

To Whom It May Concern, I would like to object to Planning Application 2014/4257/P: 10b St Albans Road.

**1. MY APPROACH ESPECIALLY WITH RESPECT TO CAMDEN'S POLICY:**

I have tried to familiarise myself with the policy demands placed on Planning Officers, the Members' Briefing Panel or the Development Control Committee. The most relevant of these seem to be some of the Camden's Development Policies (DP1-DP32). I also make reference to Camden's Policy Guidance (CPG 1 & CPG 6) and the Dartmouth Park Conservation Area Appraisal and Management Strategy (2009) in this objection. I hope these notes are of some use to those decision makers, including those who not able to make a site visit.

These are the policies I refer to in numerical order.

Policy DP18 - Parking standards and limiting the availability of car parking...

Policy DP25 - Conserving Camden's heritage

Conservation areas

In order to maintain the character of Camden's conservation areas, the Council will:  
...Items a-e (some of which are referred to below)

Policy DP26 - Managing the impact of development on occupiers and neighbours

The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity. The factors we will consider include: items a-k (some of which are referred to below)

Policy DP28 - Noise and vibration

The Council will seek to ensure that noise and vibration is controlled and managed and will not grant planning permission for:

- a) development likely to generate noise pollution; or
- b) development sensitive to noise in locations with noise pollution, unless appropriate attenuation measures are provided

I start with some background information and then consider the major parts of this proposed development one by one:

**2. BACKGROUND INFORMATION:**

Our western section of St Albans road is between Highgate Road and Brookfield Park. It has speed bumps and not too much through traffic but the westerly direction of the C11 bus.

Controlled parking is 10am-12 noon (site visits in mind)

I have been living in 12-14 St Albans Road for 30 years and am very familiar with our building, the local area and something of number 10 also

Number 12-14 is almost 150 yards from Highgate road so is fairly quiet.

12-14 St Albans Road consists of 11 flats owned by Circle Housing Association.

My flat, J is at the front of the second (top) floor on the number 12 side. So it is adjacent to side dormer part of the proposed works.

10 St Albans Road is a council freehold. 10A on the ground floor is still a council property. The Tenant moved in about 18 months ago is, I believe retired and has use of the garden which he maintains.

10b is just on the first floor and was bought by the current owner possibly 20 years ago. I believe it was a two bedroom initially but has been converted to its current 3 bedrooms. The owner has not been living there for many years and has been renting it out. A succession of groups of young people has occupied the flat as a flat-share.

<http://www.zoopla.co.uk/property-history/10b-st-albans-road/london/nw5-1rd/13356248>

This Zoopla link shows some pictures of inside the flat and reveals that the property was **listed** for rent on 20th Oct 2010 at £1,842 pcm.

There is currently a sign in the front garden of number 10 showing that the property is "Under Offer" at Fitzroy's Their website reveals an asking price of about £850K.

### 3. THE MAJOR PARTS OF THIS PROPOSED DEVELOPMENT

These are considered in order of relevance to my personal situation.

#### 3A. Side Dormer Window

Of most direct concern to me is the proposed side dormer extension which is approximately 2metres (m) high and 2.5m wide (ignoring the slightly wider top). This contains a large vertical window 1.2m high and 1.9metres wide (measuring from the extremities of the glass)

#### General Situation

My flat, J is the smallest of all the 11 flats in 12/14, being the only bedsit flat. It has three Velux windows which face toward the site of this proposed dormer in number 10 from back to front they are my bathroom, kitchen and bedsit. From the plans and on-site measurements it seems that the proposed side dormer would be facing towards all three of these windows from about 5 metres. As you can imagine a window facing directly into anyone's life from about 5 metres away is likely to be unnerving.

In my case I am over 60 and frequently don't leave the property for weeks at a time. Nonetheless, I plan to live here for 20 or even 30 years, if I last that long. As such, preserving my home conditions is vitally important to me. My love of fresh air means that 2 or 3 of these Velux windows are open about 16 hours every day, except when raining or on the very coldest winter days. Whoever occupies this proposed bedroom would be sharing some aspects of my life full time. Particularly if the property continues as a house share that could be virtually full time for them too, as the room is fairly self contained with its en suite bathroom.

