

<b>Application No:</b>	<b>Consultees Name:</b>	<b>Received:</b>	<b>Comment:</b>	<b>Response:</b>
2024/5061/P	Michael Kavanagh	22/12/2024 21:44:37	COMMNT	

Dear Sir/Madam

I wish to repeat my previous objections to planning permission to the scale and nature of redevelopment of this property as previously raised by me in relation to planning application 2023/2261/P.

Firstly, one of the supporting documents appears to show the design of the installation of a roof terrace above an extended "outrigger" in the rear garden that was rejected in the original application but reintroduced to one version of the plans. Can this be right?

This appears on appox p 18 (Proposed second floor plan) of Schedule 1 S106 as submitted on 18 November 2024.

<https://camdocs.camden.gov.uk/CMWebDrawer/Record/10747750/file/document?inline>

I am unclear if this is at odds or consistent with plans proposed first and second floors as submitted in IHR226, also submitted on 18 November. They can't both be right.

<https://camdocs.camden.gov.uk/CMWebDrawer/Record/10747734/file/document?inline>

Secondly, I note yet again no genuine attempt to contact neighbours to the direct rear of the property affected by proposed resubmission of the planning applicat, in particular changes resulting from a proposed extensive basement dig-out creating likely night-time light and noise pollution, extension to the length of "outrigger", and a what appears to be the danger of re-instating a rejected attempt to install at roof terrace at second-floor height of the rear block, and also an over-extensive rear loft conversion.

Thirdly - and also still importantly - the attached documents supporting the new application again fail to explain how a tree in the rear garden was removed approximately three years ago without planning permission.

I did raise this issue in my original objection statement but to no response.

If that tree had not been removed without any required planning permission, extensive works to the rear of the property might well have been rejected. I am surprised that the survey of the rear of the building did not mention any existence of a recently severed tree stump being part of the state of the overground rear.

The details of my previous objections (and examples of supporting Camden Council adjudications) can be viewed here: <https://camdocs.camden.gov.uk/CMWebDrawer/Record/10150142/file/document?inline>

I do recognise that planning permission was granted on the basis of variations to the proposed plans, as viewable on the Camden Council website.

I note specifically that this planning application 2024/5061/P has been made on the basis of no variation to those eventually approved in the previous application.

Yet there is at least one gross example of one version of these resubmitted plans being at odds with those

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previously approved.

I would like to be absolutely assured that no changes have been made to the intended external revised dimensions of the redevelopment as submitted last year, and a clear indication that no roof terrace is permissible in any circumstances.

I have included below my original comments on the previous application for reference.

Yours

Michael Kavanagh

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#### 1. Addition of first-floor extruding terrace above extended "out-rigger"

The proposal for a first-storey terrace above the ground-floor and basement rear extensions would be an unfair intrusion on the privacy and amenity enjoyed by many neighbours to the side and rear of the property.

With no garden access for the proposed upper flat of the development, it can be anticipated that the proposed terrace extending out to within 4m of the boundary wall would be frequently used with a consequent increase in noise and artificial light from the feature, disproportionately affecting the amenity and privacy of neighbours - some of whom have living and bedrooms facing directly into the proposed terrace at ground, first floor and second-floor levels in flats at Holmeffield Court to the rear.

Camden Council has rejected attempts in adjacent properties to install or allow the use of first-floor roofs for terraces.

In technical parlance, I would make my argument also citing the rationale included in a previous denial of an equivalent proposed development of a roof terrace on an adjacent property: that it should be denied "In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies." (see below)

I give two examples below of Camden rejecting proposals for such terraces in nearby adjacent properties:

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#### 17 Howitt Road

Firstly, the building of a flat-roof extension at the adjacent property of 17 Howitt Road was originally granted on condition that this was not then used as the basis for a first-floor terrace for the upper of flats A and B in 2016. Yet an attempt was made to overturn this months later before being withdrawn in December of that year after objections from neighbours on the ground of likely noise, annoyance, disturbance and loss of amenity and privacy.

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This rejected proposed use, on the adjacent property, effectively replicates that proposed development feature at 15 Howitt Road.

Links to withdrawn attempt to overturn the use of flat roof to create first-floor roof terrace at the neighbouring property, 17 Howitt Road provided immediately below:

<https://accountforms.camden.gov.uk/planning-search/index.xhtml?faces-redirect=true&search=2016%2F6129%2FP&page=1&sortBy=RELEVANCY>

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222016/6129/P%22>

You may also note that the original planning condition for the construction of flat rear roof at 17 Howitt Road in 2016, included the condition of a reduction to dimensions of the proposed rear extension to remain no further out than the existing historic "outrigger" extension to the rear boundary wall.

Please note the condition disallowing a roof terrace culled from the link attached:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/5746570/file/document?inline>

8. A condition should be placed upon the approval preventing the use of any part the roof of the existing or new extension to the rear of the building as a terrace. Response: Agreed.

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21 Howitt Road

Attempts to win approval for a roof terrace were also disputed and rejected at this property in 2013

<http://camdocs.camden.gov.uk/HPRMWebDrawer/PlanRec?q=recContainer:%222013/2661/P%22>

Decision notice:

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/2905788/file/document?inline>

4 The flat roof of the extension hereby approved, shall not be used as a roof terrace. Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with the requirements of policy CS5 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

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2. Excessive dimensions and impact of the rear basement and basement extensions

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The proposed basement extension and ground floor extension (extending the current building) take this combined two-storey extension well to less than 4m of the rear boundary and beyond the dimensions of the existing historic "outrigger" extension.

