context

Introduction

- 5.1 In accordance with Section 38(6) of the Planning Compulsory Purchase Act 2004, any planning application for new development should be judged in accordance with the development plan unless material considerations indicate otherwise.

National Planning Policy Framework

- 5.2 The National Planning Policy Framework (NPPF), published on the 27 March 2012, sets the Government's planning policies of England and how these are expected to be applied:

"National planning policy is set out in the National Planning Policy Framework (NPPF). At the heart of the NPPF is the presumption in favour of sustainable development. "For decision taking this means: approving development proposals that accord with the development plan without delay" (para 14).

"There are three dimensions to sustainable development; economic, social and environmental. It is recognized that these dimensions give rise to the need for the planning system to perform a number of roles; the social role being "supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the communities' needs and support its health, social and cultural well-being" (para 7).

Development Plan Document

- 5.3 The adopted development plan comprises The London Plan FALP 2016; Camden Core Strategy and Development Plan Policies (adopted November 2010). This is supported by Supplementary Planning Documents, the following of which are relevant to this application: *Camden Planning Guidance CPG 2 Housing* and *(CPG6) Amenity*.

- 5.4 With regards to emerging policy, we understand that the emerging local plan is expected to be adopted in June 2017. Accordingly, we have addressed both policies. The most relevant adopted and emerging policies to this application are set out below and are considered further in the subsequent section of this Statement.

- DP24: Securing High Quality Design;
- DP25 Conserving Camden's Heritage;
- DP26 Managing the impact of development on occupiers and neighbours;
- DP28 Noise and Vibration;
- Emerging Policy A1 Managing the impact of development;
- Emerging Policy A4 Noise and Vibration;
- Emerging Policy D1 Design; and
- Emerging Policy D2 Heritage.

6.0 Planning Considerations

Principle of a Roof Terrace

- 6.1 Private outdoor amenity space is recognised as an important resource for residential that can add significantly to quality of life. Policy DP24 'Securing High Quality Design' supports the provision of appropriate amenity space. Supporting text of Policy DP24 encourages applicants to *"explore all options for the provision of new private outdoor space. Gardens, balconies and roof terraces are greatly valued and can be especially important for families"* (para 24.23). It is recognised that due to the built up nature of the borough, the provision of private amenity space can be challenging, but the provision of a terrace is supported by policy, subject to being able to demonstrate that there is no impact on residential amenity and where it is appropriate in terms of design and conservation.

Design

- 6.2 There will be no works visible from the frontage. The proposed decking and the existing lightwells will correspond with the design and materials on the adjoining terrace. The proposal allows the opportunity to introduce a comprehensive design approach across the full terrace, providing improved appearance from private views.
- 6.3 The detailed design guidance for roof terraces is set out in Camden Planning Guidance (CPG1) Design. It is recognised 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"* (para 5.24).
- 6.4 There will be no impact to the existing design of the rear elevation and the existing fenestration will remain unchanged. The materials used for the terrace itself have been chosen to compliment both the existing elevation and the wider terrace. The two adjoining terraced properties at No.1 and No.2 already have a timber decked terrace with a metal guard rail around the lightwells. The proposal with the timber decking and the existing lightwells will correspond with the design and materials on the adjoining terrace, which is considered to be aesthetically more in keeping than the existing aluminium flat roof. The terrace is set back behind the lightwell to the rear of the property and will be sufficiently screened to the east to prevent overlooking without reducing daylight and sunlight or outlook. We consider that proposals accord with the relevant design guidance.

Heritage and Conservation

- 6.5 The Kentish Town Conservation Area Appraisal and Management Strategy identifies the wider terrace of No.1 to 3 Leverton Place as buildings that provide a positive contribution to the character of the conservation area. Leverton Place is specifically mentioned as follows: *"Leverton Street and the return into Leverton Place have coloured stucco houses with narrow front gardens. Some houses retain 'greek' detailing in the window detailed metalwork. There is a homogeneous design of house and detailed joinery"*.
- 6.6 With regard to the properties location in the conservation area, Policy DP25 'Conserving Camden's Heritage' permits development that preserves and enhances the character and appearance of the area.

- 6.7 The terrace itself is not visible from any public views, although the rear elevation is visible from the playground. There will be no changes to the rear elevation and the existing fenestration. The terrace itself is only visible from private views. The two adjoining terraced properties at No.1 and No.2 already have a timber decked terrace. The proposed decking and the existing lightwells will correspond with the design and materials on the adjoining terrace and is considered to be aesthetically more in keeping than the existing aluminium flat roof. We consider that in accordance with Policy DP25 and emerging Policy D2, proposals preserve the character of the conservation area and improve private views across the terrace.

