

[REDACTED]

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**From:** feedback@camden.gov.uk  
**Sent:** 31 March 2014 18:22  
**To:** Planning  
**Subject:** Comments on a current Planning Application  
9307185.htm; 9307185.xml; 9307185.pdf  
**Attachments:**  
**Categories:** Orange Category

## PLANNING APPLICATION DETAILS

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Year: 2014

Number: 1577

Letter: P

Planning application address: 33C Mill Lane

Title: Mr.

Your First Name: Michael

Initial:

Last Name: Aherne

Organisation:

Comment Type: Object

Postcode: nw6 1pz

Address line 1: Flat C36 Hillfield Road

Address line 2: LONDON

Address line 3:

Postcode: NW6 1PZ

E-mail: [REDACTED]

Confirm e-mail: [REDACTED]

Contact number: [REDACTED]

Your comments on the planning application: I object to this application on the following grounds:

1. The rear of the proposed building is substantially closer to the rear of No 34 Hillfield Road than is permitted by the current guidelines.
2. The proposed building is significantly higher than the house for which planning permission has been given on this site.
3. The building is very ugly and does not blend with the other properties in Mill Lane

IF YOU WISH TO UPLOAD A FILE CONTAINING YOUR COMMENTS THEN USE THE LINK BELOW

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No files attached

**ABOUT THIS FORM**

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Issued by: Camden Council  
Customer feedback and enquiries  
Camden Town Hall  
Judd Street  
London WC1H 9JE  
Form reference: 9307185



# ROBINSON ESCOTT PLANNING LLP



CHARTERED TOWN PLANNING AND DEVELOPMENT CONSULTANTS  
DOWNE HOUSE, 303 HIGH STREET, ORPINGTON, KENT BR6 0NN. TEL: 01688 336334 FAX: 01688 373091  
email: enquiries@replanning.co.uk website: www.replanning.co.uk

28 March 2014

West Area Team – Development Control  
5<sup>th</sup> floor Camden Town Hall Extension  
Argyle Street  
London  
WC1H 8EQ

OUR REF: PH/SIU/12/141/AO  
Your Ref: 2014/1577/P and  
2014/1164/P

Attention: Eimear Heavey

By post and email

Dear Sirs

**OBJECTION TO APPLICATIONS CONCERNING  
NO.33C MILL LANE, LONDON NW6 1NZ**

I write to you on behalf of the following owners of several properties on Hillfield Road:-

- Mr J Hodder Williams and Ms S Harrison, 32 Hillfield Road
- Mr A Butterworth, 28 Hillfield Road
- Mr M Aherne, Flat C, 36 Hillfield Road
- Dr J Disson, 34 Hillfield Road

I represented the residents at the Hearing associated with the Enforcement Notice appeal held in the summer of 2012 and endorsed the Council's decision at the time to enforce. The Enforcement Notice was subsequently upheld. I also attended Planning Committee in association with application 2013/0982/P that was refused on 20 January 2014 on the grounds that the amended design proposed, by virtue of its proximity to no.34 Hillfield Road would result in the loss of outlook and increased sense of enclosure contrary to adopted Council planning policies.

At the Committee Members were very sympathetic to my client's views and looked in detail at the relationship between the application site and their properties.

From reviewing two applications that have now been submitted to the Local Planning Authority (references: 2014/1164/P and 2014/1577/P) it is understood that there are two further proposals that seek the retention of the unlawful dwelling on the land which should have been demolished by 24 March 2014. As per the recently refused application (2014/1164/P) solely proposes the reduction in the height of the dwelling by 0.3m and for the separation standard between the rear elevation of the dwelling and the rear of no.34 to be increased to 16.5m. However, the application reverts back to a large window on the rear elevation facing directly towards my client's properties. The further application 2014/1577/P

is identical except that it proposes the kitchen be relocated to the rear, a high level window to be introduced in this position and for further high level landscaping to the rear of the property to be introduced within the narrow rear courtyard area.

The applications are almost identical to that refused under Council reference 2013/0982/P and in my professional opinion there were clear grounds for the Council to refuse to accept the applications, taking into consideration that the changes made are de minimis.

Much is made in both submissions of the comparison between the proposals and the previous approval in 2009 (2007/4040/P). However, no permission exists for the current property which is unlawful. Any new application must be judged as one for a new dwellinghouse in its own right and must, therefore, be judged against current planning policies including those which have been adopted since the Council's previous refusal.

The previously approved scheme was granted on 24 December 2009 prior to the adoption of the Council's LDP policy documents that comprise the Core Strategy and the Council's Development Policy document. Both of these were adopted in 2010 and are quoted in the Council's most refusal of permission (2013/0982/P). The Council's Planning Guidance relating to Amenity, adopted by Cabinet on 07 September 2011, also represents a new material consideration which supports the Council's policies quoted in its most recent refusal.

The key issues here are overlooking, privacy, and development that has an overbearing impact. This is covered in Section 7 of the Council's Amenity document. This requires a minimum 18m distance to be retained between windows of habitable rooms of different units that directly face each other. With only a distance of 16.5m once again proposed at first floor level, both applications fail this standard. This is particularly important considering the rear elevation of the proposed dwellings in both applications is situated almost directly on its rear boundary facing the rear of my client's homes. No tolerance, therefore, exists for this standard to be relaxed in this case.

Furthermore the Council's recent refusal acknowledged that the development, by virtue of its proposed position, would be harmful to the outlook afforded to my clients homes and this decision was reached having regard to paragraph 7.9 of Planning Guidance Note No.6, which states that when development "should not have an overbearing and/or dominating effect that is detrimental to the enjoyment of neighbouring properties."

It is acknowledged that application 2014/1577/P proposes an elevated landscaped screen along the rear boundary, but in the light of the very limited rear garden area (which is smaller than that previously approved in 2009), it is unclear whether this landscaping would be sustainable or whether it would have any real benefit to the amenities and privacy of my clients homes. It is also acknowledged that application 2014/0577 includes a high level rear window only, but this would not address the issue of the proximity of built form and the sense of enclosure that my clients would experience.

In conclusion, neither application is materially different to that refused earlier this year nor the changes do not address the concerns of Members of the Planning Committee who voted in favour or refusal. It is clear that both new applications will need to go back to Committee for a decision in the interests of consistent decision making. I would, therefore, ask the Council to inform me at the nearest opportunity of the Committee date so that I can seek client's instructions and attend.

Yours faithfully



Peter Hadley BA (Hons) Dip TP MRTPI  
ROBINSON ESCOTT PLANNING