

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/5567/P	P Mennis	03/04/2023 22:06:02	OBJNOT	<p>Once again the declaration on the Planning application is misleading and wrong. Under the Ownership Certificates section the applicant has written that there is another Freeholder under Certificate B and that they have given the requisite notice to everyone else listed 21 days prior to the date of their application. No such notice has been received by the other Freeholder. I am the only other fellow Freeholder of the title LN159509, and once again the other 'owner' of the shared Freehold does not agree with the application. The applicant has a history of ignoring the rules. On the recent application 2021/6168/P the applicant claimed to be the 'sole owner' when he clearly was not and their previous extension to the main property was built without applying for planning permission, for which a certificate of lawfulness was required (Planning application 2008/1845/P).</p>
2022/5567/P	Michael Aherne/Deborah Reed	04/04/2023 18:40:27	COMMIT	<p>To avoid duplication, I will merely endorse the comments already made. I add that,</p> <ol style="list-style-type: none"> <li>1. My recollection is that the sedum roofs at nos 28, 30, 32 and 38 were conditions of the planning permissions for those developments. This should also be a condition of any planning consent for a development at no 34.</li> <li>2. It is quite clear that the foundations of the proposed development would, at a minimum, destroy the roots of the tallest and most attractive tree in the garden of no 36.</li> <li>3. I can confirm that no development is contemplated at no 36.</li> <li>4. I note that the applicant intends that the building works will commence this month. This suggests a somewhat cavalier approach to the need for planning permission.</li> </ol>

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2022/5567/P	P Mennis	04/04/2023 01:12:43	OBJNOT	<p>As the closest neighbour most affected by the proposed development I strongly object for the following reasons;</p> <ol style="list-style-type: none"> <li>1. Density of masse, height and depth. The proposed height will bring it into sightline and the raised parapet will block light/cast shadow/reduce sunlight hours on the terrace and ground floor of 38A and to the basements and lower parts of 40 and 36 on Hillfield Rd. It would compromise the owner's pleasure in their homes and the value of their properties. The extensive size and bulk of the building would look incongruous to the other buildings on that side of Mill Lane.</li> <li>2. The Development will spoil the owner of 38A's enjoyment of the property as one of the main reasons for purchase in 2021 was the private south facing terrace with no large, bulky developments in eyeline.</li> <li>3. Proximity to the main building which is too close for comfort bringing the boundary line and noise from residents much nearer, causing loss of amenity, view of Mill Lane and Broomsleigh St and loss of green space/garden. The size and proximity of the building to the main house at 38/38A and huge, opening, glass doors which would overlook us, would mean that immediately privacy would be lost and compromised. Further, no proposals have been made to screen the windows that we would overlook, in any shape or form. Thus we would be looking straight in to the eyes or lives of our neighbours and more importantly they will be looking directly at us, invading our privacy.</li> <li>4. The applicants plan to use a hard brick facade and parapet is out of keeping with the materials used on the other developments on Mill Lane and will look incongruous and strange compared to the other neighbouring properties.</li> <li>5. Noise/dirt and disruption of the proposed building work affecting the terrace, windows and interior of 38A as well as the neighbouring properties on Hillfield Rd and Mill lane. Pollution caused by works affecting many families using their outdoor spaces. Compromise of security while building works ensue. Disruption to utilities (all the utilities are planned to be taken from the main house on Hillfield Rd). Extra traffic and disruption/delays to traffic on Mill Lane caused by building vehicles. Hazardous blocking of residential paths used regularly by young children on their walk home from the Primary and Nursery Schools of Mill Lane/Broomsleigh St/Fordych Rd.</li> <li>6. This application still contains the retention of a car parking space, despite the fact that none of the other newer developments have been permitted to do, it would be unfair if one property was allowed to do so (most buildings on that side of Mill Lane are either a garage or a residence not both) and the carbon footprint of the property would be large. If this were deemed as acceptable other future developers on Mill Lane would be looking for the same permission and all this would lead to heavier traffic on Mill Lane crossing the pedestrian footpaths causing a danger to the public/school children who regularly use this route.</li> <li>7. No mention as to the materials to be used in the roof have been given and one would wonder why this has been left out. This needs to be clear to all the other residents potentially overlooking it. Our concern would be that the plan is to use an unattractive and ugly felt roof with no 'green', unlike the other buildings on that side of Mill Lane.</li> <li>8. No Tree report has been submitted this time. Why is this the case? The recent (refused) application</li> </ol>

