

3050/08-1608PON01 mf

08 August 2016

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Dear Mr. Healy,

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**LETTER OF OBJECTION TO APPLICATION REF: 2016/3014/P**

On behalf of our Client, the owner and occupier of No. 41 Ornan Road, we are writing to object to the planning application at 43 Ornan Road, ref: 2016/3014/P. Our Client has occupied their property for substantial period of time. The occupier intends to continue to reside at the property for the foreseeable future and would like to protect their property from the adverse amenity impacts of the proposed scheme.

Our client objects to the recently submitted application on the basis that the proposals represent an overdevelopment of the site, do not comply with the adopted Development Plan policies and have a substantive negative impact on the amenity of our Client and the character of Ornan Road.

Our concerns with the application are rehearsed below however to support this letter of objection we would like to invite you to view the proposal from No. 41 where the issues outlined within this letter are immediately apparent.

Design

There is a requirement for development to be consistent with the local character and context in accordance with Camden's Core Strategy policy CS14 and Development Management policy DP24 (Securing high quality design). Supporting paragraphs 24.7 and 24.11-24.13 to policy DP24, state that development should consider the following elements in their proposal to avoid undermining the local context, character and constraints of its site, prevailing pattern, density and scale of surrounding development, impact on existing rhythms, symmetries and uniformities in the townscape all of which have not been addressed as part of the application.

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The character of Orman Road is predominately post war semi-detached properties or short terraces of houses which are principally two stories in height along the majority of the street, with shallow pitch roofs or flat roofs behind parapets.

The application site has already been substantially extended at both front and rear to increase the volume of the dwelling.

A rear projecting element which extends for the full height of the two storey dwelling approved in 1999 already creates issues of overlooking and a sense of enclosure from within habitable rooms on upper floors at 41 Orman Road and within the garden at the rear of the property.

The current proposal will extend further on the line of this extension, not the line of the buildings rear elevation and will inevitably therefore have an overbearing impact on neighbouring properties.

The application property has already been extended twice previously, increasing the volume of the building by approximately 26% compared to the original house on the site. The extension now proposed will further increase this volume to 40% above the original volume. It becomes immediately apparent that it is not possible to increase the size of a small dwelling such as this, to this point without there being severe adverse impacts on neighbouring occupiers as will be the case in this instance.

The extension proposed will project outwards and upward from the current roof line by approximately 4m and join with the existing rear extension to property to create an additional 2.2m in height on the party wall. The submitted Design and Access Statement states that the proposed roof addition would be, "*subservient to the main roof height when viewed from the street on the front elevation*" which is an obvious statement because the proposal would not be seen from the front elevation. The D&A does not however, address the appearance from the rear elevation where the extension would not be subservient to the main house owing to its excessive scale, height and prominence in relation to the existing roof line. The extension would be an obvious and intrusive feature that has a harmful impact on amenity of neighbours and the character of the property.

The proposed extension will sit above the existing roof level as shown on the submitted section drawings, which is categorically against the Council's Design Guidance set out in CPG 1: Design. Paragraph 4.13 of the Design Guidance clearly states that,

*"Extensions that are higher than one full storey below roof eaves/parapet level or that rise above the general height of*

*neighbouring projections and nearby extensions will be strongly discouraged"*

It is acknowledged that the property is of modern design however, as set out in paragraph 5.20 of the Council's Design Guidance, such proposals should still have regard to the following principles,

- **The visual prominence, scale and bulk of the extension;**
- *Use of high quality materials and details;*
- **Impact on adjoining properties both in terms of bulk and design and amenity of neighbours, e.g. loss of light due to additional height;**
- **Sympathetic design and relationship to the main building.**

It is clear from the submission material that the applicant has not had due regard to the impact on neighbouring properties, in particular No. 41 Ornan Road where the extension would lie immediately adjacent to the proposal.

The proposal would create an imbalance in the appearance of the pair of semi-detached properties (Nos. 43 and 45) which would be harmful to the character of the area contrary to policy DP24.

Metropolis have prepared an indicative image of the proposal as would be seen from our Client's property which demonstrates the visual prominence of the extension and the impact it would have on the character of the area. The image enclosed clearly shows that the design is not subordinate nor sympathetic to the main building owing to its scale and height therefore contrary to the Council's design guidance.

It is noted that the applicant has referred to a recent application at No. 47 Ornan Road (ref. 2013/1178/P) for the use of part of the existing flat roof as a roof terrace and installation of roof level fencing and balustrade however, aside from the application being materially different, this part of a separate pair of semi-detached properties which have a different appearance to that of the application property and cannot be materially considered in the determination of this application. Further the amenity space at No. 47 would be located centrally at roof level and not have such a prominent impact on any neighbouring residents.

It is for these reasons that the proposed scheme is contrary to Core Strategy policy CS14, Development Management policy DP24 and Camden's Planning Guidance CPG1 (Design).

