

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/0548/P	David Young	19/03/2024 17:58:30	OBJ	*Objection Part 3

2) THE DEMOLITION OF THE ORIGINAL 19TH CENTURY BAY WINDOW WHICH DEFINES THE ARCHITECTURAL INTEGRITY OF THE REAR ELEVATION OF THE PROPERTY

We are very familiar with the South Hill Park Conservation Area Statement and the Hampstead Neighbourhood Plan 2018-2033. We are therefore, very surprised that the architects brochure seems to have misunderstood, overlooked or perhaps cherry picked extracts that might support their application. As we mentioned in our introduction the architects brochure should be considered for what it has omitted as much as what it has included.

To ensure that the key guidelines in both statements are considered by everyone we would like to draw attention to a number of points that relate directly to the rear of the properties in Tanza Road that back onto the Heath. We feel this must be closely examined given the application proposes the demolition of the original bay window despite the applicant's architects having chosen not to address it.

To start with please see below the crucial elements that relate to this proposal and are extracted from the South Hill Park Conservation Area Statement.

Page 9 - GENERAL COMMENT

"Generally, the Conservation Area is characterised by substantial semi-detached villas, many of which are adorned by decorative window, porch and roof features with entrance steps and complementary garden walls. The unique relationships of the dwellings to Parliament Hill and the Heath is also a principle feature of the Conservation Area."

Page 15 - BUILDINGS WHICH MAKE A POSITIVE CONTRIBUTION

"A number of buildings are notable because of their value as local landmarks, or a particularly good examples of local building tradition. Such buildings, whilst not statutorily listed are nevertheless important local buildings in their own right and make a positive contribution to the character and appearance of the Conservation Area.

The Conservation Area is a good example of late 19th century suburban development, which largely retains its homogenous architectural character. For this reason, most of these 19th century buildings make a positive contribution to the character and appearance of the conservation area. The general assumption should therefore be in favour of retaining such buildings."

The unlisted buildings which make a positive contribution to the special character and appearance of the area are as follows:

Nassington Road - 1-57 (odd), 4-26 (even)
Parliament Hill - 1-14 (consec.) 15-77 (odd) 18-70 (even)
Tanza Road - 2-22 (even). 1-39 (odd)

Page 19 - GUIDELINES

"UDP Policy EN33 states the Council will seek to ensure that development in a conservation area preserves or enhances its special character and appearance and is designed to harmonise with the established character of the area."

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Page 20 - MATERIALS AND MAINTENANCE

SHP7 - In all cases, existing/original architectural features and detailing characteristics of the Conservation Area should be retained and kept in good repair, and only replaced when there is no alternative, or to enhance the appearance of the building through the restoration of missing features.”

SHP11 - Within the conservation area total or substantial demolition of a building will require conservation area consent.

SHP13 - All applications should clearly show the extent of demolition works proposed (including partial demolition).

Page 20 - REAR EXTENSIONS / CONSERVATORIES

SHP18 - Extensions and conservatories can alter the balance and harmony of a property or group of properties by insensitive scale, design or inappropriate materials. Within the last twenty years some extensions have harmed the appearance of the Conservation Area and would no longer be considered acceptable. Some rear extensions, although not widely visible so adversely affect the architectural integrity of the building to which they are attached, that the character of the Conservation Area is prejudiced. Rear Extensions should be unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area.”

SHP19 - Extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings.”

SHP20 - Rear Extensions will not be acceptable where they would spoil a uniformed rear elevation of an unspoilt terrace or group of buildings.”

Secondly, extracts from the Hampstead Neighbour Hood Plan 2018-2033:

DESIGN AND HERITAGE:

Development must respond to the history and distinctive character of Hampstead’s different areas. It must contribute positively through good architecture and landscaping. Development must conform to conservation area appraisals and management strategies and must not harm an area’s character or heritage assets.

