

From: Bill Frankel

Sent: Wednesday, 17 April 2019 10:05

[REDACTED]
Subject: Objection to Planning Application to build 2 houses in the adjoining rear gardens of 29-33 Arkwright Rd (Ref: 2019/1697/P)

Mr John Diver
Planning Officer
London Borough of Camden

[REDACTED]
Dear Mr Diver

I have received by email from Camden notification of a new planning application to build two houses in the adjoining rear gardens of 29-33 Arkwright Rd NW3 6BJ (Ref: 2019/1697/P). A previous planning application to build 3 houses on that site was withdrawn a couple of years ago after considerable objection to the application by many of the local residents and neighbours.

As the owner occupiers of [REDACTED] my wife Carol and I will be very badly affected by this proposal and wish you to note our objection.

First and foremost we object to the building of any house or houses in these back gardens which are one of the last vestiges of green open space in this part of Hampstead and which is an important Conservation Area. The visual amenity of this green open space for all those living in this area is of enormous importance. This part of Hampstead is densely built up and to build houses in these gardens will be hugely detrimental to all those living in this area. It is a rare oasis of green peace and the trees are important for filtering pollution and as a natural habitat for birds and other wild life.

We object to the planning proposal principally on the following grounds

1. Loss of open green garden space which is invaluable to the character of this Conservation Area and the visual amenity of local residents.
2. Loss of trees which are similarly invaluable to the character of this Conservation Area and the visual amenity of local residents.
3. Enormous damage to daylight and sunlight levels to our home at [REDACTED] particularly into our habitable rooms (glass roofed conservatory, living rooms and bedrooms at the rear of our home)
4. Considerable issues of reduction of privacy to our home at [REDACTED] caused by windows overlooking our glass roofed conservatory, living rooms and bedrooms at the rear of our home, and that the external living space of the proposed new houses will be right on our boundary and where we have our principal external living space in the rear of our property.
5. The inappropriate scale, bulk and height of the proposed development right on our boundary and within a few feet of our glass conservatory and living rooms and bedrooms at the rear of our home and rear garden. It is wholly inappropriate in relation particularly to [REDACTED] and also in relation to other immediate neighbouring houses. The proposed new houses would be overbearing and dominating right on our boundary and a matter of a few feet from our living rooms and bedrooms.

6. Loss of outlook and the amenity of being able to see as much of the blue sky and trees as at present.
7. Increased traffic generation and parking pressures that will result from this development.

I have been the owner occupier of [REDACTED] for 45 years and very much regret that the proposed development would have a most serious negative impact on our right to natural light and sunlight into some of our principal living rooms and will greatly compromise our privacy.

I understand that Camden's Planning Guidance in relation to Amenity stipulates that developments should be designed to protect the privacy of occupiers of both existing and proposed dwellings and that care should be taken to ensure there is no overlooking which may adversely impact on privacy. This is particularly in relation to habitable rooms which I understand means living rooms and bedrooms and gardens. Clearly what is proposed by this development would have a most adverse impact on our privacy and natural daylight and sunlight.

I also understand that Camden's Planning Guidance makes clear that there should be a minimum distance of 18 metres between the proposed Easterly new house and the windows of habitable rooms in 25a Frognal and which directly face the proposed development. This includes our glass conservatory. Clearly this is not the case.

I further understand that in circumstances such as these it is common for Camden to require from the developer a Daylight and Sunlight written assessment report (and also perhaps that the developer also pays for an independent assessment report) and which report should apply the 25 degree rule to assess the extent of adverse impact on our Daylight and Sunlight by this housing development. Please will you consider requesting such assessment and if necessary seek an independent assessment.

The developer owns a large tract of garden. My wife and I find it extraordinary that the proposed development is right on our boundary and is sited in such a way as to have maximum adverse impact on our right to light and privacy. If the houses had been sited further away from our boundary towards the north west of the site then the adverse impact on us in this regard would be less. We can only think that the long term development plan of this developer is to build 2 houses right on our boundary and then, once the dust has settled, he will submit a further planning application to build a further house or houses on the rest of the site.

Our principal living rooms and glass conservatory are all on the western side of our house and will be adversely affected by these two proposed houses. The proposed height of the "Eastern" house which will be right on our boundary will result in a loss of natural light and sun light into our principal living rooms. There will also be very considerable adverse impact on our privacy as windows from the new houses will overlook us and will look straight down and into the glass conservatory living room and into our other living rooms and bedrooms on that side of our house. We will be looking straight into a massive building right on our boundary and a few feet from our principal living rooms. At present we are able to enjoy natural sunlight and an outlook of the trees and sky. That will be lost as the building will block a great deal of our sunlight, particularly from about midday and we will be unable to see much of the sky.

There will of course be increased noise and disturbance as the outside living space of these proposed new houses will be right on our boundary and extremely close to our house.

It will be a great pity to lose the visual amenity of this lovely open green garden area right in the heart of Hampstead, and there will undoubtedly be a loss of some mature trees. In recent years

some large mature trees have been cut down and removed from this site, presumably in anticipation of this planning proposal. When I became aware some years ago that the developer was removing/had removed some mature trees I contacted Camden and an enforcement officer visited us. He tried to gain access to the site but without success. He did however look through our upstairs windows and used a stepladder to look over the garden fence and took some photos and said he would prepare a report. I have heard nothing further. I should mention that many years earlier other mature trees had been removed from this site. If the removal of trees was illegal, it does seem to me wrong that a developer may benefit from such illegal action?

Although the planning proposal makes clear that there will be no parking on site, it should be noted that the developer, either directly or indirectly, owns the private passageway leading from Froggnal to this site and he also owns the garages at the end of the passageway where he has recently obtained planning permission to build yet another house on the site of some of the garages. I would not be surprised if, in due course, there is some arrangement for the occupiers of these two houses to be given some sort of right to use remaining garages or space at the end of the passageway and thereby get round the restriction on car parking near the houses. Or they may park cars on site to the side of the houses. Enforcement of any planning breaches is always problematic. And of course, it is always possible and probable that the occupiers of these houses will park their cars in Froggnal adding to an already over congested road and lack of parking.

Although, according to the planning proposal, the flat roofs are to be covered in greenery, we are concerned that in the fullness of time these roofs may be used as external living space and roof terraces thereby further impacting adversely on our privacy. As with parking restrictions, the enforcement of this planning restriction may be problematic.

One small detail; we noticed that the kitchen of the Easterly house would be right on our boundary and we would be concerned about any extractor fan or boiler external flue right on our boundary.

The actual building works will cause huge disruption and nuisance to all neighbours in the area and particularly to my wife and me.

The actual plans submitted as part of the planning process and which we have accessed through the Camden link are far from transparent. They do not include precise details and actual measurements of distance from the boundaries and from our house and in particular important details as to how close will be the buildings to our conservatory and the rest of our home and precise measurements in relation to windows and overlooking. Also it is difficult to understand the precise height of each of the houses and that height in relation to our home and in relation to other neighbouring houses.

I would implore you to visit our house and see for yourself how terrible will be the impact on our light and privacy. The proposed development will cause huge harm to the quality of our lives and our amenities. I do hope that this planning application will be rejected.

Please acknowledge safe receipt.

Kind regards

William Frankel OBE

