

Development Management  
Camden Town Hall  
Judd Street  
LONDON  
WC1H 9JE

31 May 2016

For the attention of: Samir Benmbarek

**RE: Response to Planning Application 2016/0397/P and 2010/5167/P – objection**

As the owners of 2 Crabtree Place, Whitfield Street, London W1T 2AT, we write to object to the Planning Application for 38 Windmill St.

Although the application is for an amendment, we are within our rights to comment on the entire development as (a) the developer has sought a material revision to the original application and (b) we were not in occupation at the time of the original planning application and (c) the developer has failed to comply with some of the conditions of the 2011 permission and building work has stopped since at least 12 months ago. Our objections relate to both applications referred above.

The development of this site in the manner being undertaken causes significant loss of amenity and privacy for our properties. In the central part of the development, which is the main area of concern, the rear (west) extension comes to within 5m of the principal walls. Once occupied, there will be substantial risk of noise pollution.

The Council will note that the Applicant has failed to comply with the mitigation measures set as conditions of planning, namely:

1. The Applicant has not installed the stipulated 1.8m obscure screen on the first floor terrace. Although it may help with privacy, the erection of the screen will cause us to look at a solid barrier, thereby reducing space and amenity value even more.
2. The Applicant has not installed the required obscure glazed windows on the second floor. They are all opening units. The planning conditions required that these were acid etched on their lower portion and fixed shut to 1.8m internal height.

We believe that while some rear extension would be acceptable and could have improved the aesthetics of the building, the Applicant should not have been permitted to come so close to our property in the centre section. Your best practice guidance states there should be 18m between the closest points of two principal walls. Your guidance also recognises bedrooms to be amongst the most sensitive rooms when determining impact on privacy.

For the same reasons of amenity and privacy, we believe the window positioning needs to

changed especially on the second floor level in order that these are not directly in line with our own. We also ask that the Council define privacy protection measures for the third floor windows and set these measures as a planning condition. Use of the terrace area should be prohibited unless it is more than say 15m of our property. The current first floor terrace is, in our view, unfit for use due to the proximity to our principal walls.

The form of development at the rear southern end is more acceptable. Greater space has been left and the development is stepped back at higher levels reducing the feeling of encroachment.

As the development in its current form contravenes your planning guidance to protect amenity and privacy and the developer shows complete disregard to planning conditions, we believe the planners should require the rear extension to be reduced in depth to leave distance more akin to 18m between properties. Suitable mitigation conditions could then be redefined, as necessary, to protect privacy for all residents.

We hope that you will now make a full and proper intervention in relation to this development to protect the interests and needs of all.

Yours sincerely,

A large black rectangular redaction box covering the signature area.

Mr Peter-Paul Wuenscher and Dr Diana Stein-Wuenscher