POLICY DH2: CONSERVATION AREAS AND LISTED BUILDINGS

National planning policies require local plans to set forth a positive strategy for the “conservation and enjoyment of the historic environment.” The effect of a planning application on a listed asset (designated heritage asset) or an asset noted as making a positive contribution in the relevant Conservation Area Appraisals or are in Camden’s Local List (non-designated heritage asset) should be taken into account.

Planning applications within a Conservation Area must have regard to the guidelines in the relevant Conservation Area Appraisal(s) and Management Strategies.

New development should take advantage of opportunities to enhance the Conservation Areas by protecting and, where appropriate, restoring original architectural features, including walls, windows, doors, etc., that would make a positive contribution to the Conservation Areas.

Development proposals must seek to protect and/or enhance buildings(or other elements) which make a

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positive contribution to the Conservation area, as identified in the relevant Conservation Area Appraisals and Management Strategies

Harm to a designated or non-designated heritage asset would include development that through its height, mass, profile or quality, obstructs or degrades that asset or its setting.

3) THE NEGATIVE IMPACT ON THE HEATH AND THE PROTECTED OPEN SPACES THAT THE TANZA ROAD REAR GARDENS FORM PART OF

Firstly, extracts from the South Hill Park Conservation Area Statement:

Page 13 - WHOLE AREA

"The unique character of the Conservation Area derives in part, from the slopes of the roads (particularly Tanza Road and Nassington Road) and the way each pair or group of houses steps down the hill."

Page 13 - VIEWS

"There are many incidental and panoramic views into the Conservation Area, which include the rear elevations and rear gardens of properties that back onto the Heath and Parliament Hill. The rear gardens of all the houses that adjoin the Heath ... are important green open spaces within the Conservation Area and are designated as Public Open Space (POS) in the UDP, although they are privately owned."

Page 13 - TREES AND GREEN SPACES

"The Conservation Area is bordered on two sides by the Heath. The properties on the west side of South Hill Park and the east side of Tanza Road back onto Hampstead Heath and Parliament Hill. The siting, form and appearance of development on the fringes of the Heath and framing views from it are considered to be particularly sensitive."

The second significant open space is the rear gardens of all the houses that adjoin the Heath and the embankments of the railway and the allotment gardens. They are all important green open spaces within this Conservation Area, although they are privately owned. The relationship between the built and natural environment is an essential part of the special character of South Hill Park Conservation Area."

- Secondly extracts from the Hampstead Neighbour Hood Plan 2018-2033

NATURAL ENVIRONMENT

The Hampstead Conservation Area Appraisal and Management Strategy (Hampstead Conservation Area Statement 2002) sets forth a list of policies concerning areas that fringe the Heath. The Plan supports Heath Fringe policy HF3 which "seeks to control development along roads leading to the Heath and in the gardens and trees adjacent to the Heath so as to safeguard their present contribution to the setting of the Heath."

All development proposals which are required to produce a design and access statement will need to produce additional information on how the proposal conserves and / or enhances the relevant character area(s) relating to that proposal.

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Development proposals that fail to respect and enhance the character of the area and the way it functions will not be supported.

For reasons of length of our objection we have chosen NOT to make specific comments about each extract above regarding why we believe the applicants proposal misunderstands, misinterprets, overlooks both the Conservation Area Statement and The Neighbourhood Plan. However, we strongly urge a direct comparison with the applicant's proposal, plans and architect's brochure because it will confirm our belief that they are not adequately considering both of these important plans.

4) THE DANGEROUS AND DAMAGING PRECEDENT THAT WILL LEAD TO RUIN OF ONE OF HAMPSTEAD'S MOST PRECIOUS STREETS THAT PROVIDE AESTHETIC PLEASURE AT BOTH THE FRONT AND REAR FOR PASSERS-BY .

