

11 March 2016



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Dear Ms Phillips

70 Elsworthy Road, NW3 3BP
Reference: 2015/4684/P

Correction / Clarification in respect of Officer's Report to Development Control Committee.

I write in respect of the above application which is to be heard at the Development Control Committee on 17 March in order to correct a number of errors within the report and to provide clarification to officers to assist during the committee presentation.

I appreciate that some of these point may seem a little pedantic, but from experience we consider it vital that Members are appraised of these corrections, as we do not wish for Members to take a view based upon some of these inaccuracies.

Therefore, we trust that the presenting officer will address these points within their presentation to the committee.

Officer Report Para ref.	Issue / Topic	Applicant Comment
6.8 & 6.10	Visibility of Dwelling from Street	We were surprised to see the comments of the officer in this respect. The existing dwelling cannot be seen from the street or the public realm contrary to officer comments that " <i>small glimpses</i> " can be seen. The existing house is <i>invisible</i> from Elsworthy Road. This needs to be reported to Members. We enclose photographs and also "streetview" screen shots to show this. The evergreen boundary on the street, coupled with the high

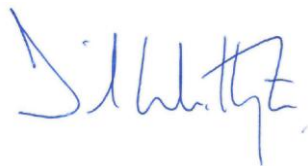
		<p>gates and the position of the mews property means both existing and proposed dwellings cannot / will not be seen from the public realm.</p>
6.16	Overlooking Distances and Blind Window / Obscured Windows	<p>The officer's report is inaccurate.</p> <p>There are <u>NO</u> facing habitable windows at all within the proposed south eastern elevation towards the Avenue Road properties.</p> <p>At first floor level these are <u>blind</u> windows, clearly shown on the drawings.</p> <p>There is only 1 glazed first floor window, this is to a bathroom and will, via building regulations, need to be obscured glazed.</p> <p>The officer report is inaccurate in stating that the proposals breach the 18m distance between facing habitable rooms.</p> <p>As noted above, we have no habitable rooms facing the Avenue Road properties and, in any event, the distance from the proposed south eastern elevation to the <u>facing windows</u> within the rear elevations of Nos. 60 and 62 Avenue Road are 24m and 26m respectively.</p>
6.28 & 6.31	Trees	<p>The report ought to acknowledge that the proposed trees to be removed are all generally small scale ornamental garden trees.</p> <p>These are not mature or grand specimens. We attach photographs to confirm this.</p> <p>The comment at paragraph 6.31 that we have a loss of canopy, does seem to be overstating the effect of these trees.</p> <p>The loss of these trees is not harmful and there is no material loss of "canopy" as a result of these proposals.</p> <p>In any event we are not in a conservation area, and none of these trees are protected and could be removed at any time without consent. This also needs to be reported to the committee as factual background.</p>
6.33	Green Roof	<p>It is a little disappointing that it is being stated that the green roof details were not acceptable some 3 months after we provided the information, and hope that officers will stress this is a minor point.</p> <p>The applicant is more than happy for any condition to be applied to amend the form of the green roof.</p> <p>The report does not acknowledge the benefits of the increase garden area to the northern part of the site, reducing building form and putting back garden area.</p>

		<p>This has an obviously ecological and SUDS benefit.</p> <p>Our planning statement noted:</p> <p><i>“Across the site as a whole, the proposed landscaping scheme ensures that the amount of soft landscaping is actually increased marginally. Additional soft landscaping is introduced to the north of the dwelling by removing the existing hard landscaping from this area – this will enhance the new property’s position as a dwelling within the existing plot.”</i></p> <p><i>“The new proposal will result in a reduction in the area of hard landscaping on the site compared to the existing layout (from 500 sq m down to 471 sq m), balanced by a commensurate increase in soft landscaping (from 625 sq m up to 647 sq m).”</i></p>
5.51	Basement effect upon neighbouring mews property	<p>At a very late stage in consultation process, the Council’s independent auditor, Campbell Reith, raised a query that the submitted Basement Impact Assessment (BIA) did not fully assess the adjoining mews building at 72 Elsworth Road.</p> <p>In response, the authors of the BIA, GEA, have noted the following:</p> <p><i>“The drawings we received from the supervising structural engineer and architect, on which we based our analysis, only showed the extent of the Mews building within our site. This is what CR picked up on when evaluating the Ground Movement Assessment.</i></p> <p><i>I have since rerun the model based on updated drawings which show the full extent of the Mews building, as provided by Campbell Reith via the Council Planning Database, and the results remain the same, in that the predicted movements to the facades fall within Damage Categories 0 (Negligible) and 1 (Very Slight).</i></p> <p><u>The view that our report ‘does not consider’ the Mews Building entirely was slightly misleading as we had analysed the building, but we had not included the full length of the northern and southern facades. It has now been demonstrated that this has had little effect on the results.”</u></p> <p>Technical modelling has clearly shown that the proposed development will have no material impact upon the structure of the relevant property. The scheme is therefore entirely acceptable in these matters.</p> <p>We do need either Campbell Reith or planning officers to correct this issue during their presentation.</p>

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Please do not hesitate to contact me further if we can provide any additional clarification prior to the committee meeting.

Yours sincerely

A handwritten signature in blue ink, appearing to read "D. Whittington".

David Whittington
Director

cc. Neil McDonald

Photographs from Immediately Inside and Outside of the Front Boundary





'Street View' Images from Elsworthy Road







