

64 Fitzjohns Avenue
London NW3 5LT

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

26/09/2017

Dear Sir/Madam,

RE: Planning Application # 2017/4366/P
Address: 66 Fitzjohns Avenue, London NW3 5LT

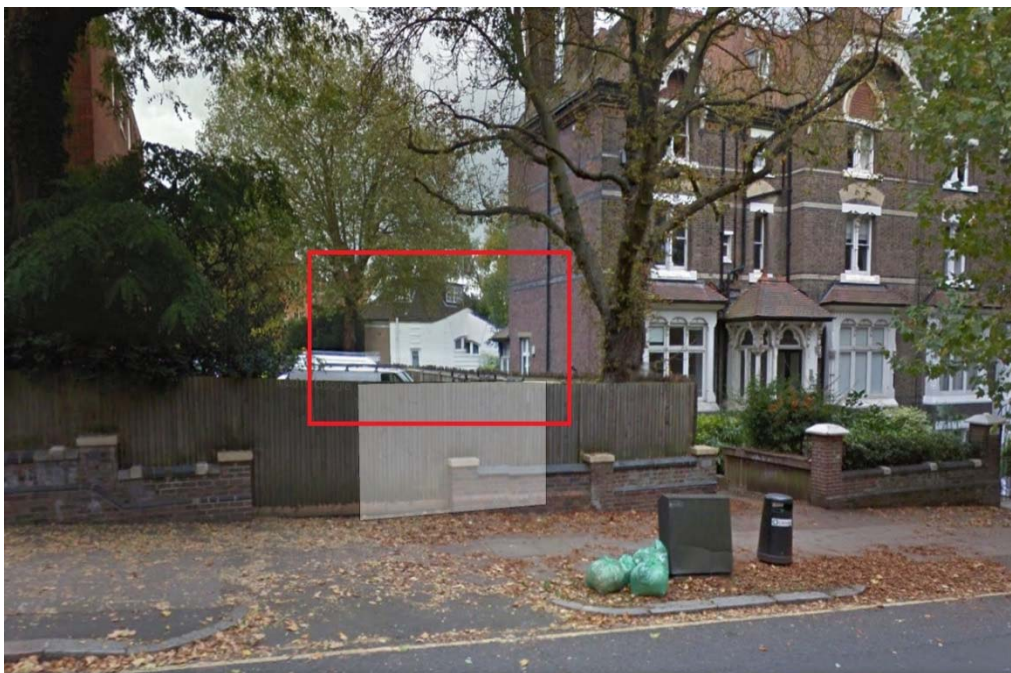
I wish to lodge our objection to the proposed application.

I am extremely surprised and disappointed that a new application has been lodged in a similar form to the previous application #2015/5847/P (un-revised). During the review of this previous application the applicant was required by Camden Planning to remove the proposed extra story (now applied for again) as it was clearly inappropriate for this small back land site. The proposed building is in close proximity to the surrounding neighbours and clearly if this was unacceptable to Camden planning a few months ago, it will be unacceptable now.

- 1) **Impact on the Conservation Area: The site is within the Fitzjohns Netherall Conservation Area and is a back land site**, having been originally part of the garden belonging to 64 Fitzjohns Avenue. The original garages were extended and converted to residential use at a time when planning policy was more relaxed. In our opinion the proposal is a significant overdevelopment of the land and will have a **significant detrimental effect on the Conservation Area. The size and bulk is wholly out of proportion with the size of the site and its neighbours.**
- 2) **Significant impact upon the amenity and character of the conservation area.** This will greatly impact the quality of life of the residents in #64 and 62 Fitzjohns Ave and 12 Arkwright Road. The scheme does not does not contribute to the street scene.
- 3) **Views within the conservation area:** council policy is to preserve and enhance the character and appearance of the conservation area. This proposal is unsympathetic in scale and design to the Victorian buildings surrounding it. No attempt has been made to respect the context of the location. The existing building has a gable effect at roof level allowing long reaching views this will be lost.
- 4) **Overdevelopment, Size & Bulk:** I would note that although the additional storey on the front elevation has been set back the **sides have not been set back and the rear has not been materially set back (0.2m)**. Hence the additional floor will be highly visible from both Fitzjohns Avenue and Arkwright Road and by all the surrounding neighbours. A meaningful set back would be at least 1.5m, and in this setting more likely as they have done to the front which is 2.5m. Of course, if this was done the

room sizes would not comply with planning guidelines, as they would be too small to provide decent habitable accommodation.

