

## Gentet, Matthias

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**From:** Andrew Gray <andrew.gray012@gmail.com>  
**Sent:** 28 July 2014 15:38  
**To:** Planning  
**Subject:** Fwd: Re: Planning Application 2013/6674/P (Development Control Committee Thursday 31st)

----- Forwarded message -----

From: "Andrew Gray" <[andrew.gray012@gmail.com](mailto:andrew.gray012@gmail.com)>  
Date: 28 Jul 2014 15:36  
Subject: Re: Planning Application 2013/6674/P (Development Control Committee Thursday 31st)  
To:  
Cc: <[heather.johnson@camden.gov.uk](mailto:heather.johnson@camden.gov.uk)>, <[meric.apak@camden.gov.uk](mailto:meric.apak@camden.gov.uk)>, <[danny.beales@camden.gov.uk](mailto:danny.beales@camden.gov.uk)>, <[adam.harrison@camden.gov.uk](mailto:adam.harrison@camden.gov.uk)>, <[jenny.headlam-wells@camden.gov.uk](mailto:jenny.headlam-wells@camden.gov.uk)>, <[phil.jones@camden.gov.uk](mailto:phil.jones@camden.gov.uk)>, <[claire-louise.leyland@camden.gov.uk](mailto:claire-louise.leyland@camden.gov.uk)>, <[richard.olszewski@camden.gov.uk](mailto:richard.olszewski@camden.gov.uk)>, <[lazzaro.pietragnoli@camden.gov.uk](mailto:lazzaro.pietragnoli@camden.gov.uk)>, <[flick.rea@camden.gov.uk](mailto:flick.rea@camden.gov.uk)>, <[phil.rosenberg@camden.gov.uk](mailto:phil.rosenberg@camden.gov.uk)>, <[nadia.shah@camden.gov.uk](mailto:nadia.shah@camden.gov.uk)>, <[stephen.stark@camden.gov.uk](mailto:stephen.stark@camden.gov.uk)>, <[sue.vincent@camden.gov.uk](mailto:sue.vincent@camden.gov.uk)>, <[abi.wood@camden.gov.uk](mailto:abi.wood@camden.gov.uk)>

Dear Sir/Madam

Apologies - for completeness where I said " The western side has a limited right of way over it" I should have said the EASTERN side.

Kind regards

Fwd: Re: Planning Application 2013/6674/P (Development Control Committee Thursday 31st)

Dear Sir/Madam

I am a director of Church Walk Limited ("CWL"). CWL owns the common parts to the Church Walk development (five homes, six off-street garages and four off-street parking places). CWL's freehold property includes the western side of Church Walk (a private road); i.e. CWL's property adjoins The Earl of Listowel's property in Swain's Lane along the entire eastern border of The Earl's property. In turn, CWL's freehold property forms the only access to the public highway from the homes, garages and parking spaces within the Church Walk development.

This submission is made in order to protect access to and from the homes, garages and off-street parking spaces at the Church Walk development.

For completeness, the private road Church Walk was formed when two adjoining properties - a walkway to the Church (now CWL's property) and a driveway to the rear of Hillway Garage - were joined together lengthways in the early 1980's. Freehold ownership of Church Walk remains split lengthways down the middle of Church Walk. The western side has a limited right of way over it in favour of a retail unit to the east of Church Walk, and so there are a number of legitimate competing interests already over Church Walk, including the residents of Church Walk, the furniture warehouse within Hillway Garage, and the aforementioned retail unit. There is also a simmering dispute with the aforementioned retailer who, CWL believes, over-steps his legal right of way, and in doing so causes nuisances and trespasses on CWL's rights over Church Walk. There is also repeated illegal parking on Church Walk, predominantly by retailers, delivery drivers and customers, including in particular those attending The Earl's property.

## Construction Phase

As background, when The Earl's tenants conducted a minor renovation of The Earl's property, tradesmen repeatedly parked illegally on CWL's property (despite a clear no parking sign), and were argumentative and indeed at times abusive when asked not to do so. Repeated requests not to park on CWL's property were roundly ignored.

Compared to a minor renovation, The Earl's proposal includes totally demolishing buildings which physically adjoin CWL's property, and then constructing a three storey building, again right up to the boundary with CWL's property. It is inconceivable that The Earl will be able to do this without considerable and lengthy trespass on CWL's property. In turn, that would block access to the homes, garages and off-street parking spaces with the Church Walk Development. Accordingly, CWL will not consent to this.

