

11 Willoughby Road
London
NW3 1RT

Kristina Smith
Camden Planning Solutions Team

BY EMAIL TO:
[REDACTED]

9 July 2024

Dear Ms Smith,

Re: Planning Reference 2023/4898/P, 2 And A Half Rudall Crescent London Camden NW3 1RS

I am writing in response to the Revised Proposed Plans and Elevations recorded on Camden's website on 3 June. I was made aware of these plans by a neighbour last week. I understand from our email exchange last week that I have until 12 July to raise any objections and that you have indicated that you are minded to propose acceptance of the revised plans.

From what I can see of the revised plans, they do not address any of the objections that have been expressed to date in relation to this application or the previous application (2023/0421/P) that was rejected and raise further concerns. I am writing to express those concerns.

Inconsistencies in the elevations

The aerial view of the development and the vertical view on the revised plans are inconsistent. The aerial view shows indicative shrubs on the roof. The vertical view shows no such shrubs or their effect.

Reduction of light

The roof of the planned extension is at least half a metre above the existing garden fence. Given the position of the extension in relation to the rear garden of 11 Willoughby Road, that would of itself significantly reduce the amenity of light to that garden. I reattach photos of the back garden of 11 Willoughby Road showing the effect of the existing fence on the level of light (red line), the significant reduction in light that would be caused by the proposed extension (hard black line) and the reduction in light from any plants that would be placed on the green roof (dashed black line).

In addition, we have experience locally of developers exceeding the height of developments that have been given permission. Any additional height on the roof of the proposed building would further limit light.

In particular, the drawings do not appear to take account of the additional height of the building that would be required by the addition of a green roof when compared with the drawings previously submitted.

The addition of an unspecified number of plants of an unspecified height on the proposed green roof would inevitably reduce the access of light to the rear garden of 11 Willoughby Road. Once the extension has been approved there would be no control over how many plants, their width or height and therefore the reduction of light could easily be substantial.

Overlooking

I understand from your email that there will be access to the roof at least twice a year for maintenance. This detail is not included in the revised plan. However, the fact that there will be access to the proposed green roof is concerning. The stated purpose of the roof terrace in the original plan was to allow any occupant of the additional bedroom in the extension to have space away from the very small garden that would be left after the building of the extension. The occupants of 2 and a half Rudall Crescent would therefore have access to the proposed green roof and, given the very small portion of the existing garden that would remain after any building, it is likely that the green roof would be used as an additional outdoor space. This would create overlooking onto the rear garden of 11 Willoughby Road and, potentially, neighbouring gardens. Once planning permission were granted for this development, there would be nothing to prevent that.

The building of the planned extension would also create a problem of overlooking from 11 Willoughby Road's existing rear roof terrace as set out in my previous letter of objection.

Breach of planning guidelines – overdevelopment

The proposed development continues to breach various guidelines set out in the Conservation Area Statement for the Hampstead Conservation Area in which this development is intended take place. I set out those guidelines in my previous letter but will repeat them here:

- a. H11. Developments within rear gardens is likely to be unacceptable given the amenity they provide for wildlife and the contribution to the townscape.
- b. H28. "Rear extensions will not be acceptable where they would spoil a uniform rear elevation of an unspoilt terrace or group of buildings." The planned extension would go beyond the footprint of the existing terrace.
- c. H30. "The infilling of yards and rear spaces between buildings will generally be unacceptable." The significant shrinking of garden space caused by this application would amount to a substantial infilling of the garden of the property.
- d. H34. "The introduction of a roof terrace/garden should not result in an unreasonable amount of additional overlooking." As set out above, the roof terrace would create significant overlooking of the entire neighbouring garden.

This is not an exhaustive list. There may well be other guidelines in the Hampstead Conservation Area Statement that are breached.

In addition the planned building is in breach of the Hampstead Neighbourhood Plan. I set out two of the relevant provisions in my previous letter and restate them here:

- a. DH1, 2d. "Development proposals should demonstrate how they respect and enhance the character and local context of the relevant character area(s) by protecting the amenity and privacy of neighbouring properties." This application does the opposite, by negatively affecting both the privacy and the amenity of at least one neighbouring property.
- b. NE3, 4. "Applicants should show in their proposals how they plan to enhance both biodiversity and habitats." The application paves over most if not all of the existing garden and the proposed construction covers a large portion of the garden.

Again, this is not an exhaustive list.

Biodiversity

In particular, with reference to the breach of planning guidelines set out above, the planned extension will cause a loss of biodiversity. The uprooting of plants at ground level, the loss of a green corridor which is currently used by various animals on a regular basis and the loss of ground that can absorb rainwater will not be compensated by a green roof.

Creation of a precedent

The infilling of the garden of 2 and a half Rudall Crescent would appear to be unacceptable, given the planning guidelines set out above. In particular, not only is there a loss of space but the proposed development would appear to spoil a uniform terrace, contrary to the Conservation Statement guidelines. The proposed green roof is also out of keeping with the existing buildings in a Conservation Area. It adds nothing to biodiversity but destroys it since it removes ground level land.