The final point of our objection is possibly the most important because should permission for Application 2024/0548/P be granted it will have seriously adverse consequences upon the local environment because it will establish a contemporary precedent that we believe goes against everything that the Council, The Conservation Committee and The Neighbourhood Forum are wishing to protect. Should the applicant be allowed to build a new, solid brick extension, greater in scale than the current existing conservatory, apparently taller than any similar extension down the street, that sits right up against and along their next door neighbours shared garden wall, then we will have no choice to respond. Within weeks of the application being granted we will, with huge regret and great reluctance, have to submit our own virtually identical plan which will mirror the applicants obtrusive new extension to ensure that our current wonderful view of the Heath isn't replaced by the view of a massive brick wall. Furthermore, we believe a decision to permit the application will be the 'thin end of the wedge' because once permission is granted to build this structure it will not only be ourselves who submit applications to do the same but also current and future residents who own properties with rear gardens that back onto the Heath emboldened by the permission granted to Application 2024/0548/P. Should permission be granted we believe the Council will be inundated with a plethora of planning applications that will completely and utterly contradict the wishes of all those in Hampstead who seek to conserve the amazing environment that we all enjoy - as well as all the visitors who have been coming to the Heath for centuries.

We urge the Council, the South Hill Park Conservation Area Committee, the Hampstead Neighbourhood Forum to reject this inconsiderate proposal and thereby encourage Mr Gill and his architects to create a wonderful alternative by building a state of the art, environmentally friendly replacement to the current conservatory that is within the original footprint. Should he choose or be persuaded to do so he will not destroy the architectural integrity of these amazing buildings, irrevocably ruin their next door neighbours beloved home and open a Pandora's Box of similar applications which will spoil such an important part of the neighbourhood adored by residents and visitors alike. This would be s a simple solution that would leave everybody happy.

Best wishes

David Young and Polly Livingston

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2024/0548/P	David Young	19/03/2024 17:51:24	OBJ	Dear Camden Council

Please note due to the online comments platform we will submit our objection in multiple parts.

Please find the objection from David Young and Polly Livingston who live at 27 Tanza Road in the adjoining 19th Century semi-detached house that is 'paired' with 25 Tanza Road and whose gardens are both part of the protected 'Open Spaces' that face and back on to Hampstead Heath with direct access through wooden gates.

We write this letter to object in the most strongest terms to the Application 2024/0548/P submitted by Mr Brendan Gill when he acquired 25a Tanza Road, Garden Flat last year. We apologise for the length of our letter but we have no choice after his application was accompanied, in our opinion by an extremely misleading, one-sided, 39 page glossy design brochure one would usually expect to receive from a professional property developer. We believe this 'Design and Access Statement + Heritage Statement' from the applicants architects, Emil Eve should be considered in light of what it has OMITTED as much as it has INCLUDED.

Sadly, we haven't had time to hire architects to present the 'other side of the story' and enable the Council to have a more balanced understanding of the proposal. We would be very happy to provide something similar if required as we believe that should this application be granted it will not only adversely affect our home and much admired, private garden but also the even more admired 'public garden' that is our Hampstead Heath which begins at the end of the gardens at both no. 25a. and no. 27 Tanza Road.

We must also object to this application on the grounds that the proposal unashamedly reveals a willing desire to demolish an original Victorian Bay Window (which form a symmetrical pair of six identical bay windows) three on our building and three on the adjoining building and which are architecturally integral to our pair of 19th Century houses.

And probably most importantly of all, object to an application, if granted, that will set a contemporary precedent permitting extremely high brick extensions as opposed to the glass conservatories that are currently down Tanza Road. This will lead to further encroachment into the Open Spaces that the South Hill Park Conservation Committee (SHPCC) and the Neighbourhood Forum Plan fight so hard to preserve for the good of Hampstead's heritage.

For example, should this application be granted we would have no choice to immediately submit an application for an identical solid brick extension to preserve our Heath View, our light, the iconic architectural symmetry of our pair of properties just to avoid having to stare at a very tall brick wall from the inside of our house and outside in our garden which is being proposed by the applicant.

I know from discussions with residents over past decade they are extremely conscious of their responsibility, as the fortunate owners of properties that back directly onto Hampstead Heath, to observe the SHP Conservation Committees guidelines, the spirit of the Neighbourhood Forum, The Camden Plan (both the 2017 plan and the new draft plan which has recently been published) for the good of the heritage of Hampstead and the majesty of the Heath so that it may be preserved for the good of all.

