



**Sent:** 13 August 2014 18:49  
**To:** Planning  
**Subject:** Ref. 2014/4394/P: planning application to build over Pond Street Garden -  

Dear Sally Shepherd

I am writing to oppose to the above planning application in order to save the few green areas, which we have got left at the back of our houses in the terribly polluted Pond Street. The pollution caused by constant busses, ambulances and heavy car traffic in front of our houses is well above the permitted limit

Some years ago I was refused permission for an architect's studio on the grounds that Pond Street was in a residential area!

The Royal Free having totally taken over one side of the street, does not exactly make for a very residential atmosphere.

In 1970 we fought for the trees to stay, which were meant to be felled to widen the street.

I still have a painting which my husband did in 1946 from our top floor showing endless green allotments and trees where the hospital is today! *So please let us not reduce the little green that is left!*

best regards

Marion Wesel



[REDACTED]

**Sent:** 25 August 2014 22:20  
**To:** Planning  
**Subject:** Comments on Planning App location 2014/4394/P 7 and 9 Pond Street, London, NW3 2PN FOR THE ATTENTION OF SALLY SHEPHERD. [REDACTED]

Begin forwarded message:

[REDACTED]

**Subject: Comments on Planning App location 2014/4394/P 7 and 9 Pond Street, London, NW3 2PN FOR THE ATTENTION OF SALLY SHEPHERD.**

**Date:** 25 August 2014 22:13:52 BST

**To:** [planning@camden.gov.uk](mailto:planning@camden.gov.uk)

Planning Application reference: 2014/4394/P.Address: 7 and 9 Pond, NW32PN  
Proposal for the erection of a single storey rear extension to No 7 with associated landscaping, and internal works to no 7 and 9

*This is the correct and current letter of objection*

Dear Sally Shepherd

In January this year, as I'm sure you remember, you and a conservation officer paid a visit to [REDACTED] to look at the site of the proposed rear extension at 7 and 9 Pond Street. You looked out from the staircase over our garden roof terrace, and said you felt the proposal was disproportionately large for the site: the office building would have filled up the entire garden space of 7 Pond Street, backing up against our shed wall on the boundary. Now a second proposal has been submitted, somewhat smaller than the last, but overall, many of the same objections remain as before, and there are some new objections that come with the revised design. I have attached 5 annotated photographs at the end of my letter which show perhaps more clearly than words how inappropriate the building would be.

We still strongly object to the application for the following reasons:

#### **Design and layout**

The design and layout of this second proposal does not come right up our shed wall as before, but still covers half the garden area of 7 Pond st. Though the extension would be smaller than the one proposed before, it would still be a huge box, and leave an awkward corridor shaped area of paving in the 7 Pond Street garden, near our terrace. The symmetry and openness of the two adjoining gardens would be entirely lost. Large glass windows, necessary to let in light to the box-like building would face our terrace, making people in the building very visible to us, and us on our terrace to them. (See Privacy of Neighbours below).

We feel strongly, now as before, that architecture contains spaces as well as buildings. The garden space in question is not a useless empty space to be filled in, but part of the whole designed architectural environment. The houses are Grade 2 listed for their architectural merit but also the way they have been designed in relation to each other. We at 33 Hampstead Gardens overlook the garden space of 7 and 9 Pond street from our roof terrace, and all the houses around look down into the well of the garden space below. Were the application to be approved, a valuable Victorian architectural lay-out would be lost,

making an unaesthetic and spatially meaningless jumble of crowded buildings. (See also Loss of a particular use of Land below)

### **External appearance and materials**

The roof of the proposed building would be one of the major features visible to the surrounding neighbours. A living green roof (sedum or the like) sounds an improvement to the previously proposed black bitumen roof, which would bubble, crack and discolour in the heat of the sun over time, last time round. However many neighbours are concerned about who would tend the living roof, since it would not be visible to the occupants of the office building. Living roofs need looking after like all plants - watering in dry weather, pruning etc otherwise they can look overgrown and unkempt, or half dead.