Despite CWL's property physically adjoining The Earl's property, neither The Earl nor his consultants have contacted CWL. If someone proposes a development and will need to use their neighbours' driveway in order to achieve it - at considerable nuisance to their neighbours - surely it is simply a lack of common courtesy not to have contacted the relevant neighbours to discuss this before reaching this stage!?

In any event, it is implausible to see how The Earl will be able to carry out his proposed demolition and construction works opposite CWL's property without significant trespass on and over CWL's property. Please note that CWL will not consent to this and will vigorously enforce its land rights over CWL's freehold property against The Earl. Frankly, it would be much more sensible if you would simply reject an application which can't plausibly be carried out without trespass on a neighbour's property.

## Light and Air

The Earl's proposal includes windows opening directly onto CWL's property. The Earl does not have a right to light and air in the manner contemplated by his proposal. CWL objects to this aspect of the Earl's proposal. Should the development proceed, please note that CWL will seek to reinstate a solid boundary between our properties (as has existed for the best part of a century), and this in turn would block the windows shown on the western side of The Earl's plans..

## Post Construction

We already have issues regarding the use of Church Walk. Residents have a narrow access to their homes, garages and off-street parking spaces. This is already often obstructed or totally blocked as a result of The Earl's tenants, delivery drivers delivering to The Earl's property, and customers of The Earl's tenants parking illegally. The Earl's tenants, and their delivery drivers and customers already illegally double-park in Swain's Lane; they already illegally park across the entrance to a roadway (Church Walk); and they already illegally trespass on Church Walk. This is both a nuisance and often dangerous both to the residents of Church Walk and other users of Swain's Lane. (For completeness, on the other side of Church Walk we also face regular instances of illegal unloading from the bus bay in Swain's Lane.) All this is with suppressed activity on the high street due to several units in The Earl's property being closed.

No matter what the Council does to encourage car-free living, a net reduction of nine on-site parking bays and the addition of 12 residential units can only, and very materially, exacerbate the existing illegal parking practices associated with The Earl's property.

Please consider that The Earl's site is already over-developed! E.g., deliveries could be made to the service road behind the shops (in the 'east building'); however, that service road is currently blocked to form a "beer garden", and so instead delivery drivers park illegally on CWL's property (including often totally blocking the dropped kerb with tactile pavement for the visually impaired), or they double-park in Swain's Lane, and/or they park illegally across the entrance to a roadway (Church Walk).

In my opinion, The Earl has a moral obligation to use this opportunity to address existing illegal practices associated with his property, and it is simply morally wrong to make a proposal which will clearly exacerbate the instances of that illegality.

In any event, CWL urges Councillors to reject this application.

Kind regards

Andrew Gray  
Director  
for and on behalf of  
Church Walk Limited  
Company number: 06662327  
Registered address: 4 Church Walk, N6 6QY

27 Swains Lane  
London N6 6QL  
14th July 2014

Ms. Amanda Peck,  
Development Management Team,  
Borough of Camden,  
Town Hall Extension,  
Argyle Street,  
London WC1H 8ND

Dear Amanda,

Re: Planning Application Number: **2013/6674/P**

On behalf of the Swain's Lane Steering Committee, I am writing to provide feedback received from our members and residents of the community. We would ask that it is included in your report.

a. Final proposal is inadequate. There is a strong feeling that, whilst the applicant has attempted to address individual points raised through the consultation, the resultant scheme is far from an exemplary replacement for the existing structures, which are identified in the Conservation Area Statement as being of value. It does not represent a first-rate architectural contribution to Camden that the council requires under policy and that this important site deserves.

b. Final design does not deliver. Many still dislike the architectural design, which they say is unattractive, mundane, and of mediocre architectural quality. Swain's Lane has an informal, easy feel, which it is felt will be lost if this site is developed with this design. It neither preserves nor enhances the character of the Conservation Area. If this scheme were to be built as submitted, many see this as another lost opportunity.

