**APPLICATION REF 2014/6224/P**

**Associated ref 2014/6473/C**

**9/11/14**

**Dear Angela,**

 **I am writing in reference to the two above planning application numbers.**

**I strongly object to both proposed demolition and rebuilding of no 26 netherhall gardens**

**Please note my comments below:**

**1a. DEMOLITION OF EXISTING BUILDING**

**already sent you my objection**

1. **MISREPRESENTATION OF PLANS**

**I strongly object to the clear misrepresentation of developers plans;**

Misreprenattions include:

1. showing level of roof to be much higher than it is in reality at no 24a on both existing and proposed plans. Thus suggesting it is acceptable to build higher at no 26 than would be reasonable.Highly misleading and not factually correct.

1. 2. developers call the lower floor of existing no 26 as the lower ground floor. This is not the case. It is a basement already.

misrepresntation of building a basement when in fact it will be a subbasemnt 10 metres down in rear garden

1. omitting depiction of existing hedge between no 24a and no 26 on all visuals
2. omitting floor to ceiling large window inside living room of property 24a in the light report
3. on the design report only a small proportion of Netherhall gardens is shown on the ariel view thus misrepresenting the whole street. This does not take into consideration houses on both sides of the road further down from no 24.
4. Lack of clarity re plans for existing trees on grounds of no 26 and impact of mature oak at no 28

**I find it hard that a reputable London architect could make such mistakes unless they are intentional for the gain of their clients. Toatally misleading as all details are important to create the big picture for assessment of the proposal**

**IMPACT OF LIGHT / PRIVACY EXCITING BEDROOM AT NO 24A**

**WINDOW 76 ON TH LIGHT REPORT**

In No.24A, there is a window of the existing bedroom located at the mid section of No.24a with a 45 degree facing toward to No.26; where is clearly shown on the submitted daylight and sunlight report page 24 – window no.76.

The original building of No.26 Netherhall Garden where is next to 24A is a single storey building living space with views to its front and rear garden.  There is no window from this single storey building facing to no.24A.   There are only two slot windows next to existing chimney at the first floor are facing No.24A, but both of them are approx 10m away from the site boundary and both of the windows are set back from the first floor habitable window line of no.24A.  So there is no overlooking issue. In addition, this first floor habitable window has been enjoying its view and daylight over 20 years.

 The proposal is to erect a two storey building with roof garden just a metre away from the site boundary which will butt up with the rear section of No.24A.

-          **The proposed two storey blank wall will completely cut out the view from the above mentioned window at the first floor habitable room.** This is completely not acceptable.

-          It also clearly stated from the submitted daylight and sunlight report that the proposed scheme will **reduce the daylight and sunlight of that habitable room significantly**; which shows the proposed scheme has **no** consideration of this situation.

-          On top of the two storey building, the proposed scheme is suggesting to put a roof terrace which **will definitely overlooking into no.24A bedroom and into the whole rear garden**.  The proposed scheme shows **no** consideration the privacy and the amenity of No.24A

-          The position of all rear No.24A windows are deliberately not to show on the existing and proposed plans and elevations **to avoid telling the truth situation of its surroundings**-          **The outline geometry of ground and first floor plans on No.24A are shown incorrectly and misleading which try to change the angle of the windows to facing into No.24A garden.  In fact, the window at 45 degree facing into No.26.** The mentioned window is clearly shown on the submitted daylight and sunlight report.  Again, it shows that the proposed scheme has no respect to its adjoining sites.

**The proposed scheme will cut out the view and daylight from its neighbour’s habitable room, and will create overlooking and intrude into neighbour’s private amenity.**

**IT WILL CREATE A NON ACCEPTABLE SENSE OF ENCLOSEMENT and intrude on the OUTLOOK**

**TREES**

Strategy for tree removal for parking forecourt is not clear. I trust the council would not approve cutting a mature tree in a conservation area for the benefit of 2 x off street parking spaces.

