



I should like to object as strongly as possible to the **Application Ref 2013/4488/P**, which is within a conservation area:

“The Lodge”

10 Ladywell Court
22 East Heath Road
London NW 1AH

on the grounds of:

- character,
- bulk,
- density,
- obstruction to light and sunlight,
- disturbance,
- loss of residential amenity
- privacy
- potential damage to a historic design, and merit.

I also believe that the proposed build would not be practically achievable, and do not respect this beautiful and historically important conservation area. As the Plans are misleading and flawed, I strongly urge an onsite visit by a Case Officer to enable you to properly gauge the actual scales and measurements involved, and the damage the Plans would cause.

I am the owner and occupier of one of two first floor flats at 5-9 Ladywell Court, 22 East Heath Road, an 18th century three-storey house that is divided into five flats, and which features a superb 18th century staircase and other historic features, including a working well of Roman origin.

The proposed extension is at 10 Ladywell Court, a one-storey studio that backs on to three garages. Formerly a caretaker's storage building, or shed, it is situated in 'The Well' – an 18th century courtyard surrounded by period houses on the east side of 5-9 Ladywell Court. The owner of 10 Ladywell Court has made the above Planning Application. He is not resident there, but rents it out. It is important to note that as the building is low key (and as a simple caretaker's building it was always intended thus) it provides a much welcome breathing space between the houses in 'The Well.' Architecturally it currently

respects its neighbours in terms of outlook, dominance, privacy and light received to windows.

It also allows The Well – believed to be Roman in origin – to be an extremely strong focal point in the courtyard.

Please note: there is a distance of just 4 FEET/1.3m between our two buildings; the proposed building will deprive my neighbours in Flats 5 and 6 of sunlight, daylight and privacy, and potentially damage the foundations of 5-9 Ladywell Court and those of the historic Well.

I am therefore objecting to the Planning Application on the following grounds:

1 Overall

This application is, in effect, a total demolition and rebuild. The application acknowledges that the roof will be removed and the ground floor slab demolished and excavated to a depth of at least 900mm. The front wall is of dubious construction – it originally had no damp course – and since all four windows are to be altered it would be nonsense to attempt to underpin it and install new foundations. It too will therefore be demolished together with the south wall, and all that will remain will be the party wall at the rear and the south. The applicant fails to demonstrate how the demolition would affect the party wall. How this demolition and build can be achieved given that the property has only pedestrian access, is a matter that could also concern planning control.

2 Light

The north windows of the proposed rebuild obtrude massively. The proposed additional storey would cause an unacceptable loss of sunlight and daylight levels into 5-9 Ladywell Court. This is contrary to Policy SD6(b). The change in the application does not address this concern in any way at all. It is perhaps worth noting that again this proximity has not been shown on any of the drawings submitted in the application.

Despite the changes in the application, the increased height will reduce the light to the north windows of Ladywell Court, and three of the four first floor windows require the acquisition of rights of light over the adjacent freehold.

3 Daylight, Sunlight, Loss of Privacy and Overlooking;

a) Living Room: The proposed additional storey would cause an unacceptable loss of sunlight and daylight levels into Flats 5, 6 and 8 of Ladywell Court, contrary to Policy SD6(b).

b) The outlook from 5-9 Ladywell Court would be completely obscured by the brick wall and pitched roof proposed by the Applicant. This has not changed in the new application.

c) Proximity. The proximity between the proposed brick wall/pitched roof and 5-9 Ladywell Court would be just 4 feet/1.3m. The Plans fail to meet the requirements of B1(a) and (c).

d) Density

The proposed change will increase the accommodation by 37.8 square metres while the existing square meterage is 52.3 square metres. The resultant total of 90 square metre is too large for the small plot.

The proposal site is only a one storey dwelling, which was built for the purposes of a caretaker, and therefore it would have never been the intention that this building be extended by almost twice its size.

e) Privacy and oppressive and overbearing The north windows and skylights of the proposed rebuild overlook 5-9 Ladywell Court. The proposed first floor brick wall/pitched roof situated a few feet from 5-9 Ladywell Court would be oppressive and overbearing.

The proposed storey would also block sunlight and daylight levels into 5-9 Ladywell Court by around 30%.

5-9 Ladywell Court directly overlooks Hampstead Heath, a view enjoyed from this building since the 18th century. (See Attached Notes – LBC – RUDP B9 – Views). The proposed extension would completely obscure this and any other views from 5-9 Ladywell Court, including the shared residential benefits of the Well Courtyard.

The proposed terraced roof area will face directly onto 5-9 Ladywell Court. Therefore, if the terrace/roof were being used, there would be substantial loss of privacy to adjacent property.

This extreme proximity of the roof terrace could cause disturbance through noise, at any time of day or night. The occupants could cause considerable disturbance, especially at night. There is no way of controlling when and how

the residents will use the proposed terrace and this will have a detrimental effect on my property, which fails the requirements of policy SD6 (d).

The proposed roof terrace will diminish my use and enjoyment of 5-9 Ladywell Court. It will result in the loss of a residential amenity, as the Well Courtyard will be affected. In the past planning consent has been given on the basis that the proposed terrace be used solely for maintenance and not as an amenity, but this cannot be controlled.

Equally, 5-9 Ladywell Court would overlook the proposed bedrooms and bathroom. The residents in Flats 6 and 8 would be able to see right into the proposed roof-lights which will result in a loss of privacy for the residents of the proposed new building – and any future residents.