### **Privacy of neighbours.**

This is of huge concern to us and all nearby neighbours, when we had a meeting discussing the proposal. As mentioned before, large glass windows would face the terrace of 33 Hampstead Hill Gardens. The building would intrude on the privacy of the Music Studio at 5 Pond ( see Photograph 1 below), by abutting up unreasonably close, indeed perhaps rendering the studio unusable. The proposed glass roof to allow overhead light into the building would intrude on the privacy of the windows above: the occupants of the offices would inappropriately be visible walking around below. If the bright electric lights were left on at night, the bedroom above would be flooded with light and give the occupant no possibility of sleep.

### **Security**

The new design is seriously flawed in terms of the security of the surrounding buildings. See Photograph 5 and notes. The roof of the building would allow intruders access to the roof garden terrace of 3 Hampstead Hill Gardens, the roof of the music studio at 5 Pond street, the balconies of the Pond Street buildings facing the gardens of 7 and 9 Pond Street and the interior of those housed too.

The squeezing in of this building so closely to surrounding buildings is bound to cause this kind loss of security.

### **Noise Nuisance**

If a small garden space is retained in the garden of 7 Pond St for the benefit of the people working in the offices, this could very likely generate noise nuisance in the same way as when all the various restaurant/cafe/bar owners in the past used the garden space for drinks and food to be served. We fear the office would very likely make similar use of this outdoor space. We have been to numerous Hearings to argue that the noise nuisance arising from this kind of socialising is not appropriate or acceptable in this heavily populated area, and we have always won. The noise generated by loud, drinking voices, outside in the evening is always considerable because of the way sound is funnelled, and it is disruptive to neighbours trying to work from home, trying to sleep or get their children to sleep.

It looks like there could be a large number of people working in the buildings of 7 and 9 Pond Street with added one storey building, so the potential noise nuisance could be very considerable if many use the garden space. We are opposed to the garden space being used for any purpose other than as a garden.

### **Traffic and parking issues**

If dozens of people coming to work daily at 7-9 Pond St needed to park their cars, where would they park? Were they allowed visitors' parking, their preference would be to park in Hampstead Hill Gardens ( Pond St has no parking) Hampstead Hill Gardens is already too crowded with residents parking legitimately, the school run and people visiting the Royal Free. A large extra daily load of people needing to park in our road would be problematic, if not unworkable.

### **Loss of a particular use of Land**

The architects quote the Hampstead Conservation Area Policy as follows :

**'Rear gardens are an integral characteristic of the conservation area...rear gardens contribute to the townscape of the Conservation area and provide a significant amenity to residents and a habitat for wildlife.Development within gardens is unlikely to be acceptable.'**

**Also:**

*REAR EXTENSIONS: Planning permission is usually required for the erection of a rear extension ...Extensions can alter the balance and harmony of a property or of a group of properties by insensitive scale, design or inappropriate materials. Some rear extensions, although not widely visible, so adversely affect the architectural integrity of the building to which they are attached that the character of the Conservation Area is prejudiced. Rear extensions should be as unobtrusive as possible and should not adversely affect the character of the building or the Conservation Area. In most cases such extensions should be no more than one storey in height, but its general effect on neighbouring properties and Conservation Area will be the basis of its suitability.*

The architects have no worthwhile arguments to counter these points about conserving rear gardens and rejecting unsuitable extensions

They state: **The rear garden of no. 7-9 has a small number of trees in its north-east corner and along its north wall, however the majority of it is paved or laid with decking, limiting its effective use as a wildlife habitat.** They talk as if the paving/ decking is given, and propose a border flowerbed round the decked areas. However, neither of the gardens were originally paved or decked but grass gardens. Ascagnio paved the garden of Pond 7 and Geraldine Canty later decked the garden of 9 Pond Street .Both were amateur jobs. The neighbours would prefer to have the paving and decking removed, and the green gardens with lawns they used to be, reinstated. The paving/decking was only there so tables land chairs and umbrellas could stand there for the cafes customers. Now there has been a change of usage by Camden to offices, it would be appropriate to remove the paving and decking.

