

From: Chris Hessel

Sent: 24 December 2024 10:19

To: Planning; Tom Simon (Councillor)

Subject: Planning Application for Garden Office - 13 Chalcot Gardens NW3 4YB - 13 Chalcot Gardens: 2024/4823/Proposed replacement Outbuilding (Garden Studio) within the rear garden

Dear Sirs

I hold an interest in the GF Flat at the next door property to the above, 14 Chalcot Gardens

I would like to object to the strongest terms to this application both on the grounds attached to this email and on the basis of insufficient notice of the application being submitted

Please review the attached from which you will note that this is an entirely unsuitable development within a treasured conservation area and should be refused

Many thanks for your help

Chris Hessel FRICS

RICS Registered Valuer

Chris Hessel Consulting

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Re: 13 Chalcot Gardens: 2024/4823/Proposed replacement Outbuilding (Garden Studio) within the rear garden.

This is an application to build a large Garden Studio.

The proposed Garden Studio at [13 Chalcot Gardens](#) will severely impact my privacy, and the proposed development will harm the amenity of residents. This includes factors such as privacy, outlook, implications to natural light, artificial light spill, as well as impacts caused from the construction phase of development. Further to this concerns can be raised regarding character, overdevelopment, impact on wildlife and fire safety.

The scale of the replacement is concerning, particularly in light of the recent permission granted for a four metre rear extension to the main house (2024/1382/P) and the relatively small size of the garden vs neighbouring gardens.

The proposed Garden Studio falls under the category as an outbuilding and incidental to the enjoyment of the main property, however the nature of outbuildings, their size and usage has changed significantly in recent years as shown in this proposal. No longer are they only sheds used incidentally but are now substantial structures that are often sunken, heated and insulated outbuildings which are similar to the main residences in comfort. This in-turn means a significantly higher all year round frequency and duration of use (e.g. Increased Working from Home Offices or external lounge rooms). While the incidental enjoyment of an outbuilding is completely reasonable, I request that the higher duration and frequency of use be taken into consideration, along with the outlook when considering the privacy of the residents the users of the Garden Studio will overlook.

It should also be noted at this point that residents stand at a professional and resource disadvantage vs professional developers who are more experienced and are compensated for their dedicated attention. A number of residents have also written to the Camden Planning and the Ward Councillor requesting an extension to the a deadline for the planning as no notice is posted in the local vicinity.

Please see below for further detail on concerns the development raises.

Policy A1 (Amenity)

<https://www.camden.gov.uk/documents/20142/4823269/Amenity+CPG+Jan+2021.pdf/>

Section 2 – Overlooking, privacy and outlook.

The proposed Garden Studio is set approximately 10m from the main residential building and overlooks backwards onto the multistorey residential building which removes the privacy of numerous bedrooms and living areas. This will have a detrimental impact on the buildings on either side of the Garden Studio. While screening may help the basement/garden level properties, a screening solution cannot be provided for the remaining 4 floors to the neighbouring 3 buildings that will be impacted. While it is not expected that the developer owners of No. 13 Floors 3 to 5 will comment on this planning, the outlook from the Garden Studio will also affect future occupants.



[Image 1.](#) Overlook from Studio to No.14, No.13, No.12, No.11 (left to right)

Overlook of 26 living spaces and bedrooms of immediately adjacent residences excl.13 Lower Ground Floor. See further pictures for even further outlook.



Image 2. Overlook from Studio to No.15, No.14, No.13, (left to right)



Image 3. Overlook from Studio to No.12, No.11, No.10, No.9 (left to right)



Image 4. Overlook from Studio to No.12, No.11 (left to right)

Below is an example of the Garden Studio presented by the development. (ref. Design and Access Statement, 13 Chalcot Gardens NW3 4Y, pg. 10). The design proposal with sliding glass doors suggests significant opportunity for overlook and impact of privacy on residents.



Garden studio - To green roof proposed with a sports pitch

Image 5. Garden Studio Proposal as shown in application

Policy A4 Noise and Vibration

In relation to the position, direction and the frequency of use given the size and facilities of the studio it should also be considered that gatherings of people will also be more likely in all weather conditions. The Camden Local Plan Policy A4 Noise and Vibration states:

"The main sources of noise and vibration in Camden are; road traffic, railways, industrial uses, plant and mechanical equipment, food, drink and entertainment uses, and building sites. The top six sources of noise that receive the most complaints in Camden are; music, construction noise, general people noise (e.g. footsteps, gathering), parties, fixed machinery and burglar alarms."

