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27 West Hill Park  
Highgate, London N6 6ND

Mr John Diver  
Planning Officer  
Planning Department  
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November 7th 2017

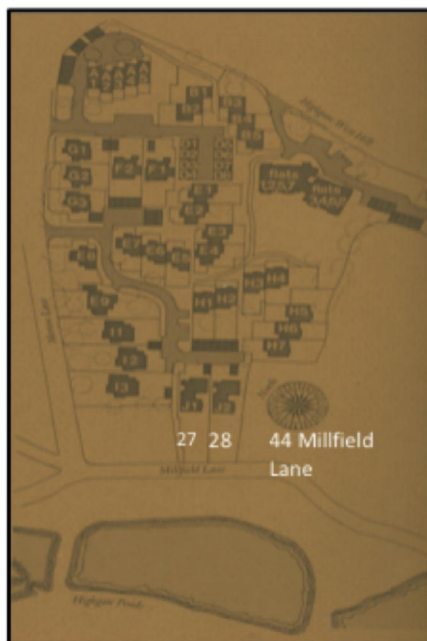
Dear John:

Re: App. No. 2017/5176/P - Comments on pre-application plans for the two-storey building at the side of the house and associated works at 26 West Hill Park, N6 6ND

We are joint house owners of 27 WHP where we have lived for 44 years. We are implacably opposed to the two planning applications (2017/5176/P and 2017/5178/P) made by 26 WHP, our immediate neighbours. Our house, together with 25 WHP and 23 and 25 Merton Lane, will be most impacted by the erection of the two-storey building and large semi-basement development and associated works. We elaborate here why we are opposed to the two-storey building (2017/5176/P). Our opposition is based on a number of separate but partially linked concerns as summarised below: 1) The West Hill Park covenant to which all residents have signed up; 2) the design, size and height of the two-storey building and its impact; 3) the loss of light and privacy to both our house (especially the first-floor lounge balcony, entrance hall and main garden), 4) the possible loss of trees; 5) the impact on traffic, parking and road safety, and 6) construction noise.

**1) West Hill Park binding covenant:** Every purchaser of a house on West Hill Park signs a contract requiring them not to extend the basal dimensions of the property or to significantly alter its exterior. Residents on the estate have abided by this covenant and choose to live here because it is within a beautiful conservation area that has never been blighted, as yet, by major construction works. Indeed, two residents moved to the estate to avoid the 'permanent

construction sites' that appeared around their former homes in Fitzroy Park. The covenant, which forms part of the Title Deeds prohibits any addition to a property without PRIOR permission from the Management Company. This permission is granted rarely and is separate from any consents which might be obtained from Camden planning authority. The owners of 26 WHP did not consult the Management Company for prior permission despite working on the project for approximately the last two years. Neither the WHP management committee nor the residents were aware of their intentions.



**West Hill Park**, is an estate of 42 dwellings by Ted Levy, Benjamin & Partners. The estate is an interesting late 20th century example of low-level high density brick and concrete housing. The distinctive neo-Vernacular, low-key, dark brick buildings with monopitched roofs, step down the hillside in the tradition of courtyard houses. The standards of maintenance, the control of development and the landscape quality within the estate are the result of restrictive covenants. There is an abundance of planting screening the houses, for instance oak trees and laurels.

Ref: Highgate Conservation Area Appraisal

The Camden Unitary Development Plan contains the following enthusiastic reference to West Hill Park, which makes it clear why it is one of the most sought-after residential areas in Highgate: *'West Hill Park by Ted Levy, Benjamin and Partners is an example of low level high density brick and concrete housing carefully sculptured to the falling terrain and screened in a manner that makes it almost invisible from the surrounding public spaces. The standards of maintenance and control of the buildings and landscape within this estate should be a model to others.'*

## **2) The Design, Size and Height of the two-storey extension**

The two-storey building does not conform to Policy DH4, p. 57 re: Side Extensions (ref: HNFP Highgate Neighbourhood Forum Plan).

The size and height of the building is obtrusive. It will basically be three floors because it will be built on top of the already existing swimming pool. It will be seen clearly not only from passers by in Millfield Lane, but also by houses and passers by in Merton Lane. 26 WHP's application denies this fact, stating it will not be seen from either lanes. The building will also be seen on WHP from the lower part of the estate; on the communal path-way, beside our house, leading to the Heath; and certainly takes away any privacy from our garden, which will be overlooked. The Ted Levy estate was designed around creating private, secluded areas but we will now lose privacy in the main part of our garden. The proposed building will also fill the gap between the buildings of 23 Merton Lane and 26 WHP so instead of lovely trees and foliage in Merton Lane and the Hexagon estate, we will see a brick wall.

Fig 1: showing how the building will overlook our garden.

