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Design & Access Statement

For
Formation of a Rear Facing Amenity Area

at

Flat 3
45 Goldhurst Terrace
London
NW6 3HB

August 2018

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1. Introduction

We are instructed to provide a new design for a rear facing projecting amenity area, off the current Living /Kitchen area at Flat 3, 45 Goldhurst Terrace London NW6 3HB to which this document relates. Such is relevant to the recent withdrawal of planning application Ref: 2018/1796/P.

The formation described below and in the associated drawings have been derived by taking into consideration aspects of the former application that were considered to be unacceptable, yet still working with the building owner and owner of the property beneath.

We set out in the following text and associated drawings, a submission that provides a new design for this alteration to the existing property, which has orientation facing the private rear garden aspect.

Such is to modify an existing mono-pitch roof structure to a rear facing bay, generating a very small area of exterior amenity, that in turn serves to improve the property and the experience of its 'day to day' use under the realms of amenity value.

In essence, this is a suggested alteration to an existing Juliet balcony, that exists at the exact location at present.

2. Drawings and Submission Material

Planning Application Design Material (judd. architecture ltd)

1803 01A	Location Plan
1803 02A	Site Plan
1803 100	Existing Site Photographs
1803 101	Existing Site Photographs

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1803 102	Neighbouring Property Photographs
1803 103	Neighbouring Property Photographs
1803 EX01	Existing Floor Plan
1803 EX02	Existing Elevation & Section A-A
1803 PR100	Proposed Floor Plan
1803 PR101	Proposed Elevation & Section A-A
1803 PR102	Proposed Detail Section

Former Consented Design Material (Sepia Design) – reference only
Such relates to Consent Ref: 2015/5564/P

A9743PA/005A – Plans
A9743PA/007A – Rear & Side Elevations
A9743PA/008A – Section A-A

3. Relevant Planning Policies

Careful consideration to the planning policies below has been adopted throughout the design of this proposal.

Local Development Framework Camden Core Strategy 2010 - 2025

CS5 (Managing the impact of growth and development)
CS14 (Promoting high quality places and conserving our heritage)
DP24 (Securing high quality design)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)

Camden Planning Guidance 2018

CPG1 (Design)
CPG6 (Amenity)

National Planning Policy Framework

South Hampstead Conservation Area Character Appraisal and Management Strategy - February 2011

3.0 Assessment of Special Interest

3.1 *South Hampstead is a well preserved example of a leafy Victorian suburb, almost exclusively residential in nature, and largely homogenous in scale and character. The area is characterised by large, semi-detached and terraced late-Victorian properties, in red or gault (white / cream) brick, with a particularly distinctive and attractive roofscape including turrets, gables, and tall chimneys. Houses are made special by a variety of decorative treatments including terracotta panels and brickwork ornamentation, tiled and patterned footpaths, delicate ironwork, and elaborate timber doors and windows, including some original stained and leaded glass.*

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3.2 One of the most prominent features of the area is vegetation – both to the front and rear of properties. Green front gardens demarcated by low or ornate garden walls topped with hedges contribute strongly to the area's character. Building lines of the residential streets are generally set-back from the pavement which, with the boundary landscape treatment and many mature specimen trees, are essential in giving the streetscape its attractive and serene quality.

13.35 It is notable that in April 1988, guidelines for roof alterations in the area were formally adopted by the Council, prior to the area's adoption in November of that year as a conservation area. The wide variety of roofs - from simple decorated gables, to elaborate Dutch gables and pediments, to steep French style hipped and mansard roof, turrets and ogee-shaped domes - play a very important role in maintaining the character of the CA.

13.39 Recessed roof terraces may be allowed to the rear roof slope in line with CPG.

Appendix 1: Built Heritage Audit

45 Goldhurst Terrace is included as Positive Contributor

4. Design Brief & Associated Solution

Brief

At the existing French doors and Juliet balcony, with exposed mono-pitch roof detail, provide a small external amenity space at the rear of the flat and off the main living / kitchen space.

Brief Expanded

Provide a decking or surface area form, to place outdoor ornamental planting, whilst appreciating the need to conserve the privacy of the direct and indirectly positioned properties.

Adjust the existing mono-pitched roof detail to the bay below and provide a flat area with associated guarding to form a more modest external space. Retention of the current roof form, but carving out a central section to provide an externally placed deck.

Maintain and use the existing French doors providing access to the area.