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2021/6168/P had a Tree Report itemising various trees for removal. Considering this updated application has very little changed other than cosmetic/roof changes from the previous one and the bulk of the building/proximity to the main building still remains surely some of the same trees could be affected. This would be a loss to the local aesthetic environment and the lovely trees that provide screening to Mill Lane. Concerns for potential heave and structural damage to the main building.

9. Where exactly on the plans is the 'provision for a lift should it be needed in the future'? If it is planned why is it not on the drawings? This would make the bulk of the development even more copious and unsightly if one is added potentially later?

10. Concern for potential impact if the extended building is then sold as a separate residence in the future (currently planned as a 'two bedroom annex to the existing flat with living accommodation').

11. I note that there are still plans to include large outdoor lights either side of the ground floor patio doors which will increase light pollution and glare affecting the properties to the rear. This unnecessary addition of artificial light will affect the properties on either side and to the rear and is unsympathetic with the neighbouring properties, which do not have bright lights at the back of their properties. No mention has been made this time as to whether step lights are in the plan for the courtyard, are they included or not?

Overall the main reasons for the previous refusal by Camden still remain. The retention of the garage space and the bulk/masse/proximity of the building remains, comprising an overcrowding of the plot at number 38, an invasion of privacy, an unattractive and poor design and a potentially ugly blot on the neighbourhood.

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2022/5567/P	Jonathan Fish	02/04/2023 15:01:21	OBJ	<p>Objection to Planning Application: 2022/5567/P            Site address: Rear of 38 Hillfield Road London NW6 1PZ</p>

We object to the application for the following reasons:

1. The application is misleading because it does not show the proposed development in the context of the full plot of land (Land Registry Title Number LN159509). We note that on the Application Form, the applicant has stated the Title Number to be “unregistered”. The applicant knows this to be an untrue statement as it was properly declared on the applicant’s previous planning application (see planning application 2021/6168/P) last year. We speculate that this is a deliberate and calculated ploy to avoid showing the development’s true proximity to the main house comprising 38 and 38A Hillfield Road which has already had a full width ground floor and first floor terrace extension. The main house has already been extended by over 4 metres further into the garden (towards the proposed development) than the neighbouring property at 40 Hillfield Road, and that is before taking into consideration the raised concrete patio at ground level which extends a further 3 metres or so towards the proposed development.
2. The application is misleading because the description of the proposed works stated on the Application Form is “extension of existing garage to provide a 2 bedroom annex to the existing flat with living accommodation” yet the Planning Statement and supporting plans and documentation describe/show a one bedroom development. We would speculate that the applicant’s true intention is as stated on the Application Form.
3. If permitted, the proposed development will result in a gross overdevelopment of the overall plot of land (referred to in point 1 above) with a significant further loss of garden as well as a loss of light and visual amenity for the residents of 38 and 38A Hillfield Road and the neighbouring properties of 40 Hillfield Road and 36 Hillfield Road.
4. It is unclear from the Planning Statement what the proposed roof materials are. In fact, the lack of detail around the overall choice of construction materials is of serious concern to us. We note that the applicant’s previous planning application (see planning application 2021/6168/P) last year specified a “Three layer felt Bitumen felt membrane...” which is entirely inappropriate and would be an eyesore for all residents of Hillfield Road and Mill Lane that have properties overlooking the proposed development. In contrast, the neighbouring properties at 33D, 33E and 33F Mill Lane as well as at 33C Mill Lane (which we are sure is well-known to the planning department at Camden Council and will no doubt be highly relevant as a precedent for this application), all have “living” grass/wildflower roofs that help the properties gently blend in, contribute to the environment and do at least something to offset the loss of garden.
5. The footprint, volume and height of the proposed development is still excessive and out of proportion compared with neighbouring properties.
6. The parapet at the front of the building (Mill Lane side) will be unsightly and out of keeping with neighbouring and other properties on that section of Mill Lane. Despite the applicant’s assertion (see section 3.0 of the Planning Statement) that “the flat roof over the existing garage is not proposed to be accessible”, we wonder whether this is a cynical attempt to use this area as, or at least leave the door open for, a roof terrace