4 Density

The proposed change will increase the accommodation by 37.8 square metres while the existing square meterage is 52.3 square metres; The resultant total of 90 square metres is too large for the small plot.

The proposal site is only a one storey dwelling, which was built for the purposes of a caretaker and therefore it would have never been the intention that this building be extended by almost twice its size.

5 Bulk

The proposed area is the same as the original application which was refused – there is no difference in the proposed bulk, which was, and still is, overpowering.

6 Detriment to a Residential amenity

The proposed lopsided and oppressive front elevation will diminish the charm of the courtyard – an important facility and one that is used by all the residents.

There will be a reduction of sun and of light – in the only area that remains open; this should not be disturbed, and is an important residential amenity.

The proposed build will significantly alter the appearance of the current building, which is now an established feature within the conservation area and will lead to an unsatisfactory level of enclosure between the site and surrounding dwellings.

7 Damage to a historic site, and to the historic well

Ladywell Court is the oldest continually inhabited site in Hampstead dating from Roman times. The well is practical and clearly has access to a fresh water supply/reservoir, that may well be Roman. Excavating around this can cause damage to this environment and structure. It would therefore be helpful if this application were also assessed by a Conservation Officer.

Undermining the current ground floor level by digging down four steps could have a structural impact on the well, which is extremely close proximity.

Aesthetically this historic site and the well should not be overshadowed by any additional height and extra building

8 Design of the proposed dwelling

The proposed building has no design merit and will detract from the environment.

Additionally, considering the building itself: the proposed lowering of the floor by four steps – at least 900mm means that in order to accommodate the extra storey, the floor of the new storey will be at the height of the current first floor windows – which will be very oppressive

The new additional floor will be compressed to such an extent that the eaves are unusable, as the height is shallow. Alternatively, if this is addressed by lowering the front elevation windows, then the alteration in the façade will no longer match the surrounding buildings within the courtyard –and the overall look of the courtyard will be compromised.

MISREPRESENTATIONS/FLAWS ON THE PLANS

1. **Proximity.** The Applicant has deliberately withheld from Camden Council any references – ie **Drawings, Plans, Photographs and Notes** - regarding my property and its proximity to the proposed additional storey. He has also withheld any references to the other residences at 1-9 Ladywell Court, and the other residences in the Well Courtyard.
2. **Daylight & Sunlight Report.** The Applicant has failed to submit to the Council a Daylight and Sunlight report regarding my property.
3. **Property Boundaries.** The Applicant has deliberately failed to indicate in the plans and photographs the distance between No.10 and 5 – 9 Ladywell Court – ie. **4 feet/1.3m.**
4. **Height.** The Applicant has deliberately failed to indicate the height of the proposed additional storey.

5. **Environment.** The Applicant is deliberately misleading the Council by referring to the other adjacent building – Ladywell Lodge as 'high rise' when in fact it has only three floors.
6. **Dimensions.** The Applicant has deliberately exaggerated the existing dimensions of No.10.

9. CONSERVATION

"To the north, on the edge of the heath, lay no. 22 East Heath Road (Grove House, later Holford or Heathfield House, Melville Hall, and finally Ladywell Court), in 1762 a 'capital messuage' with stabling, a greenhouse, and 1½ a. owned and occupied by Thomas Webb. (fn. 40)" – A History of the County of Middlesex, Vol. 9. Pub. 1989

An 18th century manor house, Ladywell Court comprises eight flats and features an imposing 18th century staircase and a working well of Roman origin. Prior to the building of St. Mary's Catholic church in Holly Place prayer meetings were regularly held here, so the building is of significant social, religious and historical merit. The Planning Application lies within the Hampstead Conservation Area. Policy B7 is therefore relevant, which requires proposals to preserve or enhance the character or appearance of such areas. The Council has a duty to preserve or enhance the character of the Conservation Area. (SD6 B7). As discussed above, the proposal site is a one-storey building that was built for the purposes of a caretaker and therefore it would have never been the intention that this building be extended by almost twice its size. It would significantly alter the balance and harmony of 1-9 Ladywell Court, its Well, and of the courtyard as a whole, and would ultimately harm the character and appearance of this part of the conservation area, which conflicts with the policy B7 and regulations under section 72 of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990.

10. Minor Points

- It will be difficult to use amenities such as the cooker in the new kitchen once the necessary flight of four steps have been added to the back door
- An "opaque glass velux" roof light would leave the bathroom in total darkness.

11. Not specifically Planning Related

As mentioned above, in 1 – "**overall**", there is only pedestrian access to 10 Ladywell Court – through a shared courtyard, and via steps. There is no parking for lorries and heavy vehicles. Any excavation would be extremely

difficult to manage, and would make life intolerable for all residents at 5-9 Ladywell Court as well as all the other residents at 1-3 Ladywell Court, and all residents in and around the Well Courtyard.

I am specifically concerned about excavations around the party wall, and the integrity of my property; I do not know how I could protect against the possibility that lowering the basic floor level adjacent to me, might affect my property.

For example, the foundations of Ladywell Lodge, 22b East Heath Road, which is also adjacent to the proposed application, are three 18 century barrel vaulted buildings – originally stables and now used as garages. I believe that at least one of them may have been in-filled when Ladywell Lodge was built, and they therefore may go deeper and beyond. Digging into this for excavations could certainly impact the structural integrity of Ladywell Lodge too.

The other residents at Ladywell Court and I will be making a joint objection as well as individual objections to the proposed plans, under separate cover.

I look forward to hearing from you at the earliest opportunity.

With many thanks.

Yours sincerely

Etc.