While I appreciate that this statement would refer to unlikely nuisances, the nature of Chalcot Gardens is that sound seems to travel very well in the open space. Gatherings that take place frequently are expected and are completely acceptable. However, give the layout of the residences, gatherings tend to happen most frequently inside the buildings or adjacent to the building where sound proofing, comfort and amenities are available. The sound carries away from the building and into the soft landscape of the gardens. Further to that upper floors are affect more by sound as soft landscaping is at lower heights and sound has tendency to travel upwards due to refraction.

The Garden Studio development would potentially invert these gatherings with covering and facilities provided facing the residents. This will be of particular concern in the summer months where the high levels of sunlight can cause overheating meaning that the windows need to be left open for ventilation and cooling often through the full day and night. Any noise projected onto the buildings and uniquely from the studio would not be broken by sufficient soft landscape, be refracted disproportionately to upper floors and would penetrate the residences creating noise pollution and nuisance.

Section 2.4 Separation between buildings

"To ensure privacy, it is good practice to provide a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing the proposed (either residential or non-residential) development, assuming a level topography. In instances where building heights, design or topography mean that opportunity for overlooking would be increased, it is advisable to increase this separation distance. The 18m should be measured between the two closest points on each building (including balconies)."

The Garden Studio is set 10m from the main residences and facing the residences and as outlined in Policy A1 Section 2.4 this condition is not met. Further to this the nature of the low boundary walls, which is in the character of the Conservation Area and Gardens, will mean inevitable overlook. Please see Figure 1 below for reference of distances as per application.

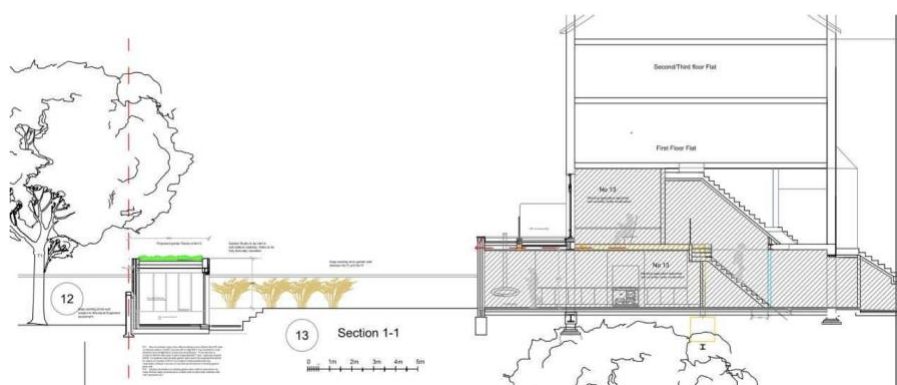


Figure 1. Garden Studio Proposal and scale as shown in application. (Ref pg. 11)

Precedence

The application references nearby garden studios/sheds as a precedence.

“2.3. Several properties in the near vicinity (No5, No9 and No11 Chalcot Gardens) have garden buildings similar to proposed garden studio at No13. No5, No9 and No11 Chalcot Gardens are in near vicinity to the proposed garden studio at No 13 Chalcot Gardens.”

(ref. *Design and Access Statement, 13 Chalcot Gardens NW3 4Y, pg. 3*).

This statement needs to review more carefully. In the case of the garden buildings at No9 and No11 the owners have shown due concern and consideration for residents by facing windows and doors by facing away from the main residences and do not overlook the residential properties. In the case of No5 the garden building is set considerably further back, approximately 40m away from the main residence and is surrounded by large trees.

As shown in Figure 2 it should be noted that Outbuildings windows/sliding glass doors in No. 9 and No.11 do not overlook or face the buildings and windows of the neighbouring residences allowing for their preservation of privacy.

The outbuilding in No.5 is set significantly further back, approximately 40m away and surrounded by large trees which along with the depth provide significant amounts of privacy to neighbouring residences.

In the case of all the outbuildings referenced as a precedent, they are all set considerably further back in the gardens than the proposed development.