The external amenity space will be smaller than the previous proposal. It will have a depth of circa 550mm and a width of circa 1846mm, and it can act as a location for plants and garden ornaments.

The nature of the small area is mainly to provide the perceived feeling of an external space and a direct connection with the outside. Such to improve the internally focused space, and enhance the quality of the amenity provision of the flat beyond current levels. Private outdoor amenity space can add significantly to resident's quality of life and applicants are therefore encouraged to explore all options for the provision of new private outdoor space,

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whilst preserving the residential amenity of neighbours in accordance with policy DP26 and CS5 (DP24.23).

Obtain the above, and by arrangements/agreements already obtained with the fellow freeholder/neighbour below, undertake a design proposal that does not provide problems with the property beneath and that preserves the character and appearance of the host building and surrounding area.

Existing Site & Building

This particular property is a first floor flat with two bedrooms.

Such has benefited from alterations that have been consented under planning reference 2015/5564/P and one element of this is the provision of a rear facing Juliet balcony which allows for external amenity views.

Such is formed within a period property in the South Hampstead Conservation Area at the end of a terrace, as part of a residential street, made up of terraces of the same formation.

The property is divided into flats, all sitting one above the other, with internal and external communal access.

The property is divided into Freehold and Leasehold legal ownership and the applicant is a Leaseholder.

The property enjoys front and rear facing aspects where the bedrooms are positioned facing the front and living/kitchen facilities to the rear.

The location of the proposed work is at a pair of existing inward opening French doors that expose a mono pitch roof detail when opened. I concur that a guarding rail should be in existence above the existing roof detail but this does not seem to have been fitted. The situation does currently provide a fundamental safety hazard, with the doors being opening.

The flat contains the following accommodation:

Entrance Hall

Kitchen / Living Room combined

Bathroom

Bedroom 1

Bedroom 2

The location of the external amenity area is at the rear of the building and it is utilising an existing French door and Juliet balcony condition. There is also a window aside providing daylight and ventilation to the space.

The location for the new floor deck is directly above a ceiling zone to the flat demise below and the area chosen is cloaked by the existing external walls of a rear projecting bay.

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The existing location also contains a need for surface water drainage including a downpipe and this has been taken into consideration in this proposal.

Design Proposal

The new design proposal is to construct a more modest and smaller rear facing external area that can provide improved amenity value to the living space of the flat.

The flat already enjoys the presence of a Juliet balcony and therefore the proposal is to retain the inward opening glassed doors and by a more modest modification of the existing mono-pitched roof, provide a limited external deck that can act as an external garden /planting zone.

The area's projection will be now limited to circa 500mm, which in essence could not act as an occupiable zone for tables and chairs.

Instead such will be used to contain and plant an external ornamental garden which can be enjoyed as a view from the adjacent reception and eating area.

Such will again provide a watertight detail to below, yet it will keep and maintain the mono-pitched roof form.

This can allow for an improvement, whilst preserving the character of the current build forms.

It is considered that the new projecting balcony and its limited use, can only provide similar aspects and views that can be currently enjoyed by the consented Juliet balcony detail or through the kitchen window aside, as well as other consented situations that exist within the street. Careful consideration has been made to the design, size and location of the alteration to protect the privacy and avoid overlooking in the surrounding gardens (CPG6 - 7.4).

The slate clad mono-pitch roof will be retained and a section will be cut out and modified along with the provision of related surface water drainage to disperse into the existing and retained rainwater gutting. The proposed alteration is accommodated within the existing roof form (CPG1 - 5.6). Careful consideration has been made to the design to ensure the alteration is architecturally sympathetic to the age and character of the building and retains the overall integrity of the roof form (CPG1 - 5.7) and to minimise any possible adverse affect on the skyline, the appearance of the rear building and the unbroken run of valley roofs (CPG1 - 5.8).

The existing ceiling construction to below will remain and a second series of insulated roof joist will be placed above, and contained by modified carpentry enclosure walls to form the new deck area. The area will be lined in a membrane which will be dark grey in colour and such will be flashed into the roof scape and brick work with lead flashings.

It will be the responsibility of the applicant and resultant owners to maintain and upkeep the roof area surfaces and surface water distribution at this level.

The new guarding will be formed in metal and painted black in order to reference the iron guarding that are prominent on the front and rear façades, at high level, along the building

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terrace. The proposed alteration has sought the use of high quality materials and workmanship (DP24) and to relate to the established character of the property and its neighbours (DP25).

