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15<sup>th</sup> May 2014

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**For the attention of Mr N Quinn**

By email only: [Neil.Quinn@camden.gov.uk](mailto:Neil.Quinn@camden.gov.uk)

Dear Sir

**Household Extension Proposals - 35 South Hill Park, London NW3 2ST**  
**Application Reference 2014/1938/P**

We refer to the above householder application currently under consideration by the Council.

We note there has been a considerable level of support expressed by local residents in relation to these proposals. We are, however, responding to objection that has been raised by Ms Gailey, the owner of 37 South Hill Park and her associated tenants, and in particular to the letter of objection dated 23 April 2014. Whilst it is understandable that the owner of the adjoining property, which has been converted into flats, seeks to protect her private interests through the promotion of objections against our clients' scheme, the comments made are not considered to raise any material planning issues that have not already been comprehensively addressed under the Applicants' main submissions and where conditions can be appropriately imposed on any forthcoming planning permission, in a similar manner to other proposals recently approved in South Hill Park.

Notwithstanding the above, in the light of the specialist input that accompanies Ms Gailey's letter, the Applicants' professional basement consultants have considered the points raised and have provided supplementary responses to ensure the basement details, as presented, are fully understood and to provide clarification as necessary to assist the Council in the fair determination of these proposals. These responses are also submitted in relation to the basement proposals associated with no. 33 South Hill Park, as relevant.

Please therefore find enclosed a supplementary statement from James Birdwood of BTA Structural Design dated 2 May 2014 which addresses the structural issues highlighted by Dr de Freitas and Eldred Geotechnics Ltd, appendices 1a and 1b to Ms Gailey's letter and which provides clarification and expansion of the proposed basement details. The response from Mr Birdwood is self-explanatory, but is provided as additional reassurance from the professional experts that the proposed works will not result in any material adverse impact

on third parties.

A detailed response from Ecologia from Mr M Summersgill and Mr K Gabriel is also enclosed to address the other outstanding basement criticisms outlined within Ms Gailey's objection letter and appendices. From the contents it will be observed that the consultants are confident there are no shortcomings in the BIA given its scope as required by CPG4 and any other contested aspects from the neighbour can be part of the subsequent detailed investigation, review and design stage. The issues raised by Dr de Freitas on behalf of Ms Gailey do not justify rejection of this scheme and refusal of planning consent, as the comprehensive submissions and detailed evidence that have been presented demonstrate that the basement development is appropriate.

Further submissions from the Applicants' award winning architects are also provided under cover of David Mikhail's letter of 12 May 2014. These re-iterate the architectural merits of the proposals as set out within the drawings and Design and Access Statement, the contents of which remain firmly relied on by the Applicants. The criticisms of Ms Gailey in relation to inappropriate design, scale and materials are robustly defended by the Applicants within the submissions that have been presented to the Council.

Turning to the other planning merits as raised by Ms Gailey, the Applicants have taken great care to ensure that the development accords with relevant planning policy, as highlighted within the D and A and accompanying Planning Statement. Accordingly it is not proposed to rehearse the contents here, but Officers are urged to revisit these documents to fully understand and appreciate how the proposals positively respond to policy objectives. These include ensuring that important Conservation Area objectives are met. The proposals were only presented to the Council after they had been very carefully considered by the responsible Planning Officer during the course of pre-application consultations and following confirmation at Officer level that the development was acceptable.

Ms Gailey indicates that the proposal relates to the creation of a basement level self-contained flat. This is incorrect. No self-contained flat is being promoted by the Applicants. Furthermore this objector alleges the front dormer window is unauthorised. This window has existed for many years and was present prior to the Applicants moving to the property in December 1994. Detailed and extensive discussions were held with the Council over the merits of alternative windows to serve the upper floor which resulted in the windows being scaled down from the Applicants' preferred scheme. The development now merely seeks to provide for the sympathetic replacement of the front and rear dormer windows which fully respect conservation area objectives and should not therefore be considered contentious.

