

## 2a South Hill Park, The Magdala Pub, NW3 2SB

### Objections & Rebuttal

The following is a collation of the main themes within the objections along with corresponding responses from Brooks Murray Architects. They concern the following planning application:

Partial demolition of existing ground floor extension and replacement with new single storey extension occupying the same footprint. New mansard roof extension on the top floor. New residential accommodation (two 2-bedroom flats) on the top floors accessed via communal staircase with the new entrance door to the rear of the building. New rear stepped garden and pathway accessed via secured entrance gate to the side of the building. (2014/6588/P)

#### - 7 objections

1. 11/11/2014 09:19, The Heath & Hampstead Society

*The basis of this application is acceptable; we note in particular the retention of the large first floor room to the PH, which has been a community asset for many years. We are not happy, however, with the design of the third floor mansard extension. The alignment of the building from ground level upwards is curved in plan, to follow the road line, but the mansard is shown straight. This may be cheaper, but is discordant architecturally; it ought to conform with the lower floors. We suggest that you advise the applicant to revise accordingly; otherwise, we must call for refusal.*

**RESPONSE:** Brooks Murray Architects have addressed the above issue and revised the planning drawings now to show the new mansard roof to the front following the curvature of the below storeys (proposal resubmitted by email on 05/12/14 to Jonathan McClue, Camden Council's case officer)

2. 13/11/2014 12:15, T Hall-Williams

*This proposal represents a significant loss of community utility through the loss of a well used meeting room on the first floor of this pleasant Public House and a shady outside courtyard. The council should resist this application.*

**RESPONSE:** Brooks Murray Architects have submitted the plans from the beginning that show the retention of the first floor and its current use as a function room to the pub on the ground floor. There has never been any other proposal and thus the objection is irrelevant to the current planning submission.

3. 14/11/2014 11:15, Casimir Knight

*I would like to strongly object to the application as it stands, particularly in relation to the top floor*

*Mansard extension which adds another floor to the already very substantial property.*

*This aspect of the proposed development hits us very hard. We are a family with a disabled child, Ben Knight (registered with Camden Wheelchair Services) living within 5 meters of The Magdala. The direct impact on us is twofold:*

*1. The mansard vertical extension overlooks our garden with 3 sets of windows. We are already well overlooked but it is the best private outside space for our family (especially for our son Ben)*

*2. It blocks our access to light and to sunlight in the morning very considerably. The Magdala is so*

*close to us and to our south / south east so our ability to sit on our verandah and get the morning sun / light will be materially impacted.*

*We received verbal assurances from the property developers who now own the property that there would be no further increase in the height of the building, as I believe they understood how negatively this would effect us. Unfortunately this assurance has not been carried through.*

*We are also concerned about how the plans are seemingly not to scale and have no exact measurements. Our concern here is that this seeming "vagueness" can then be used to further increase the proposed expansion of this already very substantial property.*

*We would ask that the Council require of the property developers to (i) honour their initial pledge not to increase the vertical height of the property; and (ii) provide more exact measurements in their plans.*

*We are happy to work with the developers on their project, and are broadly supportive of their plans to create high quality residential units above the pub space, but we do object to the plans as currently drawn up as they will have a materially negative impact on us as a family.*

**RESPONSE:** Brooks Murray Architects have been aware of the currently complex situation at 2b South Hill Park.

However, the objections can be clarified further:

- a. The existing party flank wall shows that there had been already a roof extension. The new mansard roof extension (and the current building) is not standing at 90 degrees to the neighbouring property at 2b, but at an angle that reduces the overlooking to a great extent.  
There are no windows to the side elevation of the new mansard.
- b. There are two existing mature Lime trees within the site boundary of 2b property (as per the arboricultural report T2 is 16 m high with 50 m crown height and T5 is 6m high with 40 m crown height) that already limit the amount of daylight and sunlight to the property at 2b South Hill Park.
- c. All the submitted drawings have a scale bar and are to 1:100 scale on A3 sheet of paper. It is not true that the drawings are out of scale. It is not a standard to put the dimensions against the existing building.
- d. The pub has already been the most challenging part of the existing building considering the sensitive issue of a disabled offspring. However, adding a new mansard roof, which will be built according to British standards and will be complaint to building regulations, will have a minimum impact on the noise and visibility issue. The existing neighbouring gardens are lower than the outside space at Magdala and

together with the high garden fence wall and a new mansard on the top floor, there is a minimal chance for negative material impact on the neighbouring property.