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overlooking Mill Lane. We note that the applicant, by his own admission (see section 2.0 of the Planning Statement) built the garage “with proper foundations and walls to facilitate a future extension” despite planning for the retention of the garage previously being granted with a clear and unequivocal condition that “The Garage shall be retained and used for the accommodation of private motor vehicles only...” (see planning application: 34580). We further note that the applicant has breached this condition (see section 1.0 of the Planning Statement) by admitting that “The garage building is dual purpose, part of it provides the property with a parking space and the other part is an office for the ground floor flat.” Furthermore, we note that the applicant has a history of unauthorised development. For example, a certificate of lawfulness was required for the ground floor extension and 1st floor terrace of the main house (see planning application: 2008/1845/P).

7. It is noted that the proposed development has large doors that will overlooking the gardens of 36, 38 and 40 Hillfield Road. The doors are likely to be open in the warm weather. This will lead to a significant loss of privacy and amenity for the residents of 40, 38A and 36 Hillfield Road as well as 38 Hillfield Road itself, if and when the proposed development is separated from 38 Hillfield Road. We note that loss of privacy was one of the major concerns with the developments at 33C, 33D, 33E and 33F Mill Lane and therefore we trust that the planning department at Camden Council will seek to mitigate this by imposing strict conditions such as, but not limited to, restricting the opening of the doors and requiring the glazing in those doors to be opaque. Should the proposed development be permitted in any form, we trust that we will be consulted on measures that are to be put in place to ensure that our family’s privacy is maintained on an as-is basis and that there is no increase in noise and disturbance as a result of the change of use of the garage.

8. The mixture of car parking and residential space in the same building is inappropriate and would set a dangerous precedent if the application was granted. We note that planning for the retention of the garage was previously granted with the condition that “The Garage shall be retained and used for the accommodation of private motor vehicles only...” and the reason given for this was: “Any other use of the garage would be prejudicial to the amenities of the residential building and the area generally” (see planning application: 34580). Whilst the condition and reason may well be historic, it is still highly relevant in the context of the history of development at the site as well as current planning regulations and policies.

9. If and when – it is surely only a matter of time – the proposed development is separated from 38 Hillfield Road (either through sale, lease or otherwise), the resident(s) of 38 Hillfield Road will be left without any off-street or right to on-street resident’s car parking. This will be contrary to the spirit of the Section 106 Legal Agreement dated 15th January 2009 (a condition of granting of the previous planning application: 2008/1845/P made by the applicant and which divided the house into two flats) that relinquished the right of the resident(s) of 38 Hillfield Road to on-street resident’s parking on the basis that they already enjoyed the benefit of one off-street parking space, namely in the existing garage.

10. We note that there is no Arboricultural Impact Assessment yet it is clear that there are a number of trees that should form a constraint due to their proximity to the proposed development.

11. The proposed development contravenes much of Policy 2: Design & Character of the adopted Fortune Green & West Hampstead Neighbourhood Plan.

12. We note that the “provision is to be made for a lift should it be needed in the future” (see section 2.0 of the Planning Statement) yet we note that no such provision is shown on any of the drawings that form part of the

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application.

