COMMENTS ON PLANNING APPLICATION 2023/1272/P FOR 103 CASTLEHAVEN ROAD

FROM MARK AND BEATA GOODWIN.
105 CASTLEHAVEN ROAD NW1 8SJ.
EMAIL: [redacted]
TELEPHONE: [redacted]

PLANNING OBJECTION TO FIRST FLOOR EXTENSION AT No 103 CASTLEHAVEN ROAD (2023/1272/P)

As the owner and resident of 105 Castlehaven Road, I object to the proposed plan primarily on the grounds of amenity (overshadowing, enclosure and outlook). This appears to be the reason why no new first floor extensions of this type have been granted planning permission on Castlehaven Road in the last 30 years. Loss of garden space, conserving Camden's heritage and biodiversity are also factors as to why planning permission should be refused.

This proposed extension will create a three metre wall to be built a few centimetres from the boundary of 105 Castlehaven Road (see Reference 1). The ground floor of 105 has a glass roof which will lie adjacent to the base of this wall resulting in extreme overshadowing, a sense of confinement/enclosure and damage to outlook (see reference 2).

On the first-floor, this three metre high wall will rise up directly in front of the windows of 105's office/study at a distance of less than two metres. The loss of outlook will be almost total. The overshadowing and enclosure will be extreme (see reference 3). As someone working in the creative industries, this will have a negative impact on my ability to do my job effectively (see note 1).

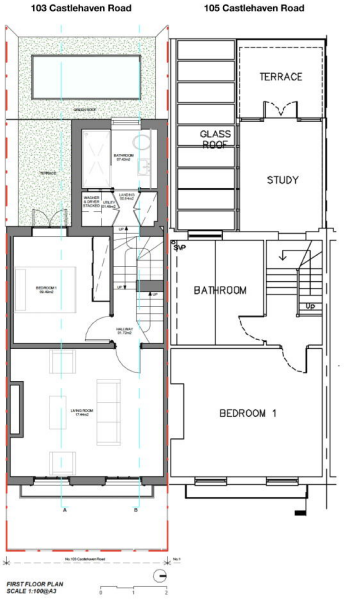
The wall will be at 90' from the first floor bathroom of 105. It's proximity will again negatively affect outlook and the overshadowing will again create a sense of enclosure and tunnelling (see reference 4).

The application cites that 'The Home Improvements Camden Planning Guidance document (January 2021) sets out that rear extensions should:
Respect and duly consider the amenity of adjacent occupiers with regard to daylight, sunlight, outlook, light pollution/ spillage, and privacy;
Consider if the extension projection would not cause sense of enclosure to the adjacent occupiers.'
I believe that this extension would seriously damage this amenity for us at 105 and cause an extreme sense of enclosure.

I have never objected to a planning application before and I really don't like doing this. I truly appreciate the attempts made by 103 to mitigate the effects on amenity that this extension would have. We discussed several options including a living wall (being north-facing this is not a viable option). The proposal of a mirrored wall is a genuine attempt to provide a surface that is less oppressive than a standard London brick wall (as featured in reference images 2-4).
However, I still fear that the height and proximity of this wall, regardless of its composition or surface, will negatively affect the amenity to such a degree that I feel compelled to object.
So I hope that Camden Planning will refuse this application, as they have done with previous applications for new first-floor extensions to similar buildings on Castlehaven Road for over three decades.
I have no objection, however, to the Ground Floor Side Infill also detailed in this planning application.

Reference 1

Floor plans showing the proximity of the proposed first floor extension at 103 to the windows/glass roof of 105 and the subsequent overshadowing and damage to outlook.



Reference 2

Photoshopped impression of the overshadowing and effect on outlook from ground floor, 105 Castlehaven Road.

PRESENT OUTLOOK

PROPOSED OUTLOOK

Reference 3

Photoshopped impression of the overshadowing and effect on outlook from first floor office, 105 Castlehaven Road.

PRESENT OUTLOOK

PROPOSED OUTLOOK

Reference 4

Photoshopped impression of the overshadowing, tunnelling and effect on outlook from first floor bathroom, 105 Castlehaven Road.

PRESENT OUTLOOK

PROPOSED OUTLOOK

SPECIFIC NOTES ON THE POINTS RAISED IN THE APPLICATION

The Application states that:
Daylight/sunlight
1. Given the increase in bulk at first floor level, the proposal would have an impact on the daylight / sunlight / outlook of the neighbouring property at no. 105, in terms of its existing first floor extension and window at first floor level.
2. However, it should be noted that the extension proposed would follow the form of the extension already present at no. 105 meaning that they would both cause a similar impact.
This is not the case. The other first floor extensions on Castlehaven Road do not have windows on the side, so the outlook is not damaged. As can be seen from the photographs on reference 3 and 4, the damage to the outlook and the sense of enclosure for us at 105 is extreme.

3. In terms of the first-floor rear extension, whilst it cuts a horizontal 45- degree line drawn from the nearest window at no. 105, that window is a bathroom and not a habitable room, so does not fall within the BRE Standards for Daylight & Sunlight. As such, it is not considered that the proposal would harm this window.
This room is a bathroom at present. But we are currently replacing the sash windows due to deterioration of the timber frames. The replacement windows will be in the same style as the existing ones, but we're looking to change the blinds to something that allows more light in and more of a view out.

Outlook
4. The proposal would impact the outlook from the existing first-floor extension of no. 105, given it is clad in glass. Following discussions with our neighbour, to improve outlook from that extension it is proposed to clad this elevation of the proposed extension with a mirrored finish.
I appreciate this but, as previously stated, do not think that this would be able to mitigate the damage to outlook that a 3 metre wall built less than 2 metres from my window would have.

