

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4338/P	Redding Thompson	06/12/2024 10:11:38	OBJ	<p>Our objections:</p> <p>As owners of adjoining property affected by the proposed development, we strongly object to these applications.</p> <p>In doing so, we agree with the very full and closely reasoned objections lodged by Mr Weatherhead on behalf of the owners of 50 Downshire Hill, particularly in relation to: conflict with planning policies, failure to preserve or enhance the conservation area, harm to the nearby heritage asset, overdevelopment, loss of residential amenity, light pollution, and otherwise as set out in Mr Weatherhead's submissions.</p> <p>For the sake of brevity, we will not repeat those points here.</p> <p>We wish to add the following points:</p> <ol style="list-style-type: none"><li>1. Our property looks across to the proposed building and will be directly affected by the resulting light pollution, which will also adversely affect wildlife.</li><li>2. The increased bulk of the new building will adversely affect the appearance of the conservation area and the curtilage of the listed Police station buildings, as seen from our property and other properties which have sight of the application site.</li><li>4. It is not correct that an increase in the size of the proposed annex building by adding a second storey is justified in order to meet housing need. The applicant has given assurances - which will be subject to a planning condition - under which the annex cannot be occupied as a separate household from the Stables building. Therefore the increased size of the annex proposed under the current application will not increase the number of available dwellings in the area.</li></ol> <p>We therefore strongly call upon the Council to reject these applications.</p> <p>Although this is not a planning matter, as the applicant has chosen to refer to the covenant contained in a 1927 conveyance, we wish to draw the Council's attention to the fact that what the applicant says about the effects of that covenant is entirely mistaken. There are several legal reasons why the covenant does not preclude residents of Hampstead Hill Mansions from objecting to the proposal. These include:</p> <ol style="list-style-type: none"><li>(i) the covenant is not a covenant "not to object". It is a positive covenant to permit building, and positive covenants cannot legally bind anyone other than the person who originally gave the covenant.</li><li>(ii) in any case the covenant only purports to bind the owner of the garden land, whereas we are objecting as occupiers of a flat in the adjoining HHM building.</li><li>(iii) the covenant only refers to complaints about restriction of the access of light and air, and we are not objecting on any such ground.</li></ol>

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2024/4338/P	Vivienne Haynes as attorney for Mrs Rodgers	06/12/2024 10:43:42	OBJ	<p>We have considered and agree with the objections lodged by Mr Weathered on behalf of the owners of 50 Downshire Hill which highlight and match our concerns regarding the proposed development. Please consider these objections repeated from us.</p> <p>In addition we strongly believe that our properties at Hampstead Hill Mansions will be affected by the additional light pollution from the increased height of the building.</p> <p>The suggestion that it will help meet housing need is disingenuous. The applicant has given assurances - which will be subject to a planning condition - under which the annex cannot be occupied as a separate household from the Stables building so it cannot provide any increase to available housing.</p> <p>The applicant lays great store on a covenant contained in a transfer of the land that forms the garden of Hampstead Hill Mansions in 1927 to argue that any objections from owners of flats in that building cannot be taken into account. This is not a matter that should be considered or put forward to support a planning application and in any event both the applicant's interpretation of the covenant and its ability to bind the current owners of flats within Hampstead Hill Mansions (as opposed to the owner of the garden) is incorrect. It does not prevent the owners of the flats from making objections to a planning application.</p>

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2024/4338/P	Jacqueline Hargreaves	06/12/2024 14:22:28	COMMNT	Objections to Planning Application No. 2024/4338/P

As neighboring property owners directly impacted by the proposed development, we wish to register our strong opposition to this application.

We align with and support the detailed objections presented by Mr. Weathered on behalf of the owners of 50 Downshire Hill. His submission addresses numerous critical issues, including violations of planning policies, failure to safeguard the conservation area, detrimental effects on nearby heritage assets, overdevelopment, reduced residential amenity, and light pollution, among other concerns. We do not see the need to reiterate those points here.

However, we would like to emphasize additional issues specific to our situation:

**Light Pollution and Environmental Impact:**

Our property overlooks the site of the proposed development, and the resulting light pollution will have a direct and adverse impact on our living conditions. Moreover, this increase in artificial light will harm local wildlife, disrupting the ecological balance of the area.

**Privacy Concerns Due to Higher-Level Windows:**

The introduction of new upper-level windows will result in intrusive overlooking of our flat and other residences located on the western side of Hampstead Hill Mansions. This significant loss of privacy is absolutely unacceptable.

**Harmful Visual Impact on the Conservation Area:**

The increased mass and height of the proposed building will negatively impact the character and appearance of the conservation area. It will also detract from the setting of the listed former Police Station as viewed from our property and other affected sites.

**Misguided Justification for Annex Expansion:**

The argument that the annex's enlargement is necessary to address housing need is absolutely unconvincing. The applicant has committed—under a proposed planning condition—to ensuring the annex remains ancillary to the Stables building and cannot be separately occupied. Therefore, expanding the annex will not contribute to the housing stock and serves no broader purpose beyond overdevelopment.

For these reasons, we strongly urge the Council to reject this planning application.

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4338/P	Nicole Antrobus	07/12/2024 15:48:01	OBJ	<p>As owners of adjoining property affected by the proposed development, we strongly object to these applications.</p> <p>In doing so, we agree with the very full and closely reasoned objections lodged by Mr Weathered on behalf of the owners of 50 Downshire Hill, particularly in relation to: conflict with planning policies, failure to preserve or enhance the conservation area, harm to the nearby heritage asset, overdevelopment, loss of residential amenity, light pollution, and otherwise as set out in Mr Weathered's submissions.</p> <p>For the sake of brevity, we will not repeat those points here.</p> <p>We wish to add the following points:</p> <ol style="list-style-type: none"> <li>1. Our property looks down on the proposed building and will be directly affected by the resulting light pollution, which will also adversely affect wildlife.</li> <li>2. The new windows at the higher level will lead to overlooking and loss of privacy for our flat and the other flats on the western end of Hampstead Hill Mansions.</li> <li>3. The increased bulk of the new building will adversely affect the appearance of the conservation area and the curtilage of the listed Police station buildings, as seen from our property and other properties which have sight of the application site.</li> <li>4. It is not correct that an increase in the size of the proposed annex building by adding a second storey is justified in order to meet housing need. The applicant has given assurances - which will be subject to a planning condition - under which the annex cannot be occupied as a separate household from the Stables building. Therefore the increased size of the annex proposed under the current application will not increase the number of available dwellings in the area.</li> <li>5. As the applicant has chosen to refer to the covenant contained in a 1927 conveyance, although that is not a planning matter, we wish to draw the Council's attention to the fact that the applicant is entirely mistaken. There are several legal reasons why the covenant does not preclude residents of Hampstead Hill Mansions from objecting to the proposal. These include: <ul style="list-style-type: none"> <li>(i) the covenant is not a covenant "not to object". It is a positive covenant to permit building, and positive covenants cannot legally bind anyone other than the person who originally gave the covenant.</li> <li>(ii) in any case the covenant only purports to relate to the garden land, whereas we are objecting as occupiers of a flat in the adjoining HHM building.</li> <li>(iii) the covenant only refers to complaints about restriction of the access of light and air, and we are not objecting on any such ground.</li> </ul> </li> </ol> <p>And there are other more technical legal reasons as well.</p> <p>We therefore strongly call upon the Council to reject these applications.</p>