13. We note that access to the bedroom on the first floor of the proposed development is via the bathroom. We wonder if this would be compliant with current building regulations or is simply poor design.

14. Given the large number of inconsistencies in this planning application as well as the applicant's chequered history with planning at the site, we urge the planning officer dealing with the application to undertake a site visit prior to forming any view on the proposed development. Should Camden Council grant the application prior to the planning officer conducting a site visit, we will hold Camden Council liable for our costs in seeking a judicial review.

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2022/5567/P	shane Rooney	29/03/2023 21:22:50	OBJNOT	<p>I wish to record my objections to this planning application to the rear of 38 Hillfield Road.</p> <p>I lodged objections to the previous application in 2022 on this site and despite the contents of the planning statement many of the reasons for the original objection have not been addressed.</p> <p>the retaining of the base garage structure here is a fundamental flaw in the scheme. While the applicants dress this up in the shadow of a questionable sustainability agenda the resultant projection is:</p> <p>Unightly</p> <p>Renders an incoherent facade which lacks any sense of cohesion or integrity with surrounding neighbour properties.</p> <p>What is this building a garage or a home- no its a mess.</p> <p>The maintenance of the base garage profile also has significant implications on the forecourt area to the front of the building- it generates a traffic risk with an extremely busy route of Mill Lane.</p> <p>There are no Indications of the treatment of the forecourt area, nor any traffic analysis or turning circles/ sight lines provided. Rather it is evident the designers have simply ignored this risk- which is concerning given these comments were raised within the earlier application.</p> <p>The residential properties to the face on RHS of No 38 have a much more sensitively treated forecourt and adequate space for secure off street parking with sight lines to egress into Mill Lane.</p> <p>The proposals fail to address this and still place the car front and central to the scheme within the property- which is totally inconsistent with neighbouring properties and residencies.</p> <p>The introduction of a brick facade while appreciated I do not believe that buildability questions have been considered.</p> <p>To achieve a suitable standard of brickwork on walls being built to neighbouring lands- look unachievable. please note I have in excess of 30 years experience in design and construction throughout London</p> <p>The space existing suggests this will be an "overhand " solution which from a quality consistency or indeed according with BS and Building control requirement is very questionable. I am sure planners would agree that good design must consider the "How's" of how a building is built to ensure quality is achieved. It is not evident here which runs the risk of resulting in shabby and poor quality facades.</p> <p>I am also concerned at the mass of the building - it looks overly large and inconsistent with the neighbouring properties.</p> <p>The planning statement makes a ridiculous comparison to the dashed area of the potential scale of a future development of the LHS double garage.</p> <p>This is course is a farcical and facetious comparison to make, as no permission has been submitted or approved for that site nor indeed are the designers and applicants in any position to define what the red line boundaries of that neighbouring property is. This definition of a potential scale is pure fantasy</p> <p>I am also concerned to see the introduction of a sunken garden zone to the rear of the property.</p> <p>The photographs indicate this is a lush and mature garden. There are potentially TPO'S to be considered</p>

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here. which I am sure planners will already be mindful of

However it is the removal of a significant section of garden and introduction of hard surfaces that raises my concerns. With Flooding and ground water permeability impacted upon by many developments, and conversions of gardens to car parking/hard landscaped areas- this a further example of the natural balance of ground water discharge being eroded.

All in all this remains a substandard design without merit which will have a negative impact upon our neighbourhood.

One final point I understand the original garage conversion was given permission via an application in the 2000's- which included the conversion of the main house 38 Hillfield Road into 2 separate residencies. This permission reached a compromise which the basement flat gave up its right to on street parking, and the altered garage space was the consequence of this. It was clear in that permission that this was never intended as habitable living space.

The combined garage and living accommodation is inappropriate- the standing of the original permission should be maintained in full or now removed in full.  
Trying to maintain one and add to it is compromising this with a detrimental effect on our environment.

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