

Application No: 2016/5618/P	Consultees Name: Genevieve Monastesse	Consultees Addr: 20 Croftdown road flat 3 NW51EH	Received: 29/11/2016 18:39:00	Comment: OBJECTION	Response: Ms Genevieve Monastesse Flat 3 20 Croftdown Road London NW5 1EH Camden Council Planning Applications 5 Pancras Rd, Kings Cross, London NIC 4AG
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26 November 2016

Planning application reference 2016/5618/P: Reestablishment of existing roof terrace at Flat 3, 20 Croftdown Road London NW5 1EH

Dear Madam

I am grateful for the opportunity to comment on the above planning application.

My name is Genevieve Monastesse. I am the owner of the freehold of the property at 20 Croftdown Road (the application site address). I also own and occupy Flat 3, 20 Croftdown Road, which is the flat situated immediately above the site address in this application.

I object to this planning application on the basis that the proposed changes will cause unacceptable noise levels and disturbance to myself and others residing at 20 Croftdown Road, and will also allow an unacceptable interference with my privacy.

The proposed application is made by the owner of Flat 2, Mrs Ettlinger, and is said to be for the reestablishment of a roof terrace by strengthening and fixing the existing terrace and replacing the existing window access with French doors to allow easier access to the terrace.

Historical context of this application

It is important at the outset to make it clear that, whilst the application is stated to be for 'reestablishment' as a terrace, this is not a correct characterisation of the context of this application. The roof terrace has never been authorised or permitted to be used as a roof terrace in any way. Thus the application ought to be correctly characterised as an application for the establishment of a roof terrace, rather than the 'reestablishment'. The terrace in question has in the past been used (or been allowed by the applicant to be used) as a roof terrace by the applicant's tenants, without proper authorisation or permission, and despite my requests

Response: to cease using it as a terrace. There is also currently an ongoing dispute between Mrs Eitlinger and myself (as the owner of the freehold) regarding liability for certain repairs for damage to the house involving leaks from cracks in the terrace into the flats below.

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Reasons for objection

The property at 20 Croftdown Road comprises 4 flats. One is known as the Garden Flat and is accessed via its own front door in the basement. The other three flats are numbered 1, 2 and 3 in ascending order. These three flats are accessed via a common stairwell.

The Garden Flat, and Flats 1 and 3 are all owner occupied. Flat 2 is let to tenants and has been for many years (at least nineteen years) with tenant changeover happening almost once a year.

The roof terrace area, whilst belonging to Flat 2, is only accessible via the common stairwell. The terrace area sits above the kitchen of Flat 2. It is also directly across from the front door of Flat 3 (my flat) with only a few steps up from the terrace window to my front door level. The terrace is therefore situated very close to my front door. As my bedroom is located at the rear of the property, the terrace is also very close in proximity to my bedroom window. I would estimate it is approximately 1 metre in distance from my bedroom window. When the terrace is used by Mrs Eitlinger's tenants, the sounds of voices, footsteps and doors and windows opening and closing are heard clearly by myself. These noises carry very clearly through both my front door and my bedroom window. Similarly, I imagine that anyone on the terrace could equally hear ordinary voice sounds from my flat, which is an unpleasant interference with my privacy.

I have previously raised the issue of noise disturbance with the owner of flat 2, Mrs Eitlinger (the applicant in this case) but I have never received any response from her on this issue.

If the roof terrace is permitted and therefore used more frequently (which is the intention and purpose behind this application) I expect that the frequency of voice, footsteps and door closing sounds will increase. The levels of noise disturbance are already too high and have not yet been addressed. A further increase in noise disturbance will be unacceptable. In addition, the proximity of voices so close to my bedroom window is an unacceptable interference with my privacy and I would very much prefer this to cease.

I understand that other properties in the street have roof terraces in a similar location to the one in our property. However, I believe that in all other cases the terrace is part of a whole house rather than in a property divided into flats. Therefore, in those other cases, the issues of noise disturbance and privacy simply do not apply.

For these reasons, I object to this application.

As currently drafted, this planning application does not propose any mitigation of the increased noise and privacy disturbance. If, despite my objections as set out above, this application is to be approved, I respectfully request that conditions are imposed to address the increase in noise levels and privacy issues. For example, the following measures would, in my view, go some way towards mitigating these problems:

- Install a soft close mechanism on the front door of flat 2.
- Ensure that the French doors to be installed on the roof terrace are also soft close or otherwise

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/5618/P	Nick Bradfield DPCAAC	Flat 3 36 Dartmouth Park Road NW5 1SX	30/11/2016 17:42:40	NOBJ	<p>have some built-in protection against banging;</p> <ul style="list-style-type: none"> • Install a commercial quality underlay and carpet on the stairs between the front door of flat 2 and the entrance to the roof terrace to reduce footstep noises; and • Agree to an enforceable curfew to be included in the leasehold that the terrace will not be used between 9pm and 9am on any day. <p>In summary, I object to this planning application on the grounds that the increase in noise levels and privacy interference will be unacceptable. If the application is to be approved I ask that conditions be imposed to ensure these issues are mitigated as fully as possible.</p> <p>I am happy to discuss the above matters if you think that would be useful.</p> <p>I can be contacted on [REDACTED]</p> <p>Yours sincerely, G Monastesse</p> <p>No objection but the doors should reflect the existing sash window design.</p> <p>Nick Bradfield on behalf of the Dartmouth Park Conservation Area Advisory Committee.</p>