

45B Kingsgate Road  
London NW6 4TD



17/10/2016

Ms Amy Grace Douglas  
Camden Development Management  
2<sup>nd</sup> Floor  
5 Pancras Square

By Hand Delivery

Dear Ms Douglas

Re Application 2016/4318/P, 43A Kingsgate Road, London NW6 4TD

I am sending you my representation, objecting to the above proposal, as I have encountered several difficulties on several occasions in trying to use your IT enquiry/response system.

I only learnt of this application on the 11/10, when I returned from Ireland, where I spend part of my retirement time. So, I sent an inquiry via the Planning website on 12/10, asking if it was still possible to object to this application as it did not appear to have been decided. I also sent a similar inquiry on the same day addressed 'FAO Amy Grace Douglas Development Control Officer' via the Council's general inquiry form (ref .2076093).

Having received no response to these inquiries and concerned that a decision was imminent, under the '8 week system', I decided to submit a formal objection via your Comments web site on the 14<sup>th</sup>.

However, as this was undertaken very late that night I found it difficult to input this objection on your pro form system, as I was beyond the normal wearing time of the specialist scleral contact lens I wear to correct my Kerratoconnus (irregular shaped corneas) and my supplementary glasses are not conducive for inputting into such a small format. Hence, I made quite a number of 'typos' and found it impossible to attach my detailed Word document.

As I was away for the weekend, I was not able to process this matter further until last night, when I again tried and failed to 'upload' my document. So, I then sent you this by an email to your department but have, so far, received no acknowledgement of its receipt.

Yours

Michael GP Maguire

P.hD, Bsc.Soc, Dip TP, M.R.T.P.I

**Planning Application 2016/4313/P; Representation On The Proposed Erection  
Of A Single One Storey Rear and Flank Extension to Flat A 43 Kingsgate Road,  
NW6 4TD**

**Introduction**

This representation argues that this proposal should not be granted planning permission as it is contrary to the fundamental objectives of the Camden Local Development Framework's overarching land use and sustainable spatial development strategy, and fails to satisfactorily comply with its relevant implementation planning policies and their detailed supplementary guidance, as set out below.

Having established the relevant planning policy framework in which this application should be determined and refused permission, this representation then considers the site specific issues of particular concern to the adjacent occupiers, which explain and support their various objections.

**1. Relevant Planning Policies**

**1.1 Camden Core Strategy 2010-2025:**

Policy CS5 - 'Managing the impact of growth and development', with particular reference to the sustainability and environmental protection objectives of sub sections (c) & (d).

Policy CS13 – 'Tackling climate change through promoting higher environmental standards', with particular reference to the natural drainage protection and avoidance of flood risk objectives of sub section (i).

Policy CS 14 – 'Promoting high quality places and conserving our heritage', with particular reference to the objective of sub section (a); "securing the "highest standard of design that respects local context and character".

**1.2 Camden Development Policies 2010-2025:**

Policy DP 22 – 'Promoting sustainable design and construction', with particular reference to "the limiting run-off" of surface water objective of sub section (g)..

Policy DP 24 – 'Securing high quality design', with particular reference to the protection of the local townscape character and setting objectives of sub sections (a), (b) & (c).

Policy DP 26 – 'Managing the impact of development on occupiers and neighbours' with particular reference to the protection of their current privacy, outlook and access to sun light and daylight objectives of sub sections (a), (b) & (c).

### 1.3 Draft Camden Local Plan 2015:

Policy A1 – ‘Managing the impact of development’, with particular reference to the protection of the adjacent occupiers’ current privacy, outlook, overshadowing and access to sun light and daylight objectives of sub sections (d) & (e).

Policy D1 – ‘Design’, with particular reference to the respecting local context and character, and ensuring that the development is sustainably designed and constructed with appropriate materials and the protection of gardens objectives of sub sections (b), (c) & (i).

Policy CC2 – ‘Adapting to climatic change’, with particular reference to the protection of existing green spaces and reducing surface water-off objectives of sub sections (a) and (b).

Policy CC3 – ‘Water and flooding’, with particular reference to the not exceeding the existing surface water run –off level objective of subsection (c).

## **2. Relevant Supplementary Planning Documents**

2.1 Supplementary Planning Documents which provide detailed guidance on how to comply with the relevant planning policy requirements are particularly important when evaluating proposals of this scale and so appropriate extracts from the following have been quoted in the consideration of the specific issues of concern (section 3).