**There is no clear indication plans for other trees on the properties.**

 cited on the report

“**Re-profiling of the front and rear gardens including the removal of several trees.”**

**There needs be clarity on this point.**

**Which trees? What are the plans?Too vague / no respect for existing enviroment**

**Can the council look into this?**

 Trees are intergral to our view and surrounding enviroment, especially within a conservation area. We have already suffered the removal of a mature oak in the gardens of no 26 last year. There is no real clarity on the impact of another mature oak in no 28 if building works were approved; as the tree report cites there could be repercussions if building is made 7.5 meteres from the tree which would be the case. The report was made in may 2013 before planning application were drawn up so the report is perhaps not 100% precise as no accomodation has been made for rebuilding. Can the council look into this and be clear on how this building works would impact on its immediate enviromment of existing plants and trees?

**SUB BASEMENT**

**I fully support The Heath And Hampstead Soceity notes on application for a sub basement, which reads for extreamely troubling for existing neighbours and freeholders.**

**“The almost complete destruction of the rear garden by basement construction, over**

**more than one level, makes it non-compliant with Policy DP27. The lie of the land**

**behind this part of Netherhall Gardens makes what is described as a single basement**

**in fact a multi-level construction. Drawing Section C-C indicates this graphically.**

**It is too large, too deep, and attempts over-development of the site.**

**The Basement Impact Assessment and accompanying structural report are also most**

**unsatisfactory. No site-specific soil survey has been done, only some test pits; this**

**does not comply with the provisions of CPG4. No Burland Scale assessment of**

**possible damage to adjoining properties is made-a major requirement of the basement**

**policies. However, there are indicative statements made, including : “…development**

**is likely to increase the differential depth of foundations relative to adjoining**

**properties, which may result in structural damage” No design undertakings are made**

**as to how such damage could be avoided. This is just not good enough, especially in**

**an area such as this, known for ground instability and flooding.**

The proposed scheme shows a basement will be created close to No,28, in fact, it is a sub-basement – two storey down from the street entrance level.  It is confusing and misleading.  By creating some sort lightwells to provide daylight but no view for the proposed habitable rooms.

This sub-basement is only used for the storage space.  According to London Plan, storage space should be designed within each flat, **It also creates unnecessary structure risks toward the historical building No.28 and all the surrounding buildings.**

Historically, a stream ran down outside no 28, so there is obviously a great deal of water which runs down netherhall gardens and there is no guarentee on the site reports that their findings are 100% accurate; potential intereference to the water……digging so deep 10 metres down

**PROPOSED NEW DESIGN OF NEW BUILDING AT NO 26**

An ugly building

Too cramped into the available space.Building line 1 metre from boundry line far too cramped. Will look out of place on this side of the street which has detached and semi detached properties with wider spaced between properties.with views into gardens / trees

Other side of the street designed as large terrace house built in uniform manner, with small gaps between each building

Far too close to neighbours at no 28 and no 24a

Terrible design of windows looks like a glorified housing estate. Not in keeping with the street at all. Windows are too numerous thus intruding on privacy of overlooking neighbours and unsymaptheitic in design. The building is certainly NOT an improvement on the existing design.

FORECOURT of 4 cars unacceptable. No other property in Netherhall gardens has this. it will look out of place. Too much concrete and currently only two cars can reasonably fit and turn in the existing space

     The massing of the front elevation is explained by bringing forward the building line across the near full frontage of the site this will be far removed from the general character of Netherhall Gardens.

 The massing comes about by trying to squeeze a four storey frontage to the street to replace the existing three storey one.

 the slope of the site is claimed to be 7 degrees, this would need to be checked

on the plans it is actually about 9 degrees.

     Many of the habitable rooms in the lower flats would have such a light deficient outlook into narrow areas and built at such a low level. This would deny a great deal natural daylight and no sunlight for nearly all of the year

MIsrepresentationr that there is no exiting hedge between no 26 and no 24a totally unacceptable.,**natural greenery contributes to overall look of this conservation area. Brick walls with bits of shrubbery poking out do not.**

**OTHER ISSUES**

No clarity on parking spaces within forecourt of new build no 26 and impact on parking spaces on street

How will 4 cars get in and out of the forecourt? Will this compromise existing parking spaces on the street?

Netherhall gardens does not want to lose more parking spaces

Residents already need more not less parking spaces

There are Many flats on the street / demand for parking spaces currently very high

**SCHOOLS and child safety**

Netherhall gardens extremely busy school run time morning and afternoon

Many Primary school children walking on the netherhall gardens

Safety of children on street

Building on street last year caused chaos at these busy times with trucks blocking the road / irrate drivers / safety of children compromised within these circumstances