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Application No:	Consultees Name:	Received:	Comment:	Response:
2023/1876/P	Michael John Brace	30/07/2023 15:03:31	COMMENT	<p>27 Meadowbank London NW3 3AY 28th July 2023 Planning Department</p> <p>Dear Sir Re Planning Application 2023/1876/P We have lived at 27 Meadowbank, on Ainger Road for over forty years and our patio backs onto the same garden as No.34. We object to the application as above for the following reasons. From our patio it can be observed that the sun sets in line with and behind No.34 Meadowbank. If permission is granted for the fourth and fifth storey to be built the garden together with the patios of numbers 27 and 28 Meadowbank will be denied the late afternoon and evening sunshine which we have enjoyed these past forty years. In our view there is a purpose to the symmetry of the estate as a whole which was designed and built to provide high density accommodation, with communal gardens to provide privacy between houses and a place to enjoy fresh air and sunshine to all residents of the estate (66 houses have access to the gardens) . If the existing fourth storey at 34 Meadowbank is raised and a fifth storey (6 storeys including the basement) added then the symmetry will be broken. If a precedent is set other houses may decide to follow suit resulting in the present sunshine and light enjoyed by the gardens in the estate being lost forever. This is clearly an example of overdevelopment which would have a detrimental effect on the whole estate. Yours faithfully MJ and Mrs C Brace</p>

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2023/1876/P	Adrian Hollis	30/07/2023 19:19:15	OBJ	OBJECTION		
<p>Meadowbank estate is recognised as being a high density development. This application has not considered the scale, massing or height in relation to the adjoining or similar buildings. Any additions should be subordinate to the original building in terms of scale to maintain continuity, rights of light and privacy.</p>						
<p>Properties within the central triangle in the same style as No34, which include but not exclusively Nos 46-51, none have extended above the original ridge line of the terraces.</p>						
<p>The two communal gardens to the front and rear of No34 have several properties adjoining the gardens some with 2nd floor private terraces, all these properties will be hugely affected by any upward extension beyond the ridge line.</p>						
<p>Reference made to a tree acting as a barrier: The estate management maintenance plan includes pollarding and/or removal of vegetation as deemed appropriate therefore it is unreasonable to consider a tree which sheds leaves as being a permanent barrier, and should be disregarded.</p>						
<p>The impact of such an over development in a densely packed estate will be untold if permission is given by setting a precedent for others to follow. The need for space cannot always be accommodated by expansion when moving would be a more appropriate solution.</p>						
<p>We request that this application be reviewed by a full planning committee and scrutinise in conjunction with the basement and rear extension planning application already made by owner/ developer of No34.</p>						
<p>Please note that we are in agreement with all objections made in respect to Planning Application 2023/1876/P</p>						

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2023/1876/P	Barry Moody	28/07/2023 17:53:08	OBJ	<p>Planning objection 34 Meadowbank Application 2023/1876/P</p> <p>I am objecting to this application on the grounds set out below.</p> <p>The proposed development does not fall within the definition of class AA 'permitted development'. Contrary to AA.1(d), the existing dwellinghouse has already been enlarged by the addition of one or more storeys above the original dwellinghouse. The applicant's Planning Statement seeks to argue that the loft does not constitute a 'storey' because of the definition in AA4(2), but that definition refers to any accommodation within the roof of a dwellinghouse. The existing loft is not within the roof - it may be the same height as the roofline, but it plainly sticks out from the original pitched roof.</p> <p>The proposed development would have an adverse impact on the amenity of adjoining premises by reason of its design and external appearance.</p> <p>If the local planning authority accepts (contrary to the above) that this proposal does fall within class AA permitted development, the applicant has to seek prior approval under AA.2(3). It is now established that the local planning authority has a very wide discretion when considering such matters, following the recent Court of Appeal decision in <i>CAB Housing Ltd v Secretary of State</i> [2023] EWCA Civ 194. I would ask for the following to be taken into account and given due weight:</p> <ol style="list-style-type: none">1. The proposed development represents a gross over-development of the site. A property originally constructed on three floors will, following the implementation of the basement consent and the current application, become a six floor property on an estate (Meadowbank) which is already high density. This will impact adversely on the built environment.2. Amenity will also be affected by loss of privacy and light. All the considerations set out in paragraphs 2 and 3 of the Amenity CPG should be taken into account. In particular, close attention should be given to the recommended separation distance of 18m (referred to in paragraph 2.4). I do not believe the applicant can comply with this in relation to the rear building of 28/29 Meadowbank opposite.3. The applicant's photos are captioned to suggest that the view of the extension will be largely obscured by a large tree. That tree is deciduous and will offer no protection during the winter months.4. The suggestion in the applicant's Planning Statement that raising the height of terraced property should be uncontentious takes no account of the local planning authority's discretion, as confirmed by the Court of Appeal case. The existing roofline of all the houses in Meadowbank originally built with a pitched roof has never been breached, even by the existing dormers, as the photos confirm. The roofline is variable in places as individual houses were built on different levels. However, each straight terraced row (for example 46-50, 52-58, and most relevant here 33-38) was built and remains at the same roofline level. It should be maintained.5. Inconsistent planning advice has been given by the local planning authority down the years regarding the status of the Meadowbank private roads and footways, and whether they are or are not 'highways'. The applicant's assertions on this should be treated with caution. <p>Barry Moody 44 Meadowbank</p>

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2023/1876/P	Michael John Brace	30/07/2023 15:11:33	COMMIT	<p>27 Meadowbank London NW3 3AY 28th July 2023 Planning Department</p> <p>Dear Sir Re Planning Application 2023/1876/P We have lived at 27 Meadowbank, on Ainger Road for over forty years and our patio backs onto the same garden as No.34. We object to the application as above for the following reasons. From our patio it can be observed that the sun sets in line with and behind No.34 Meadowbank. If permission is granted for the fourth and fifth storey to be built the garden together with the patios of numbers 27 and 28 Meadowbank will be denied the late afternoon and evening sunshine which we have enjoyed these past forty years. In our view there is a purpose to the symmetry of the estate as a whole which was designed and built to provide high density accommodation, with communal gardens to provide privacy between houses and a place to enjoy fresh air and sunshine to all residents of the estate (66 houses have access to the gardens) . If the existing fourth storey at 34 Meadowbank is raised and a fifth storey (6 storeys including the basement) added then the symmetry will be broken. If a precedent is set other houses may decide to follow suit resulting in the present sunshine and light enjoyed by the gardens in the estate being lost forever. This is clearly an example of overdevelopment which would have a detrimental effect on the whole estate. Yours faithfully MJ and Mrs C Brace</p>
2023/1876/P	Paul Johnson	28/07/2023 16:41:11	OBJ	<p>Dear Sir or Madam, Planning Application 2023/1876/P - No 34 Meadowbank I should like to strongly object to the latest planning application submitted in respect of the above property which will transform an original 3 storey house constructed as part of an integrated estate into a 6 storey property that is a massive overdevelopment of the site and totally inappropriate for the facilities and infrastructure of the Meadowbank estate. The disingenuous piecemeal approach to planning applications being adopted seeks to minimise the overall impact of the developments since 2008 that have been undertaken or are currently being sought and I believe all the applications should therefore be considered in totality rather than as separate applications as is currently the case. Paul Johnson</p>

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2023/1876/P	Paul Filer	28/07/2023 11:07:52	COMMENT	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

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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 applicants Planning Statement, the existing roofline of all the houses in

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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

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