- 5) **The 2nd floor is not subordinate to the lower floors.** The building is in close proximity to the rear elevation of #64 Fitzjohns Ave and 12 Arkwright Road and the views from the ground and first floor flats will be hugely impacted.
- 6) **Out of Local Context:** The properties along Fitzjohns Ave all have large gardens and #64 has been unfortunate in that its large garden was split off and developed. The site can already be considered as being out of context and hence increasing the bulk would only make this worse. The proposed building should be subordinate to the existing Victorian buildings when in fact it is almost the same height as 12 Arkwright road. The existing building is much more subordinate and fitting for this location.
- 7) **Feeling of Enclosure:** The feeling of enclosure for both 12 Arkwright Road and #64 & 62 Fitzjohns Avenue residents will be extremely worse than it currently is. The building would feel extremely overbearing to both these proprietiers.
- 8) It is clear the **proposed building height is 3.5m higher than the existing building.** The proposed building is higher than the third storey of #64 Fitzjohns Ave and is almost equal in height to 12 Arkwright Road. This must be considered **too high for such a back land site, especially considering the close proximity of the subject site to #64 Fitzjohns Ave and #12 Arkwright Road.**



View of existing building from Fitzjohns Avenue

- 9) **Overbearing:** Although there is a front set back at 2nd floor level as is clear from the CGI within the application, long views of the proposed building from Fitzjohns Avenue and Arkwright Road shows the extra floor is fully visible. This is also the case from the upper floors of the neighbouring buildings.

- 10) **Not Sustainable Development: Amenity Space and Size of Units:** I can see **no attempt being made to significantly improve the sustainability of the building.** This is not progressive or moving in the direction current policy is trying to take new housing stock within the borough. The only sustainability feature I can see is the addition of 8 bicycle stands. The Amenity space provided is extremely poor for the proposed size of dwelling, and does not comply with current standards. The amenity of the existing property is poor, but at least these were small one bedroom units not large family homes.
- 11) **Parking:** The proposal is not in keeping with current parking policy. The architect confirms the tight nature of the site for parking. In fact the forecourt is being reduced and **there is no way the cars will be able to turn around on site and exit in a safe manner.** Please note the number of schools on Fitzjohns Avenue, and **having to reverse out of the site is ill conceived and a clear safety risk to pedestrians and the children. This point alone should be enough to insist on compliance with policy T1 & T2 in ensuring the site is designated car free (on and off site).** I appreciate cars may currently do this, however if a full redevelopment is proposed then surely this fundamental highways problem should be addressed and current parking policy applied. **The site is in close proximity of Hampstead tube station and on main Bus routes, as such the PTAL rating must be high and if a suitable car access and egress scheme cannot be conceived then the council should propose a car free development.** Increasing the total habitable rooms on such a site will certainly lead to additional parking which would exacerbate the problem both on and off site.
- 12) **Social Housing Contribution:** This application forms part of a previous recent application, although the applicant has sought to file them in two sections. Yet no social housing contribution has been proposed, despite the applications combined adding in excess of 100sqm of new accommodation.
- 13) **Light pollution from the 2nd floor large glazed areas** will be very intrusive during the evening hours and is ill conceived. **The amount of glazing is significantly more than existing.** Light pollution from the already enlarged building will be much worse, and the amount of glazing albeit obscured, will still allow significant light pollution. The increase in ground floor glazing is also significant which is unacceptable. (see later comment 4.1)
- 14) **Overlooking:** Please note the plans do not state the bathroom windows are to be obscured. The sections of clear glazing to the southern unit although it looks south, will still allow significant overlooking of the private gardens of #62 Fitzjohns Avenue, and therefore this cannot be permitted on overlooking and loss of privacy grounds.
- 15) **Overshadowing:** The overshadowing of the neighbouring gardens will be unacceptable and will almost certainly lead to a deterioration of the ground floor planting.
- 16) **Noise vibration and dust:** The larger the construction the longer the programme of works and the more the disruption to the neighbours. **The access Road to the site abuts and is supported by, the wall of #64 Fitzjohns Ave** and as such the **vibration and noise caused by lorries** travelling along this road will be considerable.

