

A Most Alarming Planning Application.

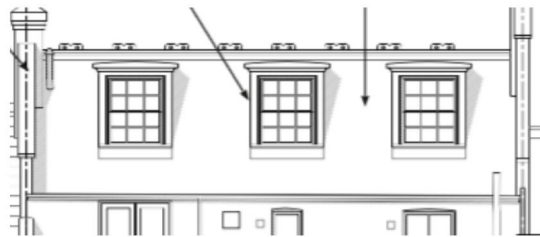
7 Daleham Mews. 2017/3743/P

7 Daleham Mews has applied to put a third floor on top of this mews cottage, via a raised roof ridge and a mansard roof extension at the rear, with 3 rear dormer windows on the third floor facing into the Belsize Crescent flats from a distance of 10-13 meters. Ref: 2017/3743/P. [5 Daleham Mews, next door, is a contentious non-conforming building]

Officers seem minded to recommend approval based on “modest scale” while discounting the scale and severity of amenity impacts on neighbours and the conservation issues in a compact and sensitive part of Belsize Park.



Proposed Front Elevation facing Daleham Mews



Proposed rear mansard facing Belsize Crescent



Existing: From 19A Belsize Cres



From 17A Belsize Crescent

Essentially the applicant wants to put a contemporary mansard on top of a 1850 mews cottage in the heart of the Belsize Conservation Area, for the benefit of one additional bedroom in the cottage at a cost to many neighbours of severe loss of privacy, light and ambiance.

Scale of overlooking, loss of privacy and harmful loss of daylight

Flats at the basement, ground, and first floors facing south-west at nos 19, 17, 15, 13 Belsize Crescent (12 dwellings) would be overlooked, suffer loss of privacy and light. The proposed 3 dormer windows facing north at #7 would in turn be overlooked by flats on the 4th and 5th floors of 19, 17, 15 and 13 Belsize Crescent. Essential a “mexican standoff” would be created, and the distances involved are minimal, varying between 10 and 15 meters.

If approved it would cause harmful, direct, intrusive and uninterrupted overlooking into the living areas in the flats at the rear of Belsize Crescent and the amenity areas of the gardens affecting privacy and amenity for residents of the flats in Belsize Crescent. The bulk and height of the building would provide intrusive and oppressive dominance from the rear. The overlooking to 17 and 19 Belsize Crescent would be particularly invasive because of the closeness (10-13m) from habitable window to habitable window when according to CPG6 the minimum distance of 18m is a material consideration in decision-making. [please refer to the filed report by Aragon Land & Planning Ltd]

No daylight and sunlight report has been submitted as required by PG6, yet David Bowden of Urban Building Surveyors, an eminent light specialist, in a report filed to support an objection, reports there is likely to be a reduction in daylight of around 20% based on the drawings. He further observes that the applicant shows just a 2m internal ceiling height in the drawings which is very low, so the actual height would most probably rise, so the daylight impact would be well in excess of 20%. BRE guidance suggests that a reduction in daylight of 20% or more is likely to be noticeable to occupants and should therefore be taken into account by a planning authority when considering a proposal. [please refer to the filed document for the full report]

David Bowden further observes that based on his observations and calculations there is likely to be an actionable right to light injury demonstrating the degree of loss of amenity should this proposal be approved.

In economic terms 7 Daleham Mews would obtain a net benefit (one additional bedroom) whereas 12 dwellings at least would experience severe loss of amenity. The result would be a net loss to society augmented by the social harm at large by a breach to the Conservation Area. Planning guidelines developed over decades after much consultation to prevent such abuses are available to guide Officers on best practice and to counter discrimination. Mitigation would appear ineffective and undesirable.

Objections

There have been a number of objections as residents in Belsize Crescent are frankly alarmed at the prospect [please review the objection letters filed with 2017/3743/P].

Richard Fletcher 19A Belsize Crescent
Malcolm Moore 17a Belsize Crescent
Chris Knight. 13 Belsize Crescent
Gilian English. 7A Belsize Crescent
S Sigeta. 15C Belsize Crescent
Ben Fletcher 19 Belsize Crescent
Andrew Aldridge Flat 3, 17 Belsize Crescent
Jane Boardman 19A Belsize Crescent
Deborah Townsend. 24 Belsize Crescent
Sarah Fletcher 19E Belsize Crescent
19 Belsize Crescent Ltd.

Belsize Residents Association
BCAAC Statutory Consultee. Eldred Evans

For example, S Sigeta of 15C Belsize Crescent, a Council property, objects "on a very serious loss of privacy, loss of light and light pollution".

Malcolm Moore of 17a Belsize Crescent objects

"The rear elevation of No 7 Daleham Mews faces perpendicularly to the rear of 17a Belsize Crescent and is no more than 5 metres from the end of our garden and between 13 an 16 metres from our living and bedroom windows.