c. Insufficient consideration given to retail requirements. There is widespread concern over the nature of the retail proposal shown in the drawings, that these units are inadequately-sized to be viable and do not capture the unique character of the lane, which is the lifeblood of the area. The design does not make provision for proper loading, servicing, retail storage (a significant problem for viability), refuse/recycling and parking; with supporting documentation generally using a 'like for like' justification suggesting that the circumstances will not change from the current situation. The reality is that several shops have been kept closed in recent years by the site owner. Therefore a new, arguably more vibrant, development requires much more consideration if it is not to create congestion, danger to pedestrians and piles of refuse on streets. The existing arrangement is inadequate and today's standards more onerous. Other consultees have correctly pointed out that Church Walk is currently used as an illegal loading area for existing shops, blocking fire access and regularly preventing Church Walk residents from leaving their homes. Any new scheme must be better than the existing situation and this one, as currently proposed, is not.

d. Inefficient use of space surrounding buildings. The creation of a gated, private parking area to the rear is much to blame for many of these fundamental retail problems (Point “c”). Space that should logically be used for servicing, deliveries/loading, refuse/recycling, and storage is given over to private parking, despite being in direct conflict with Camden's car free policies. The gap between the buildings is blocked with a metal railing, which adds to the sense of exclusion. This only further bolsters residential value in parking at the expense of the most important element, the viability and safety of our local high street. The parking area at the rear has been stretched to the limit to enable it to work. Indeed, a section of the building has had to be chamfered off to make it so. All this suggests a poorly conceived idea, with proper loading and access to retail units lost in favour of a private parking area that has been squeezed in. This has been consistently been raised through the process but the developer has chosen not to address it.

e. Residential refuse area (in the west building) appears unworkable. Nine “wheelie” bins are shown that, once a week, will need to be transported down an internal corridor and left on the street. Either the residents will be required individually to drag their bins to the lane weekly, and return them immediately to avoid the bins blocking the footpath or street, or the refuse collectors will be expected separately to return all nine bins up and down an internal corridor while a refuse truck blocks the lane. This suggests that a proper access area to the rear should be proposed instead of space given over to private parking.

f. No provision for vertical ducting. Assuming that the one or more retail units will be identified for a potential A3 use (in particular the corner); no provision for ducting has been made internally. This will mean that a potential A3 user will be forced to apply for a surface mounted duct to the rear elevation, which would directly face the Grade 2 Listed dwelling at 106 West Hill. This again suggests that the retail has not adequately been considered.

g. The Construction Management Plan is too vague. It needs to be more specific on issues of dust – possible need for some sort of covering during demolition and excavation. Dust could have a considerable impact on the other retail units in the Lane. It must also address the very real concerns of ground contamination, road closure and traffic. It is questionable whether the best exit route for construction traffic is East along Swain’s Lane, affecting a significant number of residents, instead of via Highgate Road.

h. The Service Management Plan and the Transport Statement are also inadequate. The latter has not been updated as had been promised. Both fail to recognise the current traffic situation in the Lane and the effect of a more active retail sector. Added to which, it is surely naive to suggest that a Site Management Company will be so efficient that nine or more bins are not left on the pavement in front of the shops for a considerable time (Point “e”)

i. No provision for pedestrian crossing. With more shops, new flats and increased footfall, there is an increasing need for a proper N/S pedestrian crossing at the junction that will reduce the area for parking/ unloading.

j. Given the existing proposal, the following design points are still strongly felt:

- Although made marginally wider in the last iteration, the windows are still too relentless in their arrangement and make an unrelieved and heavy composition.
- The brick is still generally disliked and inappropriate for the setting.
- The shop fronts are heavy, unattractive and alien to the rest of the building with inelegant structure between units.
- The roof design is still seriously unsuccessful. The idea that the cladding / trellis would be integral to the architecture (a point agreed with the architect) just isn't working and the design just looks like a heavy metal box with insubstantial timber battens stuck on. In order for such an idea to work it should have depth, shadow modelling and relief.
- The rear elevation to Church Walk is unrelieved and unattractive. Little has been done to address concerns over this important elevation, which seriously affects the visual amenity of several local residents.
- The railings between the buildings sit at an awkward angle, generated by the disabled parking space behind them. Ideally they shouldn't be there at all, but if they are, they should at least be designed to enhance the elegant sweep of the lane. Concern has consistently been raised about the whole idea of the gap between the buildings; with many thinking it is a remnant of an earlier scheme and of little townscape value.
- The coping still doesn't look right.
- The corner still feels weak and unmarked.