- 17) The tree report seems somewhat light in its assessment of the potential **harmful effects to the extremely prominent and significant T10 plane tree which has a TPO protecting it**. This tree is the largest in the locality, provides a significant positive contribution to the Conservation Area and is visible from the road. Such **considerable construction under the canopy** of the tree will put stress on the tree and the risks seem high in relation to the benefits. **The lowest branches are also directly affected by the inappropriate height of the proposed construction**. The arboricultural report indicates that limbs up to 100mm may need to be cut to allow construction.

I trust the above points clearly demonstrate why this application should be rejected and trust the planning department will concur. I would also make a couple comments on the planning consultants report as follows:

Comment on planning consultant's report:

- 4.1 The proposed development is for the demolition of the existing pair of semi-detached dwellings and replacement with another pair of semi-detached dwellings. The proposals are similar to those recently approved (planning permission ref: 2015/5847/P) but include an additional storey at second floor level for each proposed dwelling which would include a bedroom and en-suite. The design of the front elevation has also been amended at ground floor level. The changes comprise an amendment to the glazing at this level with larger windows and the incorporation of cladding. The amount of glazing remains the same as that approved, but has simply been rearranged.

The Statement above appears to be incorrect. The amount of glazing proposed on the ground floor is vastly more than the previously approved plans. The light pollution from these and the proposed 2nd floor will be hugely intrusive to the rear of #62 & 64 Fitzjohns avenue. The glazing on the ground proposes almost 70% of the horizontal ground elevation will be glazed. Wholly inappropriate for this location I would not class this alteration as minor. The proposed 2nd floor windows are also much too large and should be subservient to the floor below.

- 4.3 The second floor addition would be set back approximately 2.5m from the front elevation of the lower floors and 0.2m at the rear, to ensure an appropriate overall bulk and massing of the scheme and that the proposals result in no adverse impacts on residential amenity of neighbouring occupiers. It would resemble an attic storey.

The set back at the rear of 0.2m is not a setback that would be perceptible and certainly would not serve to reduce the bulk as seen from Arkwright Road residences. The additional floor does NOT resemble an attic floor at all as attic roofs are pitched and the proposed is for a full vertical story. The set back has not been consistent by setting back at the sides and therefore the increase in bulk is still very large when viewed from the Arkwright road and #62 Fitzjohn's avenue. Also the side elevation can be clearly viewed from Fitzjohns avenue and the full extra story height will be visible. The long views from Fitzjohns Avenue also render the 2.5m set back useless and the full bulk is visible both of the front and side elevation. In such a back land site all elevations should be set back as all are viewed directly by neighbours.

