

From Michael Nourse, Faircroft, Vale of Health

2016/5613/P- Hillview, Vale of Health- Objection to Planning Application

Re ‘Applicants Response to Objections, dated 2/12/16.’

I believe Prince Charles writes with capitals and exclamation marks to emphasise his points so I am in good company.

.I stand by everything I said in my objection email letter of 7 November 2016 including the photographs clearly showing the true situation. Everything I showed in the applicant’s statement to be mistaken and/or untrue remains the same.

.All my comments below in red are at the same time further objections of mine to the planning application.

.Once again the applicant’s consultants have submitted a document this time 15 pages long that has many mistaken and/or untruthful statements.

As you are aware, NT+A submitted a planning application for the development of Hillview, Vale of Health in early October following receipt of formal pre-application advice in August 2016. We note that this planning application has received letters of objection from some neighbours and their representatives.

.ALL neighbours in the terrace have objected NOT SOME and BOTH local groups The Vale of Health Society and The Heath and Hampstead Society and others objected.

This letter provides a response to the various comments made by these few local residents. Instead of going through each of the objections line by line, we have grouped each of the topics raised (with planning merit) and provide the following response:

.We may be few but we are in fact ALL the concerned local residents, and see my above comment.

Issue: Overlooking into properties and gardens

Response: This was discussed at length during the pre-application stage.

. NOT with any of the neighbours. No Camden Planning officers called on any ‘rate paying’ neighbours to hear and see their point of view but they did do so for the applicant. Indeed the planning officers did EVERYTHING they could to help get the application through which is evidenced by the very many green highlighted comments of theirs (the planning officer’s) in the applicants 39 page ‘Planning Statement.

Many objections discuss views into the adjacent house’s windows and gardens. As highlighted by officers at pre-application stage, it must be acknowledged that there is already degree of existing mutual overlooking between the properties along this terrace.

.But crucially not at the very close quarters of the proposed terrace ONLY at some distance and very much lower down and not deeply into rooms. People on a terrace looking directly down onto neighbours ground terraces make the overlooked as if the ‘looking’ people are on top of them quite unlike looking from inside windows. AND the most private parts close to neighbours rear walls/windows are NOT overlooked from windows but from the proposed terrace they will be directly looked down upon as well as overheard.

One can already see into neighbouring rear gardens from windows of Hillview. By this rationale, the rear gardens of adjacent properties will have aspects into the windows of Hillview. This is commonplace in any terrace of properties anywhere.

This is commonplace in any terrace of properties anywhere.

.The above paragraph also applies here. However raised terraces look closely and deeply into some rooms of neighbours unlike FROM at a distance at GROUND LEVEL FROM the GARDENS. not to mention the several other reasons given for objection eg. Noise pollution and countless others.

This is commonplace in any terrace of properties anywhere.

.AND in spite of this nowadays almost all raised terraces attached to the rear walls of properties are **refused**. In this day and age these terraces are no longer acceptable. A prime example is the refusal of the well publicised applications of Sean Bean in Belsize Park by Camden **two times** and finally on appeal by the inspector again refused. I will submit details under separate cover.

Despite this, the applicant has increased the overall setback with the roof terrace after pre-application feedback was received to alleviate any concerns. It is now set back 2m from the edge of the extension.

.AND 2 meters closer to the neighbour's windows and still many meters out from Hillview's rear wall and very almost the full width of the house itself. The feedback by ALL the concerned neighbours was TOTALLY against the terrace and other aspects of the application. None of our concerns ARE alleviated.

This proposal would cause no change in the status quo from the existing arrangement, with views into various back gardens already occurring, a result of being a terrace of houses.

.BUT the views from inside the houses are VERY different to those from terraces which is why applications are usually refused on those grounds alone (DETAILS SENT UNDER SEPARATE COVER. They have been refused here in The Gables, look it up!

