

9 Dennington Park Road Limited
C/o Flat 2
9 Dennington Park Road
West Hampstead
London
NW6 1BB

28 November 2016

Kate Phillips
London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London
WC1H 9JE

Dear Kate

Re Application Number 2016/6111/P; 11 Dennington Park Road London NW6 1BB

Single storey rear extension at lower ground floor level; dormer window to front roof slope; rear roof extension and creation of roof terrace above; works in association with retention of 16x HMO units

I write to you on behalf of Nine Dennington Park Road Limited, the legal owner of 9 Dennington Park Road.

We would like to object to the above application on the grounds set out below.

Summary

We would like to object to the above application, specifically:

1. The application for an HMO on the main grounds that:
 - a. There is currently no valid HMO licence;
 - b. There are more than enough HMO licences granted for West Hampstead;
 - c. West Hampstead has recently seen a massive surge of high density apartments built, nearing completion or in the proposed planning stage; and so areas like Dennington Park Road should be returned to more normal flat / house accommodation.
2. The application for the rear extension on the main grounds that:
 - a. The size and depth of the extension is hugely excessive;
 - b. It is unprecedented in the block and the area;
 - c. A similar smaller application in the neighbouring property was rejected in 2006;
 - d. It removes green space;
 - e. It creates risks of subsidence;
 - f. It simplifies the movement between the rear of neighbouring properties and so increases burglary risk;
 - g. Access onto the roof of the extension from the three windows on the ground level has to be assumed which would overlook the neighbouring gardens, reduce privacy and increase risk of burglary; and
 - h. If the HMO application is successful, it does not provide significant extra beds to justify the extension.

Further details of these objections are set out below.

Introductory Comments

We welcome the refurbishment of 11 Dennington Park Road and are pleased that the application allows for a “high specification throughout”. It is clear that the building has fallen into disrepair and needs to be brought up to a liveable standard.

1. HMO Application: Objection

The main reason for the deterioration was the buildings use as an HMO, the tenants that level of affordable accommodation attracts and the lack of incentive for an HMO landlord to invest to maintain or improve an HMO property. It befits a street like Dennington Park Road for this property to be brought back into lower density higher end accommodation, such as 4-6, 1 & 2 bedroom flats.

a. No Current Licence

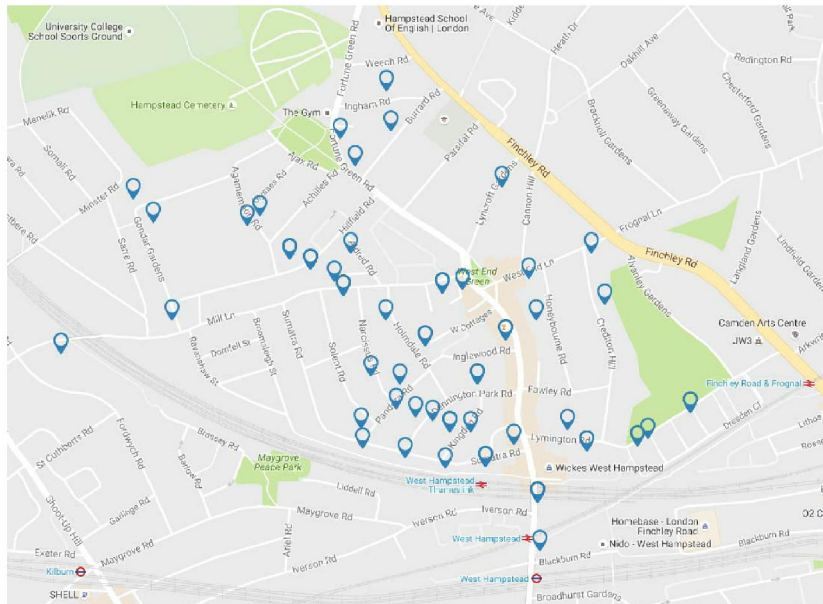
No current licence appears from a search of the Camden HMO Licence database online here:

<https://opendata.camden.gov.uk/Housing/HMO-Licensing-Register/x43g-c2rf/data>

The HMO Licence 000583 in the application states it runs from 4 June 2013 to 3 June 2018, in favour of Dogma Investments Limited. As this is not shown in the register, it would appear that this has lapsed or been cancelled. So, contrary to the assertion in the Planning Statement (3.2) the site may not currently be lawfully used as an HMO.