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As a result of the very lengthy Architect Brochure Submitted we have decided to break our objection down into four main areas. Once again sorry for the length of our objection letter but we simply have no choice given the Brochure submitted by Mr Gill. However, despite the length we have no doubt there are many more important points that we have missed that the Consultees will be able to consider.

The basis of our objection is as follows:

1) THE NEGATIVE IMPACT THIS APPLICATION WILL HAVE AS NEIGHBOURS WHO OWN ONE OF THE PAIR OF HOUSES THAT BACK ONTO HAMPSTEAD HEATH.

2) THE DEMOLITION OF THE ORIGINAL 19TH CENTURY BAY WINDOW WHICH DEFINES THE ARCHITECTURAL INTEGRITY OF THE REAR ELEVATION OF THE PROPERTY

3) THE NEGATIVE IMPACT ON THE HEATH AND THE PROTECTED OPEN SPACES THAT THE TANZA RD GARDENS FORM PART OF

4) THE DANGEROUS AND DAMAGING PRECEDENT THAT WILL LEAD TO RUIN OF ONE OF HAMPSTEAD'S MOST PRECIOUS STREETS THAT PROVIDE AESTHETIC PLEASURE AT BOTH THE FRONT AND REAR FOR PASSERS-BY.

*Objection part one

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1) THE ADVERSE IMPACT THIS APPLICATION WILL HAVE AS NEIGHBOURS WHO OWN ONE OF THE PAIR OF HOUSES THAT BACK DIRECTLY ONTO HAMPSTEAD HEATH.

As you can see from the application the description of the Proposal is:

'Demolition Of Existing Rear Conservatory Extension And Erection of A New Single Storey Rear Extension' We believe this is incredibly disingenuous because it implies that the 'New Single Storey Rear Extension' will be in place of the existing conservatory. However, as you can see from the plans and the illustrations in the brochure that the new extension isn't within the footprint of the existing extension it has been moved across the garden of 25a and placed down the side of our shared garden wall. Furthermore, it also fails to acknowledge that the extension involves the demolition of the lower left 19th Century bay window that forms an integral part of the beautiful six window pair of the adjoining houses. Therefore, we suggest that a more appropriate title for the proposal should be:

'Demolition Of Existing Rear Conservatory Extension, Erection of A New Single Storey Rear Extension, Which Includes Demolition Of One Of Six Architecturally Integral 19th Century Bay Windows.'

Outlined below are the key points that we would like the Council (and SHPCC and Neighbourhood Forum who are named as Consultees on this application) to consider.

The proposed new, huge rear extension is now on the opposite side of the garden, and positioned right up against our shared wall. The unnecessary transposition from the footprint of the existing glass extension is, according to an email Mr Gill sent us when he first presented his drawings, on the 14th February 2024: "In thinking this through with our architect we realised that the most sensible thing to maximise light would be to change the orientation so that the rear faces the sunlight as much as possible as opposed to the conservatory sticking out and actually blocking a lot of sunlight from the rest of the house."

Unfortunately by moving the extension across the garden, so that it runs along our uninterrupted garden wall it will now block our view of the Heath, the trees in neighbouring gardens, the winter sun and the ever changing sky. The applicant has quite simply shifted his 'sunlight deprivation issues' from his property and onto ours, by erecting a very high structure (higher we believe than any other extension down the street) that will stick out and block 'a lot of the sunlight from the rest of OUR house instead.

Given Mr Gill is so determined to maximise the sunlight in this house, why does he not just remove his conservatory, which as he states in his email 'is sticking out and actually blocking a lot of sunlight from the rest of house.' This would instantly solve his problem and in doing so eradicate the need to block OUR sunlight and at the same time preserve the wonderful and original design that the Victorian architect intended.

