

Dear Mr Lawlor

We are writing to object to the planning application for 31 Crediton Hill (ref no 2019/0811/P). We are the owners of the house next door, 29 Crediton Hill.

The application is for an extension that would add around 200 square feet to the house's 3200 square feet of internal space, by building on part of the garden and up to the side boundary. We believe that it would harm our amenity and the character of the conservation area.

Figure 1a shows the rear of 31 Crediton Hill as currently visible from our garden, with an extension in the background built at the back of No 33, similar to the one proposed for 31 (and by the same architects). Figure 1b compares the gardens of 29 and 31 with those of 33 and 35, showing the reduction in garden area.



Fig 1a



Fig 1b

In this application the plans that have been submitted, and accompanying descriptions, are inaccurate in material respects. As a result the architects have underestimated the impact the development would have on us at 29 Crediton Hill.

The application should therefore not be considered for approval. If considered, it should be rejected on the grounds that it conflicts with a number of published planning and conservation policies and guidances, including Camden's Local Plan 2017, Camden's supplementary guidance CPG 1-Design and CPG 5-Amenity, and the West End Green Conservation Area Appraisal and Management Strategy.

Key areas of concern are:

- Overbearing development
- Sense of enclosure at the back of the house
- Deprivation of daylight
- Deprivation of privacy
- Design out of character with conservation area

Errors in the proposals

1. The plans (drawing 10 specifically) represent that the rear elevations of No 29 and No 31 are level with each other. In fact No 29 was built 1.7 metres below No 31. This is material because it makes the extension much more overbearing than it appears from the submitted drawing, with its lateral wall being close to 4.8 metres high at its highest point. This will become clearer if a visit is made to the site. Fig. 2 shows how the planned extension will sit, relative to No 29. The difference in height is obvious: note how 29's window, behind the roof terrace, sits well below the unshaded first floor bay window of 31.

Fig. 2

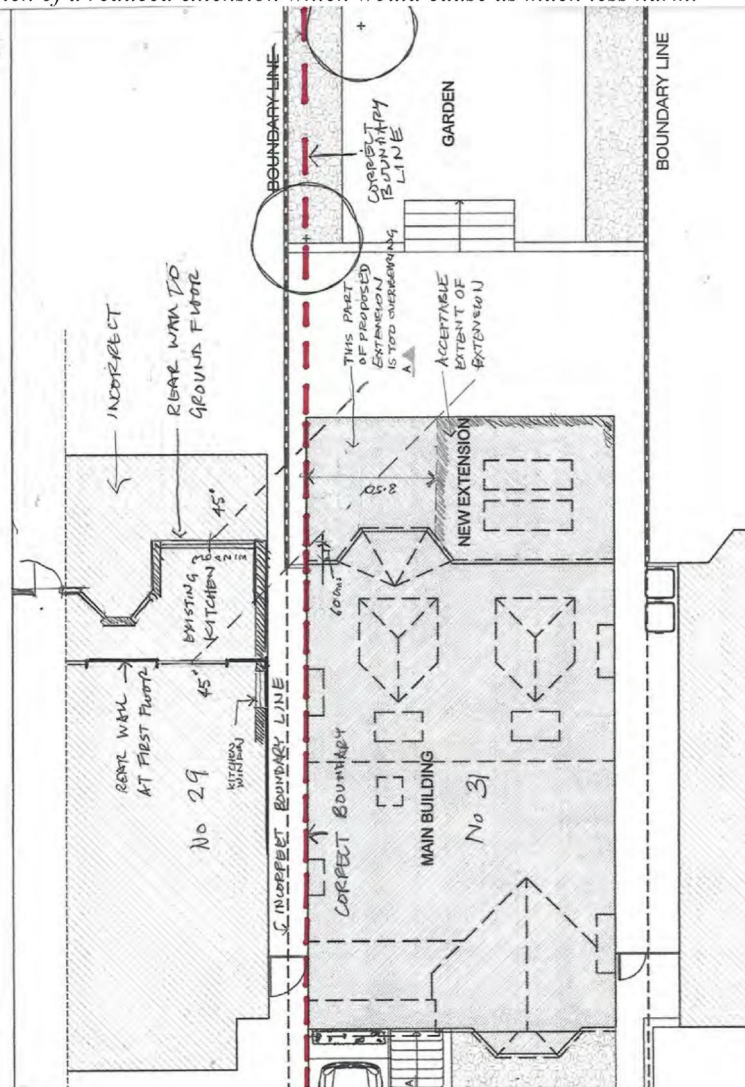


Fig 2 photo from garden of 29 Crediton Hill, showing relative elevation of 29 and 31. Area shaded is where extension's flank wall will be.

2. The submitted plans make it look as if No 29 extends some distance to the rear of No 31. In fact westwards, i.e. at the back, Number 31 extends fractionally further than

No 29's ground floor and over 3.4 m further than No 29's first and second floors (see fig. 3). The extension will not pass a 45-degree floor plan test in respect of the windows of our first floor bedrooms nor of our kitchen. Again, a site visit would make this clearer.