There are also various nearby properties (within this terrace) which already have the benefit of roof terraces above flat roof extensions. These can be seen in the images below and do not prevent any of the neighbouring properties from enjoying their own homes. Roof terraces are an established part of the site context.

and do not prevent any of the neighbouring properties from enjoying their own homes **This is a lie or a mistake there is only one terrace at the end of our/this terrace of houses and it is only there because it has existed for some 40 years and more.**

and do not prevent any of the neighbouring properties from enjoying their own homes

.This is an outrageous statement and also untrue. The residents of the next door house suffer a considerable loss of enjoyment. Ask them.

Hillview and Faircroft do not have any boundary wall or fence between the properties, so it cannot be suggested that a harmful impact of privacy will occur as a result of this proposal.

.There was always a low hedge there, removed recently. The LOW side of the conservatory was abutting the hedge so it was completely private close to Faircrofts conservatory where we often sit AT GROUND LEVEL. Being looked down upon from railings above would be a loss of privacy. It is unpleasant to be looked down upon at close quarters and listened to.....



EXISTING TERRACES AND EXISTING VIEWS INTO REAR GARDENS

Issue: Visibility from across Heath Pond

Response: It was suggested that the rear extension will harm the view of the properties when viewed from the other side of Heath Pond on winter days when the trees are sparse. Having travelled to this location on 14th November, the entire building is barely visible from most views. The lower ground floor rear extension will not be visible from **any** public views. Please see the various images attached in Appendix 1 of this letter. As the application property is not readily visible in all images, a dotted red line outline has been provided for each photo for ease of reference.

The garden of Hillview is fully overgrown to some height having not been tendered to for well over a year and before as the previous owner was frail. When this is cleared views will be opened up. The extensive willow trees at low level are still green in leaf, the views open up further when the leaves drop.

The existing glass 1980's conservatory contributes little to the Conservation Area's essential character,

We agree BUT it should be replaced with a more appropriate conservatory of the same size, and footprint with the same conservatory sloping roof as is usual in conservatories. **Such conservatories of great beauty are readily available.**

It should NOT be replaced with a big bulky cube with big bulky façade, my pics (see below) illustrate very clearly the REALITY of the proposed situation. Their drawings very cleverly do not show the reality of their proposal and impact it will have. My pic is EXACTLY to the real scale of the proposed it is not falsely enlarged.



with an improvement occurring as a result of this rear extension when compared to the existing situation.

.There will be NO IMPROVEMENT WITH THE PROPOSED BIG EXTENSION BUILT ON METROPOLITAN OPEN LAND.

As advised by officers, the upper levels will use materials and proportionality of a traditional style which complement its neighbours. The design of the rear elevation is of the highest quality and will be an improvement of overall appearance of the rear terrace. We consider that an attractive facade would be presented, complementary to its context. Leaving the existing rear elevation in place will result in further structural inadequacies and put the entire terrace at risk of structural damage.

.This is completely untrue BASED ON WISH NOT FACT. There is clearly no real structural damage to the rear wall. It is the VERY DEMOLITION OF THIS WALL AND THE UNDERPINNING WHICH WILL PUT THE ENTIRE TERRACE AT RISK. You have taken the convenient advice of only one engineer knowing in

advance what the applicants want to achieve. MUCH MORE WORK NEEDS TO BE DONE IN THIS REGARD. For example no geological investigations have been undertaken. I refer you to the extensive objections from The Vale of Health Society.

Issue: The dormers would be clearly visible from the path across the road looking east

Response: Some objection has been raised regarding the view of the proposed development from the pedestrian lane opposite. A drawing has already been provided to demonstrate that the low level side dormers would not be visible from the street.

Additionally, as can be seen from the photos in Appendix 2, neither low level dormer would be visible as one travels down the pedestrian lane opposite. The side dormers are kept to a very low height so as to remain completely screened from public vantage points. In any case, side dormers are a feature of this terrace, and are contained in other roofs along this terrace.

.The proposed dormers should have been outlined in the picture and more than one picture taken from different viewpoints. In any case the dormer on the south side **cannot be built as planned attached to or touching Faircrofts wall**. The section of wall is NOT PARTY WALL. I am notifying Camden of this under separate cover.

Issue: There was a lack of public consultation prior to submitting the application.

Response: The applicant called in person to each of the adjacent properties prior to submission of the application. In addition, letters were dropped into other properties to let them know of the impending application and that further information/discussion was available on request.