The proposal would result in a pleasing addition of meaningful amenity space for the flat, without a detrimental affect on other properties or users.

5. Planning & Related Matters

This application comprises of a new proposal in respect of the provision of amenity space for the first floor flat at 45 Goldhurst Terrace.

This submission is a result of considerations that have been given following a response to the former application 2018/1796/P that was withdrawn on 13th June 2018.

The withdrawal was as a result of correspondence with the planning officer, Lisa McCann which in essence described a negative outcome being forecast for the application material at that time.

Set out below are the details that have been subsequently appraised and reacted to.

On 12-Jun-18 3:18 PM, McCann, Lisa wrote:

Dear Simon,

Thank you for the revised plans. However these would only partially overcome amenity concerns as overlooking would still occur to the rear gardens of neighbouring properties.

The main concern is the impact on the character of the host building and surrounding area. As previously advised, the appearance of the balcony would be out of keeping within the terrace row to which the subject property belongs to the detriment of the character of the surrounding area. Furthermore, the inspectorate stated in the recent planning appeal ref. APP/X5210/C/16/3159484: "removal of the clay tiled roof and creation of balcony to the rear elevation has resulted in a development unsympathetic to the architectural qualities of the rear elevations of the host and surrounding properties."

There would therefore not be any scope to provide revisions in this instance and the proposal will be recommended for refusal. Can you please advise if you want to receive the decision notice or if you want to withdraw the application.

Kind Regards

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Lisa McCann
Planner
Supporting Communities
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The revised plans that are referred to dealt with the notions of side screening in either, brick form, timber or glass panels.

The reference stated was for the former Decision made by the Planning Inspectorate to uphold enforcement action by Camden Council, and such refuses an Appeal to retain a collection of 'constructed' planning breaches.

The Appeal, which was in two parts, has been researched and the global affect of the described breaches was quite extensive. Such enabled a situation whereby the Inspectorate would have quite rightly decided to uphold the position of Camden Council. As the overall impact and effect was substantial.

That said, in this instance, the Appeal reference is being used as a decision precedent that will lead to a refusal of an application for a much smaller item and such needs to be considered on its own and under its own merits.

The Appeal document has been read through and the focussed concern and comment related to the area of the building in question are contained in items: 18, 25 & 28.

Set out below are the specific item references and the response with regard to how the proposal responds to the issues raised.

18. With regard to the approved rear first floor opening with Juliet balcony, this is taller than approved, the increase in height enabled by the unauthorised removal of the roof above the upper ground floor bay. A small balcony area has been created. Although this area is shallow, taken together with the removal of the traditional clay tiles to the rear bay and replacement of the sloping roof with a flat roof, the addition is markedly unsympathetic to the traditional forms of the bays found in adjacent rear elevations.

This item classifies that the mono-pitched roof is a valuable part of the façade, which contains a number of similar forms in series. With that, the new design has adopted the retention of the current roof form, but carved out a central section to provide an externally placed deck.

It is thought that the overall form can be retained whilst allowing a more narrow and shallow amenity area than previously suggested.

25. I conclude on this issue that the side and rear dormers and roof terrace, by reason of their design, bulk and introduction of visual clutter at roof level, harm the character and

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appearance of the host building, the roofscapes in the terrace and as a result the CA. Replacement of the double sash windows, removal of the clay tiled roof and creation of balcony to the rear elevation has resulted in a development unsympathetic to the architectural qualities of the rear elevations of the host and surrounding properties. To retain these elements would be contrary to aims of DP Policies DP24 and DP25 as described and CS Policy CS14 in that it would fail to relate to the established character of the property and its neighbours, or to preserve or enhance this part of the CA.

The matters called upon in this Appeal decision resulted in the removal of the brick balustrade and the mono-pitch roof being re introduced. The reason for this statement points to the same reasoning as itemised in item 18. We therefore confirm that the formerly proposed flat roof area behind parapets has been removed from the scheme and the existing roof form has been retained. As stated above the works suggested are to work within the form, whilst retaining enough form and fabric to provide the continuation of the built form as a statement.

We also confirm that as the bay is at the end of the terrace, and we already have a differing brick aperture for the doors. This in turn enables this proposed alteration without harming the overall rhythm of the series of projecting bays and mono-pitched roofs.