When the applicant felled the leylandia tree in expectation of the first proposal being accepted, there followed a huge loss of wildlife. Blue tits, great tits, coal tis, long-tailed tits, robins,) all disappeared. Months later, these birds are returning, drawn by bird feeders we hang on our terrace.They feed from the ash tree , the one remaining tree in the gardens of 7and 9 Pond Street.

Martin Dobson Associates who wrote a tree survey for the architects, state in their report: **'The Ash tree is shielded from public view by adjacent buildings and therefore does not have a very high amenity value'**

This is untenable: the ash tree is extremely visible to all neighbours living in the well round the gardens ( surely in this case residents are more important then the passing by 'public' in the streets.).What is more the ash tree is partially visible as you walk past 33 Hampstead Hill Gardens towards Pond Street, and from the 24 bus stop in Pond Street it is extremely visible to public view.

We are very concerned about the protection of this ash tree.The tree report states that **'it is intended that the extension will partially encroach within the root protection area'** so there is a danger that roots could be severed during excavations for foundations. The architects claim the floor slab will be cantilevered over the existing ground to prevent harm to the roots but this sounds unsatisfactory to us - the extension should not encroach within the root protection area at all.

## PHOTOGRAPHS

Photograph 1



This photograph shows two things:

The privacy of the music studio would be seriously compromised by the building of an office at right angles to the window. The office would have no privacy either since the proposal is for large glass windows facing our shed. The occupant of the music studio would be able to see right in and so would we, standing on our roof terrace, which we water regularly. Presumably the large windows of the proposed office building would have to have blinds or the like, making the design of large light windows ill-advised in the first place.

The lighting of the proposed building does not appear to have been properly thought out in relation to the much too nearby existing architecture.

The photograph also shows that all the vegetation in the flower bed alongside the music studio has been entirely chopped down, presumably in anticipation by the agent that the scheme will be accepted by Camden this second time round. This must have been done on Sunday 17th August, when I was not at home, as it was still intact the day before.

Although the flower bed was very overgrown, it had various different well established bushes, e.g. a forsythia bush I pruned them myself a few years ago when Geraldine Canty was the owner.

This displays the same blatant disregard for conservation of plants as before - when the agent cut down the huge leylandia, and a few other smaller evergreen trees, over confidently and as it happened wrongly expecting the proposal to be accepted. If the proposals are rejected this time round, not only will there only be one tree left in garden, but a long flowerbed with all the bushes destroyed.

We do not think any destruction of the greenery in the garden of 7 and 9 Pond Street should have happened before a plan was accepted. It seems show that the promise to respect plants is merely paying lip service to the idea of conservation

Photograph 2



The green corrugated roof to be replaced by a glass roof. The window above is a bedroom. If the lights in the proposed offices were on late at night, the bedroom will be lit up all night.

Photograph 3



The ash tree to show how tall and significant tree it is to all neighbours. The Tree report guarantee to safeguard its roots when doing the proposed building work. This is not acceptable: to lose it would leave a huge bare open space and deprive privacy to the houses facing each other. The other huge tree which provided a screen, the leylandia, was cut down previously by the agent in charge of 7-9 Pond Street, in anticipation of the first scheme being accepted. The reason given to the neighbours was that this was for the health of the ash tree.

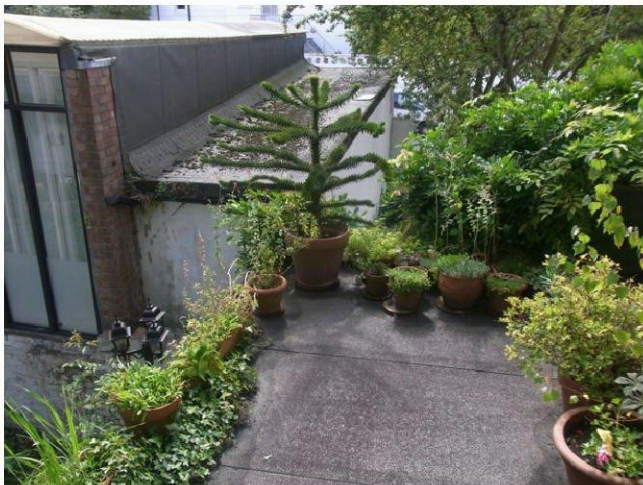
Photograph 4



Another view of the ash tree showing how its foliage provides a screen between the opposite facing houses..Without it, we in No.33, from our garden terrace stare right across at the balconies opposite, where people sit in the summer. All privacy, an important amenity, would be lost.

