

**Gentet, Matthias**

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**From:** Craig, Tessa  
**Sent:** 01 August 2017 09:21  
**To:** Planning  
**Subject:** FW: The Coach House, 50A Belsize Square - Objection against Planning Application ref. 2017/3348/P  
**Attachments:** 170725 - The Coach House 50A Belsize Square - Objection Letter.pdf

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**From:** Rupert Litherland [mailto:RupertL@rolfe-judd.co.uk]  
**Sent:** 28 July 2017 15:57  
**To:** Craig, Tessa <Tessa.Craig@camden.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** The Coach House, 50A Belsize Square - Objection against Planning Application ref. 2017/3348/P

Dear Tessa,

Many thanks for meeting with us last week – it was greatly appreciated and I consider beneficial for all parties.

On behalf of our clients, Robert and Liliana Levy (Flat 1, 50 Belsize Square) and Mario and Kerrie Santangelo (Flat 2, 50 Belsize Square), please find enclosed an objection against the above planning application at 50A Belsize Square. Please note that this objection letter represents two separate objections – one from each premises (Flat 1 and Flat 2) – and therefore should be duly considered / acknowledged as part of the application's determination.

As per our discussions during the site visit last week, we include a collection of photos demonstrating existing layout of windows and the potential harm caused by the proposal should it be approved. I also note the following matters which we require further clarity on from the applicant:

- Daylight, Sunlight and Overshadowing Report;
- Draft Construction Management Plan;
- Flood Risk Assessment;
- Further drawings examining the relationship between the extended rear of No 50A and the windows on the flank wall of No 50.

Should you wish to discuss the matter further or seek to arrange an additional site meeting, please do not hesitate to contact me.

I look forward to hearing from you on the above additional details for our review / consultation.

Kind regards

Rupert

**Rupert Litherland**  
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CB/RL/P6359  
28<sup>th</sup> July 2017

Planning Department,  
London Borough of Camden,  
Town Hall,  
Argyle Street,  
London,  
WC1H 8ND

**For the attention of: Ms Tessa Craig**

Dear Ms Craig

**The Coach House 50A Belsize Square London NW3 4HN**  
**Letter of Objection against Planning Application ref. 2017/3348/P**

We write to you on behalf of our clients, Robert and Liliana Levy (Flat 1) and Mario and Kerrie Santangelo (Flat 2) of 50 Belsize Square, in regard to a full planning application made to Camden Council for demolition of the existing dwelling and erection of new dwelling including a rear extension, raised mansard roof and excavation of basement level 50A Belsize Square (The Coach House). We have reviewed the submitted documents online and seek to list our client's objection to the works as they are deemed unacceptable in this instance. Please note that this objection letter represents two separate objections – one from each premises.

The applicant has failed to address significant issues such as the potential impact upon overlooking and overshadowing of our client's to the rear of the site. Furthermore, the scheme does not appear to have acted upon the Council's pre-application advice regarding the scheme's design. As a result of these shortcomings our client seeks further clarification and amendments to the scheme over a number of points. For convenience and clarity, we expand on these issues in detail below.

**1. Potential Impact on Overlooking/Privacy to the rear:**

Our client's property is located on the lower and upper ground floors of 50 Belsize Square which adjoins the application site. Our client's western elevation is a flank wall which comprises a window serving a bedroom. At present there are existing issues of overlooking between these windows and the applicant's small rear windows to the rear of 50A Belsize Square with unobscured views into the bedrooms of both units. The proposed extension will significantly increase the proximity between these windows and when coupled with the proposal's increased levels of glazing, the issue of privacy and overlooking into our client's windows at both lower and upper ground floor levels will be exacerbated. It is noted that the same issues will arise for the remaining upper floors of No 50.

The proposal also includes a large window above the glass extension on the rear elevation – this

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appears excessive and out of character with the surrounding premises. Our clients are again concerned that this will further infringe upon the existing privacy in comparison the existing slim glass structure in the corner of the current building.