The allegation by Ms Gailey over 'the loss of more than 100% of the front and rear garden' is not accepted. One of the principal objectives of the Applicants is to enhance the quality of the family accommodation and setting of the property in the context of its own garden as well as adjoining properties and the conservation area as a whole. Considerable care has accordingly been taken to ensure that the setting associated with the property will be improved which in turn will enhance the streetscape. Such works include the provision of discreetly located bin and bike stores and the appropriate guarding of the rear garden to provide an acceptable access to the house (currently a major failure) as well as a quality private garden area. The exaggeration outlined in Ms Gailey's objection is considered to be inappropriate and misleading.

Whilst it is understandable that Ms Gailey is keen to protect her private interests and indeed the Applicants do not seek to introduce a development that will interfere with such interests, her personal views over the unacceptable impact of the rear extension on the character of the building itself and the conservation area are not supported by the Planning Officer. This has been confirmed under extensive pre-application discussions where considerable care

was taken by the Applicants to ensure the development met all relevant planning policy and specifically that contained within Camden's Core Strategy, the Development Policies and Planning Guidance documents as well as responding to objectives set out within the South Hill Park Conservation Area Statement and the National Planning Policy Framework and Planning Practice Guidance.

In promoting this development, as referred to within the D and A, the Applicants have placed reliance on a number of other decisions taken in relation to similar developments and indeed where substantially greater forms of extensions have been approved within South Hill Park. Importantly, cases referred to include decisions taken after the designation of South Hill Park as a Conservation Area. Whilst precedent is not promoted as a justification for this development as it is appreciated every case must be considered on its individual merits, the Applicants submit that it is important to consider these cases as approved and constructed as clearly they both form part of the character of the conservation area and confirm that such developments can be readily achieved without impacting on neighbour amenities nor harming the character/appearance of the conservation area.

In the Applicants' view there are therefore no reasons why these proposals should be treated in a different manner, particularly when comprehensive details and evidence have been provided that clearly demonstrate no detrimental impact will arise on neighbours' amenities and the development will be sympathetic to the host dwelling (which does not as alleged by Ms Gailey have a 'nearly uniform rear') whilst also serving to preserve/enhance the character and appearance of the conservation area as a whole.

Ms Gailey seeks to deny the Applicants this reasonable development based on her view that the conservation area has 'been eroded by unapproved changes in the area or unfortunate authorised ones.' With the progression of time it is expected that development will reflect the requirements of modern day living and the needs of families. This has been reflected in the plethora of approvals given in South Hill Park and whilst Ms Gailey may not like these, the fact remains that they form part of the character of the area and have been deemed acceptable through the granting of consent or the lack of enforcement proceedings. It is right therefore to take these into account in assessing the character and appearance of the area within which the application site sits.

The Applicants are seeking to invest substantial funds into this property by way of introducing improvements to the internal layout and provide acceptable accommodation to meet their own family needs, which should also benefit future generations. The proposals are presented as ones that directly accord with national planning policy objectives set out under NPPF and Planning Practice Guidance as well as local policies as referred to both by Ms Gailey and as highlighted within the Applicants' main submissions. Ms Gailey's allegations against this development in the context of planning policy are accordingly strongly refuted and this position is supported by the detailed submissions that have been presented under this application.

We trust that the above comments and the enclosed supplementary statements serve to allay any concerns expressed and provide the necessary reassurance that the proposals will result in a highly commendable, well thought out and quality designed scheme which will be a credit to this property as well as the conservation area as a whole. The Applicants maintain that the development directly accords with the provisions of the Development Plan to enable the presumption in favour of this sustainable development to be applied and planning permission granted, subject to the imposition of reasonable conditions.

The Applicants request that these additional submissions are given detailed consideration by

the Council to ensure that all relevant facts and evidence are taken into account which should enable the application to be favourably determined.

Please acknowledge receipt.

Yours faithfully

Howard Sharp & Partners LLP

For and on behalf of  
Howard Sharp and Partners LLP