At the time of writing the report, the feedback was mixed. Messages were received by the applicant indicating no objection to the proposed works.

.Untrue. NOBODY in the terrace gave mixed feedback when we all saw the proposed plans. Before then **we never had a clue** as to the reality of the situation. The owners did NOT give us the true facts of the situation. To the best of my knowledge no such messages indicating NO OBJECTION were sent.

The applicant either spoke to, or dropped cards into the residents of Hollycot, Faircroft, Silverdale, Lakeview, Beechey Cottage and Garden House.

The applicant is also not bound to undertake any public consultation with the local residents and it was done so as a matter of courtesy rather than obligation, and in effort to amend any matters which could be resolved prior to the formal submission. It is unfair that the residents are objecting to the applicant's efforts to consult, when there is no obligation on them to do so.

The little consulting they undertook DID NOT reveal to us the true facts of the situation.

The applicants and their team would continue to liaise with residents should this application be granted, for matters such as construction logistics and agreeing upon an acceptable construction programme.

.This is way not good enough. A suitable extensive CMP HAS to be prepared. The Garden House will start their works at about the same time as the applicants proposed works.

Issue: Resistance to a roof terrace in principle

Response: It appears that there is significant objection to the rear roof terrace in principle. This is surprising given the various flat roof extensions with terraces at nearby neighbouring buildings. A larger roof terrace was proposed at pre-application stage but this has been reduced in line with officer's guidance to specifically address previous concerns.

.They do not address any concerns. NO TERRACE WILL BE ACCEPTABLE. There have been considerable reasons given. I repeat what is stated above. There is only one terrace at the end of our/this terrace of houses and it is only there because it has existed for some 40 years and more. Any other terraces are far from and in a completely different terrace to ours and do not affect us. These too only exist because they have been there for 40 odd years.

The current view across London of these terraces is that they are NO LONGER ACCEPTABLE as the applicants would probably know if they were not relative newcomers to London.

I will submit details under separate cover.

Issue: The style of architecture is disliked

.This is untrue. IT HAS NOTHING TO DO WITH DISLIKING THE STYLE of architecture. The style of architecture is wholly unsuitable for this location as stated by us and The Heath and Hampstead Society endorsed by The Vale of Health Society.

Response: The single storey of the lower ground floor rear extension is of the highest architectural quality, designed by award winning architects, HEAT Architecture. The extension comprises 1.5sqm of additional floorspace, so it cannot be argued that this extension is excessive. Externally, it is formed of red brick to match the material palette of the floors above.

.The quality and awards of HEAT Architects is not an issue IT HAS NOTHING TO DO WITH OUR OBJECTIONS.

It can and has been and is argued that the proposed cube block extension is excessive. Look at this in comparison to the existing old but UNOBTRUSIVE LOW PROFILE conservatory. See my 2 pics above.

. The proposed TERRACE will be VERY INTRUSIVE AND PROMINENTLY SITED and highly visible from all our gardens and all our rear our windows.

The proposed development cannot be justified in terms of the occupier's reasonable needs. The applicants property already benefits from a large, garden. They will have a large terrace in the garden. The proposal is therefore for non-sustainable development on Metropolitan Open Land unjustified by any exceptional circumstances or other material considerations.

A replacement conservatory will have a measly 1.5sqm less floor space than the bulky cube at such a cost... to the neighbours... as outlined in all the objections

This single storey rear extension will not be visible from public vantage points so the impact it will have on the conservation area will be minimal.

.There will be some visibility at times. And at all times for the neighbours.

The neighbours live in the conservation area, it will be visible TO US AT ALL TIMES and the effect on us will be huge not minimal. Do we people not matter... is it only public vantage point that matters.

A more contemporary approach was originally suggested for the upper levels to the rear at pre-application stage, although in light of pre-application advice received, this was revised to a more

traditional style of architecture. This was met with support from Camden Council after supplying revisions.