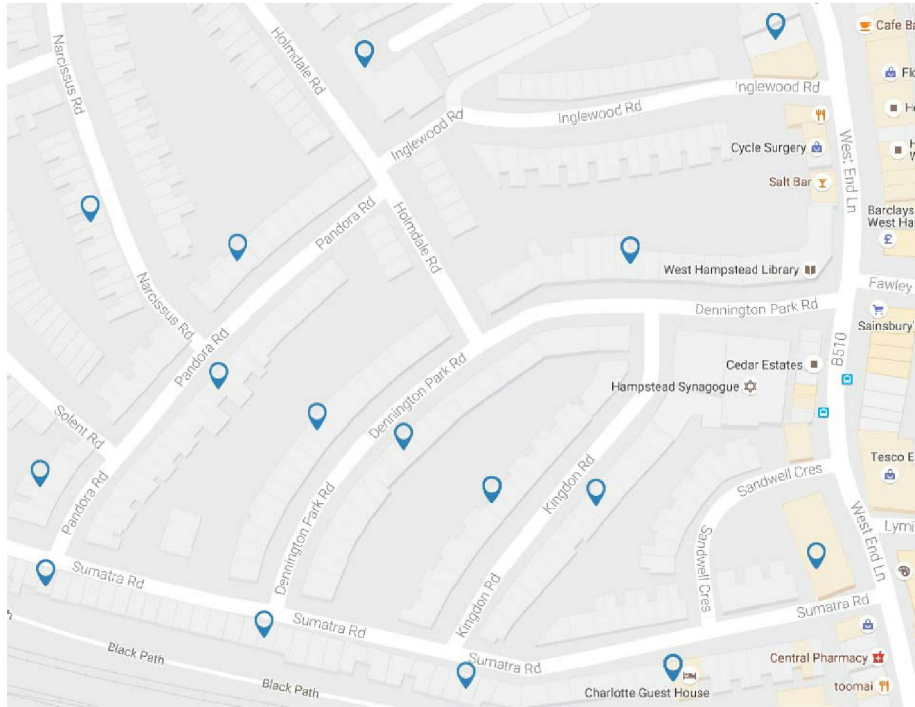
b. HMOs in the NW6 1 Postal Sector

Using the data from the Camden HMO Licence Database, the following map shows all the HMOs in the NW6 1 Postal Sector (some of these pins represent multiple HMOs with the same post code):



Clearly there are more than enough HMOs available in West Hampstead.

From the same data, these are the HMOs near Dennington Park Road:



Number 11 therefore does not need to be an HMO – the local area has plenty of affordable HMO type housing.

c. West Hampstead High Density Development

Recently there have been several large developments in West Hampstead, for example:

Development	Status	Contents
Alfred Court, 53 Fortune Green Road	Complete	72 Apartments, 20 Shared Ownership
The Nido Collection, Blackburn Rd	Complete	Approximately 200 student studios
West Hampstead Square, 189 West End Lane	Nearing Completion	198 Apartments
156 West End Lane	Planning Application	164; 50% Affordable Homes

These developments have meant a massive increase in the residential accommodation in West Hampstead has taken place and is set to continue. There is a huge strain on the public services etc. Many of these developments have specific numbers of apartments set aside for affordable accommodation. Therefore, the older streets in the area do not need to provide for more HMO accommodation and can return to traditional lower density flats.

2. Rear Extension Application: Objection

We object to the rear extension in the strongest possible terms for the reasons set out below. We also note that there are several inaccuracies in the application in this respect, such that the overall picture is dangerously misleading.

If the application for HMO use is accepted, then there is even more reason to reject the rear extension application, and we would be even more strongly opposed.

a. Size of extension

From the various plans included in the application it appears that it extends approximately 7.75m into the garden from the building wall. The entire garden is approximately 12.40m on the north east edge boundary with Number 9. So around 63% of the garden would disappear. This is a massive extension in no way subservient to the main building.