The proposed additional floor would add three more windows directly overlooking our garden, and living room and rear bedroom windows. The existing windows and terrace already overlook our flat and garden but are screened by foliage in our neighbours garden (No.19 Belsize Crescent). The extra three dormer windows of the proposed rear elevation would not be screened in any way and would have direct line of

sight into our living room and rear bedroom.

We object to the proposed gross intrusion into the privacy of our garden and accommodation.

Further, the proposed alteration to the roof line at the rear elevation, as viewed from 17a Belsize crescent, would remove a considerable amount of sunlight from both our flat and garden during the important periods of spring and autumn.

The proposed new roofline would increase the angle of elevation of the roofline (measured from the foot of the rear wall of 17a Belsize Crescent) from the current 25 degrees to 33 degrees, and (considerably more measured from the middle of the garden). Referring to the UK Hydrographic Office Astronomical Information Sheet 58 one can see that after the alterations we would lose direct sunlight at about 2pm completely, from about 24 September until 28 March (currently from about 23 October to 27 February). As the sun takes about one and a half hours to traverse the roofline of 7 Daleham Mews we would lose about one and a half hours per day of sunshine for two more months of the year.

This would be a gross loss of amenity.”

Preserve and Enhance the Conservation Area

The character of the area is commented on in the Conservation Appraisal;

Daleham Mews is a particularly charming and consistent street of mews houses and garages retaining many original features. It is notable for the slightly projected square bays that predominate on the north side of the street. The long winding mews road changes alignment as it rises up the hill giving views of the roofscape and the frontages of the terraces stepping up the hill.

No case has been made in the Design and Access Statement that the development enhances or preserves the Conservation Area. The development would be seen from Daleham Mews, Belsize Lane and Belsize Park Mews and partially from Belsize Crescent, so strict preservation and enhancement rules should apply

The BCAAC, the statutory consultee on the Belsize Conservation Area states categorically on failure to enhance or protect.

"OBJECT.

Object to all proposed changes to front and rear of this Mews cottage.

Object to the addition of a second floor with new mansard slopes, dormer windows and new flat top roof (to accommodate two new bedrooms and bathroom) as the increased bulk and scale of the proposals are out of character with the area and will cause considerable overshadowing and intrusion to the restricted rear space".

The Belsize Residents Association object that the increase in the roof ridge will be an unduly prominent addition detracting from the appearance of the street contrary to Camden Policies.

Officers

In discussion with Officers, staff seems minded to recommend approval based on "modest scale". Officers appear satisfied that the Conservation Area Guidelines are met and are ready to sacrifice the body of well established policies on the protection of residents' amenity property rights. Indeed, overlooking, dominance, bulk, loss of privacy, ambience, loss of light and daylight, and scale and severity in the number of people affected, doesn't seem to feature at all. Impacts would be far from modest.

Officers have not required a daylight study as part of the application due to it's "modest scale". However building up on a modest Daleham Mews cottage would cause severe loss of amenity in a restricted rear space to many neighbouring residents who treasure privacy and sunlight.

There is strong precedence for refusal. In 2013 9 Belsize Park Mews proposed to add a 3rd floor. The Officers refused. Grounds for refusal were (2013/2506/P. 25th June 2013)

Reason(s) for Refusal

I The proposed roof extension, by reason of its height, bulk, mass and detailed design would appear as an incongruous and unduly prominent addition which would detract from the character and appearance of the

2 In the absence of a Daylight/Sunlight study that takes into account the proposed additional storey, insufficient information has been provided to demonstrate that the development would not have an adverse impact upon the residential amenity of neighbours in terms of daylight/sunlight contrary to policy CS5

There are significant added features to the 7 Daleham Mews application which make refusal compelling. It would be highly visible from Daleham Mews and Belsize Park Mews, when otherwise Article 4 direction would apply. The BCAAC is emphatic it does not meet the tests of enhance or conserve. And most significantly there would be pervasive, harmful overlooking from close range and loss of privacy and light to at least 12 dwellings (when overlooking was not a feature with BPMs) There are 2 professions reports (Aragon Land & Planning, Urban Building Surveyors) filed in support of the objections. Officers are on notice that the benchmark 20% reduction in light would be exceeded.

The reason for this note and e-mail is to alert you, as clearly local residents are alarmed.

We would be very grateful if you could make representations on our

behalf to Officers and if things develop, to the Members Briefing Panel. If the Members are not minded to reject, we will be asking the application goes to the full planning committee so we can make written and oral presentations.

Based on Camden Planning Guidance, the opinion of experts and the objectors' submissions on social harm, this application must be rejected. If the applicant goes to appeal, there are professional reports from experts to back refusal, and a body of objector letters in support of refusal.

If you want to come round to see the site, please do. And please call if you have any questions.

Many thanks

Best wishes

Richard Fletcher
19A Belsize Crescent
[REDACTED]

13th August 2017.

Distribution

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BRA
Aragon Land & Planning
Chris Knight
Malcolm Moore
Jane Boardman