A red brick is proposed for all levels, with the only departure from the traditional style of design coming at lower ground floor level, with larger openings proposed and a flat roof extension. Given that this will not be seen from any public vantage points and its lower ground floor/garden location, this was seen as an acceptable approach by officers at pre-application stage.

I repeat it will be visible TO US AT ALL TIMES and the effect on us will be huge not minimal. Do we people not matter... is it only public vantage point that matters.

.Being seen as an acceptable approach by officers at pre-application stage.

.This was just an indication WHICH IS WHY WE HAVE THE FULL PLANNING PROCESS which we are currently going through.

The rear elevation requires replacement as it is in a very poor structural condition. This was witnessed by all parties when visiting the site. While the property has been soft stripped

.OUTRAGIOUS, IT HAS NOT BEEN 'SOFT STRIPPED' THE INTERIOR HAS BEEN COMPLETELY DEMOLISHED. The only walls standing are the front, rear and 2 side walls which have had the plaster hacked off and in the process breaking away with much of the brick itself CAUSING SEVERE DAMAGE TO THE BRICKWORK. Not a single internal wall left. Not a pipe left, not a wire left, structural floor beams damaged and partly removed. ALL WITH NO PLANNING PERMISSION.

THE REAR WALL DOES NOT REQUIRE REPLACEMENT IN SPITE OF THE COMPLETION DEMOLITION OF THE INTERIOR OF THE HOUSE. There is clearly no real structural damage to the rear wall which cannot be repaired. It is the VERY DEMOLITION OF THIS WALL AND THE UNDERPINNING WHICH WILL PUT THE ENTIRE TERRACE AT RISK.

in order to assess the structural problems, no major structural works have been completed

.UNTRUE. The complete demolition of the interior is major structural work.

and the existing building has not been let open to the elements at any time. Please see the Structural Report prepared by Consibee for more detail in this regard.

Issue: There would be daylight/sunlight

Response: It has been suggested that the extension would have an unacceptable impact in terms of daylight/sunlight for the resident living in Faircroft. The extension constitutes a nominal increase in floorspace, and the neighbouring room in Faircroft is a largely glass room with glazed roof. Any impact on daylight/sunlight will be negligible.

.As existing the rear garden to Faircroft is very narrow and to the south side an existing two storey and three storey rear extension of considerable width blocks out a lot of light. The existing HILLVIEW conservatory allows for significant levels of light to pass through to the rear garden terrace, particularly in the afternoon when there is no sun whatsoever on this east side of the houses. The proposals include removing the conservatory and replacing it with a one storey rear extension right up to the boundry line and a 1.8m high privacy screen on the roof terrace. This would result in the elevation measuring at least 4.2m in height. This is considered to result in a development which would detrimentally overshadow the rear garden of Faircroft resulting in a sense of enclosure which would detrimentally ruin the enjoyment of the

rear garden for existing and future residents. This sense of enclosure would also harmfully limit the level of natural light enjoyed by the occupiers of Faircroft.

Issue: Objections to the loss of housing

Response: A letter of objection prepared by Rps Cgms states that the loss of a single housing unit conflicts with Paragraph 47 the NPPF. As has been established at pre-application stage, the loss of a single housing unit complies with Local Plan policies, which has also been supported in the 2016 updated CPG relating to Housing (See Chapter 6).

The application is seeking to return Hillview back to a single family sized dwelling for the benefit of a family. With so many applications in the Borough seeking to add value to properties by subdividing properties into several flats, this application should be seen as a welcome departure from this trend.

It should also be added that this property is not serving as two units right now, so any objection based on the above grounds in an attempt to prevent a return to regular use can only be seen as misplaced.

.Rps Cgms stand by what they said.

Issue: Impact of the development on the neighbour at Faircroft

Response: The resident at Faircroft has provided sketches of how the scheme would appear in relation to their house. These are unverified views and should not be considered when making a determination.

The planning officers should come and verify them or accept they are true. I say they are a realistic view all be it a montage and to scale as well.