As articulated in Patrick Lefevre's representation on the previous iteration,

*'This isn't a scheme that anybody in our community looks at and says, 'This is what I pictured for the future of Swain's Lane.'*

We feel that the planners would have done the right thing for Swain's Lane if they deferred this scheme to another committee until such time as there is a design that, at least, a reasonable portion of the community would welcome.

The question is whether it is possible for this to happen with the current architect, given the struggle it has been to reach to a point where the design is still disliked by almost everyone who has documented a view.

We would be grateful if you would communicate these points in your report.

Yours sincerely,

Robert J. Schoenbeck

**Submission in response to The Earl of Listowel's  
planning application number: 2013/6674/P - Revised**

**1-11A Swain's Lane & 109-110 Highgate West Hill  
London N6 6QX**

**Tuesday 29<sup>th</sup> July 2014**

**From Patricia Ann Thompson (Formerly Dunn)**

**5 Church Walk  
Off Swain's Lane  
Highgate  
N6 6QY**

**0208 348 4893  
pat.thompson@thompsondunn.com**

Dear Sirs,

I have already submitted two responses to this application 25/11/2013 and 28/05/2014 to which I refer.

**Conclusion - I strongly reject the application for the following reasons;**

1. The current proposal is not materially different from the 2013/14 previous submissions by the Earl of Listowel. In fact, in response to the 2003 proposal, the current one is a significantly retrograde step. The 2003 proposal of the redevelopment of Swain's Lane shops with 12 residential units (scale 1,646m<sup>2</sup>) was rejected by the planning officer, as it represented over development of the site by reason of height and bulk. It was deemed to be out of scale with the surrounding area.

In the current proposal a scale of 2,028m<sup>2</sup> is suddenly an acceptable height, bulk and design. Logic would maintain that this cannot be the case.

The site is recommended by the council (Policy CS4) to be one of limited developmental change. To the immediate neighbours surrounding this proposed development (i.e. Church Walk and parts of St Anne's Close), this increase of 280% of the current size is not incremental or smaller scale. It represents a dramatic shift in their access to light, amenity, parking (their own private parking) which is constantly being obstructed, access to schools, medical services etc.

2. I submit that the proposal to remove 9 parking spaces, whilst adding 12 residential units coupled with new retail, is a refusal to comply with Development Policy 19. The chaotic and dangerous state of traffic already existing in Swain's Lane will simply be exacerbated.
3. Access to the Earl's proposed new development via Church Walk is inevitable within the current ground plan. However, the residents of Church Walk are strongly opposed to their right of access being impeded by the Earl and his employees trespassing on their property in order to demolish and rebuild. No right of access has been sought and none will be granted.
4. With reference to Church Walk properties and houses 9 and 10 of St Anne's Close, it is clear that Development Policy 26 (only granting permission for development that does not cause harm to amenity) is ignored. Please see my previous submissions. Instead of a pleasant, open aspect and sunlight streaming into our windows, we will have a materially diminished level of daylight/sunlight. The figures given in the Earl's submission regarding VSLs are improbable and misleading. Our view of trees and Parliament Hill Fields is to be replaced by neighbours peering directly into our currently private homes and our aspect will be their windows, a brick wall, a car park and piles of dustbins/rubbish. I submit that this is at flagrant abuse of Development Policy 26.



5. I referred in my earlier submission of 2013 to the restrictive Covenant on this land which previously belonged to St Anne's Church (1928), which states that "no building shall be erected other than for shops, showrooms or offices". I would recommend that the councilors refer to this in their deliberations and conclude that the wisdom of those parties who put in this Covenant in 1928 needs to be reapplied to that same piece of land; that substantial redevelopment of the site is an abuse of this environmentally important landmark for visitors and residents alike. We will not be in a position to put the clock back for future generations if we allow this proposal to be accepted.

Yours Faithfully,  
Pat Thompson

Attn: Amanda Peck, Development Management Team London Borough of Camden Town Hall Extension Argyle Street London WC1 8ND	Swain's Lane Residents and Neighbourhood Watch Association, C/o 28 Swain's Lane, London, N6 6QR
By Email	15 July, 2014

Dear Amanda,

### **Planning Application 2013/6674/P**

The Residents Association has reviewed the revised drawings registered on 30 June, 2014 and consulted with Swains Lane and Holly Village residents.