4. 18/11/2014 13:00, Linda Chung, Ward Councillor, Camden

*Dear Jonathan*

*My comments are as follows as regards this application*

*1. I have no particular objection to the partial demolition and replacement of the ground floor extension, particularly as if it will be within the existing footprint, and of appropriate design. This should not affect the amenities of the neighbours, and I hope will help in maintaining the viability of the Magdala as a popular pub and meeting place. As you know- this is listed as a community asset, and we would like its facilities and good management to continue.*

*2. However the proposed top floor extension will have a detrimental effect on the amenities of its*

*neighbours, and the conservation area. The site is already tightly developed, and the extra height will deprive the surrounds of much needed light. Please note that similar applications in the nearby properties were recently refused by Camden. The current building is of proportionate height to its location - the extra height will detract from the attractiveness of the building in relation to its period character and setting.*

*I understand from the local residents that the developers had in fact agreed not to vertically raise the house which has now been reneged on in the application, and not object to the change of use if this agreement had been honoured.*

*Please keep me informed on the progress of the application*

*Kind regards*

*Linda*

*Linda Chung*

*Hampstead Town*

*Ward Councillor 2008-2014*

**RESPONSE:** Brooks Murray Architects submitted the proposal for a pre-planning application advice and got the response from Camden Council on 21<sup>st</sup> March 2014 (2014/0216/PRE)

The following are the official comments from Camden Council:

***“Design***

*Roof extension: At the site visit, a close inspection of the roof area indicated that the building may have had a roof structure as shown by the partially painted flank wall. The neighbouring buildings have either mansard or gable roofs. Numbers 2 and 4 South Hill Park have mansard roof extensions with dormers. Owing to the adjacent roof extensions, it is considered that a roof extension is acceptable provided that it complies with CPG guidelines. It is considered that a roof extension in principle would provide harmony and completeness here to the roofscape of the terrace.”*

*“4. A roof extension is acceptable in a form of traditional mansard with dormers, similar to adjacent properties and previous form of the roof. More information is needed on the rear extension but appears to be acceptable in principle.”*

Further to Camden Council's comments, the new mansard roof has been revised and a curvature to the front elevation has been introduced. The new mansard finishes the line of existing mansard in the terrace and is significantly smaller and subservient to the adjoining mansards and the main volume of the building.

The daylight/sunlight analysis has already proven that the loss of sunlight/daylight is directly linked to the proximity of the existing building and two large existing mature trees on the neighbouring properties. The additional mansard potentially could only cause reduction in sunlight/daylight to two windows on the ground floor in two neighbouring properties, but only for a very short period of time, during winter solstice.

5. 18/11/2014 15:56, John Mallet Bates

*Strong objection to the change of use of this existing pub upper levels to residential. The proposed residential units will be detrimental to the existence of this heritage community asset. The ground and basement levels retained will not allow adequate space/area necessary for the function of a pub. This community asset must remain a public house; facility at all cost to retain what Hampstead is well known for, an attractive leisure destination for residents and tourists alike.*

**RESPONSE:** Brooks Murray Architects have never submitted a proposal where the pub premises on the first floor have been turned into a residential use. The objection is invalid. The top storey has always been residential.

6. 20/11/14 11:05, Caroline Bartl

*Dear Planning Department*

*We would like to strongly object to the application in relation to the top floor Mansard extension above the Magdala pub which will add another floor to an already overbearing building. The building will completely overshadow No 2B and will make the whole area behind the Magdala even darker than at present. The buildings are already very close together and in shadow behind the Magdala. There is a very small space between the rear of the Magdala wall and No.2B. No 2B's outside space is already very dark and will suffer further if this build receives permission. The neighbouring houses and gardens will also without doubt, suffer from loss of sunlight. It will be oppressive and overbearing.*

*We do appreciate and support the making of flats above the pub but the plans at present will damage the quality of life of others.*

*Many thanks for taking time to consider this objection.*

*Caroline Bartl*

**RESPONSE:** Brooks Murray Architects has submitted a consultant report consisting of detailed daylight/sunlight analysis that shows that the overshadowing happens due to the existing proximity of the building and large neighbouring trees. The report also shows minimal reduction in light by the addition of the new mansard roof that ranges between 0.5 to 1.5 %.

7. 28/11/14 14:43 David Kitchen, SEGA

*The development entails the loss of affordable accommodation (licensee/staff) and the conversion to a lock-up pub, which are significant, retrograde steps.*

*The retention of the bar areas and the 1st floor meeting room are positive steps, in line with the Asset of Community Value listing and the sought for Article 4 Direction.*

*It is an essential criterion for this application that the pub and its upstairs meeting room are retained as such and continue to serve their established purpose.*

*The Daylight and Sunlight assessment fails two tests (Winter Probable Sunlight Hours at side elevations GF\_04 and FF\_13). These are windows in the adjoining 2B South Hill Park. This property and its garden will be overlooked and overshadowed by the mansard roof.*

**RESPONSE:** The daylight and sunlight report does state that the reduction in daylight/sunlight for GF\_04 and FF\_13 only occurs during winter time, around winter solicits.

The pub accommodation upstairs has always been in a residential use; the viability of the pub is supported by the addition of the residential space, and the existing pub struggled to keep up financially.