- DP26 a) visual privacy and overlooking;

Of prime concern here is the bedsit flat Velux window. This is the largest and lowest of my three windows. There is a clear glass door to a small front balcony next to it and between these two light sources is the only place in the bedsit room where it is possible to look out. Through the Velux to see the trees, roofs, chimneys and sky and through the door to also see people and street life. This area also gets the most natural light, the 90° corner between the two walls containing these light sources pointing close to SSW (ie. 22°30 west of due south). As such, it has always been my “study” area and is where I spend most of my waking time on average 10 hours a day 7 days a week.

Photograph 1:

The view from close to the bedsit Velux window. I added the position of the proposed dormer in order to give an idea of how it will appear. I used the proposed side elevation plan to find the size and counted roof tiles horizontally and vertically to find the position. I have tried to be scrupulously fair and as careful as I can with this.



Photograph 2:

Later, I decided that it would be better if I showed a view closer to the actual proposed view out of my Velux window as seen by me from eye level. I took the following photograph and just roughly copied the dormer outline in about the same position as the much more careful photograph 1. It therefore shows slightly roughly the bottom half of the complete view from my Velux window including the outline of the proposed side dormer. The Velux window is

about 2 metres from my eye and the opening in the frame is 128cm wide by 133cm high



I trust that from that plan others can see that they are both roughly correct and can gauge the extent of the glazed surface there

As this shows if the side dormer is permitted whenever I look up from my desk I would see practically the complete dormer window extension filling about a third of the area of my Velux window. I would be looking into someone's bedroom, right through it and on into their en suite bathroom. My eye level would be almost exactly half way up the proposed dormer. I calculate that from my usual position it would be almost exactly 7 metres from eye to the proposed bedroom window.

Here I refer to Camden's Planning Guidance CPG 6 Amenity.

Subsection 7.4 Overlooking and privacy

WHAT IS GOOD PRACTICE?

To ensure privacy, there should normally be a minimum distance of 18m between the windows of habitable rooms of different units that directly face each other. This minimum



requirement will be the distance between the two closest points on each building (including balconies).

There are much less than 6 metres from their side dormer window to my bedsit room window as shown above. So the proposed window is over 3 times too close. As the Inverse Square law applies to optics the situation is going to be 9 times worse than Camden's good practice considers a minimum to maintain wellbeing.

Are there legal implications here? Is there a chance it would become illegal for me to continue to use the study position that I have for 30 years or perhaps to look up from my desk or out of my Velux window anymore? The converse of this is that whenever the new occupants look out of their bedroom window they would see me a mere 7 metres away.

Currently, I can have complete 100% privacy in 99% of my bedsit room by closing the curtain on the balcony door. To lose this level of privacy in such an extreme way would be a devastating change for me.

Some other flats in the rest of the building would also be overlooked by the side dormer. They are bad but none would be quite as dramatic as my situation.

DP26 f) microclimate;

Another advantage of my "study" area is that in hot weather cooling breezes blow through between the large Velux and the open balcony door. This side dormer seems certain to reduce such breezes which currently blow down the slope of the roof of 10b in my direction.

DP26 c) sunlight, daylight and artificial light levels;

For me personally the side dormer would probably reduce my light a little but it would probably be minimal. However, further down the building it can already be quite dark and there would be a loss of daylight and sunlight. Some residents who live in lower floors have windows which are close to north of the position of the proposed dormer. They do get sun shining down between the two chimneys around local apparent noon. This would be blocked by the dormer. They could well find that "winter" in their room would come a week earlier and "spring" arrive a week later.

