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28/11/2022

**Sent via planning portal only**

Dear Sir/Madam

**FULL PLANNING APPLICATION - THE TOWN & COUNTRY PLANNING ACT 1990**

**ERECTION OF REAR BALCONIES AND ROOF TERRACES WITH ASSOCIATED ACCESS AND BALUSTRADES.**

**23 ALVANLEY GARDENS, LONDON, NW6 1JD**

Please accept this covering letter as an accompaniment to this full planning application for the proposed rear balconies and roof terrace the existing properties at 23 Alvanley Gardens ('the site'). This letter provides a summary of the site and the proposed development.

Please also find enclosed a completed application form, site location plan, full set of existing and proposed plans and CIL form.

**The Site**

The site is located on the west side of Alvanley Gardens, to the south of the junction with Finchley Road (A41). The site comprises a detached two storey building (with rooms in the roof). There is also a large outbuilding in the rear garden, accessible by a shared vehicular access to the north of the site. The property has dropped kerb access to a parking area at the front. The property has been subdivided into 5 flats.

The site is on a street comprised of similar residential properties with a greater prevalence of commercial uses along Finchley Road.

**Planning History**

On the 20th of June 1958, planning permission (ref: TP/81804/NW/2434/288) was granted for the conversion of no.23 Alvanley Gardens into two self-contained flats and one self-contained maisonette.

On the 3<sup>rd</sup> of February 1972, planning permission (ref: CTP/F5/7/14/12382) was refused for the formation of a self-contained flat at 2nd floor level.

On the 23<sup>rd</sup> of November 1972, planning permission (ref: CTP/F5/7/14/14269) was granted for alterations and additional storey at rear to provide two additional self-contained flats.

On the 19<sup>th</sup> of December 1984, planning permission was granted for alterations to existing dormer and erection of new dormer.

On the 19<sup>th</sup> of September 1985, planning permission was granted for the installation of a window at ground floor level in the flank elevation.

On the 8<sup>th</sup> of January 1996, planning permission (ref: 9501919) was granted for the creation of forecourt hard standing for car space and new means of vehicular access.

On the 28<sup>th</sup> of February 2012, planning permission (ref: 2011/6068/P) was refused for the erection of a balustrade, decking and screening in connection with the use of the existing rear flat roof as terrace and the installation of a rooflight to flat (class C3).

On the 13<sup>th</sup> of September 2022 a certificate of lawfulness (existing) was granted (ref: 2022/2888/P) for the use of the building as five self-contained flats (Class C3).

### **The Proposal**

Planning permission is sought for the erection of two balconies to the rear elevation of the property and two roof terraces with associated access and balustrades.

There will be one balcony on the first floor to the rear, one balcony on the second floor to the rear and two roof terraces at roof level, set in from the eaves.

### **Planning Policy**

#### National Planning Policy

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. At the heart of the NPPF is a presumption in favour of sustainable development which incorporates three specific strands – economic, environmental and social. Section 12 (achieving well designed places) is relevant to the consideration of this application.

#### Local Planning Policy

For the purposes of this application, the adopted Development Plan for the London Borough of Camden (LB Camden) comprises the London Plan (2021), the Camden Local Plan (2017) and the Camden Planning Guidance (CPG) Documents.

## Planning Assessment

### ***Character and Design Impact***

Policy D1 of the Camden Local Plan (CLP) requires development to be of the highest architectural and urban design quality, have particular regard to design and visual impact and to the context within which it is placed, and the contribution it makes to the landscape qualities of the area. The aim of this policy is further reflected in the 'Design' Planning Guidance (CPG). Specific guidance in relation to extensions to existing properties, including roof alterations, is also provided in the 'Home Improvements' CPG.

The surrounding area is characterised by varying roof formations and rear elevations. Roof terraces can be found along Finchley Road and West End Lane as well as rear balconies and/or roof terraces along Crediton Hill, which backs onto the application site.



*Figure 1 - Character study of the immediate area*

Camden's Home Improvements CPG states that modest balconies/ terraces are more likely to receive consent than larger ones. The guidance also sets out that balconies should complement the elevation on which they are placed. It is recommended that traditional buildings use metal railings, site balconies to the rear and take into consideration opportunities for burglars.

The proposed balconies are located on the rear elevation and measure a metre in depth and three metres wide and are set in from the side elevations. The proposed balustrades are to be powder coated metal. The proposed balconies would be subservient to the host dwelling and appear coherent

in terms of scale, massing and design. Owing to the siting of the balconies to the rear of the property, they would not be visible from views in the public realm and would not harm the character of the area

The proposed roof terrace is located in the rear roof slope. The balustrading is set in from the eaves and is visually permeable. The proposed balustrading would not dominate the roof or harm the appearance of the building or the character of the area. The proposal accords with the design aspirations of Local Plan Policy D1 and Camden's adopted design guidance documents.

### ***Amenity Impact***

CLP Policy A1 seeks protect the quality of life of occupiers and neighbours by only providing support for development that would not harm the amenity of neighbouring residents. The 'Amenity' CPG recommends that a minimum distance of 18 metres between directly facing habitable windows unless mitigation measures are incorporated to safeguard privacy.

The proposed balconies are approximately 24 metres from the rear elevation of the nearest property fronting Crediton Hill. Given the separation distance and intervening landscaping, the proposal would not harm neighbour privacy. The balconies are modest in depth and are set back off the shared boundary with the immediate neighbour. Any views into the neighbouring site would be oblique. The proposal would not have a materially different overlooking impact than the existing rear facing windows.

The proposed roof terrace is set in from the eaves, preventing direct overlooking of neighbouring primary amenity space. The balconies and terraces are modest in terms of area and would not facilitate large gatherings and therefore would not result in unacceptable noise and disturbance.

The balustrading is lightweight in appearance and would not result in any adverse outlook, overbearing or loss of light impacts.

The proposal significantly improves the living conditions for the future occupants of the flats, providing private amenity space for each flat.

For the reasons outlined above the proposal will not cause harm to the amenity of any nearby residential properties in terms of overbearing impact, a loss of light or loss of privacy and complies with Policy A1 of the CLP.

### **Summary**

As demonstrated within this letter and supporting documents, the proposed works are considered to have an acceptable impact on the character and appearance of the building, the character of the area, and neighbouring amenity. The development is in accordance with the relevant Development Plan policies, and it is therefore respectfully requested that planning permission is granted.

I trust this letter and the enclosed documents provide you with sufficient information to determine the application but if you require any points of clarification or have any questions, please do not hesitate to contact me.

Yours faithfully,

**Louis Brewer**  
**Planner**  
**SM Planning**