Impact on neighbouring residential amenity

Core Strategy policy CS5 (Managing the impact of growth and development) and Development Management Policy DP26 (Managing the impact of development on occupiers and neighbours) requires the Council to protect the quality of life for occupiers and neighbours and development is obliged to consider the following factors amongst others:

- *Visual privacy and overlooking;*
- *Overshadowing and outlook;*
- *Sunlight, daylight and artificial light levels.*

This is reflected within the Council's Planning Guidance 6 (Amenity) which states in chapter 6 that access to Daylight and Sunlight is important for general amenity, health and wellbeing and the Council will carefully assess proposals that have the potential to reduce daylight and sunlight levels for existing occupiers. Paragraph 6.4 indicates that impacts can be "*affected by the location of the proposed developments and its proximity to, and position in relation to, nearby windows*".

The proposed extension will sit extremely close to the main bedroom window of our Client's property and will be visible from this habitable room as evidenced from site inspection and demonstrated by the enclosed CGI image prepared by Metropolis.

Given that the applicant has not included the neighbouring properties on their elevations drawings it is impossible to ascertain the full extent of the impact of the proposal in accordance with the BRE Guidance. In addition, the submitted Design and Access Statement has paid no regard to the impacts to No. 41 Orman Road despite the extension sharing a party wall and being in such close proximity to the bedroom window at first floor level. It is strongly considered that the lack of evidence submitted and shown on the application drawings fails to protect the amenity of No. 41 contrary to the provisions of policies CS5, DP26 and guidance within CPG6.

Part 7 of the Council's guidance for Amenity requires developments to be designed to protect the privacy of existing dwellings to sensitive areas including bedrooms, kitchens and gardens.

Currently, the retired occupier of No.41 regularly uses their rear garden throughout the day. It currently receives good levels of daylight and sunlight in the morning. The proposed extension to the neighbouring property will overshadow the amenity area of our Client's property by virtue of increasing the existing height by 2.2m and

projecting upwards by approximately 4m from the current roof ridge so close to the boundary of the property, to the detriment of this private space.

We would request that the case officer to view the application site from No. 41 where the impacts are self-evident.

It is also noted from the applicant's submission that the proposed extension would facilitate an office space for the one of the owners of No. 43, who is an academic, indicating that this will be the primary office space during working hours. The use of this space, owing to the large amount of additional glass would allow for increased overlooking of our Client's private amenity space creating a loss of privacy to No. 41.

It is also unclear from the CGI images submitted by the applicant whether the extension of the render would involve the extension of the glass to the returns as this would significantly increase the prospect of overlooking No. 41 and exacerbate the loss of privacy unmistakably contrary to Development Management policy DP26 and Camden's Planning Guidance.

There is existing glazing on the return elevation of the extension at first floor level at No.43. This is not shown on the applicants CGIs submitted with the application. It is not possible to determine from the plans and drawings submitted as to the intention for the materials on this elevation. Additional glazing on this return elevation would have an unacceptable impact on the privacy of our client.

#### Material Submitted

As demonstrated above, the proposal will have an impact on the levels of daylight and sunlight experienced by No. 41. Camden's local validation requirements clearly state that a daylight and sunlight assessment is required where, "*the proposed development has the potential to negatively impact the existing levels of daylight or sunlight on neighbouring properties*".

It is noted that no Daylight & Sunlight assessment has been provided despite the proposal extending up and protruding outwards from the existing roof line of the building in close proximity to our Client's property clearly indicating that the proposal could have an adverse impact on the neighbouring occupiers.

#### Summary

It is considered that the issues outlined above and the substantial planning harm arising from these reasons provide compelling justification to refuse the application on a number of grounds. It is evident when considered the criteria of the Council's Core Strategy,



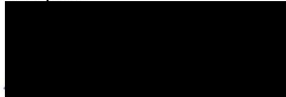
Development Management policies and associated Planning Guidance that the proposal will manifestly fail to protect the amenity of No. 41 Ornan Road as a result of failing to meet the design guidance for roof extensions and should be refused.

In view of the above we believe there are self-evident grounds to refuse the application on the following bases:

1. The rear roof extension by reason of its scale, height and projection would be out of keeping with the established character of the pairs of semi-detached properties on Ornan Road creating an imbalanced and asymmetrical appearance between Nos. 43 and 45 Ornan Road, contrary to Development Management Policy DP24 and Camden's Planning Guidance 1 (Design).
2. In the absence of any Daylight and Sunlight Assessment, the rear roof extension by virtue of its excessive scale, height and projections, could create an unacceptable loss of daylight and sunlight to habitable rooms and to the rear private amenity space at No. 41 Ornan Road, contrary to the provisions of Core Strategy policy CS5, Development Management policy DP26 and Camden's Planning Guidance 6 (Amenity).
3. The rear roof extension by virtue of its increased height, projection and design would result in an unacceptable level of overlooking and loss of privacy to private amenity space to No. 41 Ornan Road contrary to Core Strategy policy CS5, Development Management policy DP26 and Camden's Planning Guidance 6 (Amenity).

We would welcome the opportunity to discuss this objection with your further and would invite you to undertake a site visit to our Client's property where the impacts of the extension are clear. In the interim, we believe that there is sufficient justification to refuse the application on the above grounds.

Yours sincerely  
Metropolis



Paul O'Neill  
Director

Encl – Metropolis CGI image of proposal from No. 41 Ornan Road.

**ENCLOSURE 1**  
**Metropolis CGI image of proposal from 41 Ornan  
Road**