The conclusion is that changes made to the overall design represent a marginal improvement. However, there is overall disappointment that an opportunity has been missed for a development that would enhance the neighbourhood and create a vibrant retail space

There is particular concern that no changes have been made to the ground floor layout. The outcome is:

i) A very boring rehash of the existing row of shops, which is unlikely to provide the vibrancy for a successful shopping area. Certainly, while units could be amalgamated, the plans provide for very limited flexibility for locating different types of retail

ii) The Service Management Plan and the Transport Statement are inadequate and fail to recognise the current traffic situation in the Lane and the impact of a more active retail sector. As a result, loading, waste disposal, etc., are all to be from the front. The suggestion that deliveries will only be made at limited specified times does not reflect the current situation especially where units have inadequate storage. This will mean a lost opportunity to improve the amenity by avoiding deliveries constantly crossing a busy pedestrian thoroughfare in front of the retail units. Likewise, we do not feel that a site management company would prevent a line of residential waste bins from sitting on the pavement in front of the shops for several hours before and after collection. This is in addition to the waste from the retail units

iii) The developers have largely ignored their pledge to enhance the public realm. Instead, a large area on the ground floor is being taken up for residents' car parking and turning space. The end result is a gated community which is undesirable and effectively eliminates circulation within the shopping area.

iv). Finally, it should be re-iterated that there is an increasing demand for a safe North/South crossing at the junction of Swain's Lane and Highgate Road and this would have implications for the planned increase in loading bays.

There is support for the views of the Save Swain's Lane submission and the Association would oppose the application. We trust these additional comments can be reflected in your report.

Many thanks

*John M Slater and Michael Zagor*

Co-Chairmen, Swains Lane R&NW Association

# Camden Council Customer feedback and enquiries

## Comments on a current Planning Application - Ref. 9533146

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### Planning Application Details

Year	2013
Number	6674
Letter	P
Planning application address	1-11A Swain's Lane & 109-110 Highgate West Hill London N6 6QX
Title	Mr.
Your First Name	Q
Initial	
Last Name	Tyler
Organisation	
Comment Type	Support
Postcode	N6 6NS
Address line 1	12 Oakeshott Avenue
Address line 2	
Address line 3	London
Postcode	N6 6NS
E-mail	<a href="mailto:marchmontstreet@hotmail.com">marchmontstreet@hotmail.com</a>
Confirm e-mail	<a href="mailto:marchmontstreet@hotmail.com">marchmontstreet@hotmail.com</a>
Contact number	07960 114020

Your comments on the planning application

This is the scheme that should have been proposed all along.

It is absolutely fine, PROVIDED the build quality is good.  
Please, therefore, will you be sure to hold the developer to the materials specified in the application.

Many thanks

Q Tyler

# Camden Council Customer feedback and enquiries

## Comments on a current Planning Application - Ref. 9533146

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### Planning Application Details

If you wish to upload a file containing your comments then use the link below

No files attached

### About this form

Issued by	Camden Council Customer feedback and enquiries Camden Town Hall Judd Street London WC1H 9JE
Form reference	9533146

# Camden Council Customer feedback and enquiries

## Comments on a current Planning Application - Ref. 9535372

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### Planning Application Details

Year	2013
Number	6674
Letter	P
Planning application address	1-11a Swains Lane
Title	Ms.
Your First Name	Gaynor
Initial	
Last Name	Coltman
Organisation	
Comment Type	Object
Postcode	N6 6NS
Address line 1	12 Oakeshott Avenue
Address line 2	
Address line 3	
Postcode	N6 6NS
E-mail	<a href="mailto:gaynorcoltman@hotmail.com">gaynorcoltman@hotmail.com</a>
Confirm e-mail	<a href="mailto:gaynorcoltman@hotmail.com">gaynorcoltman@hotmail.com</a>
Contact number	02083423451
Your comments on the planning application	<p>Although the scheme has improved since it's first incarnation I still object in principle.</p> <p>The freeholder has made a sort of guarantee that the build does not support a unit of supermarket size which means he would not be able to let to one. A Waitrose at one point was suggested as a tenant I believe.</p> <p>How long does this guarantee last? Once the freeholder decides to sell then the promise is void. As we are seeing over in South End Green four shops have been secured and</p>

# Camden Council Customer feedback and enquiries

## Comments on a current Planning Application - Ref. 9535372

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### Planning Application Details

Sainsbury's are moving in.