The length of wall along the boundary is less than 2m long

NOT, NOT TRUE as architects they should be ashamed of themselves unless it is a mistake or downright lie. It is 50% longer ie 3m long PLUS the long existing gable wall to the existing conservatory to be added to the 3 NOT 2m

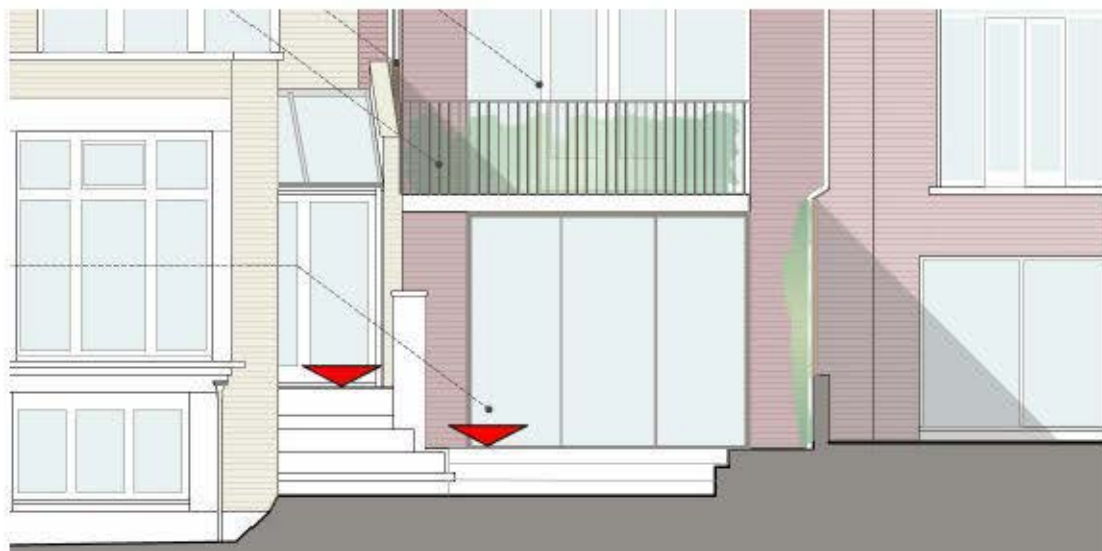
and single storey with the room at Faircroft at a significantly elevated level, higher than both the existing and proposed lower ground floor level at Hillview, circled below for clarity. It will not impact upon outlook or any other aspect of residential amenity.

This is not true. SO NOT TRUE.

As existing the rear garden terrace to Faircroft is very narrow and to the south side an existing two storey AND three storey rear extension of considerable width blocks out a lot of light. The existing lower level Hillview conservatory allows for significant levels of light to pass through to the rear garden, particularly in the afternoon when there is no sun whatsoever on this east side of the houses. The proposals include removing the conservatory and replacing it with a one storey rear extension right up to the boundary line and a circa 1.8m high privacy screen on the roof terrace. This would result in the elevation measuring at least circa 4.2m in height. This is considered to result in a development which would detrimentally overshadow the rear garden terrace of Faircroft resulting in a sense of enclosure which would detrimentally ruin the enjoyment of the rear garden terrace for existing and future residents. This sense of enclosure would also harmfully limit the level of natural light enjoyed by the occupiers of Faircroft.

The description of this elevation as 'too large' is inaccurate. It is single storey, low scale and will finish at a height which is below the head of the door of its neighbour at Faircroft and is considerably lower than the flat roof extension of Beechey Cottage further south.

Again not true, it will finish approximately at gutter level above the TOP of Faircroft's door CONSIDERABLY HIGHER than the existing height of Hillview's existing conservatory at its door and both side walls height which is the relevant comparison not the apex, see again my pics above. And high screening on top of the wall. And even then it will be possible to look into and far as the rear wall of Faircrofts main bedroom.



PROPOSED REAR ELEVATION IN RELATION TO ITS VARIOUS NEIGHBOURS

Issue: Structural Works/Construction Process

Response: As can be seen from the existing survey drawings, our time on site and the submitted structural report, the existing building is structurally unsound.

.This is HIGHLY contested.

The works proposed are absolutely necessary for the long-term structural soundness of the existing property and wider terrace.