Chapter 7 of CPG6 (Amenity) addresses privacy and overlooking issues and states that development should be designed to protect the privacy of both new and existing dwellings to a reasonable degree. In this case, the proposal would result in the reduction of an already compromised situation, with significant loss of privacy to the bedrooms of each flat. Camden's planning guidance recognises that bedrooms are among those rooms most sensitive to overlooking. CPG6 lists a number of design measures which should be incorporated to reduce the potential for overlooking and the loss of privacy - each of these are considered below:

- *Careful consideration of the location of your development, including the position of rooms;*

It is further noted that the applicant has not provided an existing and proposed elevation of the flank wall to No. 50. This drawing is considered necessary to accurately assess the location of the existing windows and the potential impact / proximity of the proposed development.

Notwithstanding the need for additional drawings, the location and form of the development has not been properly considered as the proposed building line will extend up to (within circa 30cm) our client's bedroom window at Flat 2 which will greatly increase its proximity to the proposed bedroom unit. This will inevitably worsen the existing privacy and overlooking issues between the two properties and the proposal should be amended accordingly.

- *Careful consideration of the location, orientation and size of windows depending on the uses of the rooms;*

Extensive floor-to-ceiling glazing is proposed for all rear windows which fail to take account of existing windows on the flank wall of No 50. The proposed windows will increase overlooking between these habitable rooms and will be further exacerbated by the rear extension which will position the proposed windows immediately adjacent to the existing flank wall windows of No. 50.

- *Use of obscure glazing;*

Drawing No.1507\_PL\_011 shows the proposed rear elevation and lists certain window panes as having 'opaque glazing' but it is not clear whether this applies to all glazing on this façade or solely these specific panes. We request that this is clarified by the applicant.

Regardless, the opaque glazing would still allow for the recognition / visual activity of future residents within the interior of No 50A which would significantly impact upon relationship between the windows and sense of enclosure. Once again, this is again exacerbated by the proximity of the proposed windows to the existing windows at No 50. Notwithstanding the design and conservation matters related to the glazed rear façade, the use of obscure glazing does not justify or overcome the reduction of privacy.

- *Screening by walls or fencing and screening by other structures or landscaping*

No screening is proposed as part of these works and it would not be possible to do so given the proximity between the two windows in question. It is however noted to the Council that the enjoyment of those rear gardens for premises fronting Belsize Park will be significantly compromised and would consider the removal of the glazed façade a necessity in order to protect existing residential amenity.

In summary, the proposed works will significantly increase overlooking between each property and reduce the occupants' privacy thereby conflicting with Policy A1 (Managing the impact of development) of the Local Plan which seeks to protect the quality of life for occupiers and neighbours and refuse development which would cause unacceptable harm to amenity. We therefore recommend that the scheme be refused on these grounds.

In light of the above, please refer to the enclosed photos which demonstrate the existing close proximity of 50A Belsize Square and the flank elevation at 50 Belsize Square.

## **2. Daylight, Sunlight and Overshadowing:**

As noted, the proposed building line will extend up to our client's bedroom window at Flat 2, 50 Belsize Square which will inevitably cause overshadowing, a reduction in daylight and reduce the hours of sunlight for the habitable room. Further, the proposed development shows the creation of a small light-well which will box-in our client's existing window at lower ground at Flat 1, 50 Belsize Square. The boxing in of a residential window is considered to be completely inappropriate by the applicant. Development for the improvement of a residential dwelling should not be approved at the expense of the amenity enjoyed by those existing residential units, especially as the negative design features being proposed are unnecessary and avoidable.

Chapter 6 of CPG6 requests a daylight and sunlight report to accompany planning applications for development that has the potential to reduce levels of daylight and sunlight on existing and future occupiers, near to and within the proposal site.

We therefore recommend that a daylight/sunlight report is submitted as part of this application to demonstrate that the extension will not impact upon the existing daylight conditions of those bedroom windows. Any daylight report should ensure that it complies with BRE guidance and include the appropriate three measures for assessing diffuse daylight (vertical sky component; average daylight factor; and, no-sky line), and one measure of sunlight (annual probable sunlight hours).