The new guarding will be formed in metal and painted black in order to reference the iron guarding that are prominent on the front and rear façades, at high level, along the building terrace. The proposed alteration has sought the use of high quality materials and workmanship (DP24) and to relate to the established character of the property and its neighbours (DP25).

28. The shallow balcony at the rear first floor level has railings installed across the opening. A condition could ensure that these remain in place and I do not consider that by itself, this element is a harmful influence on the use or enjoyment of adjacent properties. However on the floor below a radical change has taken place in replacing the windows with double doors in front of the large roof of the lower ground floor extension which projects into the rear garden. Whilst I appreciate that the current railings prevent access, the combined effect of the new doors and expanse of roof to the fore, is likely to result in a significant sense of overlooking and loss of privacy experienced by adjoining occupants from within their gardens, at close proximity to the rear elevations, in particular at No 43.

Only the first section of text is relevant to the first floor, and the application site. The item states that by itself the shallow balcony at the rear first floor, does not necessarily cause harm.

With this statement and with further reference to 67 Goldhurst Terrace and planning consent reference 2016/2650/P, we suggest that our new proposal offers something that does 'not' harm the setting and provide negative issues related to privacy.

Further investigation has also unveiled a number of similar properties within the same street and local area. We raise these addresses and their related planning consents as they themselves, by their number, provide the backdrop of building fabric and detail that constitutes the Conservation Area that is being preserved. In essence we state that the existence of upper level balcony constructions are part of the elevational character and appearance of the Conservation Area.

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Below are a number of addresses where consents have been obtained, however we do understand that their consent dates can lead to a decision that was based upon former planning policy that may now be updated.

177 Goldhurst Terrace NW6 - 13 October 1986 – Ref. PL/8601600

A balcony on the first floor rear bay was given planning consent and such exists as part of the urban fabric that now sits within the Conservation Area.

179 Goldhurst Terrace NW6 - 22 May 1987 – Ref. PL/8700615

Planning permission for first floor alterations resulting in a balcony form on the first floor rear bay, which again sits as conserved fabric.

189 Goldhurst Terrace NW6 - 23 August 1991 – Ref. PL/9100531

Planning permission for a first floor bay rear facing balcony, which again sits as conserved fabric.

30 Fairhazel Gardens NW6 - 16 August 1989 - Ref.PL/8804510/R2

Planning permission for formation of a balcony at rear first floor level.

Flat 3, 36 Fairhazel Gardens NW6 - 11 February 2004 - Ref.2003/3389/P

Planning permission for a new balcony over existing bay window to the rear at first floor level, including the erection of a 1.1m black metal balustrade and conversion of window to double door.

42 Canfield Gardens NW6 - 2 April 2004 - Ref.2004/0328/P

Planning permission for the formation of doors and erection of balcony railings in connection with the use of the roof of a first floor bay as a balcony.

Added to the above listing we also draw attention to the following addresses that have obtained planning consent within the last three years. We understand that each case needs to be considered on its own merits, but we state that in each case the rear elevations of the buildings that sit within the Conservation Area have had physical alterations that represent a change to the protected fabric that forms the conserved backdrop.

28 Goldhurst Terrace NW6 - 15 February 2016 - Ref.2015/6662/P

Planning permission for rear extension at lower ground floor level with associated roof terrace occupying 6.3sqm and significantly smaller than the upper ground floor roof terrace granted permission at No.20 Goldhurst Terrace in 2009 (ref:2009/2207/P). The decision stated that "The terrace is not considered to have any detrimental impact on the residential amenity of neighbouring occupiers in terms of loss of sunlight/daylight and outlook and would not lead to any significant increase in overlooking or loss of privacy."

67 Goldhurst Terrace NW6 - 23 June 2016 – Ref. 2016/2650/P

This property holds a recent consent date of 23rd June 2016, and such could be referenced as relevant under the Policies that control the outcomes of today's decisions. The application proposals had to be revised during its process and the relevant item is that of a large projecting first floor balcony, at circa 1.85m depth. This was then reduced to a smaller balcony projection at circa 250mm depth.

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The relevance here is that it seems to have been accepted that the rail and guarding would allow for a modest outward view across the gardens and urban landscape. Added to this, the extent of the other 'built forms' are enormous compared to that of the application at 45 Goldhurst Terrace and we therefore, by comparison, suggest that our physical alterations to built form are extremely modest and can be supported given the alterations that have in 2016, been permitted.

