

Date: 26/06/2019
Your Ref:
Our Ref: 14063



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Dear Sir or Madam

GROUND FLOOR FLAT, 12 PLATTS LANE, LONDON NW3 7NR
TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

DWD are instructed by the owners of the abovementioned “**Property**” to submit an application for planning permission for the following “**Proposed Development**”:

“Construction of a single storey rear conservatory”

The Proposed Development

1. The proposal is to construct a single storey conservatory structure at the rear of the property spanning half the width of the Property. The structure will be predominately formed of structural glass. The highest point of the conservatory is below the eaves height of the existing single storey rear extension and the proposed roof slopes downwards to a height of 2.15m. Changes in floor levels allow the proposed conservatory to maintain an adequate internal floor to ceiling height.
2. This covering letter explains the planning history at the Property and assesses the Proposed Development against the relevant adopted development plan policies. It is hoped that the Proposed Development is considered acceptable in this context and it will provide a significant improvement to the living quality of the existing family sized flat in an otherwise constrained environment.
3. A full list of the submitted documents and drawings can be found at Appendix 1 appended to this letter.

Planning History

4. With reference to the Council’s online planning database the planning history of the Property explained below.
5. **TP/81314/NW/15239:** The Property was originally converted into three self contained flats in 1958. The same application approved the construction of a garage to the right of the main entrance door.
6. **CTP/E4/4/18/24019/R:** An application was approved in 1977 for the conversion of the aforementioned garage into a habitable room for use by the ground floor flat and for the reinstatement of it’s original bay window. This is how the ground floor of the Property is viewed today.

Partners

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7. **2016/0739/P:** An application for the demolition of a rear conservatory and part rear wing and the construction of a full width rear/infill extension was approved in May 2016. That application was submitted by the current owners and applicant.
8. **2016/4899/P:** An application for a basement excavation was withdrawn in late 2016.
9. **2017/3281/P:** An application for a children's climbing frame at the rear of the garden was approved in September 2017.

Planning Policy & Assessment

10. In accordance with Section 38(6) of the Planning & Compulsory Purchase Act (2004), applications for planning permission should be determined in accordance with the development plan unless material considerations indicate otherwise. Under Section 38(2), the development plan for any area within Greater London comprises the Spatial Development Strategy and the development plan documents (taken as a whole) which have been adopted and approved in relation to that area. The statutory development plan documents for the Property that are relevant to the Proposed Development are:

- Camden Local Plan 2017
- CPG: Amenity 2018
- Reddington & Frognal Conservation Area Statement

11. Camden Local Plan 2017 ("**CLP**") Policy A1 'Managing the impact of development' states that *"The Council will seek to protect the quality of life of occupiers and neighbours"* and that the Council will *"(a) seek to ensure that the amenity of ... neighbours is protected"*. The Policy further explains that the Council will consider, amongst other things, *"(e) visual privacy, outlook; (f) sunlight, daylight and overshadowing."*

12. Explanatory paragraph 6.3 states that *"The Council 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"*.

13. Paragraph 6.4 describes the Council's approach to assessing visual privacy and outlook explaining that *"A development's impact upon visual privacy, outlook and disturbance from artificial light can be influenced by its design and layout"* and directs the reader to Camden Planning Guidance on amenity.

14. Explanatory paragraph 6.5 considers impacts of sunlight, daylight and overshadowing noting that *"loss of daylight and sunlight can be caused if spaces are overshadowed by development"*. The paragraph explains that *"Further detail can be found within our supplementary planning document Camden Planning Guidance on amenity"*.

15. Camden's Planning Guidance on Amenity (2018) ("**Amenity CPG**") addresses a number of development aspects including 'overlooking, privacy and outlook', 'daylight and sunlight' and 'artificial light'.

Overlooking, privacy and outlook

16. The 'key message' delivered by the Amenity CPG is that *"Developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings"* and *"Mitigation measures should be included to reduce overlooking."*

17. The Proposed Development does not extend taller than a single storey and due to changes in floor levels the proposal is in fact lower than its host building and neighbouring property. The limited height of the Proposed Development naturally limits the impact that the development will have on the neighbours in terms of overlooking and loss of privacy.
18. That limitation in height works both ways in preventing neighbouring occupiers being able to look into the Proposed Development; development that will provide additional living space secondary to a living room and kitchen and is not considered an area of the host property that itself would significantly suffer from overlooking.
19. The Proposed Development therefore does not give rise to overlooking into, and loss of privacy of, neighbouring amenity. Nor is the Proposed Development exposed to such a degree where future occupiers would suffer from overlooking.