Figure 2. Overlook of garden building and proportionality to surroundings in vicinity.

While the planning for the Garden Studio has been made in isolation, it should be considered in conjunction with Planning Granted for Application 2024/1382/P.

The planning was granted for an extension and roof terrace for the same property which also raised several privacy and outlook concerns that would fall under Policy A1 (Amenity). The concerns of privacy and outlook was also supported by the Eton Conservation Area Advisory Committee who recommended not approving the extension (see CAAC Response 10/06/2024). In this circumstance Camden Council providing planning consent.

The approval of a Garden Studio in conjunction with planning for an extension already provide outlook in all directions including from the sides and directly onto resident rooms. See Figure 3 below and Images 1 to 4.

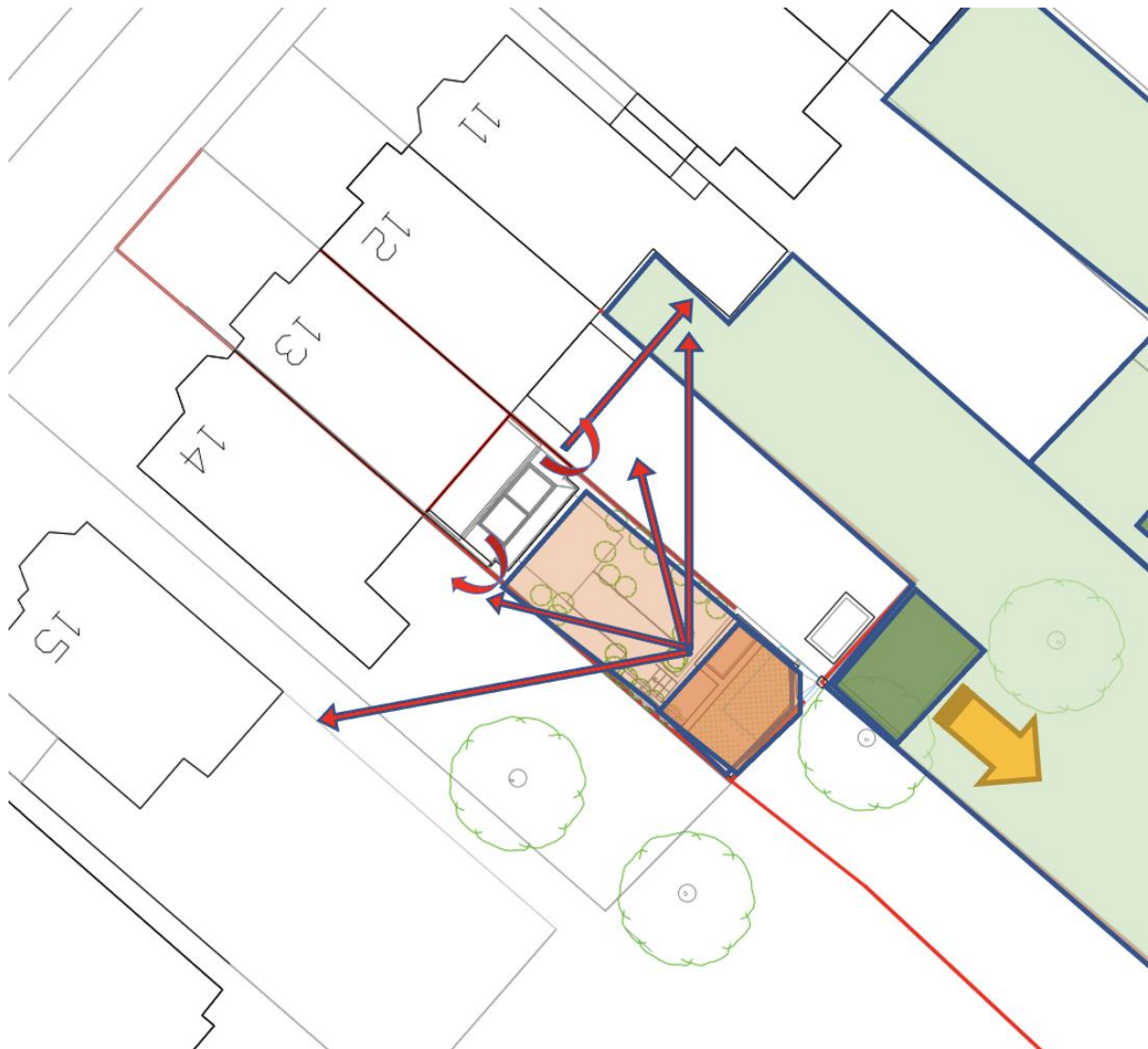


Figure 3. Overlook of garden building and agreed roof terrace on neighbouring residences

