

Mimi Handaja  
1b Langland Mansions  
228 Finchley Road  
London NW3 6QA

Mr Adam Greenhalgh  
Planning Officer  
Camden Council  
5 Pancras Square  
London N1C 4AG

10 June 2019

**Objection to rear extension proposal at Flat 1, 226 Finchley Road, London, NW3 6DH (LPA ref: 2019/1991/P)**

Dear Mr Greenhalgh,

Thank you for your time on 5 June 2019. Following on from our telephone discussions, I am writing to object to the above application at Flat 1, 226 Finchley Road (thereafter called "**the 226 Property**"). I set out some of my initial concerns and therefore grounds for objection for the proposed development. I am the owner of Flat 1b Langland Mansions (since 2012) and our flat which is on the ground floor is directly adjacent to the Property. I note that a previous application has been made in 2010 and granted on 1 June 2010 with the same proposed extension (LPA Ref: 2010/1508/P), though this is now some 9 years ago and planning and conservation area rules have changed since then.

I have the following grounds for objection:

**1. Inaccurate block plan and insufficient details.**

The submitted block plan for this application is inaccurate and misleading. I have also been similarly informed by the owner of 2 Langland Gardens whose rear garden backs onto 226 Finchley Road that the aerial block plan submitted is wholly inaccurate - the rear garden boundary line should stop where the Langland Mansions garden boundary is. I have marked the correct boundary and have also taken photos showing where the fence and therefore boundary line is for the Property. I understand from you that you have asked the applicants to provide you with the corrected block plan which should also show accurately the proposed extension. This is important and should be provided so that proper assessment can be made.

**2. Negative Impact on Conservation Area**

The 226 Property is situated in the conservation area of Redington Froggnal. Therefore, increase in scale, impact, outlook, character of the area etc considerations will need to be taken into account.

The loss of so much of the garden would cause harm to the character of the conservation area, contrary to Redington Froggnal Guidelines RF1 and RF 23 to RF 24 (see page 28 onwards from the attached Redington Froggnal Conservation Area Statement and Guidelines). Additionally, this would be contrary to Local Plan Policy D2 which seeks to preserve garden spaces which contribute to the character and appearance of a conservation area. Paragraph 7.55 further provides that "*development will not be permitted which causes the loss of trees or garden space where this is important to the character and appearance of a conservation area*". I also note that there is a letter of objection submitted on 6 June 2019 by Redington Froggnal conservation group.

**3. Negative impact on garden amenity space**

Camden's 'Altering and extending your home' SPD states that "*The front, side and rear gardens of Camden's urban townscape provide an extremely important asset to the borough's attractiveness and character. They also contribute to the setting of individual buildings and Conservation Areas.*" Policy A3 of Camden's Design SPD also states that "*the*

*Council will resist development that occupies an excessive part of a garden, and the loss of garden space which contributes to the character of the townscape".* The proposed development at the Property will result in a reduction of its rear garden. As such, the proposed extension at the Property together with existing dwelling will result in more than 50% of the plot being occupied by building. I would therefore ask for the applicants to submit together with the correct plan an accurate representation and calculation which shows the proportion and impact of the proposed new development and the proportionate loss to its rear garden. I note there is also a similar concern from the Redington Froggnal conservation group (letter of 6 June 2019) and the freeholders at 226 Finchley Road who are "particularly concerned about the impact of the extension on communal areas and drainage".

**4. Negative impact on daylight and overshadowing.**

The proposed extension will be built on the boundary line between 226 and 228 Finchley Road. There is currently an alleyway belonging to Langland Mansions which is less than 1m wide separating 226 and 228 Finchley Road. Given the proximity, this will cause loss of amenity to us being directly adjacent to the 226 Property. The part of our flat which is adjacent to the 226 Property and currently unobstructed is our master bedroom - the only room in our flat which gets direct sunlight into our flat. The proposed extension will block the one window in my north facing flat which brings direct sunlight to my flat and would therefore result in unacceptable overshadowing.

The proposed extension will be less than 1m away from our existing building wall, create bulk and take away all the natural sunlight we currently get in our master bedroom (see photos in Appendix). Policy 3.5 in Camden's Amenity CPG states that *"In order to demonstrate that adequate levels of daylight and sunlight are being provided in accordance with Policy A1, the Council will expect applicants to submit daylight and sunlight reports informed by BRE's Site layout planning for daylight and sunlight: A guide to good practice (the 'BRE guidance')."* Policy 7.19 also sets out that development proposals should not block sunlight and overshadow windows. Therefore, a sunlight and daylight assessment needs to be conducted by the applicants given the significant impact and loss of light and overshadowing to my flat and neighbouring properties.