.Indeed works are necessary largely due to the demolition of the interior. The works proposed are not the right works, there are other possibilities. What is needed is SENSITIVE renovation not wholesale destruction and underpinning.

The front elevation is still in reasonable condition and contributes positively to the Vale of Health streetscene. This elevation would be retained and made good as part of the works. While structural works are necessary, the project engineers will be able to devise a construction management plan which will minimise any construction impact on local residents or the surrounding road network.

.This has to be done in advance.

We are aware that the site is constrained, but this does not mean that development is impossible. If the objections relating to construction were sustained this would render any development in the Vale of Health impossible due to speculative construction harm. An acceptable Construction Management Plan could be prepared as part of the development at The Garden House with recent approved planning applications, demonstrating that construction works could occur here safely and appropriately (App ref: 2016/2600/P)

Conditions regarding decibel levels, working hours, and providing a Construction Management Plan would all be welcomed by the applicant, as the intention is to implement this development in a manner which minimises any impact on neighbours and the highway network.

Issue: Flooding and Ground Conditions

Response: We note that an objection from the Vale of Health Society highlights concerns relating to geology of the site and correspondence between our engineers and a neighbour during the course of the application period.

The water levels generally varied between 2m and 4m below LGF level.

.This is contested by the VOHS in their objection. In parts it is not so far down.

One trial pit, 7, had some water inflow. Any water ingress, if encountered, can be dealt with by shoring and pumping out locally to allow for casting of the footings and underpinning.

.While at the same time diverting the existing streams and flows of water sideward's to other properties.

Geo-technical report – this is also considered to be essential in order to assess the impact of the proposals. The site as previously mentioned sits atop of a number of underground rivers and streams which leads to the Hampstead Heath Ponds at the ends of the gardens. Based on Geotechnical reports submitted for neighbouring sites and The Garden House just a few metres away groundwater is recorded at levels between 0.38m and 0.83m. This clearly indicates that any construction works would need to consider how any proposed works would impact the ground conditions. The ground is unstable and the proposed works especially the underpinning of Hillview with large very heavy concrete on all four of its sides will have a detrimental impact to the stability of not only the proposal site, but also the neighbouring properties. Whilst the underpinning of Hillview might protect Hillview to some extent this will leave all of the rest of the terrace unprotected. Without further details submitted for the Council to review, it is considered that the Council could not grant planning for a proposal that could result in detrimental harm to the structural stability of the terrace.

This will be well within the capability of any competent contractor.

CONCLUSION

The applicants are seeking to live in this house, if granted planning permission. They are not a developer seeking to maximise profit.

.Completely irrelevant to the application.

This is a sensible and appropriate extension which optimises the site, returning the property to a family home, together with quality architecture.

We are fully aware of the context and location and have appointed a high quality design team to ensure that a structurally sound and well designed proposal was created, all the while being considerate to the neighbours and conservation area.

We hope that the objections submitted have all been addressed via the above letter.

.I don't think so, do you really think so.

If you wish for any further clarifications, please do not hesitate to contact me and we will be happy to assist.

Kind regards,



BRIAN KAVANAGH B.SC MPLAN

PLANNER

NICHOLAS TAYLOR + ASSOCIATES

APPENDIX 1

VIEWS OF HILLVIEW FROM ACROSS HEATH POND | 14.11.16 | IMAGE 1



VIEWS OF HILLVIEW FROM ACROSS HEATH POND | 14.11.16 | IMAGE 2



VIEWS OF HILLVIEW FROM ACROSS HEATH POND | 14.11.16 | IMAGE 3



VIEWS OF HILLVIEW FROM ACROSS HEATH POND | 14.11.16 | IMAGE 4



VIEWS OF HILLVIEW FROM ACROSS HEATH POND | 14.11.16 | IMAGE 5



APPENDIX 2

**VIEWS OF HILLVIEW FROM PATH TO THE WEST | 1.12.16 |
IMAGE 2**



**VIEWS OF HILLVIEW FROM PATH TO THE WEST | 1.12.16 |
IMAGE 1**



**VIEWS OF HILLVIEW FROM PATH TO THE WEST | 1.12.16 |
IMAGE 3**