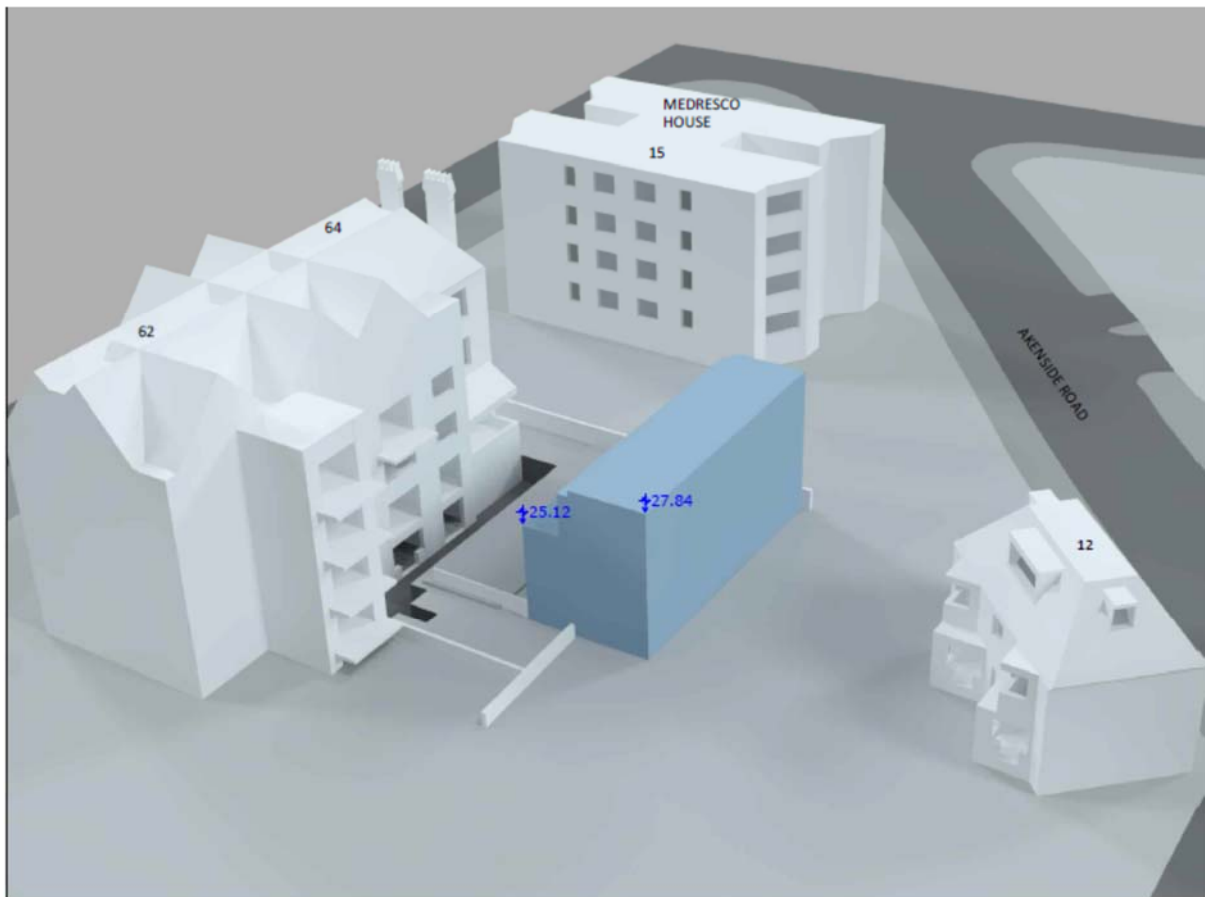
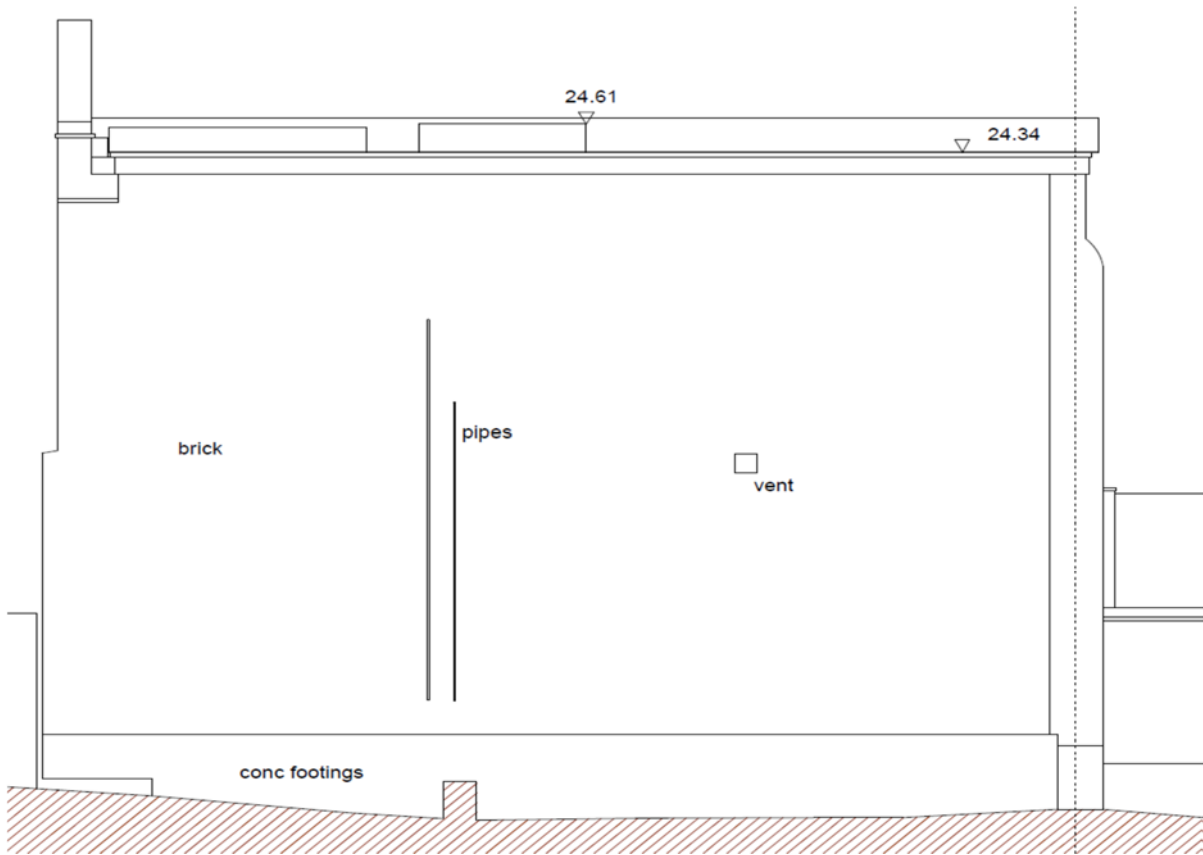
4.4 Concerns of overlooking to and from the proposed second storey habitable rooms have been addressed by using projecting bays with obscure glazing facing out and clear glass (and openable) oriented to the sides (i.e. not towards 64 Fitzjohns Avenue). This device was used for the first floor windows in the previous (approved) scheme and was considered to be an acceptable solution by the Council. Bathrooms at the proposed second floor have obscure glass and are only openable above 1700mm from finished floor level.

