

Application No: 2023/2261/P
Consultees Name: Karolina Papp
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Comment: OBJ

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Response:

Dear Sir/Madam,

I live in Flat 44 in Holmefield Court, in one of the rear flats of the building which would be directly affected by the works on 15 Howitt Road. I find it appalling that there has been next to no effort made to let the residents aware of these works - I had to find out through a neighbour.

The extent of these works will be extremely disruptive to our daily lives, as residents who work from home often. We are especially concerned about the level of noise and the disruption of [REDACTED]. This will directly affect our livelihood and be an extreme detriment to us and our ability to complete our jobs in an efficient way. We are most concerned about the length of the works, which are predicted to last a full year. We rent the property and this means we will have to endure these works until our tenancy agreement ends, locking us into an unfair arrangement that we were unaware of.

I wholeheartedly agree with the comments a previous neighbour made, and which I will paste here:

1. Addition of first-floor extruding terrace above extended (out-rigger).

The proposal for a first-storey terrace above the ground-floor and basement rear extensions would be an unfair intrusion on the privacy and amenity enjoyed by many neighbours to the side and rear of the property.

With no garden access for the proposed upper flat of the development, it can be anticipated that the proposed terrace extending out to within 4m of the boundary wall would be frequently used with a consequent increase in noise and artificial light from the feature, disproportionately affecting the amenity and [REDACTED] some of whom have living and [REDACTED] directly into the proposed terrace at ground, first floor and second-floor levels in flats at Holmefield Court to the rear.

Camden Council has rejected attempts in adjacent properties to install or allow the use of first-floor roofs for terraces

In technical parlance, I would make my argument also citing the rationale included in a previous denial of an equivalent proposed development of a roof terrace on an adjacent property; that it should be denied 'In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.' (see below)

I give two examples below of Camden rejecting proposals for such terraces in nearby adjacent properties:

17 Howitt Road Firstly, the building of a flat-roof extension at the adjacent property of 17 Howitt Road was originally granted on condition that this was not then used as the basis for an first-floor terrace for the upper of flats A and B in 2016. Yet an attempt was made to overturn this months later before being withdrawn in December of that year after objections from neighbours on the ground of likely noise, annoyance, disturbance and loss of amenity and privacy.

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This rejected proposed use, on the adjacent property, effectively replicates that proposed development feature at 15 Howitt Road.

Links to withdrawn attempt to overturn the use of flat roof to create first-floor roof terrace at the neighbouring property, 17 Howitt Road provided immediately below:

<https://accountforms.camden.gov.uk/planning-search/index.xhtml?faces-redirect=true&search=2016%2F6129%2FP&page=1&sortBy=RELEVANCY>

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222016/6129/P%22>

You may also note that the original planning condition for the construction of flat rear roof at 17 Howitt Road in 2016, included the condition of a reduction to dimensions of the proposed rear extension to remain no further out than the existing historic 'outrigger' extension to the rear boundary wall.

Please note the condition disallowing a roof terrace culled from the link attached:
<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/5746570/file/document?inline> 8.

A condition should be placed upon the approval preventing the use of any part the roof of the existing or new extension to the rear of the building as a terrace. Response: Agreed.

21 Howitt Road

Attempts to win approval for a roof terrace were also disputed and rejected at this property in 2013

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222013/2661/P%22>

Decision notice: <http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/2905788/file/document?inline>

The flat roof of the extension hereby approved, shall not be used as a roof terrace. Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

2. Excessive dimensions and impact of the rear basement and basement extensions

The proposed basement extension and ground floor extension (extending the current building) take this combined two-storey extension well to less than 4m of the rear boundary and beyond the dimensions of the existing historic 'outrigger' extension.
I believe that the construction of two-storey extensions cannot go closer than 7m to the rear boundary in normal circumstances. Should this constraint apply, the planned development is not allowable.

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Links suggestive of the overreach of the proposed depth of rear extensions immediately below:
<https://extensionarchitecture.co.uk/house-extensions/how-close-to-my-boundary-can-i-build-an-extension/>
<https://ecab.planningportal.co.uk/uploads/miniguides/extensions/Extensions.pdf>

Also, I believe the building of a sunken patio at rear of the basement extension is likely to cause additional uplighting of artificial light and noise echo for neighbours in the facing block when existing ambient artificial light and noise - direct and deflected along the 'gully' of densely populated Holmefield Court and Howitt Road housing - is already a problem.