Sadly, the astonishing admission by Mr Gill in his correspondence we believe is indicative of his incredibly selfish proposal designed to improve his property to the detriment of his next door, semi-detached neighbours and the visitors of Hampstead Heath and not just for aesthetic reasons we suggest but also for financial gain.

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The proposed move from one side of the garden to the opposite side is significant; our house is attached to their property, whereas, on the side of their property where the conservatory is currently situated, the neighbouring building is not attached and as a result there is a sizeable gap between the existing conservatory and the neighbours house and garden at no.23 Tanza Road.

The position of the existing extension therefore has far less impact on the neighbours on the other side, which is evident from the plans included in his application - if not from the architects' brochure. The sheer scale and the huge increase in height of the applicants proposed extension far exceeds the height of the existing conservatory. A careful study of the plans suggests that the new extension will increase in height by more than two feet and now go right up to and sit against the sill of bay window above. Interestingly this increase in height has been omitted from at least one of the drawings in architects brochure which inaccurately seems to imply that it is the same height which isn't the case (see p.13 of the Design Access Statement + Heritage Statement).

The new design not only extends far beyond the line of the existing bay window (which obviously was designed by the original architect to provide equal light, views and pleasure for both houses) but as it has significantly increased in height means it will force us to live with a giant brick wall, which will obscure our sunlight, our Heath view and create an architectural eye-sore for the visitors who walk down the hill path at the end of our gardens.

We would implore the Council to ignore the pictures in the architects brochure as they are so selective that they disguise the true extent of the height of the new structure which will be seen from the Heath because they don't account for the gradient of the hill that these gardens are built on. What you see further up the path is very different from the position where Mr Gill's architect took their picture. We would also draw your attention to the extraordinary statement that the increased height will be mitigated in the summer when the leaves are on the trees! What about the three other seasons when the leaves have fallen?

The length and height of this proposal should not only be of great concern to ourselves but also to the Council, Conservation Committee and the Neighbourhood Forum because the proposed solid brick replacement will blight the protected Open Spaces far more than the existing glass conservatory.

We are very upset and worried about the applicant's proposed building plans which we informed him of in our exchange of emails following their provisional plans being sent to us. We immediately told our neighbours that their proposal had shocked us as it will adversely impact our house hugely but we were even more shocked when he admitted in a later email on 19th February that indeed it would impact us: "we do understand there is an impact to your property and are cognisant of that."

We believe this admission is not disclosed or reflected in statements included in the architects brochure regarding the impact on the amenity and the neighbours. Furthermore, the applicant suggested we should present what compromises we would consider which we happily provided as we believed it would work for the applicant, for ourselves and the for all those who seek to protect the conservation area and which you can see below: "We would urge you, and your architect, to maybe consider creating an amazing glass structure more or less around the current footprint of the conservatory. This needn't compromise you're light but preserve the beauty of the magnificent bay windows which are an integral part of the original Victorian architecture as well as respect the love we also have for our wonderful

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house and garden.”

However, it became clear that any compromise would NOT involve building the new extension on the footprint of the original.

The applicant had surprised us with a visit a few days before Christmas so that he could explain his plans. At the time we were very supportive of the need to restore his property to its former glory and understood his reasons for replacing the conservatory. However, at no point during the conversation did the applicant mention the key part of his plans to transplant his extension across to our side of the garden and replace it with a solid structure, thereby ruining our view and the architectural integrity of both adjoining properties by knocking down their bay window. As a result of that omission our trust of our neighbour’s intentions and explanations evaporated and whilst we very much appreciated the offer he made below in an email dated 16th February: “we are more than happy to chat and we are around bits of tomorrow (Sat) and can be flexible Mon/Tues also. That said, if you want to bounce ideas via email that also works.”

After the ‘misunderstanding’ that occurred in the previous face to face discussions we decided it would be beneficial for both parties to take up the second part of their offer and “bounce ideas via email” so that we could avoid any further confusion and remove any risk of direct confrontation - which these disputes can often lead to - because we realise that whatever decision is forthcoming we are next door neighbours and so must retain a cordial relationship.

Total: 4