

**Number Two
Greenaway Gardens
Hampstead
London
NW3 7DJ**

20th August 2015

David Fowler (**by email and recorded delivery**)
Planning Services
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

Dear Mr Fowler

3 Greenaway Gardens
Application ref. 2015/3373/P

I refer to the above planning application. I am the owner of the adjacent residential dwelling to the south at No.2 Greenaway Gardens.

I wish to make a number of comments on the application submitted and understand the formal consultation period closes today, although of course all representations made up until determination of the application remain equally valid.

I commented upon a previous application submitted at No.3 in 2011. I enclose a copy of this letter and note that my previous comments were addressed within the officer's delegated report, albeit not entirely satisfactorily from my perspective as design features remained that I had particular concerns with at the time.

Background to Current Application

As you will be aware prior to submission of the current application, permission was granted in September 2011 (application ref. 2011/3798/P) for:

Excavation of basement with associated front and rear rooflights, replacement of existing side garage, erection of 3-storey rear extension at ground, first and second floor (roof) level, formation of terrace at rear first floor level, erection of rear dormer window and alterations to windows and doors on side elevations and change of use of property from 2 x self-contained flats to single-family dwellinghouse (Class C3).

Following this, a number of amendments to the scheme were approved in 2012 under a non material amendment (ref. 2012/5148/P) with the description of development being:

Non-material amendments to planning permissions granted on 23/09/11 (Ref: 2011/3798/P) for excavation of basement with associated front and rear rooflights, replacement of existing side garage, erection of 3-storey rear

extension at ground, first and second floor (roof) level, formation of terrace at rear first floor level, erection of rear dormer window and alterations to windows and doors on side elevations and change of use of property from 2 x self-contained flats to single-family dwellinghouse (Class C3) namely, re-position the swimming pool within the existing basement, increase in rooflights to the rear serving basement, amendments to front glazed lightwells, repositioning of rear elevation, alterations to internal layout, windows and rooflights.

I assume it is therefore the application drawings attached to this non material amendment that represent the previously approved scheme. The amendments made to the scheme at this stage were relatively minor and hence able to be dealt with as a non material amendment.

It is unclear from the description of development or application documents whether the current application is being promoted as a further amendment to the previously approved scheme or as a new freestanding application. There is inference within the application documents that the current application is an amendment, although the registered description of development suggests that a fresh permission is being sought.

Related to this, paragraph 11 of the Design and Access Statement refers to works commencing in August 2014 to return the property to a single family house consistent with permission ref. 2011/3798/P, with the works not complete but in the middle of the conversion process, with the additional works proposed to become part of the wider conversion project.

Paragraph 14 of the Design and Access Statement describes the works undertaken to implement the consent, with these all being internal works. None of the internal works described were in the description of development so I can't see how this could have implemented the consent through a material start on site. I'm not suitably qualified to judge whether such works would have implemented the permission and will leave this with Camden. However, it doesn't appear to me to have been implemented.

The application forms also indicate that the property was last occupied in February 2013, although I'm not aware of any occupation of the property for many years, including after August 2014. It does not therefore appear that occupation of the property as a single family house has occurred either.

In light of the above I therefore suggest that planning permission ref. 2011/3798/P (as amended by 2012/5148/P) has expired leaving the current application to be considered afresh on its own merits.

I feel it important to bring this to the Council's attention to ensure the current application receives the appropriate level of scrutiny from officers particularly in light of the very large basement proposed (much larger than that approved previously) and the need therefore for the submitted Basement Impact Assessment to be audited by Camden's checking engineers.

The Current Application

The current application proposes a number of significant amendments to the scheme previously approved. As set out above I do not believe there is a current implemented permission already in place at No.3. Either way it appears that the current application has been registered by Camden as a brand new application and falls to be considered as such.

I outline my specific concerns with the current application below:

Size of the Basement

The basement now proposed is much larger than that previously approved, through extending much further to the rear under the garden and right up to the boundary with No.4.

I also note that the basement, whilst only single storey appears to have a very generous floor to ceiling height, which is enhanced even further where the swimming pool is proposed, making the basement effectively two stories in height in this location. The considerable height of the basement can clearly be seen on the proposed sections.

The size of this basement in plan form and its height appears excessive and will amongst other matters result in significant noise and disturbance during construction. My concerns as the adjacent property owner also relate to ground conditions and flood risk.

As advised in 2011, my property has experienced flooding on many occasions in the past. I am therefore particularly concerned with the size and proximity of the basement works.

I note that a Basement Impact Assessment has been submitted with the application but this does appear to be lacking in detail for such a major basement development. Please could you advise if this BIA has been sent off to Camden's checking engineers? I believe this is the procedure with basement applications submitted to Camden with the applicant funding the audit. On the assumption the BIA has been sent off for audit am I able to have sight of the draft or final audit in due course?

Quite understandably I am not looking to employ my own engineer to review the BIA and reply upon Camden in this regard to ensure my property will not be affected structurally or subjected to increased flood risk.

Rear Extension

The ground floor rear extension which extends along much of the rear elevation is now proposed to be 3.6m deeper than the previously approved extension, plus the bay is proposed to project a further 1.1m. Above this the first floor extension to the rear is to be 1.8m deeper.

My concern and objection to this increased extent of extension is twofold: firstly the resulting overbearing nature of the extension upon my property and secondly overlooking / loss of privacy.

It can clearly be seen from the plans that at present the rear elevation of No.3 broadly aligns with my property at No.2. This consistency in the rear elevations helps ensure that no property is overbearing upon the other and that no overlooking results to any material degree. Unlike the scheme approved in 2011 (and amended in 2012) the proposed development seeks to change this relationship by extending beyond the current rear building line and is inappropriate.

In particular the ground floor extension facilitates a very large roof top terrace, to be accessed from the first floor master bedroom. This terrace extends 4.7m beyond the rear building line of No.3 and it is clear that there will be the ability for considerable overlooking of my property. The ability for such overlooking is increased further by the apparent need to remove two large trees that currently sit close to the boundary, to allow for the basement construction.

The Proposed Side Elevation South drawing, the Proposed First Floor drawing and Proposed Ground Floor and Site drawing between them clearly show how the proposed roof top terrace will overlook my property.

There is no need for this terrace to form part of the scheme and should be removed.

By moving the rear building line back and through tree removal there is also the potential for increased overlooking from the rear facing first floor windows. The first floor extension should therefore be reduced, so that the rear first floor building line is moved back to that approved in 2011.

The assessment of impact section of the Design and Access Statement makes no reference to the balcony, overlooking or residential amenity. I trust my letter brings this matter to your full attention.

The proposed rear extension is contrary to good design principles and residential amenity; therefore contrary to Council policies CS14 and DP24 and DP26 in particular.

I trust my concerns set out will be fully considered by the Council and I would appreciate a response on Camden's process for consideration of the submitted BIA and how I am able to input to this process.

Yours sincerely

A black rectangular redaction box covering the signature of Roif Allan.

Roif Allan

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