**5. Negative impact on neighbouring amenity and privacy**

Local Plan Policy A1 seeks to ensure that standards of amenity are protected and will need to be complied with. In this case, primarily visual privacy, outlook, sunlight, daylight and overshadowing as stipulated above. This policy states that the Council will only grant permission for development if it does not cause unacceptable harm to amenity. Paragraph 6.3 states that *"Protecting amenity is a key part of successfully managing Camden's growth and ensuring its benefits are properly harnessed. The Council will expect development to avoid harmful effects on the amenity of existing and future occupiers and nearby properties"*. Additionally, Camden's Amenity CPG clearly stipulates as follows:

*"2.2 Interior and exterior spaces that are overlooked lack privacy, which can affect the quality of life of occupants. The Council will therefore expects development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree. Therefore, new buildings, extensions, roof terraces, balconies and the location of new windows should be carefully designed to avoid overlooking. The extent of overlooking will be assessed on a case-by-case basis." And*

*"2.3 The places most sensitive to overlooking are typically habitable rooms and gardens at the rear of residential buildings. For the purposes of this guidance, habitable rooms are considered to be residential living rooms; bedrooms and kitchens. The area of garden nearest to the window of a habitable room is most sensitive to overlooking."*

The proposed new windows will cause further loss of privacy to us. As you can see from a photo (in the Appendix) showing the existing (even if frosted) window, there is already significant loss of privacy to our flat caused by its proximity; the window at the 226 Property directly looks onto two windows into one of our bedrooms.

Additionally, details on the size and precise locations of the proposed side windows have not been submitted with this application. This application is assumed to be the same as the previous 2010 application in which the proposed large side windows were to be of 1.2m by 1.8m and the smaller to be 0.5m by 1m. If this was the case for the current application, the proposed windows are substantially large and would be a huge detriment to our privacy.

**6. Use of window materials.**

I note that uPVC is being proposed to be used for windows. Camden's Design SPG clearly states that "*uPVC can have a harmful aesthetic impact and an inability to biodegrade and therefore is strongly discouraged*". A previous application at 226 Finchley Road for the "replacement of existing timber windows with new white UPVC windows (LPA ref: 2012/5013/P) was refused on the grounds that by reason of their design and material type would be detrimental to the character and appearance of the building and the conservation area. As such, it is considered the proposed window materials would be a detriment to the existing building and conservation area and should not be accepted.

**7. Impact of building works.**

Given the proximity of the proposed development to Langland Mansions (and building on boundary line), we are deeply concerned about this aspect and require guarantee and assurances that there will be no impact on Langland Mansions. The building works will undoubtedly cause disruption to our block and access will also be an issue given boundary issues. There will no doubt also be digging involved given the higher existing grassed garden level.

**8. Boiler terminal flue.**

On another note, our boiler terminal flue is situated on the external wall in the alleyway. Given the proximity to the neighbouring property, should there be any nearby opening such as a window, then there needs to be at least 2m clearance. This is required by boiler manufacturer (Vaillant and Worcester who I had consulted previously) and therefore by boiler engineers who provide gas safe certification. Given that there is currently no nearby opening such as window and the terminal flue is not situated close to any neighbouring wall opening, clearance only needs to be 0.6m and we were able to obtain boiler certification.

However, should this application be approved, then it will affect the boiler certification and future boiler replacement for my flat. Please see the installation guidelines by Vaillant (included in Appendix) sent to me by Vaillant. Similar requirements are noted for Worcester (another major boiler manufacturer).

**9. Provision of vital technical information and details.**

The documents which have been posted on Camden Council website for the 226 Property are incorrect, incomplete (missing essential sunlight and daylight assessment) and therefore misleading. Without complete and accurate information, it is not possible to conduct a proper assessment and also for me to seek any professional advice as needed.

**For the above reasons, we kindly request again that the application be refused in its entirety and can only be properly assessed once complete, detailed and accurate information pack has been submitted to Camden Council.**

Yours sincerely,

Mimi Handaja, Owner of 1b Langland Mansions  
Attach. **Objection Letter Appendix**