\*Two storey-building will be here



Neither does the design and size of the building enhance the character or appearance of WHP estate. There are four WHP houses of 'H' type adjacent to each other. 26 is at the end of this group and will look out of place in terms of its appearance/style.

In addition, the bricks used on the WHP development are imperial in size. They were made especially for the development. Most bricks are now metric. It would be very difficult to replicate exactly the colour of these bricks (without considerable expense) and therefore any proposal that suggests that an

extension would match the existing brickwork is simply not true. Thus, we would be subjected to a construction out of keeping with the present aesthetics.

There are several suggestions for the roofing none in our view aesthetic.

### **3) The Loss of Light and Privacy to us.**

In addition to our garden being overlooked we also have several balconies which are a feature of our house. The largest one is on our first floor adjacent to the lounge and looks south towards the Heath and south-westward towards 26's garden and 23 Merton Lane. This balcony is shown as a south-west-facing flat roof on 26's plans, making it look insignificant. It is in fact our favourite spot during the summer and autumn months for eating and relaxing. Looking westward, we will be directly opposite the proposed two-story building.

There will also be loss of light from our entrance hall, which has approximately 40-foot high windows spanning the height of three floors. The sunlight beams through these windows, particularly later in the year when the sun is low in its south-west position in the sky. The shadow studies, carried out by 26 WHP, were done in January and April for their property and not for ours. No attempt has been made to predict the impact on our property, especially during the later months of the year. There will be a significant impact!

Fig 2. Impact of proposed extension and our balcony



#### 4) The situation regarding the trees.

**Policy OS2 p. 48 HNFP has not been adhered to.**

A successful tree application was made earlier this year (Jan 2017). This involved the removal of a huge sycamore, which 26 WHP believed to be dangerous and which had a TPO, together with a series of bushes/small trees. We now believe this tree felling was in preparation for the two-storey house and basement. It would mean easier access for the construction materials from Merton Lane. However no attempt has been made to replace the sycamore tree despite it being subject of a TPO.

The fir tree in 26's garden provides some privacy for both parties. It is positioned close to our property alongside our balcony mentioned above (which is positioned off our lounge). This balcony is south/south-west facing and we use it frequently, weather permitting, during the spring, summer and autumn months. We note 26's application do not identify our balcony on any of their plans. They show it has a flat roof. If the fir tree survives the construction site it would continue to provide some slight privacy from the new two-story building. However there is no guarantee of that. 26 WHP might request felling of the tree at some future date or its roots could be damaged by the construction work. The fir tree is currently as tall as the height of our house. It would be impossible to replace its current size without much expense. It would mean our house, as well as our garden, would be seriously overlooked. The tree in the garden of 23 Merton Lane is not an evergreen tree. It might also be damaged by the semi-basement development proving a further problem. There is a pathway between our garden and that of 26 so there is no possibility of planting our own green foliage.



Fig 4. View from Merton Lane of 26 WHP showing trees that do not appear on 26's planning application.

**5) The Impact of traffic parking and road safety.**

Temporary Access is planned from Merton Lane to carry out the works. Notwithstanding the fact that road level is nearly 6 feet below the level of 26 WHP This will have negative consequences for the general public. It will limit the number of metered parking spaces available, which are at a premium for users of the Heath during the spring and summer months and at weekends year round. It would further pose a potential risk to both pedestrian and vehicular traffic because of the narrowness of Merton Lane at this point. This risk would be particularly acute during the construction stage

**5) Construction Noise.**

The construction noise will be considerable and disruptive.

Fig 5. Showing Merton Lane where vehicles will be parked and building materials kept.



While noting that both our short- and long-term quality of life is likely to be diminished by the proposed construction works, it must be stressed that we are not opposed to housing development per se. However, it is our firm belief that any major construction works of the type proposed at no. 26, on an estate with a binding covenant against precluding such works and in a sensitive conservation

area so close to Highgate Ponds, Hampstead Heath and one of their principal pedestrian and vehicular accesses, needs to be carefully scrutinised in a broad context that not only takes account of the interests of local residents but also of the public at large.

Yours sincerely,

Dr Richard Sillitoe  
Jeannie Billington M.A.  
27 West Hill Park , N6 6ND

cc: Charles Thuaire, Senior Planning Officer, London Borough of Camden

MORE PHOTOS:  
View of 26 from Merton Lane



Vie

w of 26 from West Hill Park  
Estate





View showing two storey extension and 27's balcony



Existing view of 26



PROPOSED EXTENSION VIEW 2  
VISUALIZATION

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London Development & Construction

Plot: 25 Beaulieu Park, London, W1J 8EG

Project: PROPOSED EXTENSION VIEW 2  
VISUALIZATION

Date: 8.09.2017

Scale: 1:100

Author: J. Lee

Check: J. Lee

Approved: J. Lee

Drawn: J. Lee

Revised: J. Lee

Comments: J. Lee

Notes: J. Lee