

[REDACTED]

Although it has come to my attention, I have not personally been served the recent Town and Country Planning (Development Management Procedure) (England) Order 2015 NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION which has been made by the Leaseholder of Flat 3 of the same address. As a Leaseholder of this building I believe I should have been served this notice in my own right.

I wish to object strongly to the application. It is described as follows:

Proposed Enlargement of Upper Ground Floor Rear Conservatory to Create Additional Habitable Accommodation to the Existing Self-contained Flat.

In the application, the proposed development is described as enlargement of an Upper Ground Floor conservatory. Flat 3 does not, however, occupy any property at Upper Ground Floor level. The ground/upper ground floor of the building is comprised within the lease of my own Flat, Flat 2. It is understood that the works that are proposed are in fact to Flat 3's conservatory at first floor level, which sits back behind the flat roof above the kitchen to Flat 2.

When Planning permission was granted in 2009 for the erection of a conservatory extension at rear upper ground floor level to the existing flat, permission was granted subject to the following condition:


"The flat roofed area to the rear of the conservatory extension hereby approved shall not be used as a roof terrace and access onto this area shall be for cases of emergency and maintenance of the building only and for no other purposes.

Reason: In order to prevent unreasonable overlooking of neighbouring premises in accordance with policies SD6 (Amenity for Occupiers and Neighbours) of the London Borough of Camden Replacement Unitary Development Plan 2006."


Planning permission was refused for installation of a balustrade to allow use as a roof terrace on the grounds that the proposed rear roof terrace would allow direct views into the habitable rooms of neighbouring properties without adequate separation distance or screening, resulting in a material loss of privacy to occupiers of these properties.

This negative effect on the privacy of the occupiers of Flat 2 (and other occupiers of the building) would be considerably magnified if the flat roof were converted into habitable accommodation, as is envisaged by this application. This is because this new room would have direct sight lines into the bedroom windows of Flat 2 and its windows would also overlook and open directly onto the private terrace garden of Flat 2. Not only would this give an unimpeded and direct view onto garden terrace and the shared garden, but if the separation provided by the flat roof is taken away, occupants of the new room would be able to overhear conversations taking place directly below. There is also a greater risk that the occupants of Flat 2 enjoying the garden terrace and anyone enjoying the shared garden may be disturbed by noise emanating from the extension.

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Privacy is already a live concern at this building, as a result of CCTV cameras which Flat 3 has placed on their property and which create an invasion of privacy for all leaseholders wishing to occupy their own space and that of the shared garden. Steps are currently underway to ensure this camera is removed. The proposed development would exacerbate existing privacy concerns and would affect the amenity, use and enjoyment of Flat 2 and other flats in the building. For these reasons I would strongly request that Camden Council refuse this planning application.



(MRS. ELAINE MORRIS)
15th March 2019.