

Dear Laura,

This letter contains my objections to planning application 2018/0262/P. It is the second application for a variation of condition 3 of planning permission 2016/1066/P. Both applications (2018/0262/P and 2016/5784/P) concern the design of the roof terrace on the third floor of 76 Haverstock Hill, adjacent to my property. In the meantime, as you can see from the photographs attached to the application, the owners have built

- 1) a terrace that covers the whole roof area, in breach of the current planning permission
- 2) a privacy screen that covers only part of the terrace.

Impact on building and surrounding area

The Planning Statement submitted by the applicants (points 1.1 and 1.2) calls the proposed variation a minor amendment - it is by no means minor. As the Planning Statement itself states, the proposed variation would roughly double the size of the terrace, making it clearly visible from Maitland Park Villas. In the Delegated Report prepared for the Members Briefing related to application 2016/5784/P, the officer wrote "*The proposed external alterations would be minimal, in keeping with the rear elevations of neighbouring properties and would preserve the character and appearance of the host building and surrounding Parkhill Conservation Area.*" In light of policies DP24 and DP25, the proposed variation would result in a much more significant alteration of the character and appearance of both the building and the surrounding area which should not be considered acceptable.

Safety of the proposed privacy screen

As the Belsize Resident's Association argued in 2016, the proposed privacy screen of 1.8m tall and several metres long of obscure glass to be erected externally on the third floor of the party wall structure requires a full structural engineering solution in order to avoid potential hazards of wind impact on the solid sheet element at that height. The Council officer at the time noted (again in the Delegated Report related to application 2016/5784/P) that "*The originally proposed privacy screen was reduced in depth by 2.35m so that it only covers the area of the proposed terrace rather than the whole roof of the extension. The screen would be afforded a degree of protection from the wind by the rear elevation of the buildings, and is considered acceptable.*" The officer response alluded to an 'originally proposed screen' that would have covered the whole roof area, but was subsequently reduced in size in the approved design. The applicants have now gone back to the earlier version of the plan without providing any further details on how the screen will be built and whether it will be able to withstand the wind. The officer also noted that the rear elevation of the surrounding buildings would offer some protection from the wind. This does not apply to the proposed extension which would be located at the furthest point from the rear elevation of no. 74 and no. 76. I also note that drawing 513-PA 23 revision F and the proposed drawing 513-PA 25 Revision C are inconsistent: one shows the screen as extending vertically from the floor of the new terrace of number 76 while the other suggests that the screen starts at the level of the coping stones of the terrace at number 74. To summarise, I object to the proposed variation because it does not offer a structural solution to avoid potential hazards of wind impact.

Overlooking between properties

I would like to stress that it is important for the screen to cover the full extent of the roof terrace at number 76 to prevent overlooking and hence the current situation with a full-length balustrade and reduced privacy screen is unacceptable. Regrettably, the drawings submitted by the applicant are grossly inaccurate: In 513-PA 25 Revision C the position and size of the windows of my flat is completely wrong – the architect seems to imply that we access our terrace by jumping out of a window! Please see Photo 2 on p. 2 of the 'Members Briefing pack' for an aerial view. Through the large glass door that opens on the roof terrace at no. 74 the neighbour, standing on the terrace as it is at the moment, can look into our living room, one of the most sensitive areas as recognised by Camden's planning guidance on "overlooking, privacy and outlook." Given that, as I argued above, a full-length privacy screen is unacceptable, the only solution is to retain the currently approved design. I would like to point out that the Council's guidance on balconies and terraces suggests considering the use of setbacks to avoid overlooking. It states explicitly that "a balcony need not necessarily cover the entire available roof space."

The railing on the roof terrace was built in May 2017 - the developers claimed then that the terrace was unfinished and that the railing was a temporary feature for safety purposes. The current situation has now lasted for almost four months, with tenants occupying the property and using a terrace built in breach of the approved plans, which violates our privacy and poses a security issue. I urge the Council to reject the application and take immediate enforcement action to have the breach rectified by the developers.

Best regards,

Giuliano

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