Damage to 9 Willoughby road

You may be aware that planning permission was previously given by Camden for the removal of a tree which had a Tree Preservation Order at the corner of Rudall Crescent and Willoughby Road. The arguments for the removal of the tree involved movement and cracking within the neighbouring 9 Willoughby Road. Given the subsoil, subterranean watercourses and effects of rainfall in this location and the proximity the proposed development to 9 Willoughby Road, the effect it will have on the stability of 9 Willoughby Road is unpredictable.

Danger of high winds

The area to the rear of the terrace of houses to which 2 and a half Rudall Crescent and 11 Willoughby Road belong acts as a wind tunnel. High winds earlier this year lifted a heavy glass table top from the roof terrace of 11 Willoughby Road and smashed it on the garden below. Any plants placed on the proposed green roof would not have deep roots or the protection of a surrounding fence. There is the danger that, in high winds, they could be uprooted and cause damage to neighbouring properties.

In summary, 2a Rudall Crescent is a small property with a small garden and was presumably bought as such. Any attempt to shoehorn extra accommodation into an already limited space in a conservation area appears inappropriate. It also appears to mean an inappropriate loss of amenity (a reasonable garden space) for 2a Rudall Crescent itself and (loss of light and/or overlooking) for the neighbouring 11 Willoughby Road and, to an extent, at certain times of the year, 13 Willoughby Road. The revised plans do not address any of the objections that have already been raised, do not comply with the planning guidelines of the Hampstead Conservation Area Statement or the Hampstead Neighbourhood Plan and they create a dangerous precedent which would undermine both the Statement and the Plan.

Yours sincerely,



Andrew Haslam-Jones

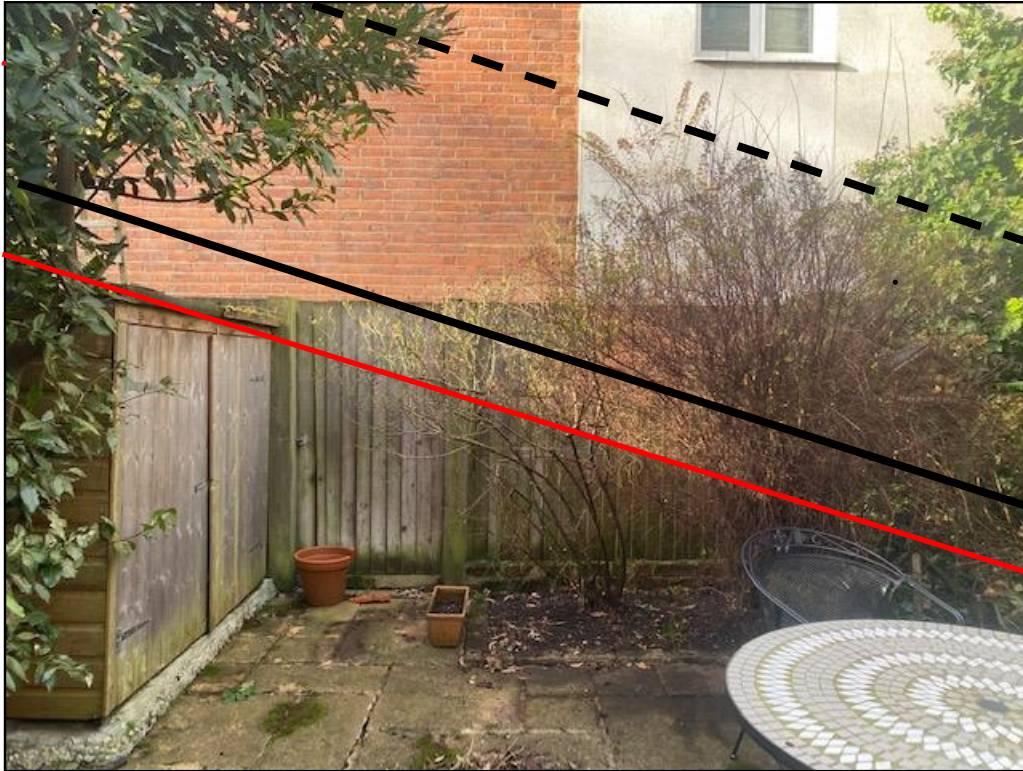


Photo 1: The application would raise the height of the obstruction of light entering the garden of 11 Willoughby Road by between 0.5 and 3 metres. As can be seen from the angle of light currently entering the garden, this would cast the whole garden into shade. Lines added for illustration. Red line, current angle of light. Hard black line, minimum roof level of single storey extension. Broken black line, potential obstruction of light from plants on a green roof.



Photo 2: The current view from the garden of 11 Willoughby Road towards the south would be entirely obscured. The planned extension with its accompanying plants would create a barrier the length of the fence at a height above the level of the first floor windows in this picture. Lines added for illustration. Red line, current angle of light. Hard black line, minimum roof level of single storey extension. Broken black line, potential obstruction of light from plants on a green roof.



Photo 3: The whole garden of 11 Willoughby Road showing approximate extent of proposed extension with and without its curtain of removable plants.



Photo 4: The existing roof terrace at the second floor level, on top of 11 Willoughby Road's existing extension would overlook the proposed roof terrace, creating an overlooking problem.