Below are the measurement and photos of how far back the extension would go assuming it is approximately 7.75m from the current wall.



Scale of extension with the tape measure from wall; red line added to show 7.75m from the wall.



Detail showing tape measure.



Another shot showing the approximate 7.75m reach of the extension.

The height of the roof is shown in the plans as 3m above the ground. While this is indeed below the level of the current fence (just, by about 1 bricks height), the roof would be clearly visible from the neighbouring gardens as they all step up from the rear of the building. The approximate height is shown in the photos below using a measuring stick marked at 3 m from the ground of Number 11 Dennington Park Road.



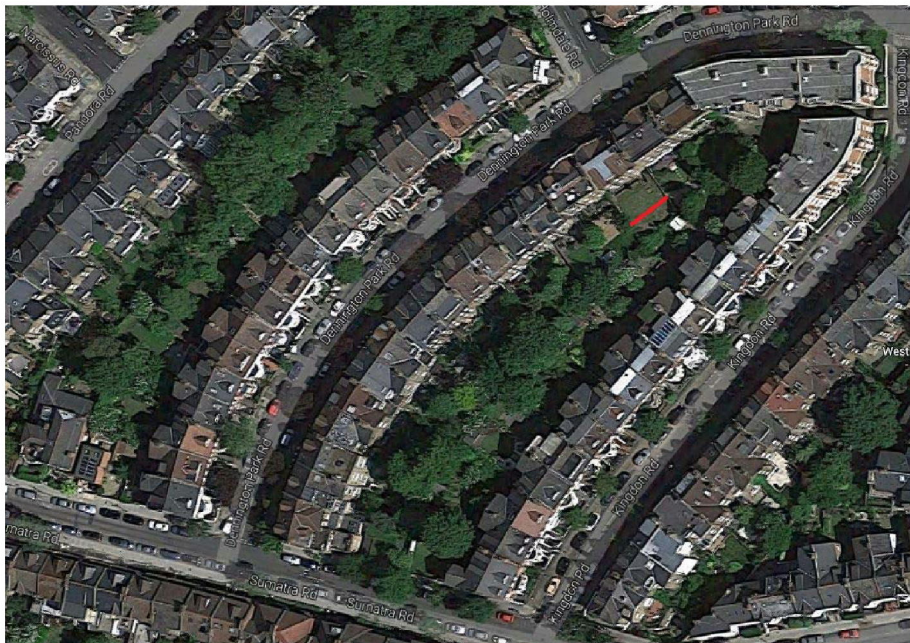




As you can see the estimated length and height of the extension makes it clearly visible from the neighbouring properties. It is clearly not in keeping with the nature of the current building.

b. Extension unprecedented with no current comparison

There is no extension like this on this side of Dennington Park Road. Below is the latest google earth view from here: <https://www.google.co.uk/maps/@51.5495425,-0.1935393,184m/data=!3m1!1e3>



The red line in the previous goggle earth picture is the approximate extension of 7.75m marked by the tape measure in the previous photos. Note no property in this block, or the neighbouring blocks have any extensions comparable.

In the Planning Statement(3.3), 3 planning approvals were notes as providing evidence of extensions at lower ground and first floor level having been approved. However, none of these are anything like the extension proposed. Each are considered below.

- i. **8 Dennington Park Road- 2014/5515/P-** Erection of single storey rear extension (Approved 29/09/2014)