Daylight and sunlight

20. The Amenity CPG 'key messages' are that *"The Council expects applicants to consider the impact of development schemes on daylight and sunlight levels"* and *"The 45 degree and 25 degree tests cited in the BRE guidance should be used to assess ('screen') whether a sunlight and daylight report is required"*.
21. The orientation of the Property together with the immediate neighbour to the south west is such that the rear elevations are south east facing. At the rear of the Property is a line of tall and dense trees within the gardens of St Luke's Church. The implication of this is that, as the sun rises in the east, the light is mostly blocked by existing trees, as the sun climbs higher throughout the day, light reaches over the top of the trees and into the Proposed Development. The Property is therefore positioned in such a way that it will not block sunlight reaching the neighbouring property.
22. Part of the Proposed Development is angled at 45 degrees to the Property. Those panes of glass are south facing and positioned at 45 degrees so as not to diminish light levels reaching neighbouring amenity.
23. Figure 1 of the Amenity CPG explains through the use of a flow chart that proposals for extensions should apply the 45 degree test and where that test is met, a sunlight report is not necessary. Figure 2a and 2b provide worked examples of the 45 degree test.
24. Proposed floor plan drawing M-107 shows the relationship of the Proposed Development with the neighbour and a 45 degree line from the centre of their window is drawn extending over the Property in accordance with the guidance set out in the Amenity CPG. The Proposed Development avoids breaching the 45 degree line and therefore a sunlight report is not considered necessary.
25. In considering the south facing orientation of the Property and the single storey height of the Proposed Development, the Proposed Development is not considered to have a detrimental impact on neighbouring amenity or daylight and sunlight.

Artificial light

26. In considering matters relating to artificial light the Amenity CPG states that *"Excessive or poorly designed lighting can cause light spillage and glare and be damaging to the environment by: having a detrimental impact on the quality of life of neighbouring residents"*.

27. On the basis that the Proposed Development is of glass construction it would be natural to consider that light could emanate from within during the evening. The Amenity CPG does not specifically refer to light pollution from householder extensions but should it be a concern then the applicant is committed to ensuring rooftop blinds are closed in the evening.

Conservation Area

28. The Property is located within the Reddington & Frogna Conservation Area (“CA”). the Property is not specifically mentioned in the CA appraisal however the adjacent property to the south at No. 10 Platts Lane is described as one which would benefit from enhancement having been “radically altered” (p.11).

29. The CA appraisal is mostly concerned with the design of front elevations of properties within the CA and some of its historic context. Given that the Proposed Development is positioned to the rear of the Property and is not visible from the public realm, compounded by its lightweight frame and appearance, it is not considered that the Proposed Development is at odds with the objectives of the CA appraisal.

Conclusion

30. The Proposed development is for the construction of a single storey conservatory to the rear of the Property. The conservatory is designed to respect neighbouring amenity, sunlight/daylight and outlook. Similarly, the Proposed Development is designed such that future occupiers will enjoy good levels of amenity and privacy.

31. The Proposed Development will not impact the Reddington & Frogna Conservation Area and is considered to be a good design of light weight materials and structural glass.

32. The Proposed Development will significantly enhance the living quality of the Property which is a family sized home in a dense urban area where there is limited room for growth.

33. We therefore kindly ask that the Proposed Development is approved.

Yours faithfully



Alexander Chalkin MRICS

Associate

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APPENDIX 1: FULL LIST OF SUBMITTED DOCUMENTS

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Document	Reference
Application Form	-
CIL Form	-
Existing Ground Floor	M-101
Existing Front Elevation	M-102
Existing Rear Elevation	M-103
Existing South Elevation	M-104
Existing North Elevation	M-105
Existing Section AA	M-106
Proposed Ground Floor	M-107
Proposed Front Elevation	M-108
Proposed Rear Elevation	M-109
Proposed South Elevation	M-110
Proposed North Elevation	M-111
Proposed Section AA	M-112
Proposed Views	M-113