Fig. 3 – sketch, for illustrative purposes only, showing inaccuracies in the plans submitted; with a more accurate sketch of the relative dispositions of 29 and 31 Crediton Hill, with 45-degree lines from 29's nearest windows. We have included a sketch of a reduced extension which would cause us much less harm.



3. The boundary between 31 and 29 Crediton Hill does not run, as the plans say, at the midway point between the two buildings. The side passage between No29 and No31 is wholly owned by No29, as the Land Registry plan shows. Attachment A shows Land Registry plans for both 29 and 31 Crediton Hill.

It follows that the proposed extension would replace the existing boundary wall between the two properties and abut our garden directly.

The application states “the back of the property [31 Crediton Hill] is accessible via two gates at either side of the property” but this is not correct. The side passage between No29 and No31 does not give any access to No31, nor is there any gate or opening in the boundary wall. A picture (fig.4) shows how a difference in paving shows the boundary between 31 and 29’s front drives, and that the side passage is on 29’s side of this divide.

Fig.4



We reserve the right to comment further when an accurate plan is submitted, but wish immediately to note the following objections, in case this proposal is considered despite these inaccuracies – and in order that any revised proposals can take account of them.

Objections: Amenity

The proposal claims that it “does not cause any adverse effects on the amenity of neighbouring properties”. But this is based on inaccurate information, as shown above. In fact the proposed extension would significantly affect the amenity which we enjoy in 29 Crediton Hill and in particular in respect of factors e and f in Policy A1 of Camden’s Local Plan, that is, visual privacy, outlook, sunlight, daylight and overshadowing.

1. The new construction will overshadow our back rooms, patio and garden and deprive our property of daylight, contrary to the requirements of Policy A1 of the Camden Local Plan (see specifically paragraphs 6.4 and 6.5 of the Local Plan). It fails the 45-degree floor plan test in respect of the nearest windows on both the ground and first floor (being 70 degrees forward from one of these windows). It fails the 45-degree elevation test in respect of the ground floor kitchen window. It will have an even more severe impact on our windows which look onto the side passage, which belong to both habitable and non-habitable rooms.
2. The proposed extension affects our outlook. If it is constructed, it will need a 4.8 metre high wall on the side that faces us, and so its impact on daylight and outlook for us on the ground floor is that of a two-storey building. Fig. 2 above shows how it will appear from the garden, but also gives a feeling for how it will enclose the kitchen. The wall will loom high over the patio and back windows of the house where we will spend most of our time, cutting off a large part of their outlook onto the trees and sky and creating a sense of enclosure.



The first floor windows, especially the nearest one, will lose their view of trees and gardens beyond No 31 and instead have a view of a wall (Fig.5 shows the view from the near first floor window, with the part shaded which will be blocked by the extension.) The side passage will become significantly darker and more enclosed. Camden Planning Guidance on Amenity states that “developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers”. This proposal does not ensure this.

Fig.5

3. The proposed extension would diminish our visual privacy. In particular our two rear first floor bedrooms will be visible from and overlooked by the proposed roof terrace, contrary to the requirements of Policy A1 of the Camden Local Plan 2017. The CPG on Amenity of March 2018 states that “Developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings.” It also says that “roof terraces... should be carefully designed to avoid overlooking” and that the places most sensitive to

overlooking are habitable rooms and gardens at the rear of residential buildings. The draft CPG on Altering and Extending Your Home is even clearer: a terrace "should not result in overlooking of habitable rooms of adjacent properties". More generally the addition of a terrace, and of full-length Juliet balconies on the second floor, will increase the sense of being overlooked in our garden.

This extension will detract more from our amenity than it will add for the residents of 31. A part-width extension on the footprint of the present conservatory, but without a roof terrace that has a view onto our back bedrooms, would give similar amenity to the residents while causing much less harm.

Objections: design

4. CPG Design states (4.10) that "rear extensions should be designed to: respect and preserve the original design and proportions of the building, including its architectural period and style; respect and preserve existing architectural features, such as projecting bays, decorative balconies or chimney stacks; respect and preserve the historic pattern and established townscape of the surrounding area, including the ratio of built to unbuilt space; not cause a loss of amenity to adjacent properties with regard to sunlight, daylight, outlook, overshadowing, light pollution/spillage, privacy/overlooking, and sense of enclosure".

Looking at the extension built at 33 Crediton Hill, built to a similar design as that proposed for No 31, we find its stark high and wide white render wall, with its sharp angles, to be visually intrusive and less attractive than the subtler red brick and bay windows which it replaced. It does not seem to sit well with the rest of the house. The destruction of a projecting bay and the replacement of a brick exterior by white render, and change to the ratio of built to unbuilt space, are all regrettable. As the West End Green conservation area appraisal and management strategy states (9, summary of issues), "The erosion of the details and gardens is detrimental to the quality of the residential area".