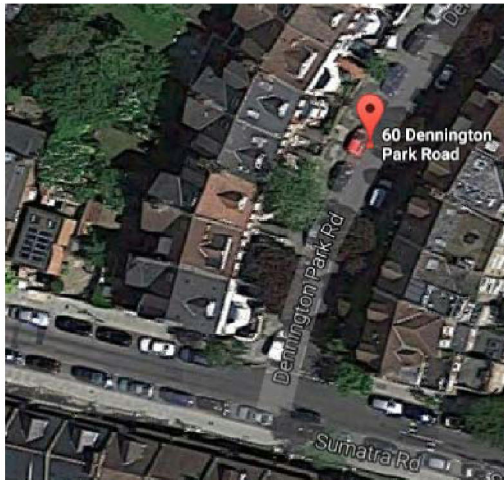
This is situated on the opposite side of Dennington Park Road, on the last block next to the library, in a property that borders the car parking at the rear of the buildings on West End Lane. It is on the corner of the green space at the rear of that line of buildings. This application was a 3m extension to the kitchen / living area, on half the width of the property, the side of which did not overlook any neighbours. On this (the north side) of Dennington Park Road, the buildings overshadow the rear areas, so that they get virtually no sunshine at any time of the year. This is nothing like the massive extension proposed at number 11 Dennington Park Road, in the sunny rear garden, and beside those regularly enjoyed by the neighbours.



Number 8 Dennington Park Road above.

- ii. **60 Dennington Park Road - 2011/2932/P-** Erection of single-storey rear lower ground floor level extension with roof terrace over and change of use from maisonette at lower-ground/ground floor level to two self-contained residential flats (Class C3) (Approved 2011)

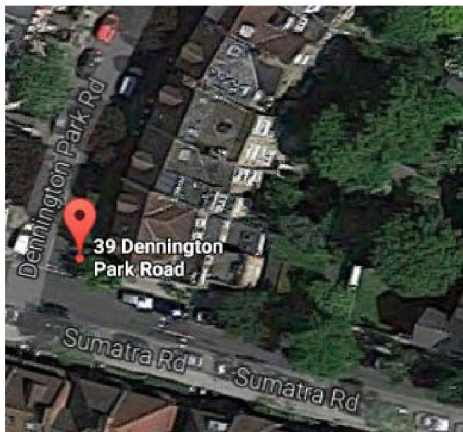
This was an extension to an existing bedroom and living area, also no more than 3 m. Number 60 is like No 8 in that the rear is also on the shady side of the building.



Number 60 Dennington Park Road above.

- iii. **39 Dennington Park Road- 2007/2471/P-** Erection of single-storey rear lower ground floor level extension with two rooflights, plus relocation of existing retaining wall in rear garden and replacement of window at rear basement level all in connection with existing lower ground floor level flat. (Approved September 2007)

This extension is the same side and block as Number 11 Dennington Park Road. However, it is right at the end of the road and so there are only neighbours on one side, the other being Sumatra Road. The extension is very minor and only on half the property, to bring it out to the same distance as the other half bordering Sumatra Road.



Number 39 Dennington Park Road

All three of the examples provided in support of the application are minor and insignificant compared to the current application. There is nothing else along this block or in the near vicinity remotely resembling the proposed extension – it would set a very dangerous precedent.

c. 2006/2699/P – Flat 1 9 Dennington Park Road - Rejected

This application was for Flat 1, 9 Dennington Park Road, for the erection of a single-storey rear basement level extension of similar size to that proposed by the current application. It was rejected because (emphasis added):

- 1. The proposed rear basement level extension, *due to its size and in particular its depth, is considered to be an excessive form of development, would not be subservient to the main building and would greatly reduce the size of the rear garden*. As such, it is not in accordance with Policy B 1 and 83 of the London Borough of Camden Replacement Unitary Development Plan (2006).
- 2. The proposed rear basement level extension would lead to a loss of daylight and *heightened sense of enclosure and consequent loss of amenity* to the neighbouring property. As such, it is not in accordance with Policy S 1, S2 and SD6 of the London Borough of Camden Replacement Unitary Development Plan (2006).