Photograph 5





The roof terrace of 33 Hampstead Hill Gardens and the music studio next door, showing how vulnerable already No 33 is to burglars, able to climb from the roof of the music studio (5 Pond Street) onto our roof terrace. The building of the proposed offices would significantly increase the danger, as intruders/burglars could climb from the music studio roof onto the roof of the proposed new building, then up onto the balconies of the houses in Pond Street.

When we heard that Camden had changed the usage of 7 Pond street from Cafe/bar to offices, we and many neighbours were delighted. This seemed an ideal use of the building, since over the years there were so many problems in relation to the erosion of the back gardens (greenery, wildlife), with noise nuisance from the gardens turned into a cafe area, and with disturbance from people leaving Pond Street late at night from the bar.

An office with opening hours of 8-5, as the architect states, would be ideal. However NOT with an extension built on the back, destroying the garden area even more than before. Could there not just be an office in the existing building, and the gardens of 7-9 Pond Street returned to proper green gardens, as an amenity for the people working inside the office to look out upon, and all the neighbours too?

Yours sincerely

Eleanor Engle  
Secretary of 33 Hampstead Hill Gardens Ltd

[REDACTED]

**Sent:** 25 August 2014 23:24  
**To:** Planning  
**Subject:** 7-9 Pond street Planning application. For the attention of Sally shepherd - [REDACTED]

[REDACTED]

Dear Sally Shepherd

I would like to object to the planning application.

The design spoils the open spaces of the gardens which should not be built upon. Camden conservation states this clearly.

There would be loss of wildlife, loss of architectural unity, unreasonable crowding in a small space, and loss of privacy.

Office workers using the garden space would probably use it more like before when the gardens were used as a cafe. This would mean the site would have noise nuisance in the gardens as well as an unsightly building. This makes it even worse than before.

The security of the surrounding buildings would be in danger from this building.

I do not see how Camden can justify accepting this building proposal when it blatantly contradicts so many of Camden's principles in this Conservation area.

Yours sincerely

Oded Chassis.

[REDACTED]

1. The design and layout is tortuous - it now encroaches even more on the space and environment on the direct neighbours at ground floor level, and above.

2. There is still loss of garden and open space which directly contravenes Camden planning guidance, which was to precisely stop this sort of development, particularly in a dense residential area such as this.

Nos. 7 & 9 themselves are tall narrow buildings, with upper floor residential flats, as per that row of houses in Pond St, where residents are deeply affected. The gardens are highly visible to

those residents, they rely on the aspect of open space for their amenity, which contribute to their health and well being.

3. The considerable loss of amenity and will set a precedent for others wanting to develop gardens in a similar way.

4. The development will be an unacceptable nuisance to the recording studio which it directly abuts on Hampstead Hill Gardens.

5. The reasons given that try to say there will be no loss of trees are unsound - there has already been previous loss of good trees on that site, and there is no doubt the remaining trees , especially the large ash tree will not survive due to disturbance by the development.

6. The provision of a green roof, which are notoriously difficult to maintain, cannot in any way be adequate compensation for good deep earth where tree roots and water drainage have not been disturbed. There has already been paving over of the garden, and there should be no further loss - in fact there should be encouragement to remove the paving and restore the garden, not further destroy.

7. The glass roof will cause light pollution. Furthermore the visibility will disturb the privacy of the small balcony of the flat above.

In summary, the previous reasons for refusal still stand. I should be grateful if you would keep me informed.