I believe that the construction of two-storey extensions cannot go closer than 7m to the rear boundary in normal circumstances. Should this constraint apply, the planned development is not allowable.

Links suggestive of the overreach of the proposed depth of rear extensions immediately below:

<https://extensionarchitecture.co.uk/house-extensions/how-close-to-my-boundary-can-i-build-an-extension/>

<https://ecab.planningportal.co.uk/uploads/miniguides/extensions/Extensions.pdf>

Also, I believe the building of a sunken patio at rear of the basement extension is likely to cause additional uplighting of artificial light and noise echo for neighbours in the facing block when existing ambient artificial light and noise - direct and deflected along the "gully" of densely populated Holmefield Court and Howitt Road housing - is already a problem.

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### 3. Excessive addition of rear dormer and flat roof to rear

The proposal for a prominent rear dormer and flat roof would be detrimental to the character and appearance of the host building and disrupt a largely unaltered roofscape for neighbours, and would fail to either preserve or enhance the character or appearance of the wider Belsize Conservation Area.

The proposed feature, alongside the proposed rear basement development with patio and proposed first-floor roof terrace, will also in aggregate (while moving from a three-storey back facia to a five-story back facia) add more than 50 per cent to total floor space in the property. This will significantly add to existing levels of ambient light and noise annoyance based on scaling up current levels of activity and also result in future overlook at intrusion into facing bedrooms and living rooms from more levels of the extended building, adding to a loss of amenity and more sense of enclosure.

A more modest exploitation of loft space, of less architectural damage to the original design to the existing roof skyline caused by the addition of a new dormer level and extruding flat roof to neighbours facing on the back of 15 Howitt Road would be more appropriate. The proposed additional storey of dormers will exacerbate current concerns of enclosure and loss of privacy to facing residents.

Though I note other properties have built additional dormer features in previous decades down the street away from Haverstock Hill, which have different original roof frontages and design, there is no current interruption of the original character of roofs and skylines to front and rear from 15 Howitt Road along to Haverstock Hill. This integrity should be protected.

Below is a link to a recent denial of such a proposed rear extension at a property broadly opposite 15 Howitt Road (18 Howitt Road - (with a detailed explanation of refusal) in support of my objections.

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<https://planningrecords.camden.gov.uk/Northgate/PlanningExplorer/Generic/StdDetails.aspx?PT=Planning%20Application%20Refusal&TYPE=PL/RefusalsPK.xml&PARAM0=442739&PARAM1=No&XSLT=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/xslt/PL/PLRefusals.xslt&DAURI=PLANNING&XMLSID=E=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/Menus/PL.xml>

I would argue that, broadly, the same arguments apply, that is:

The proposed rear dormer by reason of its location, width, bulk and detailed design, would be detrimental to the character and appearance of the host building, and disrupt a largely unaltered roofscape, and would fail to either preserve or enhance the character or appearance of the wider Belsize Conservation Area, contrary to policies CS5 (Managing the impact of growth and development ) and CS14 (Promoting high quality places and conserving our heritage) of the London Borough of Camden Local Development Framework Core Strategy (2010), policies DP24 (Securing high quality design), DP25 (Conserving Camden's heritage) of the London Borough of Camden Local Development Framework Development Policies (2010), Camden Planning Guidance 1 - Design (2015), Belsize Conservation Area Appraisal (2003) and policy 7.6 (Architecture) of the London Plan (2015).

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4. Consultation with neighbours has been inadequate.

I only the other day spotted a street sign on one post on Belsize Grove, which I am sure will have been overlooked by most people potentially affected.

I note there has been no apparent attempt to contact residents and owners living in flats directly to the rear of Holmefield Court, who will be affected by the proposals. Can this be rectified and the consultation period therefore extended?

I believe previous applications for works on the south-side of Howitt Road have included facing residents on Belsize Grove as concerted consultees and details of applications have been delivered to relevant addresses.

Example here:

<https://planningrecords.camden.gov.uk/Northgate/PlanningExplorer/Generic/StdDetails.aspx?PT=Neighbours&TYPE=PL/NeighboursPK.xml&PARAM0=355943&XSLT=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/xslt/PL/PLNeighbours.xslt&FT=Neighbours&DAURI=PLANNING&XMLSIDE=/Northgate/PlanningExplorer/SiteFiles/Skins/camden/Menus/PL.xml>

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5. What happened to the tree in the rear garden?

Some months ago, a reasonably mature tree was cut down along with other shrubs in the rear garden, which

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at some times of year provided some privacy from overview from 15 Howitt Road floors.

I had assumed permission had been obtained on some basis for this, but I cannot now find evidence that permission was sought for tree works, which I assume might be viewed as easing subsequent application. It might be arguable that the tree should be removed. But can I ask if permission was sought and gained? If the tree was still there, having been properly maintained, I believe a tree survey would have been required along with the current application.

Also, I note the application states there are no trees or hedges on land adjacent to the current development site. (see link below). But there are mature trees to the rear of the adjacent garden at 11 Howitt Road, which do provide welcome and attractive privacy between the rear of the property and facing flats at Holmefield Court.

Should this part of the documentation be amended to reflect this?

<http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/10101939/file/document?inline>

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