Again the above statement is not quite correct. The 1st floor has inward looking clear glazing but the 2nd floor proposed has outward looking clear glazing on the northern and southern windows. This will allow unacceptable overlooking of the neighbours.

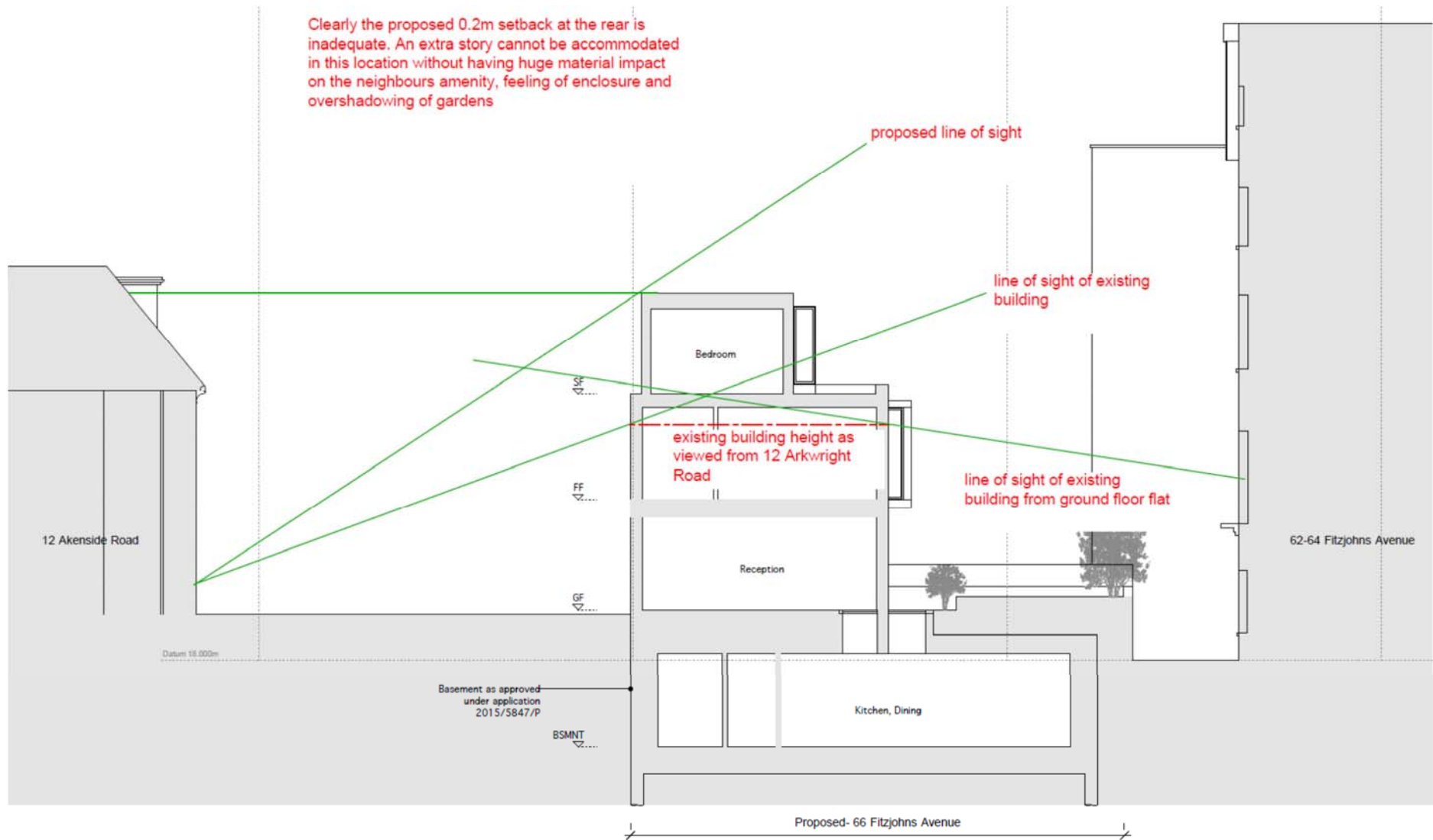
4.4 cont.