Because of the particularly sharp difference in height between 31 and 29 Crediton Hill, 31's proposed extension will be visible from the road, above the existing side passage gate. It will replace a view of trees and greenery with a view of a stark blank wall. Fig.6 shows the existing view from the pavement nearest No 29, marked to show where the new construction will be visible. Though only a glimpse, it does affect the perspective of the passer-by. CPG Design states "the width of rear extensions should be designed so that they are not visible from the street."

Fig. 6



Objections: water and flooding

5. The plans do not make clear how drainage will be managed if this extension is built. When it rains, large sheets of water may gather on the roof of the building and fall 4.8 m onto our garden. This needs to be addressed (without running guttering over our side of the boundary).

Precedent

Although extensions have been built at 33 and 35 Crediton Hill, there were significant differences:

- 33's was built under permitted development; 35 had a pre-existing back extension of greater length (see Figs. 7a and 7b which show the before and after for 35's extension, taken from the documents approved on appeal for application 2017/2619/P). 31's proposal would be the first to be given planning permission to extend at full width further back than the existing building, involving both a side and a rear extension.
- The proposed extension will obstruct a neighbour's light whereas 33's and 35's extensions were built no further than 45 degrees forward of the windows of neighbouring houses (see again Figs 7a and 7b). As the appeal for 35 Crediton Hill (2017/2619/P) stated, "The proposed extension is not as deep as the current extension (to be demolished) and therefore the impact on the amenities of the adjacent property to the north i.e. No 37 will be negligible. In relation to No 33, the proposed extension will only extend 1 metre further back than the rear wall of No 33, hence there is no demonstrable harm to the amenities currently enjoyed by the occupiers of No 33." In this case, the extension goes forward 4 metres, not 1 metre, further back than our rear wall and obstructs our light and outlook.
- 31's extension would go along the boundary, unlike those at 33 and 35.
- 31's extension would be higher than the wall required for either 33 or 35 (because the height difference is greater).
- 33 was granted a roof terrace but limited in area so that it would not overlook the windows of 31 and 35. Again, the disposition of the houses was different and this does not necessarily make a precedent for 31.
- It would therefore be the first to be granted despite a severe impact on the amenity of a neighbouring building and in the face of a neighbour's objections.

Fig. 7a Disposition of 33, 35 and 37 Crediton Hill prior to construction of 35's extension (source: planning application 2017/2619/P)

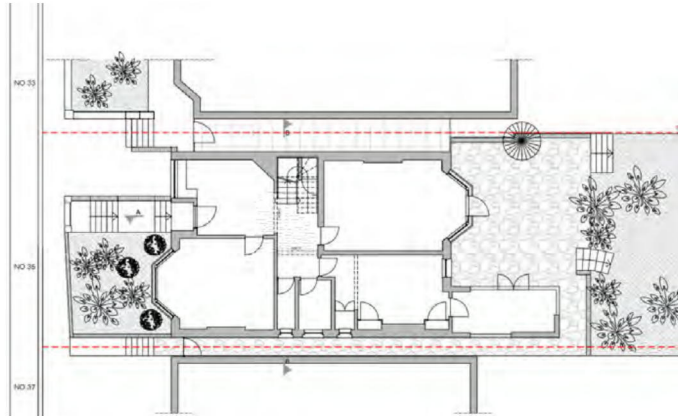
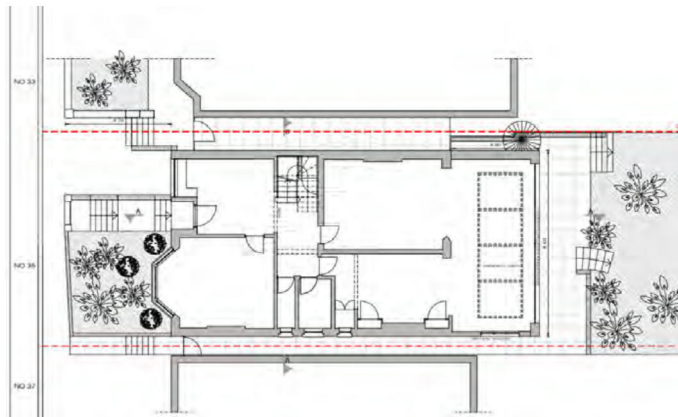


Fig. 7b Disposition of 33, 35 and 37 Crediton Hill after construction of 35's extension (source: planning application 2017/2619/P)



If permission were to be given for such an extension in the face of all the objections outlined above, then it is hard to see how any house along the street could be refused permission to expand in exactly the same way. Yet the cumulative effect of this would significantly diminish the green space between Crediton Hill and Honeybourne Road. Council Policy D2 h) states that “the Council will preserve trees and garden spaces which contribute to the character and appearance of a conservation area”. As the West End Green development plan states, “Private rear gardens quietly add to the quality and biodiversity of the area”.

We hope that this explanation of the problems that this extension would cause for us will lead to the withdrawal or rejection of these proposals. We believe an alternative development, based roughly on the footprint of the present conservatory, could meet the needs of the owners of 31 while greatly reducing the effect on us.

Yours sincerely

Mr and Mrs Russell



Land Registry Plan for 29 Crediton Hill