2.1 CPG 1 Design, with particular reference to the guidance on development of ‘Extensions’ (section 4) in ‘Rear Gardens’ (section 6)

2.2 CPG Housing, with particular reference to the ‘Residential development standards’ guidance on the protection of the adjacent occupiers access to daylight and sunlight and their privacy (section 4).

2.3 CPG 3 ‘Sustainability’, with particular reference to the guidance on sunlight and daylight (section 3) and the prevention of surface flooding (sections 11 & 12).

2.4 CPG 6 ‘Amenity’, with particular reference to the guidance on the assessment of daylight and sunlight access (section 6) and the protection of adjacent occupiers privacy and outlook and the avoidance of overshadowing (section 7).

## **3. Detailed Issues of Concern**

3.1 This proposal would set an undesirable precedent in the immediate locality by permitting the erection of an unduly large extension, of inappropriate built form and design, employing inappropriate materials and involving very substantial garden loss; that would be detrimental to the architectural context, character and the setting of the local townscape’s late 19<sup>th</sup> century vernacular and the amenities of adjacent occupiers.

3.2 *Undesirable precedent.* The Location Map provided by the applicant shows that there are no apparent rear extensions in the immediate vicinity of No 43 (ie) the five houses on each flank of this property.

3.3 Although this Location Map shows an extension to the rear of No 55, it should be noted that this was sanctioned by a 2001 Certificate of Lawfulness, which recognised the exercise of permitted development rights; a process that involved no effective planning control of the development, in a previous planning system which did not consider the importance of ensuring sustainable development.

3.4 *Inappropriate Size.* The proposed extension would create a built form of a scale and massing, involving the loss of a very substantial proportion of the existing rear garden; to the detriment of the locality's visual perspective; the amenities of adjacent occupiers; and its impact on surface water retention, with consequential potential flooding and subsidence implications.

3.5 *Inappropriate Design.* The proposed 'modernist' design does not reflect the rhythm and symmetry of the building and locality's late 19<sup>th</sup> century vernacular and thereby fails to properly;

"take into account the character and design of the property and its surroundings" as advised by CPG1 Design (section 4, key message).

3.6 *Inappropriate Materials.* The proposed use of red bricks and double glazed framework is not in keeping with the visual appearance of the predominant materials of this building and locality and thereby does not "complement the existing building" as advised by CPG1 Design (section 4, key messages).

3.7 *Detrimental impact on the amenities of the adjacent occupiers.* The height, length and width of the proposed extension is such that it would;

- *Overshadow* their properties and gardens and reduce their current levels of *sun and daylight access*;
- *Overlook* and reduce their current levels of *privacy*

3.8 This proposal does not therefore comply with the planning guidance that:

"Residential developments should maximise sunlight and daylight both within the new development and to neighbouring properties whilst minimising overshadowing or blocking of light to adjoining properties" (CPG1 Design, para 4.20). And that

"Developments are to be designed to protect the privacy of existing dwellings" (CPG3 Sustainability, key message, section 7).

3.9 *Loss of existing garden and its soft landscaping.* This proposal would represent an unsustainable development through the amenity loss of a substantial part of the existing garden to the detriment of future residents of No 43; a potentially

considerable number given the expected lifespan of a late 19<sup>th</sup> century residential building.

3.10 The proposed loss of much of the garden and the erection of a very large rear extension would detrimentally significantly reduce the current visual amenity outlook of a substantial 'green separation space' between surrounding buildings as enjoyed by the adjacent occupiers. This would particularly affect those residents of upper floors without any garden access.

3.11 This visual amenity loss would be contrary to the planning guidance recognition that rear gardens;

"form part of the semi public domain where they are overlooked by large number of properties and the occupants of surroundings buildings benefit from the outlook" (CPG1 Design, para 6.29).

3.12 The importance of maintaining existing gardens and the recognition of their visual amenity function is so emphasised by planning guidance that CPG1 Design cautions that;

"Planning permission is unlikely to be given for development in the form of extensions .....which significantly erode the character of existing garden spaces" (para 6.31).

3.13 *Flooding and subsidence risks.* This proposal would involve the loss of the current substantial natural soft surface area and its partial replacement by predominantly environmentally unsustainable hard surfaces to the detriment of the present natural drainage; and thereby increase the potential flooding and subsidence risks to this and the adjacent premises, including the high retention wall between Kingsgate Road and Mazenod Avenue.

3.14 This proposal does not therefore comply with the planning guidance that:

"Development must not increase the risk of flooding" (CPG 3 Sustainability, para 11.3).

Dr Michael Maguire, 16/10/2016

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