DP26 d) & DP28 noise and vibration levels;

There are numerous issues with such a close window facing directly at all three of my Velux windows but the worst would be noise going both ways. This is a very quiet part of St Albans Road being almost 150 metres from the near continuous traffic on Highgate Road and it's loud hum. Traffic only passes down here every few minutes on average. The downside of

this quietness is that noises are easily heard. I was a prime mover in having the property condemned by Camden's Environmental Health 15 years ago. This resulted in a few hundred thousand pounds of soundproofing being carried between the flats and all the exasperated tenants happily moved out for weeks to allow the works to be done and to have quiet homes afterwards. As I live alone I usually have some background noise (like Radio 4) when not reading or in deep study or research. However, with age my hearing is slowly deteriorating and for the past 15 years I have had recurrent if occasional ears blocked by infections and wax. Sometimes, when both ears are blocked I had complaints from the ground floor of the amplified noise. I now always carry speakers from room to room to prevent disturbance. However, a new neighbour as close as 5 metres away and directly across could be easily disturbed especially during bouts of blocked ears or if my unblocked hearing deteriorates further. I also use a voice recognition system which involves speaking into the computer. My love for fresh air means that when it is showery I may be opening and closing the Velux windows many times a day and it cannot be done quietly. In short I may be very annoying to live so close to, just as they may be annoying to me. I know how easy that sort of situation can turn into noise wars with everyone turning the volume up to drown out everyone else as we had instances of those sorts of problems before the internal soundproofing was done.

DP25 ... a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas;

We are in Dartmouth Park Conservation Area (DPCA). Looking west down our tree-lined street you see between the trees Hampstead Heath gently rising up to Parliament Hill. Glance to either side and you see a panoply of beautiful, interesting buildings with varied architectural styles. Camden's 2009 DPCA Appraisal and Management Strategy subsection 7.94 pays enormous attention to our (western) end of St Albans Road. Within this, the report describes our houses (6-18) as "large semi-detached houses, each with its own style. They are linked by their scale, two storeys, and some share details such as gables, stucco, tiled roofs, tall chimneys." There are no side dormers anywhere along our set of semis.

DP25 ... b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;

This side dormer would be a large ugly aberration sticking out of the top of one side of numbers 8-10. It would make the complete building seem out of balance.

The lopsided development would be clearly visible from many local houses and the footpath on both sides of the street along St Albans Road.

I cannot see that it “preserves and enhances the character of the area”, Quite the reverse.

An investigation suggests that there have been no side dormers given planning permission anywhere in St Albans Road since Dartmouth Park was designated a conservation area on the 1st February 1992.)

This leads me to PRECEDENT where I explain this investigation.

#### PRECEDENT:

Using Camden’s website, I have done a search for “dormer” in the eleven web pages of planning applications in ANY of St Albans Road since Dartmouth Park was designated a conservation area on the 1st February 1992. I found 106 applications; only two seemed to relate to side dormers both from the same address 7 St Albans Road, directly opposite number 10 and number 12. One was a resubmission of the other. Their numbers, links and history were:

First = [PEX0100538](#) : Refused, Appealed, Dismissed

Second = [PEX0200099](#) -: Refused

That is, both were refused, the first had an appeal dismissed. Both decisions included the judgement that it “would fail to preserve or enhance the character or appearance of the conservation area.” as in DP25 b above.

Side Dormer Summary: It seems to me that this proposed side dormer is not compatible with DP26 that the Council will protect the quality of life of neighbours by only granting permission for development that does not cause harm to amenity. It also seems incompatible with DP25 b that the Council will only permit development within conservation areas that preserve and enhance the character and appearance of the area. Furthermore, it would be contrary to the precedent for the entire street, especially the local part of it. Worse still it would set a dangerous precedent that, far from preserving and enhancing the area could clearly lead to damaging and a diminishing of the character and appearance of the area. I therefore request that you refuse planning permission for this aspect of the application.

#### 3B. TERRACE AND BALUSTRADE:

Before dealing with Policy, Guidance includes:

- CPG 1 5.23 reminds us that Balconies and terraces “can cause nuisance to neighbours. Potential problems include overlooking and privacy, daylight, noise, light spillage and security.”

All those problems potentially present themselves to various neighbours here. However, there is another, Sunlight that is present here too.