This is a matter for Camden planning to start taking seriously - how many more supermarkets does a parade need. The supermarket it seems is the new estate agent - there are twelve in Highgate High Street. Daft eh!

If you wish to upload a file containing your comments then use the link below

No files attached

### About this form

Issued by	Camden Council Customer feedback and enquiries Camden Town Hall Judd Street London WC1H 9JE
Form reference	9535372

Issue	Response to Planning Report on The Earl of Listowel’s Application 2013/6674/P		
Church Walk	<p>The <b>residents of Church Walk are not represented</b> on (or by) any of the various local committees and groups, and yet we (along with a few others on the south side of St Anne’s Close) are the closest neighbours to The Earl’s property. We already <b>suffer uniquely from the existing illegal parking</b> associated with The Earl’s property. This can only be expected to get substantially worse should the proposed development proceed. Similarly, along with those on the south side of St Anne’s Close, the <b>amenity afforded by our homes will be uniquely and very materially harmed</b> should the proposed development proceed.</p> <p>I have submitted two detailed submissions related to this matter. It appears that <b>due consideration has not been given to these submissions in the Officer’s Report</b>. As Church Walk residents are not represented on (or by) any of the community groups, and the unique position . we are in <i>vis-à-vis</i> the proposed development, I would <b>urge Councillors to read the individual submissions</b> which I and my neighbours have made in this matter. This submission does not replace or summarise earlier submissions.</p>		
Local Development Framework (“LDF”)	<p>When devising the LDF, the Council could have adopted a policy of looking at applications in the round; of weighing perceived good against bad; and/or it could have allowed for consideration of policy objectives found outside of the LDF. Wisely, the Council did not do this. To do so would have risked leaving planning decisions at the whim of preferences and fads, neither of which can be expected to last the decades if not centuries during which buildings erected following a planning approval will stand.</p> <p>Instead the LDF states (at Core Strategy paragraph 5.2):</p> <p style="text-align: center;"><b>“All development in Camden ... should take place in accordance with all relevant policies in the ... Local Development Framework”.</b></p> <p>For good reason, Camden has set the standard for approval as compliance with <u>all</u> relevant policies. It is not good enough for Camden if an application meets some, or even most, policies. This is Camden’s explicitly stated policy, and it is a good one. The Council must either apply this standard or the entire LDF will be grossly debased.</p> <p>My earlier submissions to the Council on this matter discuss in great detail <b>numerous material inconsistencies between the present application and various policies contained in the LDF</b>. These inconsistencies are plainly clear and irrefutable.</p> <p>Accordingly, it is submitted that <b>the only available course of action which is consistent with the LDF is to reject the present application</b>.</p>		
Comparison with The Earl’s 2003 Planning Application		2003 Proposal	2013/14 Proposal
	Essence	Demolish the existing parades of shops and replace them with a similarly sized parade of shops on the ground floor and two storeys containing 12 residential units above.	Demolish the existing parades of shops and replace them with a similarly sized parade of shops on the ground floor and two storeys containing 12 residential units above.
	Total Scale	1,646 m <sup>2</sup>	2,028 m <sup>2</sup>
	Planning Officer Recommendation	<b>“The proposed development by reason of its height and bulk represents an over development of the site, which would be out of scale with its surrounding area.”</b>	“The proposed buildings are considered to be of an acceptable height, bulk and design ...”
	Comment	It is submitted that the recommendation in 2003 was correct and simply followed common sense. It is inconceivable that <b>increasing the bulk of the proposed buildings by 23%</b> now renders the size and bulk acceptable.	
LDF requirement for small, incremental	<p>The Planning Officer correctly identifies the site as one “within an area of more limited change (Policy CS4)”. CS4 paragraph 4.10 states: “It is expected that these parts of the borough will experience <u>smaller scale development and more incremental change</u>”. (<i>emphasis added</i>.)</p> <p>The present proposal is to demolish 723 m<sup>2</sup> on a site which could not be more prominent locally, and to replace it with 2,028 m<sup>2</sup>, i.e. with something <b>280% the present size</b>. It would simply be <b>absurd to suggest that this is a “smaller scale development” or “incremental change”</b>. Rather, it is completely and wholly the opposite of the</p>		