1. *The proposed first-floor extension would cause a greater sense of enclosure to the matching form of the house at no. 105 which is clad in glass, though not to a greater degree than extensions on the terrace already do.*

This is incorrect. The combination of a glass roof on the ground floor of 105 and windows on the side of the first-floor extension mean that the sense of enclosure is far greater than that caused by any other first floor extension on this road.
3. Given the neighbouring first-floor window serves a bathroom, it is not considered that BRE 'sense of enclosure' and 'tunnel-effect' guidance should apply to this element.
See previous note.

REFERENCE TO LOCAL PLAN AND PREVIOUS PLANNING APPLICATIONS IN SUPPORT OF PLANNING OBJECTION TO FIRST FLOOR EXTENSION AT No 103 CASTLEHAVEN ROAD (2023/1272/P).

Camden's Local Plan (Policy A1) seeks to protect Amenity and *'will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties'*. Outlook is an amenity as detailed in section 2.13/2.14 of 'Camden Planning Guidance (Amenity)' which states that '*Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers.'*

The proposed first floor extension will create a three metre wall directly in front of the windows of the first floor office at a distance of less than two metres. The base of this wall will be adjacent to the glass roof on the ground floor, creating an overbearing and dominating effect.

The wall will lie at 90' to the first floor bathroom window negatively affecting outlook and creating a sense of confinement.
This goes against the spirit of the Local Plan to protect outlook.

To the best of my knowledge, planning has not been granted for any first-floor extensions of this type on Castlehaven Road for over 30 years. The example cited at 89 Castlehaven Road (2018/3936/P) in support of the application were simply *'alterations to existing first floor rear extension'*, not a new first floor extension. As far as I know, the outlook of either adjacent properties was not affected in the same way that the proposed extension would affect the amenities of 105.
Similar applications have been rejected: Application 2008/5771/P to erect a rear, first floor extension to 121 Castlehaven Road was refused in 07/04/2009.
Application PE9900018 to erect an extension at rear and ground floor levels at 115 Castlehaven Road was refused 26/07/99.
Visual Amenity/Outlook was a reason stated for both refusals.

It's nearly 40 years since the first floor extension at 105 was granted planning permission and we cannot change what is already here.
Granting planning permission for this proposal will result in further first floor extensions which will further damage the amenity of neighbouring properties. Indeed, there its currently an application pending for 101 to build a similar extension ((2023/1015/P)).

Aside from the specific impact that this extension will have on the amenity of 105, it feels that Camden should continue to block first-floor rear extensions of this type which result in harm to the character and appearance of the building, the terrace of which it forms part and this part of the Kelly Street Conservation Area, contrary to policy CS14 (Promoting high quality places and conserving our heritage) the London Borough of Camden Local Development Framework Core Strategy; and policies DP24 (Securing high quality design) and DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies.

DEVELOPMENT OF REAR GARDENS AND BIODIVERSITY CONCERNS.

This planning application is also is at odds with Sections 6.37 and 6.38 of the Local Plan which states that '*Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area…. Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habitats. Therefore they can be an important element in the character and identity of an area (its 'sense of place'). We will resist development that occupies an excessive part of the garden, and the loss of garden space which contributes to the character of the townscape.*
6.38 We will seek the retention of important views and glimpses of green space where these have been identified in a conservation area appraisal or development brief….Spaces above rooflines, gaps between buildings and even small, sometimes isolated pockets of amenity space, can be vital in supporting the notion of openness, provide visual interest, soften the built environment and contribute to wellbeing'.
Even though it's a terrace it is still an open and 'green' space within the Castlehaven Conservation area. The proposed extension would block this view and create a sense of crowding and enclosure.

Even a small space can affect the biodiversity of an area. As a member of The London Bat Group, I'm happy that there is a bat population in the area and have footage of the bats freely flying and feeding over the rear terraces and gardens of 101 and 103 (see reference 5 - footage can be supplied on request). This development feels at odds with Policy A3 on Biodiversity which seeks to protect species like this.

Finally, the proposed extension also feels out of tune with Camden's recognition of the Creative Industries (5.22 Local Plan) given the effect of the loss of light and sense of overbearing confinement the development will have on my work as a Creative Director and writer (see note 1).

For these reasons I would argue that permission for this first floor extension should be refused.

Reference 5

Footage of bats feeding over the terraces of 101 and 103 Castlehaven Road

Policy A3 Biodiversity

The Council will protect and enhance sites of nature conservation and biodiversity. We will:

a. designate and protect nature conservation sites and safeguard protected and priority habitats and species;
b. grant permission for development unless it would directly or indirectly result in the loss or harm to a designated nature conservation site or adversely affect the status or population of priority habitats and species;
c. seek the protection of other features with nature conservation value, including gardens, wherever possible;

Note 1

Recognising the importance of creative industries
In section 5.22 of the Local Plan, Camden recognises the importance of creative industries to the area.
I am a Creative Director and writer. I've been working from my home office since Covid and now work full-time for my company Squidink Ltd. In the past I was Creative Director on Transport For London where I created the 'Every Journey Matters' positioning and Public Health England where I created the 'Be Clear on Cancer' campaign.
One of the things I've learned over the years is that the working environment is hugely important to any creative person. A sense of light and openness is conducive to creative thinking. A sense of confinement, enclosure and overshadowing has the opposite effect.
If this application is approved, I will no longer have the light and openness that I have now. I will be staring out at a wall, less than two metres from my desk. This will negatively affect my ability to do my job.
I fear that this will have a knock-on effect on my mental wellbeing, something Camden rightly seeks to safeguard for all its residents (Local Plan section 1.33).