

| Application No: | Consultees Name: | Consultees Addr:                                | Received:           | Comment: | Response:  |
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| 2014/5216/P     | Natalie Coyle    | Flat 1<br>45 Rossllyn Hill<br>London<br>NW3 5UH | 01/10/2014 22:20:31 | OBJ      | Dear Emily and Camden Council,<br><br>Application Ref: 2014/5216/P |

Thank you for taking the time to come and see our basement/garden flat on the 1st of October.

I am glad I had the opportunity to show you how intrusive this balcony would be if it was granted planning permission as all privacy we currently have in our garden would be lost.

As we live in a basement/garden flat, it tends to be somewhat darker inside and therefore we use the garden a lot. If our neighbours were granted planning permission it would mean that all enjoyment of our garden would cease. Due to the garden being at a raised level it means that we could actually pass our neighbours things to their balcony! It also means any conversation would no longer be private and it would mean that we could not enjoy the garden. At the moment from inside their flat, the owners of Flat 2 can only see the end part of our garden - this would change to being able to see our whole garden meaning all privacy would be lost. As our garden sits approximately 1 meter above ground level, it means that the balcony would be hugely intrusive as it would feel like anyone using it were actually in the garden with us! When we are on our lawn the feet of anyone on this intended balcony would be only about 30cms above head height!

Although my main concern relates to a loss of privacy, I am also concerned with the inevitable noise as our bedroom is directly under where Flat 2 plan to build the terrace. This would mean that we would be able to hear anyone on the balcony clearly and this would affect us being able to use our bedroom to sleep. If the balcony were built on this flat roof any future works that need to be carried out for maintenance etc would be impossible unless the neighbour agreed to remove the balcony first – thus permitting access.

I really hope after visiting the two properties that you can see how detrimentally life changing this balcony would be to the enjoyment of our property? We would lose all privacy and it would make me very uncomfortable to use our garden while our neighbours are able to see the whole of it clearly and hear every word spoken. They would be in extremely close proximity due to the raised garden level and intended position of the terrace. I do hope you understand and I look forward to hearing from yourself in the near future.

Kind Regards  
Natalie Coyle

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| 2014/5216/P     | Meir Hakkak      | 47 Rosslyn Hill<br>NW3 5UH              | 11/10/2014 23:05:00 | COMMEM<br>AIL | <p>The location and physical situation of the proposed terrace in relation to neighbours means the overlooking impact on neighbours' gardens (particularly of 45 Rosslyn Hill) will be completely unreasonable. This is because the gardens are raised above the lower ground floor level and they are therefore very close to the raised ground floor level (where the new terrace has been proposed). Also the proposed terrace lies above a rear extension to number 45, which brings the terrace even closer to the gardens of 43, 45 and 47, amplifying the overlooking issue.</p> <p>It is also noted that the application as proposed does not appear to make any attempt to mitigate this overlooking problem. But with the problem being a product of geometry, unfortunately there is little the applicants can do to meaningfully mitigate it, in any case.</p> <p>This proposed development is completely at odds with Camden's planning policy. As well as an extreme overlooking issue as highlighted above, It is also likely to impact neighbours on both sides and particularly the other flats in number 45 Rosslyn Hill as a source of noise and also as a source of fumes and fire risk (due to barbecues at close proximity to other buildings).</p> <p>Camden's LOCAL DEVELOPMENT FRAMEWORK 2010-2025 says that "the Council will require that the residential amenity of neighbours be preserved, in accordance with policy DP26 – Managing the impact of development on occupiers and neighbours and Core Strategy policy CS5 – Managing the impact of growth and development".</p> <p>Approving the proposed development would conflict with all of a, b, d, e, and g of DP26 DP26 commits that "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: a) visual privacy and overlooking; b) overshadowing and outlook;" ... "d) noise and vibration levels; e) odour, fumes and dust;" ... "g) the inclusion of appropriate attenuation measures."</p> <p>Similarly, approving the proposed development would conflict with Core Strategy policy CS5.8. CS5.8 commits that "We will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties..."</p> <p>Lastly, the existence of a first floor balcony at 45 Rosslyn hill should not be considered a relevant precedent. By virtue of its height, this balcony is considerably more distant from the gardens. It is also set back further from the gardens and is sheltered by the rear tower extensions of 45 and 47 Rosslyn Hill.</p> |
| 2014/5216/P     | Meir Hakkak      | 47 Rosslyn Hill<br>NW3 5UH              | 11/10/2014 23:05:23 | COMMEM<br>AIL |  |
| 2014/5216/P     | Christian Buxton | FLAT 5<br>45 ROSSLYN<br>HILL<br>NW3 5UH | 01/10/2014 15:54:13 | OBJEMPER      | <p>Dear Sir / Madam</p> <p>As the owner occupier of the top floor flat and having looked at the proposed drawings and rear elevation of the building. I am strongly apposed to the new balcony as it would be directly above the lower ground floors garden resulting in a loss of privacy to those beneath.</p> <p>Notwithstanding, the fact that the garden below is raised. I really hope the above is considered when making your decision as i do not think its fair to have a balcony so close to the garden bellow. Kind regards Christian Buxton</p>   |