18 Goldhurst Terrace NW6 - 20 January 2017 - Ref.2016/6690/P

Planning permission for the installation of a balcony to the rear of the building at first floor level and replacement of an existing window with a door to access new balcony (5.125FFL Half Landing / 5.075FFL). The decision considered that "The proposal would not cause unacceptable loss of amenity to neighbouring or nearby residential properties."

Flat 1, 23 Goldhurst Terrace NW6 - 3 March 2017 - Ref.2016/6918/P

Planning permission for a single storey rear extension with terrace above (in the location of an existing terrace consented on 3 July 1997), on the raised ground floor at the other end of the same terrace of Flat 3, 45 Goldhurst Terrace. The decision states that "The balustrade would be set back from the neighbour at no.25 to provide a terrace of an acceptable residential size."

Flat B, 108B Goldhurst Terrace NW6 - 15 January 2018 – Ref. 2017/6171/P

At this address we have the granting of planning permission earlier this year for the construction of an external balcony on the rear first floor that can be occupied for sitting and standing recreations. As the balcony area was of a size and area that could be usefully occupied, screening was considered necessary at one side to protect the current privacy of the neighbouring property.

The application proposal has been carefully considered utilising the relevant planning policies and guidance statements to inform the design. We consider that the new proposals have taken into account the various issues raised by the planning department in their communications and we also draw parallels to neighbouring sites granted planning.

We have adapted the design of the space to provide externally placed embellishments to provide better amenity to the flat and we have withdrawn from the concept of a fully occupied external area for standing or sitting accommodation.

With this, we do not see that the proposal harms the setting and architectural backdrop nor the neighbouring privacy situation. We say this as the outlook is not too different from that provided by the current consented Juliet balcony. We see that the obtainable views are very similar to that which are currently available here and at other addresses with consents and therefore we do not see the proposal as harmful.

Freeholder and Neighbour Notification

Prior to the submission of this application, the applicant has provided new drawings and details to the property freeholder and neighbour directly below, and obtained their provisional consent for the planning application process.

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The formal notification will of course follow as part of this application process, but it was thought expedient and appropriate to gain a level of approval from parties prior to the planning application.

The roof envelope that is scheduled for partial removal and modification is considered to be of Freeholder ownership, being the external fabric of the building. The owner of the property below will of course need to be considered in terms of reinstatement of waterproofing membranes and insulation properties.

We have therefore provided initial building details, identifying the notional construction formation, to show that such matters have been considered.

Access

The existing property has front door access via the public footpath and highway.

There is a main front door at the top of an external stair flight and then an internal door within the private demise of the common parts.

The property does not have rear access to areas or any external amenity space associated with it.

The amenity values are the external views, rearward, at the kitchen/living room and forward at the two bedroom locations.

The proposals in this application do not affect the existing access arrangements and they do not call for additional access to the property.

The proposals seek to modify a rear facing mono pitch roof detail and use an existing pair of rear facing French doors, which will then lead to, and provide a miniature section of outdoor amenity space that can be used for placement of ornamental planting.

The existing refuse arrangements, which call for the use of the front communal garden, will be maintained and such are unaffected by the proposals.

6. Conclusion

This application has been sensitively and carefully considered; with the considerations, design measures taken to reduce impact and compliance with relevant policies. It sets out to provide meaningful amenity space improvement to the flat that exists at first floor level, whilst preserving the character and appearance of the host building and surrounding area.

The flat currently has a window and a consented Juliet balcony aspect to serve as amenity provision.

We have taken into consideration issues raised by the planning department on a former application and we have elected to alter the design proposal to suite.

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The design proposal now maintains and adopts the existing mono-pitch roof to the existing projecting bay, and it forms a reduced external area that can be used to house an external planted amenity space.

We have formed the proposal as a miniature garden environment that can vastly improve the accommodation and provide increased amenity value to the flat.

The location has been adapted and its size restricted to contain and restrict the outward views and aspects that are already available to this location by the consented Juliet balcony detail.

We see that the obtainable views are very similar to that which are currently available here and at other addresses with consents and therefore we do not see the proposal as harmful.

It is acknowledged that any external terrace issue potentially allows for exposure, noise and nuisance, but in this case the position, reduced size and formation all set out to overt any possibility of harm to neighbouring situation.

We therefore ask London Borough of Camden to support the proposals in this submission and grant planning permission for the changes.

END.

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