

Dear Sirs,

I write in relation to the above application.

This application is one of four separate applications made following the refusal of a previous application made in relation to the buildings which now form part of this and the other three applications. It is unclear why it is felt necessary to make four separate applications where a single application was previously considered to be appropriate. It is clearly important that the four applications, and the collective impact of the proposed buildings, are considered together.

It is also important to bear in mind, when considering the statement which has now been provided in support of the four applications, sets out an alleged need for buildings which is inconsistent with the information which was provided in support of the application made (and granted) to demolish the single building in the garden. As at that time it was stated that following the demolition of the building extensive re-landscaping of the garden would be undertaken with many additional trees planted. This can be seen in the detailed landscaping proposal approved by Camden Council via discharge of condition application (LPA ref: 2921/5768/P) in December 2021 where the owner stated:

“We are proposing to demolish the existing summer house in the rear of the garden at 14 Greenaway Gardens, **this is to allow for the rewilding of this part of the garden as it has significant mature trees in this area. We are also seeking to decommission the swimming pool and remove the south west wall and bank of ground that was supporting it. This will convert the existing swimming pool structure into a courtyard facing toward the existing house.** As part of this application, we also seek to remove a birch tree and replace this with a mature tree in the area that the existing summer house occupies.”

The applicant also submitted plans for sunken terraces in the garden which were in keeping with the character of this conservation area. There was, therefore, no suggestion that any additional building would be built.

The owner took steps to ensure that those potentially affected by that application were fully informed of these intentions – namely the re-landscaping etc – and made no suggestion that additional buildings were needed (whether for the reasons now given in the statement or other otherwise). It was in reliance on these unambiguous statements of intention made by or on behalf of the owner that I did not object to that application.

Against this backdrop, I was shocked when, without any notice from the owner, the previous application for these dwellings was made. In contrast to the strenuous efforts made by the owner to make it clear that he was intending to re-landscape the garden, he gave no notice of his radical change in position nor did he provide any explanation. This made me feel that I had been misled by the owner in relation to the application to demolish the existing building since, had I known that the building was being demolished in order to erect four further dwellings, I would undoubtedly have objected.

After the unsuccessful application was made the owner has refused to engage in any communications (again in stark contrast to when he was providing the assurance in support of the earlier application).

I have to confess that I am rather taken aback by what is now said in the statement. It is unclear why, if these needs do in fact exist, they were not mentioned when the original application was made. Nor is it clear why the owner has now moved from a commitment to re-landscaping the garden to building a number of significant dwellings. Nor is it clear why if the owner has these needs he purchased a house which allegedly falls so short of meeting them.

What I think is clear, however, is that the owner's needs are fluid and can at any time, with no apparent reason or explanation, change. This makes it difficult to know what to make of the statement.

Turning to the alleged need for a swimming pool, art studio, gymnasium etc I repeat that if these are truly the owner's needs it is unclear why the property was purchased, nor as to why those needs were not made clear at an earlier stage (whether in relation to the application to demolish the single building or the previous unsuccessful application). Moreover, it is difficult to understand how the reasons provide can even arguably justify a free-standing art studio as a need as opposed to a whim, nor is it possible to understand how, given the size of the property purchased provision for this (or indeed a gym) could not be made in that property (if they are in fact a need).

There is nothing in this or the other three applications which in any way undermines the entirely correct basis for refusing the single application. For the reasons given above the statement provided in support needs to be supported with caution and, even taken at face value, it identifies no reasonable basis for considering that Camden's earlier decision that the buildings are NOT reasonably required. Indeed, on the contrary, if anything the statement serves to confirm that they represent unrestrained whims and, as such, the correctness of Camden's decision.

I urge Camden to stick to their original refusal which was entirely justifiable. The result of these outbuildings will undoubtedly affect the biodiversity and nature of the area. Greenaway Gardens, a conservation area, is NOT suitable for such outbuildings. Further, the noise pollution is likely to adversely affect our enjoyment of our garden/terrace.

As for the suggestion that it "effectively replace two former outbuildings in a similar location and of a similar scale", this is both incorrect and begs the question as to why the former were demolished. The simple point is that the former (which it is understood had been built without permission) had been in place for years during which the surrounding trees etc had hidden them from view. Moreover, the building was set back from the properties in Chesterford Gardens, and the dwellings now proposed are both adjacent to the back walls of our garden and will cover a significant proportion of the owner's garden, thereby significantly reducing the biodiversity. Indeed, it has been a tragic feature of the works undertaken that more and more mature trees are being cut down.

Please do not hesitate to contact me if I can be of any further assistance.

Kind regards,

Alan Payne KC
8A Chesterford Gardens
NW3 7DE