Firstly about the Balustrade: A measure taken from a printout of the plans suggests the “full height” balustrade would rise almost exactly 1.5 m above the terrace. There is a figure of a woman shown there whose hair just about rises above the top of the balustrade. This would be a very small figure to use as a sample of humanity so perhaps there is an error especially as there is a mild disclaimer of the scale in the bottom left hand corner of the plans and possibly a potential for distortion in the image in printing especially as the scale is horizontal but the balustrade measurement vertical. I decided to check if there was indeed a problem. I did this by trying to measure the size of 10B and comparing that with the height found by using the scale on the plans. It agreed remarkably well. This suggests that the proposed balustrade would indeed be almost exactly 1.5m and about 95% of adults would be able to look down from it easily enough. The remainder of the human population would be able to peer through the gaps between the panels.

DP26 a) visual privacy and overlooking;

Personally, I do not currently spend much time in the garden, which is communal for all 11 flats. However, I anticipate that in the future I will. For this reason I have joined most other residents with a (personally relatively small) effort towards the maintenance and dramatic renaissance that has taken place in the garden in about the last 5 years, inspired by the arrival of some new tenants starting then.

The garden’s transformation has been astounding with extensive lawns planted front and back . An area at the back close to number 10 was chosen as the main seating area partly because number 10 is not as long and high a building as 12-14 and so that is where sun-lovers can catch the sun .Another reason is that the back section of this seating area is the most private, as it is sheltered by trees from most outside neighbours and so a substantial area of decking has been put down and garden furniture has been installed there.

The proposed terrace would look down on the complete seating area from as little as ten metres away. The other three bedroom and two bathroom (frosted) windows in numbers 8 & 10 rarely have people looking out but the introduction of a terrace would invite people to come out and socialise and/or look out from the terrace over our and others’ lovely gardens and houses.

Being overlooked like this can be very disconcerting and is particularly annoying as the design of the garden would probably have been done differently had the terrace been there already.

All the houses from 16 to 26 and most of their gardens would be overlooked by the terrace. If you look at the “view toward Number 20 Swains lane” as given in the Design and Access Statement you can see how overbearing the terrace would be to the properties in Swains Lane.



DP26 d) & DP28 noise and vibration levels;

The terrace is naturally going to attract people out onto it day and night to socialise. That is what it's designed for. The 1.5m Balustrade would do little to contain any noise. The problem is that the back gardens nearby constitute an area where there is a bit of noise during the day but after dark and late it is generally an extremely quiet and peaceful area because none of the neighbouring houses have terraces or substantial balconies.

To describe it: our property backs onto another 3-storey Circle Housing block of 6 flats (22/24 Swains Lane). So within the two blocks there are 17 flats, 12 of which face the back. At least half these back flats are occupied by people either around 60-80 years old or somewhat disabled. Two of these flats have vulnerable people's bedrooms within 10 metres of the proposed terrace. Nearly all of the surrounding back gardens belong to houses occupied by families who also tend to be elderly.

Regardless of who moves in to 10B the proposed terrace, it would mean that from then on the quiet little haven of 12 housing association flats and nearby residents could be blighted by regular after-dark noise. However, Number 10B has previously been rented out to a succession of house shares over the years and has a long regular history of weekend parties. Usually the noise was inside but sometimes it would spill out the opened kitchen door at the side of the building and be very loud and occasionally last as late as 4 or 5am. For me personally it wasn't a big problem because it was always weekends and I would stay up until they stopped. Because these problems with larger parties were at the side towards the front they still left the back relatively peaceful. If it is let as a similar but larger house share, now with a terrace then it could mean misery for many elderly and vulnerable people.

DP25 ... b) only permit development within conservation areas that preserves and enhances the character and appearance of the area;

This 1.5metre "opaque glass balustrade" would be quite unattractive and would really stick out as it shines down on people in our garden and neighbouring houses. However, it is not just us: the structure would be clearly visible on the footpath on both sides of Swains Lane as photograph 3 shows:

Photograph 3. View from the footpath on the South side of Swains Lane looking between number 20 and number 22. The small horizontal white line is the top of the wall above which the reduced size balustrade would rise at the back of the proposed terrace. Behind it you can see the chimney which would be demolished, the top is obscured by leaves.



This view of the terrace lasts for a distance up Hillway, the street perpendicular to Swains Lane, both for drivers and pedestrians'. This can all be easily confirmed as Hillway is the street visible in the "view toward Number 20 Swains lane" as given in the Design and Access Statement.