The previous outlook covered a 180-degree angle impacting privacy from the sides of residents, however with a further outlook now facing the building the cumulative outlook of both proposals in combination gives a 360-degree outlook. When the plans for the Garden Studio are added to this, neighbouring properties would now have to be blinkered by 1.7m high screening. Following the same logic, will have to have screening continuing for a further 10m to mitigate the impact on privacy. Even if it was feasible to add screening to a height of 1.7m across both boundary walls, it would still be unlikely to preserve the privacy of the remaining 4 floors in each of the affected 4 residences (16 floors and 4 balconies No. 10, No. 11, No. 13, No. 14). The remaining outlook of the proposed Garden Studio would still be the upper residential windows even if a screen was added.

In relation to size and proportionality please refer to Figure 2. As can be seen all the “similar” garden buildings used to set a precedent sit in significantly larger gardens. They all benefit from gardens that are multiple times larger than 13 Chalcot Gardens. Their outbuildings’ relative size (smaller than the proposed Garden Studio) to their gardens, direction of outlooks and significantly

greater soft landscaping & large trees makes them a poor comparative reference point for the acceptability of this proposal. The proposed garden Studio at 13 Chalcot Gardens would use 25% of the available garden relative to less than 10% of the gardens in No. 5, No. 9, and No. 11.

The garden at No 13 is both the smallest and narrowest garden in both Chalcot Gardens and Steele's Road residential gardens but has one of the largest Studio overdevelopment ambitions.

This sentiment is also echoed in the objection by Eton CAAC in their response dated 15-12-2024.

Eton Conservation Area Advisory Committee

Advice from Eton Conservation Area Advisory Committee: 10.12.2024

Re: 13 Chalcot Gardens: 2024/4823/Proposed replacement Outbuilding (Garden Studio) within the rear garden.

This is an application to replace an existing garden building with a new one. The scale of the replacement concerns us, particularly in light of the recent permission granted for a four metre rear extension to the main house (2024/1382/P).

For some years we have been objecting to the erosion of garden space which results from the erection of rear extensions and garden rooms. Neither is necessarily a problem on their own but the combination in the same garden is, and the cumulative effect in many gardens harms the character of the conservation area. These extensive areas of rear gardens are a very particular feature of this conservation area, and they are becoming increasingly blighted by the combination of rear extensions and independent buildings as such proposals are allowed. One of the most important qualities of this conservation area is gradually being lost.

Camden's 2021 official Planning Guidance on Design recognises the destructive impact this kind of development can have on an area: paragraph 4.40 of the section on gardens states:

"Planning permission is unlikely to be granted for development whether in the form of extensions, conservatories, garden studios . . . or new development which significantly erode the character of existing garden spaces . . ."

In this particular case the footprint of the proposed garden building is by some margin much larger than that of the one that it would replace and, as stated above, follows the recently approved application for a four metre extension to the main house. The Design and Access Statement states:
" The garden, after extension to the main house, is going to be approximately 100sqm and the new studio will occupy $\frac{1}{4}$ of that garden."
We consider this a significant erosion of the existing garden space which is harmful to the character of the conservation area, and we object.

Yours sincerely,

Eton CAAC

Precedence for future developments

It should be noted that the potential precedence being set by allowing for the overdevelopment of Chalcot Gardens will be similar to the below (Figure 4) in the coming years.



Figure 4. Precedence being set for future extensions and garden structures.

Character of the Townscape

The already agreed planning for an extension and further planning for a Garden Studio is contributing to the erosion of what is one of the largest private green spaces between Primrose Hill and Hampstead Heath. Chalcot Gardens is a collection of numerous gardens with a large number of trees and foliage. This opinion is also that of the Eton CAAC as per their response dated 15-12-2024.