Issue	Response to Planning Report on The Earl of Listowel's Application 2013/6674/P
change	Council's expectation clearly set out in CS4. When The Earl's neighbours call the proposal an <b>over-development</b> , one place we find this in the LDF is in CS4.
Parking Details	<p>The page titled 'ground floor existing plan' shows nine vehicles parked on site as well as the five garages; i.e. a total of 14 spaces. This is accurate. The Officer's Report is misleading where it describes this as 5 spaces with an asterisk to note "... also informal parking ...". Whether or not the vehicles shown on the 'ground floor existing plan' are parked "informally", they are a permanent feature. I.e., the application includes a <b>net reduction of nine on-site parking places</b> (against the <u>addition</u> of 12 residential units).</p> <p>This is discussed in much more detail in my previous submissions to the Council on this matter. As mentioned above, Councillors are encouraged to read those submissions. In summary; however, given the level of <b>existing illegal parking</b> associated with The Earl's property (when it has several empty units and no residential), and the material nuisance and indeed often danger this presently poses to The Earl's neighbours and other users of Swain's Lane, it is wholly inconsiderate, plainly daft, and <b>egregiously at odds with Development Policy 19</b> to propose to remove nine spaces while adding 12 residential units.</p>
Neighbouring Residential Amenity	<p>It is submitted that <b>the Officer's Report mis-applies Development Policy 26</b> in its analysis.</p> <p>With reference to properties at Church Walk, the Officer's Report states: "<i>It is therefore considered that there will not be any unacceptable levels of overlooking</i>", and "<i>... it is considered that there will not be any unacceptable impact on outlook from these properties</i>".</p> <p>DP 26 sets a standard that the Council will <b>only grant permission for development that does not cause harm to amenity</b>. I.e., the test is whether a development will harm amenity, <u>not</u> whether the resulting amenity following a development is sufficient, or whether the harm caused is acceptable in the Planning Officer's opinion.</p> <p>The harm to the amenity provided by our homes is discussed at great length in my earlier submissions on this matter. In summary, in terms of outlook we have large picture windows and a wonderfully varied outlook as far as the tennis courts 200+ metres away. This provides an enormous amount of amenity and is one of the main features of our homes. <b>The proposed development will materially harm this amenity. DP 26 expressly states that the Council will not grant permission to development that does this.</b></p> <p>The existing illegal parking associated with The Earl's property, the manner in which this harms amenity, and the manner in which the proposed development is expected to make this materially worse, and the <b>very real harm this will cause to amenity</b> afforded by our homes, is also discussed at length in my earlier submissions.</p>
Daylight/Sunlight	The Officer's Report refers to a daylight/sunlight assessment. As discussed at length in my first submission, it is inconceivable that the figures in that assessment provided on behalf of The Earl are all accurate. Windows which should have virtually identical VSC's (i.e. windows of the same size, same aspect, same elevation and only about 6 feet between them) are instead given VSC's which vary by a factor of 270%+. Given that at least some of the <b>VSC's stated in that assessment are totally implausible</b> , it is submitted that the Planning Officer should not have relied on the daylight/sunlight assessment submitted in support of The Earl's application..
Social Infrastructure	My earlier submissions discuss at length the issue that local social infrastructure – in particular schools, hospitals and roads – is finite and already over-stretched. Adding population density can only serve to <b>add pressure on already over-stretched infrastructure</b> . The local primary school is in a densely built environment and confined by its surroundings. Realistically it can't grow. <b>Local children are already being denied places at the local primary school</b> . Against that background, as a parent I find it absurd and alarming that a payment of £38,883 is proposed as a solution to increasing the population competing for finite spaces at this school.
Misleading Information Submitted on The Earl's Behalf	<p>The Officer's Report does not mention the inaccurate and/or misleading information supplied on behalf of The Earl to Camden Council referred to in my early submissions. In a number of instances <b>the artwork supplied on behalf of The Earl is plainly comical in misrepresenting the scale of the proposed development</b>; also, as mentioned above figures in the daylight/sunlight assessment are clearly wrong; Church Walk is mislabelled as St Anne's Close (a very material difference in practice due to what it implies as to access), the image titled "view from 4 Church Walk" (my family's home!) is clearly not taken from 4 Church Walk, etc. etc.</p> <p>There seems to be something <b>morally wrong</b> about a Member of Parliament providing such information to a Government authority in support of his planning application, or at least not correcting mistakes, and caveating e.g. why more of St Anne's Church is depicted as visible behind three storeys than is currently seen behind one storey, etc.</p>