3C Chimney demolition and rear dormer that necessitates it.

DP25 b) ...only permit development within conservation areas that preserves and enhances the character and appearance of the area;

The demolition of this chimney can in no way be said to be preserving and enhancing the character and appearance of the area: It would alter the skyline as viewed from the backs and fronts of many houses and gardens be sorely missed by me like an extracted tooth as it is an integral part of my skyline (see photograph 1). It is also visible from the east and west

in St Albans road. Photograph 3 shows that it is visible in Swains Lane although summer leaves obscure the top of it .However, the “view toward Number 20 Swains lane” as given in the Design and Access Statement was obviously taken very close to the spot of the chimney and looking back down to where photograph 3 was taken from. As there are no obstructions above the spot we can be fairly certain that during winter the complete chimney is visible from Swains Lane and some of Hillway.

The applicant refers to a law change in the second page of the Design and Access Statement. I presume this refers largely to the chimney demolition under The Enterprise and Regulatory Reform Act 2013 (ERRA). If so, it means that the decision makers here are the sole arbiters on such demolitions in conservation areas. It seems to me that this means that the onus is on the decision makers to make more effort to protect the conservation area than previously.

The building of a rear dormer, with or without a terrace, would not be attractive and would be clearly visible from the Swains Lane in the Dartmouth Park Conservation Area indeed it is as apparent as a front-dormer may be..

#### 4. THE OVERALL DEVELOPMENT

##### PARKING

Personally for me Parking is not an issue. I do get free travel due to my age but use it only occasionally . But, assuming that this will last for many years I don't anticipate ever using my driving licence again. However, I expect you have been told by neighbours that there is some concern that the development could increase by 2 or 3 the number of cars parked locally and there are already problems. My experience goes little beyond being lookout while a contractor rushes to complete their work while double parked. However, that is linked to an occasional problem I have noticed from my flat: the C11 bus is occasionally stopped just outside our house while a large builder's or delivery vehicle, or other insufficiently separate double parkers are sought to move a vehicle. The local parking problem was aggravated a few years ago when the large block of flats, Hylda Court 3-5 St Albans Road , opposite numbers 8 &10 introduced 100 pound fines for any parking in their large driveable area, and rigorously enforced it, even occasionally to un-manned delivery vans.

I am not very familiar with the below policy but could it be that it applies here?

Policy DP18 - Parking standards and limiting the availability of car parking...

... The Council will expect development to be car free ... within Controlled Parking Zones that

are easily accessible by public transport.

I merely point this out in case it may apply. If not, the development may aggravate the parking problems.

#### 5 MINOR ERRORS IN THE PLANS:

I have not studied the plans with a fine-tooth comb but there are a couple of minor errors in them which are immediately apparent. I point them out in case anyone is confused by them or they are important.

1. The size of the chimney in the “existing rear elevation” of the “existing and proposed drawing” is much too small. This has possibly been done to reveal the rooflight behind it. Nonetheless it is the chimney to be demolished. You can gauge the actual size from photograph 1 above.

2. The proposed and existing side elevations show a door and window in the ground floor of number 10a which does not exist. This seems completely irrelevant to the development but I include it for completeness. It may be a warning that there may be other errors.

#### 6 IN CONCLUSION:

I invite any of the aforementioned decision makers to come and see for themselves the situation here both with respect to view from my flat and the outside of the rest of the affected property here. Feel free to choose a time but give me a few days’ notice just in case of the unlikely event that I do have something on.

If this goes to the Development Control Committee I would like to be informed of the date and given the chance to speak if possible.

SUMMARY: My apologies if this objection is unconventional or does not address the issue in the correct manner. I am just an ordinary person with no knowledge of planning matters until I noticed that this monstrous side dormer would be staring in at me if I did nothing.

I request that you refuse planning permission for this application 2014/4257/P because it is not compatible with so many parts of DP26 and DP25. In particular, please refuse it for the side dormer, not least because here it also seems to be contrary to precedent for our unique street.

Thank you very much for reading this.

Yours faithfully,  
Michael O’Neill