

28 Meadowbank NW3 3AY



The Planning Department  
Camden Council  
Judd Street  
London WC1H 9JE

28 July 2023

Dear sir

Re Planning Application 2023/1876/P

34 Meadowbank

I wish to object to the above application for the following reasons:

1. Overdevelopment of the property

This application, following a previous roof extension applications and together with the already approved basement application, will turn what was built as a three storey house into a six storey one.

If this precedent is allowed, then the consequences for the Meadowbank estate are serious. It is generally agreed that its original layout was high density, so to allow one property to double in size (by expanding up and down) will have a significant detrimental impact on the built environment. What will happen if all householders follow suit?

2. The application is for more than one storey

What is being proposed is either:

- (a) The demolition of the existing fourth storey and replacing it with a new fourth storey and fifth storey in the roof, in which case it is a two storey development.

or

- (b) The raising of the roof of the existing fourth storey and the creation of a fifth storey in the roof; in which case it is more than a one storey development, say one and a half.

In both cases it is more than a simple one storey extension as the applicant misleadingly claims. Thus there is good reason to regard this as excessive development.

### 3. Overlooking of neighbouring properties

Relevant to overlooking is the Camden Planning Guidance Amenity Statement section 1. It states:

*Section 2.2: Interior and exterior spaces that are overlooked lack privacy, which can affect the quality of life of occupants.*

*Section 2.3: The places most sensitive to overlooking are typically habitable rooms and gardens at the rear of residential buildings.*

*Section 2.4: To ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed development....measured between the two closest points on each building (including balconies).*

#### ∞ Overlooking at the rear of the property

Note that the applicants planning form at Page 6 Impact and Risks section states: "There is a separation distance of approximately 17.5m from the principal rear building line of the property and the rear building line of 28 and 29 Meadowbank opposite." Thus this ignores the balconies as required in Section 2.4 above, meaning the distance is well below the good practice figure of 18m. The whole terrace from 27 to 31 Meadowbank will find their houses overlooked by the proposed skylights/windows on the top storey, which is surely unreasonable intrusion. This is after having to accept being overlooked by the additional fourth storey for which planning was obtained a few years ago.

#### ∞ Overlooking at the front of the property

Four photos were uploaded as part of the application in support of the double storey. The captions, all read:

Large tree obscures view of roof from neighbours gardens and windows

However, the large tree referred to is a deciduous tree and so sheds its leaves. Thus the view is not obscured for most of the year ie autumn/winter when no leaves and spring when in bud. The building of an extra storey will make the overlooking worse for these middle garden houses, not as written in the application. The nearest houses, 47, 48, 49, 50, 51 and 52 are really quite close and will definitely be overlooked for most of the year. The tree would not provide permanent year-round cover sufficient to mitigate the loss of privacy arising from the proposed development.

Thus the application does not comply with Camden's Amenity Guidance Statement in that the separation distance is below the recommended level at front and rear. It also overlooks the most sensitive places. Whilst this non-compliance should be sufficient to refuse this application, consider also the even more serious impact if the rest of the estate's householders took advantage of the precedent.

If you are unwilling to reject this application then please accept this compromise on the question overlooking and light into the top storey: permit light in through skylights/windows at the front but

reject the skylights/windows at the rear. This will allow sufficient light into the floor, have some protection from overlooking for the houses at the front via the tree and no overlooking for the terrace of houses at the rear.

#### 4. Loss of light to the neighbouring houses and communal gardens

The application states that the loss of light to the neighbouring houses and communal garden is within the prescribed limits. However, it is evident that if all the houses were to take advantage of this precedent then the result would be different. The overall effect on the neighbours and especially the communal gardens would be significant. Again, whilst the loss of light may seem acceptable for one householder application, it is clearly not if all take advantage of the precedent.

Also relevant is the Camden Planning Guidance Amenity Statement section 3. It states as a key message:

*Levels of reported daylight and sunlight will be considered flexibly taking into account site-specific circumstances and context.*

*And in 3.14: The Council notes the intentions of the BRE document is to provide advice to developers and decision makers and therefore it should be regarded as a guide rather than a policy.*

Thus the potential cumulative impact should be taken into account, taking note, as the Amenity Statement provides, of the site-specific circumstances and context. On which basis this application should be refused.

#### 5. Impact of roof line in the estate

Contrary to the suggestion in the applicant's Planning Statement, the existing roofline of all the houses in Meadowbank originally built with a pitched roof has never been breached before. The roofline was variable in places as individual houses were built on different levels. However, each straight row (for example 46-50, 52-58, and most relevant here 33-38) was built and remains at the same roofline level. This application will set an unacceptable precedent for breaching the roofline of the existing terrace of houses

What is proposed here would extend by 2.1 metres above the roofline of 33-38. Even though that is within the 3.5 metres allowed by AA.1(g), matters like this can still be taken into account by the planning authority when considering the impact of the application for prior approval under AA.2(3) of the GDO (see CAB Housing Ltd v Secretary of State [2023] EWCA Civ 194 - Court of Appeal).

#### 6. Impairment of built environment of Meadowbank

Camden has a responsibility to maintain the built environment in the borough. The Camden Planning Guidance Amenity Statement in Section 1.1 states it is a formal Supplementary Planning Document, which is therefore a "material consideration" in planning decisions. It goes on in 1.3 to state: *Standards of amenity (the features of a place that contribute to its attractiveness and comfort) are major factors in the health and quality of life of the borough's residents.*

## 7. Conclusion

This application is a clear case of overdevelopment leading to excessive overlooking of neighbouring properties, loss of light to homes and communal gardens, all of which would be made even worse for the Meadowbank estate by the precedent set for others to follow. It is generally accepted that the estate was built as high density and Camden, at the very least, has a responsibility to prevent this from getting worse. Granting permission would demonstrate no concern for the built environment of the Meadowbank estate or its standards of amenity.

There was much concern expressed by the planning committee about the application by 34 Meadowbank's owners for a basement. I believe the above concerns about this loft extension are important matters of principle which are too important to be dealt with by delegated authority and should be debated by the full planning committee.

If you do not feel able to reject this application or bring it to the full planning committee, then at least consider a compromise solution for the top storey by permitting light in through skylights/windows at the front but rejecting the skylights/windows at the rear. This will allow sufficient light into the top floor, have some protection from overlooking for the houses at the front via the tree and no overlooking for the terrace of houses at the rear.

Yours faithfully

Paul Filer