3. Excessive addition of rear dormer and flat roof to rear

The proposal for a prominent rear dormer and flat roof would be detrimental to the character and appearance of the host building and disrupt a largely unaltered roofscape for neighbours, and would fail to either preserve or enhance the character or appearance of the wider Belsize Conservation Area.

The proposed feature, alongside the proposed rear basement development with patio and proposed first-floor roof terrace, will also in aggregate (while moving from a three-storey back fascia to a five-storey back fascia) add more than 50 per cent to total floor space in the property. This will significantly add to existing levels of ambient light and noise annoyance based on scaling up current levels of activity and also result in future overlook at intrusion into facing bedrooms and living rooms from more levels of the extended building, adding to a loss of amenity and more sense of enclosure.

A more modest exploitation of loft space, of less architectural damage to the original design to the existing roof skyline caused by the addition of a new dormer level and extruding flat roof to neighbours facing on the back of 15 Howitt Road would be more appropriate. The proposed additional storey of dormers will exacerbate current concerns of enclosure and loss of privacy to facing residents.

Though I note other properties have built additional dormer features in previous decades down the street away from Haverstock Hill, which have different original roof frontages and design, there is no current interruption of the original character of roofs and skylines to front and rear from 15 Howitt Road along to Haverstock Hill. This integrity should be protected.

Below is a link to a recent denial of such a proposed rear extension at a property broadly opposite 15 Howitt Road (18 Howitt Road - (with a detailed explanation of refusal) in support of my objections.

<https://planningrecords.camden.gov.uk/Northgate/PlanningExplorer/Generic/StdDetails.aspx?PT=Planning%20Application%20Refusal&TYPE=PL/RefusalsPK.xml&PARAM0=442739&PARAM1=No&XSLT=Northgate/PlanningExplorer/SiteFiles/Skins/camden/xslt/PL/PLRefusals.xslt&DAURI=PLANNING&XMLSID E=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/Menu/PL.xml>

I would argue that, broadly, the same arguments apply, that is:

The proposed rear dormer by reason of its location, width, bulk and detailed design, would be detrimental to

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the character and appearance of the host building, and disrupt a largely unaltered roofscape, and would fail to either preserve or enhance the character or appearance of the wider Belsize Conservation Area, contrary to policies CS5 (Managing the impact of growth and development) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy (2010), policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies (2010), Camden Planning Guidance 1 - Design (2015), Belsize Conservation Area Appraisal (2003) and policy 7.6 (Architecture) of the London Plan (2015).

4. Consultation with neighbours has been inadequate. I only the other day spotted a street sign on one post on Belsize Grove, which I am sure will have been overlooked by most people potentially affected.

I note there has been no apparent attempt to contact residents and owners living in flats directly to the rear of Holmefield Court, who will be affected by the proposals. Can this be rectified and the consultation period therefore extended?

I believe previous applications for works on the south-side of Howitt Road have included facing residents on Belsize Grove as concerted consultees and details of applications have been delivered to relevant addresses.

Example here: <https://planningrecords.camden.gov.uk/Northgate/PlanningExplorer/Generic/StdDetails.aspx?PT=Neighbours&TYPE=PL/NeighboursPK.xml&PARAM0=355943&XSLT=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/xslt/PL/PLNeighbours.xslt&FT=Neighbours&DAURI=PLANNING&XMLSIDE=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/Menu/PL.xml>

5. What happened to the tree in the rear garden? Some months ago, a reasonably mature tree was cut down along with other shrubs in the rear garden, which at some times of year provided some privacy from overview from 15 Howitt Road floors.

I had assumed permission had been obtained on some basis for this, but I cannot now find evidence that permission was sort for tree works, which I assume might be viewed as easing subsequent application. It might be arguable that the tree should be removed. But can I ask if permission was sought and gained? If the tree was still there, having been properly maintained, I believe a tree survey would have been required along with the current application.

Also, I note the application states there are no trees or hedges on land adjacent to the current development site. (see link below). But there are mature trees to the rear of the adjacent garden at 11 Howitt Road, which do provide welcome and attractive privacy between the rear of the property and facing flats at Holmefield Court.

Should this part of the documentation be amended to reflect this?
<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/10101939/file/document?inline>

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