## **3. Design and Heritage**

The Council specified during pre-application discussions that that they would favour traditional materials which match the main property and its neighbours. The rear extension comprises extensive glazing which is not in keeping with the existing design of the host property or any with the surrounding conservation area. Furthermore the pre-application advice clearly noted that the glazed three storey rear extension would fail to comply with design guidance as it would be visible from surrounding properties and glazing at high level is generally not acceptable. Despite this advice, the applicant has put forward a three storey extension across the lower-ground/basement, ground and first floor which is comprehensively glazed. The proposed design therefore conflicts with Chapter 4 (Extensions Alterations and Conservatories) of CPG1 and Policy D1 (Design) of the Local Plan which require extensions to respect the original design and proportions of the host building.

Policy D2 of the Local Plan further dictates that proposals should preserve and enhance the character or appearance of conservation areas. The proposal is located within the Belsize Park Conservation Area and as such should seek to preserve and enhance the character and appearance of the conservation area drawing upon those traditional elements. The extensively glazed rear façade does not achieve this and the use of more traditional design features akin to the front façade should be utilised instead, as recommended by the Council's pre-application advice.

The flank elevation of No. 50 forms with its ornate design and blind windows forms an important

feature within the conservation area. The proposal's increase in height via an inappropriate mansard roof would obscure much of these features and therefore have a negative impact upon character and appearance of the conservation area.

We therefore recommend that the scheme be refused on these grounds, having consideration of the proposals impact to the character and setting of the surrounding conservation area.

#### **4. Basement Construction**

The Council specified during pre-application discussions that a basement impact assessment would be required as part of the application. The impact assessment would need to comply with the requirements of Camden Planning Guidance CPG4 (Basements).

Whilst having reviewed the assessment it is unclear how the basement will be constructed around the lower ground floor window of our client at Flat 1, 50 Belsize Square. Whilst it is acknowledged that any development will require a process of construction and potential disturbance, this matter is particularly sensitive due to the proximity of our client's habitable room. It is further noted that the report appears obscure in parts. As a result and in accordance with CPG4, our client requests that the Council seek independent verification of Basement Impact Assessments, funded by the applicant.

Of further importance, it is noted within the assessment that the site is identified as having a low to medium risk of surface water flooding. The application does not include an appropriate flood risk assessment to ensure that the development provides suitable mitigation measures, in accordance with CPG4. We therefore recommend that a flood risk assessment is completed by the applicant and submitted with the application.

#### **5. Draft Construction Management Plan**

A construction management plan has not been submitted as requested by the Council in their pre-application advice. The advice makes clear that the proposed development would require a significant amount of excavation within a sensitive residential area and would therefore be likely to have an impact on the amenity of adjacent neighbours and the surrounding highway network. Naturally it is in our client's interest to see that this information is provided as they are immediately adjacent to the proposed works. We therefore request that a draft construction management plan is developed as part of this application and submitted for consultation.

#### **Summary**

The proposed works are deemed unacceptable given the significant negative impacts they will have upon the residential amenity of our clients at of No. 50 Belsize Square. Our client's premises at Flat 1 and Flat 2, 50 Belsize Square will be overlooked and overshadowed by the scale of the rear extension. The proposal is considered to be contrary to the Council's Local Plan and Supplementary Planning Guidance. Furthermore, the applicant has disregarded much of the pre-application advice provided by the Council and has put forward an unacceptable scheme.

Our client requests that the following reports are provided as part of this application to allow for further assessment:

- Daylight, Sunlight and Overshadowing Report
- Draft Construction Management Plan
- Flood Risk Assessment

London Borough of Camden  
July 2017

**Rolfe Judd**  
Planning

- Further drawings examining the relationship between the extended rear of No 50A and the windows on the flank wall of No 50.
- Clarification on the opaque glazing locations at the rear.

We trust that the Council agrees that the proposed development is unacceptable in its current form and can carefully consider the above points in their assessment of the planning application. Our client advises that the Council move to refuse the applicant planning permission.

Should the Council wish to discuss any of the above points further or attend a site visit with our client, please do not hesitate to contact the undersigned.