The proposed second floor extension would have a height of 2.7m, approximately 2.4m taller than the approved scheme but set back 2.5m from the front elevation. The maximum height of the proposed development (i.e. the roof of the second storey level set back from the elevations at the front and rear) would be approximately 8.5m. This is still significantly lower than the height of No. 64 Fitzjohns Avenue which has a lower ground floor, three storeys and dormer windows in the roof and has a height of approximately 15.75m when measured from the ground floor level.

Again the above is conveniently misleading. The actual existing roof level is 24.34m as shown below. The proposed new roof height is 27.84m. This is a 3.5m increase in height from the existing condition. And although the consultants compare this to #64 Fitzjohns Avenue, it is wholly appropriate to compare this height to the building directly behind the site and in close proximity at 12 Arkwright Road. The proposed building will be almost the same height as the building on Arkwright Road to which it should also be subservient. The image below shows also the effect on the sight lines the additional storey will have on the outlook from 12 Arkwright Road. Both these considerations clearly show the inappropriate nature of the proposal



Clearly the proposed 0.2m setback at the rear is inadequate. An extra story cannot be accommodated in this location without having huge material impact on the neighbours amenity, feeling of enclosure and overshadowing of gardens



4.7 Access will continue to be via the private road from Fitzjohn's Avenue and two parking spaces, as per the approved scheme are proposed.

This is not in accordance with new parking policies.

5.6 Paragraph 14 of the NPPF states that there is a presumption in favour of sustainable development. Paragraph 49 of the NPPF requires housing applications to be considered in the context of the presumption in favour of sustainable development.

5.11 Paragraph 134 of the NPPF states: *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*

A lot of emphasis has been placed on the sustainability of the scheme. The statement above implies there are public benefits to adding an additional story. This extra story provides a three bed house which although in demand within Camden, the proposed is so excessively sized with no amenity space to speak of, it simply CANNOT be classed as sustainable development. Notwithstanding the two cars proposed to be parked on the forecourt which provides no turning circle and requires cars to reverse onto the main road. I would point out also the cars are within the 30 degree line of sight angle from the windows of the lower ground floor flat at 64 Fitzjohns Avenue.

The normal size for a 3 bed 6 person house in Camden is 108sqm so how is it sustainable to propose 187sqm 3 bed house. Again this just emphasises the lack of amenity space.

I would confirm that **we have not received any notice from the applicant** with regards this proposal **nor has any attempt been made by them to discuss the proposals with their closest neighbours.** This is unfortunate.

Yours Faithfully

Salprime Ltd