Apart from the loss of daylight, both these points are relevant for the current application for Number 11. As seen from the previous pictures, the height of the extension makes it clearly visible from the gardens of the neighbouring properties (not to mention the higher level flats)

d. The removal of the green garden space

The size of the extension is clearly visible from all flats above ground level and the gardens of the neighbouring lower ground level properties. As such it will be an eye sore, with 67% of the garden replaced by an ugly flat roof.

e. Risk of Subsidence

There is an existing small terrace at the rear of Number 11. However, the new extension will likely require foundations to be dug. No consideration appears to have been given to the risk of subsidence to the actual building, or to that of its neighbours. Also no consideration has been given to the subsidence risk to the gardens of the neighbouring properties.

f. Improved Access for Burglars

Currently fences separate the gardens of the various properties of this block. By building an extension with a flat roof, it will provide easy access for any burglar wishing to move between properties.

g. Roof Access from Ground Floor Windows and Garden

As can be seen from the photo below, proposed the 3m flat roof will be just below the windows of the ground floor units. Given the sunny nature of this area, it is impossible to imagine the occupants of these units resisting the temptation to climb out of their windows and use it as a roof terrace. This would result in a complete lack of privacy for the neighbouring properties. This is especially troublesome if the HMO application is granted. The transient nature of HMO tenants is likely to increase this probability and this roof extension will effectively open the rear of the entire block to the access of any nefariously minded HMO tenants passing through the occupancy of the rear ground floor of Number 11.

But, given that the application envisages the entire occupancy of the HMO being granted access to the garden, this risk is not just restricted to the ground floor rear occupants. The current building plan has just two units being able to access the garden.



h. Not enough extra beds to justify the extension to the HMO

As we have said we oppose the HMO licence and welcome the return to normal residential flats in line with the rest of the area. However, if it is to be granted the building can be a high occupancy HMO without the extension at all.

Looking at the most recent HMO licence (000583) attached to the application it limits the occupancy of the property to 15 people in the current 11 unit configuration.

The proposed 16 unit configuration is listed in the Design and Access Statement as 12 doubles and 4 singles, ie 28 people. However, some of this increase comes in the reconfiguration of other levels of the building.

If the current lower ground floor configuration is kept (ie 3 double units) then the building could still manage to accommodate 22 people, an increase of 7 over the previous licence limit.

3. Other Misleading and Incorrect Points on the Application

a. Application for Planning Permission

It appears that in section 17 the question “Does your proposal include the gain or loss of residential units?” has been incorrectly answered as “no”.

b. Design and Access Statement

In the introduction the demand for affordable housing in West Hampstead is no doubt strong. However, the multiple huge developments recently complete, almost finished, or in the planning stage will more than satisfy this demand.

The conclusion of this report has two statements that are simply incorrect:

- Overall in its context the property will sit well within its surroundings (NO IT WON'T) and
- Not jeopardise any of the adjacent properties (YES IT WILL)

c. Planning Statement

4.4 states that the lower ground floor extension will provide for 4 additional HMO rooms. However, this is not correct – the current layout has 3 and the proposed layout 6, so only 3 extra rooms are created.

4.5 states that the flat roof will not be accessible – but as shown above it will sit immediately below the windows of the rear ground floor units enabling simple access through those windows.

6.5 states that “ [the lower ground extension] aspects of the proposal have been carefully designed so as to respect the existing building as well as the pattern of development along Dennington Park Road and the terrace that it is part of”. This is clearly not the case, it is a massive extension and there are no equivalent development anywhere in the area.

6.8 states that “there are a number of examples of recently granted planning permissions for similar extensions at lower ground level”. This is simply not true. The only extensions have been mild and modest in nature, to buildings on the edge of a block of gardens. And, in fact, a similar extension to Flat 1, 9 Dennington Park Road was rejected only 10 years ago.

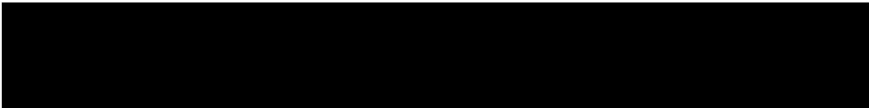
Conclusion

We are encouraged and welcome the proposal to renovate Number 11 Dennington Park Road.

We object to the building being used as an HMO – it is not necessary to have another HMO in the area and there are many other HMOs and developments catering for affordable housing.

We strongly object to the extension to the rear of the lower ground floor. If the building is granted an HMO licence then we feel even stronger that the extension should not be allowed.

Kind regards,



David Young
Director
Nine Dennington Park Road Limited

Neil Jamieson
Director
Nine Dennington Park Road Limited