Yours sincerely



Rupert Litherland  
Rolfe Judd Planning Limited

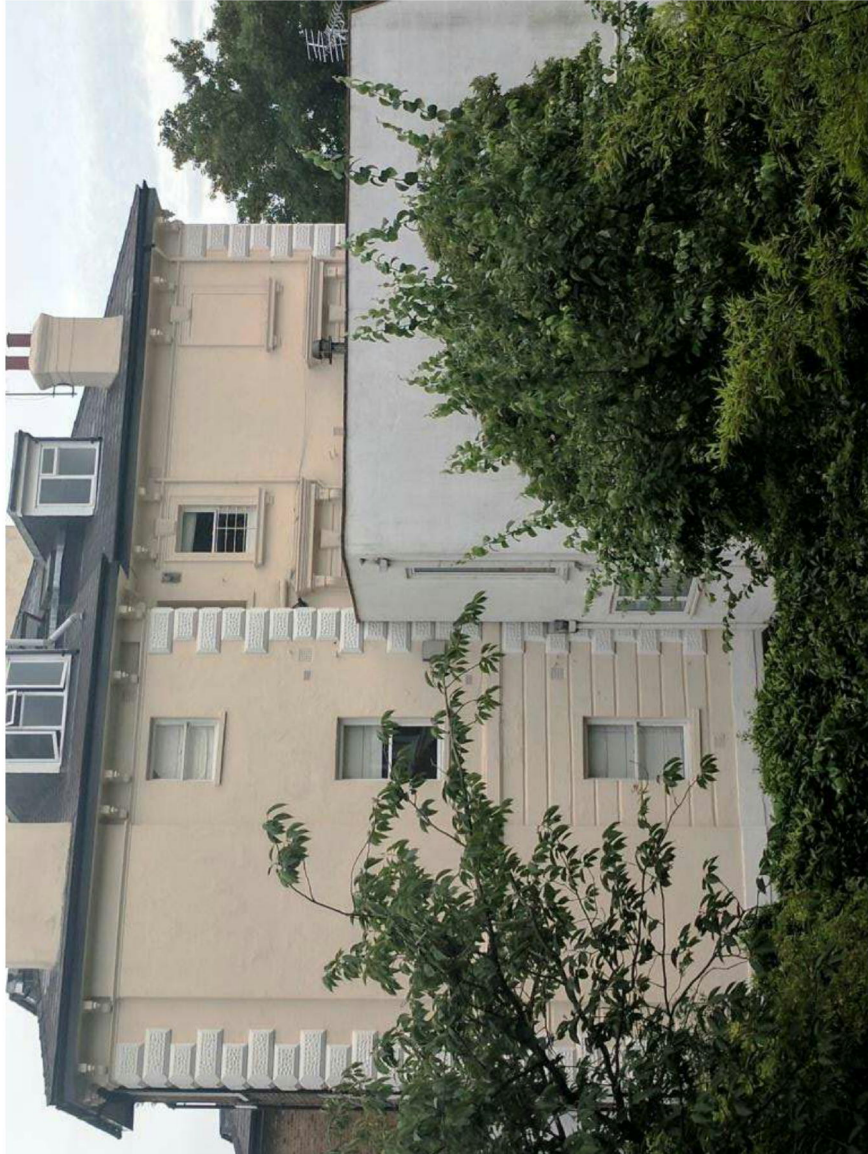
Cc. Robert and Liliana Levy of Flat 1, 50 Belsize Square  
Mario and Kerrie Santangelo of Flat 2, 50 Belsize Square

Encl. Photographs of the Existing Building

**EXISTING PHOTOGRAPH 1 – FLAT 2, 50 BELSIZE SQUARE – INTERNAL BEDROOM WINDOW  
VIEW ADJACENT TO 50A BELSIZE SQUARE**



**EXISTING PHOTOGRAPH 2 – FLANK ELEVATION OF 50 BELSIZE SQUARE (SHOWING  
IMPACT AND PROXIMITY OF WINDOWS INLIGHT OF PROPOSED WORKS)**



**EXISTING PHOTOGRAPH 3 – FLANK ELEVATION OF 50 BELSIZE SQUARE WITH WINDOW /  
FLAT IDENTIFICATION**

