

34A Netherhall Gardens, London NW3 5TP Redevelopment Planning Application 2024/5731P

As part owner of Flat 8, the south facing ground floor flat at 34 Netherhall Gardens NW3 5TP I wish to raise my concerns on this, the latest planning application to redevelop this plot of land, currently occupied by an unattractive two-story building of three garages with a two-bedroom flat above.

Whilst of course we are supportive of replacing this building with something sympathetic to its surroundings, we have the following concerns about the current application:

1. That the proposed footprint, massing and height will have a significant detrimental impact on the neighbouring properties and the street;
2. That it is hard to see the true impact of what is proposed - given the reports that have been filed appear to be inaccurate - and a new Daylight and Sunlight Assessment should be submitted;
3. That the development will have a significant adverse impact on Flat 8, 34 Netherhall Gardens and its habitable rooms; and
4. Concerns over the proposed basement and its impact on the protected trees and drainage - potentially impacting the structural integrity of its neighbouring buildings.

1. That the proposed footprint, massing and height will have a significant detrimental impact on the neighbouring properties and the street

Camden Council's response to the original pre-planning application (Your reference: 2022/5367/PRE) was generally supportive for a three storey building that *"would slightly increase the footprint of the existing structure by extending to the front and side (south) elevations."* The response noted that the plans should be amended to remove the incongruous, curved roof and align the frontage with number 32 Netherhall Gardens. The current application achieves this. Further, the Council complimented the original pre-planning application in that: *"The proposed height of the building is acceptable, as the structure would line up with the eaves of No.32,"* and *"... it would ensure that the new building appears subordinate to the historic architecture on the street. Therefore, the massing on the proposed building is acceptable, ..."*

Camden Council's original response also mentions the proposed windows - only two windows to the north elevation and three to the south elevation - both of which Camden Council note directly face neighbours. These were proposed to be primarily bathroom windows - and therefore obscure-glazed - with the Council proposing that it would be helpful to remove one window. There were some concerns with overlooking/loss of privacy related to that window.

The current new application does not meet this guidance in terms of footprint, massing and height and what is proposed is much more than a slight increase. The new proposed building has a greatly increased mass, a larger footprint and is significantly higher with large windows and new external staircases and balconies. Also - the proposed plans have prioritised internal space over outdoor space and distance between the buildings, which would improve this issues. We cannot see the justification for this increase or the potential benefits.

2. That it is hard to see the true impact of what is proposed - given the reports that have been filed appear to be inaccurate - and a new Daylight and Sunlight Assessment should be submitted;

A separate letter prepared and already filed by Smith Marston explains why we question the accuracy of the current Daylight and Sunlight Assessment and asks that this be re-submitted to correctly reflect the situation and conform with the stated requirement that a report be prepared in accordance with the BRE Standards.

The proposed development will have a direct impact on Flat 8 - as the proposed building will impact the only windows for the sitting room and the windows of both bedrooms (the key habitable rooms for Flat 8). Until a comprehensive and accurate study is undertaken, to include other error correction (for example, currently the report incorrectly shows 34A owning No 36's back garden) we, and Camden Council, cannot properly assess the impact of the proposal.

3. That the development will have a significant adverse impact on Flat 8, 34 Netherhall Gardens and its habitable rooms

The current application does not mention that No 34 is not a single family home as originally constructed in the 1880's. It has for many years now, been divided into flats – currently seven. Of these seven

flats, Flat 8 will be impacted by these latest plans the most. As mentioned above, the windows of Flat 8 will be impacted and even the current Daylight and Sunlight Assessment (although inaccurate in many aspects) agrees this point.

No 34 has three small garden areas - the one to the north and the one to the east are both heavily shaded by eight mature lime trees. In the summer months they are in shade and the one to the east is largely unusable. Only the third section of garden - which is part of Flat 8's demise is south facing. This garden area currently enjoys both privacy, sunshine and south facing outlook. Shading by the boundary privet hedge is modest. The privet hedge aims at privacy but without overpowering the garden. However once the proposed new build has been completed, this area will be significantly impacted in terms of sunlight, privacy and outlook.

We note that the plans for No 34A include a balcony overlooking the back of the property - which will of course also overlook Flat 8's garden and therefore impact the privacy of that property.

4. Concerns over the proposed basement and its impact on the protected trees and drainage - potentially impacting the structural integrity of its neighbours.

We have significant concerns about the basement - in particular in relation to water drainage both during construction and afterwards, the risk of a damming effect and seasonal shrink-swell subsidence.

We have concerns about the drainage system from No 34 to No 34A (particularly given No 34 is raised on the hill above No 34A and this will impact the drainage from No 34 with a risk of damming during and after construction). We note that the proposed basement is substantial - the applicants' own Basement Impact Assessment points out that the proposed basement footprint is larger than the existing building on site and there is an increase in hard surfaced or paved areas. Camden Council's planning guidance points out that larger basements can have a greater impact on the water environment by reducing the area for water to runoff and soak away and that this can reduce the ability for the garden to support trees and other vegetation (such as the large trees in No 34A). The Basement Impact Assessment filed by the applicants

that the basement will extend below the water table surface and that there could be damming of the aquifer and groundwater. Further, it states that changes in groundwater may cause stress changes or instability within the ground and ground movements may impact existing properties. These sound like significant issues and we have a concern that the proposal for such a large basement will never be able to mitigate these issues.

Finally, the report states that there is no history or evidence of shrink/swell subsidence - which is inaccurate in this area with the type of soil and the large protected trees. The risk of subsidence is a reality in this part of Camden.

As we state above, we do not object in principle and should the current planning application be brought back to be more aligned to the original pre-planning proposal in terms of bulk and height and privacy considerations and with a substantially smaller basement dealing with the drainage issues, then these adverse impacts will be considerably removed.

Yours faithfully

A large black rectangular redaction box covering the signature area.

Annabel and Marc Dumbell