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"The garden, after extension to the main house, is going to be approximately 100sqm and the new studio will occupy $\frac{1}{4}$ of that garden."

We consider this a significant erosion of the existing garden space which is harmful to the character of the conservation area, and we object."

(ref. Eton CAAC as per their response dated 15-12-2024)

Further to the erosion of the garden space the erection of high walls on either side take away from the character of the conservation area defined by low boundary walls which allow for a sense of openness and the free movement of local wildlife (see Figure 5). The Garden Studio proposal is also wall to wall and effectively hermetically seals the Garden in no. 13 from the other gardens impacting the nature of the conservation area and the movement of wildlife (see Figure 6). The above statement is echoed in the Official Planning Guidance on Design : Paragraph 4.41 of which the sections states:

Furthermore, in accordance with Policy A3, the Council will resist development that occupies an excessive part of a garden, and the loss of garden space which contributes to the character of the townscape. Similarly we will seek the retention of other areas with nature conservation value such as gardens and open spaces including the retention of features such as railings or garden walls which add to the character of the borough and make a positive contribution to the overall townscape value.

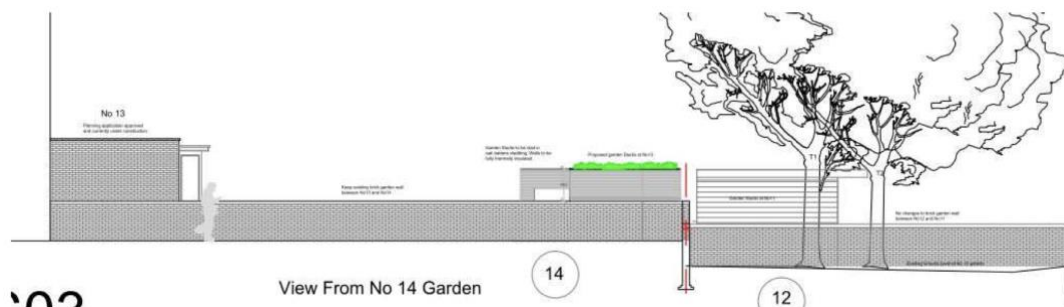


Figure 5. A large portion of the boundary wall is raised.

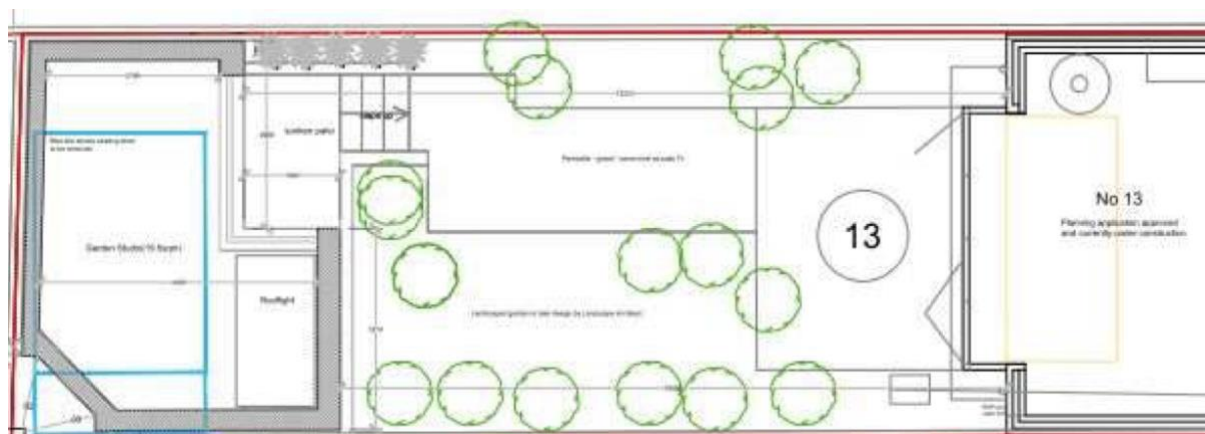


Figure 6. Wall to wall extensions seal off the garden from other and raise boundary walls.

Fire Safety

As can be seen in Figure 4 above No 12 and No13 do not have side access routes to the gardens. The proposal considers the use of wood for the outbuilding and given the size, proportions and close vicinity to the residences it would present a fire risk with no access for emergency services.