Protecting Residential Amenity

- 6.8 Policy DP26 specifically relates to protecting the quality of life of occupiers and neighbours. Policy DP26 states that planning permission will only be granted where it does not cause harm to amenity. The factors considered include inter alia:

- a. Visual privacy and overlooking;
- b. Overshadowing and outlook;
- c. Sunlight, daylight and artificial light levels; and
- d. Noise and vibration levels.

a) Visual Privacy and Overlooking

- 6.9 The introduction of the 1700mm timber privacy screening, together with the existing vegetation between the property boundary, ensures the privacy of the adjoining properties at No.s 7, 9 and 11 Leverton Place is maintained. There will be no overlooking into the gardens of the properties. The views into the ground, first and second floor windows are also appropriately obscured. The minimal views between properties are completely appropriate within the context of the surrounding built form.

b) Overshadowing and Outlook

- 6.10 Outlook is described in the Camden Planning Guidance Amenity (CPG6) as the “*visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is dependent on what is being viewed*” (para 7.8). With regard to the outlook from the garden of the properties at No.7, No.9 and No.11 Leverton Street, all look on the side wall of No. 3 Leverton Place. Outlook onto a timber screen is again completely appropriate within the context of the layout of surrounding gardens and built form.
- 6.11 The supporting *Daylight and Sunlight Study* includes an assessment of overshadowing into the gardens of No.7, No.9 and No.11 Leverton Street. In accordance with BRE Guidelines, the proposed development would not create any new areas which receive less than two hours of sunlight on 21 March.
- 6.12 Accordingly, we contend that the scheme represents an appropriate balance between achieving the necessary amount of privacy together with appropriate outlook commensurate with this environment. Accordingly, we maintain the opinion that in terms of privacy and overlooking, outlook

and overshadowing, the necessary amenity requirements are maintained in accordance with Policy CS5 and DP26 and emerging Policy A1.

c) Sunlight and Daylight

- 6.13 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).
- 6.14 A Daylight and Sunlight Study has been submitted in support of this application. This concludes that with regard to daylight, all windows pass the Vertical Sky Component and Daylight Distribution Test. The proposed development therefore satisfies the BRE daylight requirements.
- 6.15 With regard to sunlight to windows, all windows pass both the total annual Sunlight Hours' Test and the Winter Sunlight Hours' Test. The proposed development therefore passes the BRE direct sunlight to windows requirements.

d) Noise

- 6.16 Policy DM28 states that the Council will seek to ensure that noise is controlled and managed and will not grant planning permission for inter alia development sensitive to noise in locations with noise pollution unless appropriate attenuation measures are provided. The supporting justification to Policy DM28 recognises that *"the effects of noise and vibration can be minimised by separating uses sensitive to noise from development that generates noise and by taking measures to reduce the impact"* (paragraph 28.2).
- 6.17 A Noise Impact Assessment has been submitted in support of this application. Table 1 below sets out the model average of background noise measurement and the level of noise that would be generated from the terrace at the identified receptor through normal conversation. The noise generated is -13db lower than the existing background noise.
- 6.18 Accordingly, it is concluded that the proposed terrace would have no detrimental effect on the residents in terms of noise. Although it was concluded that noise mitigation would not be required, the timber screening will further limit any effects. It is considered that the proposal complies with Policy DM28 and emerging Policy A4.

7.0 Conclusions

- 7.1 The proposal provides high quality private outdoor amenity space to a family house as supported by Policy DP24. The provision of a terrace is entirely appropriate in this location. The principle of the location of a roof terrace to the rear of the terrace of houses is established by planning permission for the extended terrace at No.2 Leverton Place (Ref. 2013/2557/P).
- 7.2 The proposed timber screening ensures the necessary level of privacy into both the garden and adjacent windows is protected. The supporting Daylight / Sunlight Report confirms that the proposed development satisfies BRE standards for Sunlight and Daylight. The proposal also passes the BRE overshadowing to gardens test. The overlooking onto a timber screen is completely appropriate within the surrounding context. The noise report confirms that the normal usage of the terrace would have lower noise levels than the existing situation
- 7.1 The proposal results in no detrimental impacts to residential amenity and is fully compliant with the criteria set out in Policy DP26 and emerging policies A1 and A4.
- 7.2 In terms of design, the proposals accord with the criteria set out in CPG 1 Design. There will be no changes to the rear elevation and the existing fenestration and no impact on public views. The provision of a timber decked roof terrace improves the physical appearance of the rear area and complements the wider terrace, improving private views.
- 7.3 The proposed design and materials compliment the adjoining terrace and are aesthetically more in keeping than the existing aluminium flat roof. The terrace is not visible from public views, but will improve private views within the conservation area. In accordance with Policy DP25, the proposals preserve the character of the conservation area and improve private views across the terrace.
- 7.4 For the above reasons, it is respectfully suggested that the application proposals should be supported and permitted. We trust the detail included above and in the enclosed supporting information provide you with sufficient information, but should you require anything further, please do not hesitate to ask.

