

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

12th June 2019

LPA ref: 2019/1991/P

### **Flat 1, 226 Finchley Road, London, NW3 6DH- Letter of Objection**

Dear Mr Greenhalgh,

We write on behalf of a number of residents at Langland Mansions, 228 Finchley Road (Flats 1A, 1B, 2, 3, 5, 6B, 7B, 8, 9B, 10B and 11) who object to planning application reference 2019/1991/P which proposes a “*single storey rear extension with roof lights and additional windows to the side elevation*” at number 226. We believe that this development would have a significant detrimental impact on residential amenity and the character of the Conservation Area.

#### **Adverse impact on residential amenity**

Our clients' principal objection to the proposed application is that it will significantly impact residential amenity. Local Plan Policy A1 seeks to ensure that standards of amenity are protected, and the Council will only grant permission for development that does not cause unacceptable harm to residential amenity. This includes privacy, outlook, sunlight and daylight and overshadowing.

#### Sunlight and Daylight

Firstly, the application proposes a substantial building facing onto the side of Langland Mansions where there are a number of habitable rooms (Flats 3, 5, 9A and 9B). This is also directly opposite the existing habitable room side window of Flat 1B. Given the close proximity of the two properties, only about 1 metre apart, the proposed extension would reduce the amount of daylight and sunlight on this side of the building, and in particular, that entering the bedroom of Flat 1B. This would be contrary to Local Plan Policy 7.19 which sets out that development proposals should not block sunlight and overshadow windows.

Evidence has not been provided about impact on daylight and sunlight. Such evidence is required by Camden's Amenity CPG which 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')*”.

#### Sense of Enclosure

The proposed extension would also create an unacceptable sense of enclosure. Although there is already a timber fence along the boundary, the proposed brick structure would be both taller (by approximately 1 metre), and of a more dominating material (brick). This would therefore again not comply with Policy A1.

#### Privacy and Outlook

The application proposes two windows to the side elevation which face windows to the side of no. 228 and directly towards the side windows of Flat 1B. This raises significant privacy and overlooking concerns. Camden's Amenity CPG clearly says that the Council "*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.*" Clearly the proposed extension has not been carefully designed to sensitively respond to the neighbouring amenity.

#### Garden Amenity Space

Paragraph 6.37 of the Local Plan, says that "*Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework.*" Likewise, Camden's "Altering and Extending your Home SPD" stipulates proposals for rear extensions should allow for the retention of a reasonably sized garden. The proposed extension would extend substantially onto the existing garden, adversely affecting the amenity garden of residents of 226, but also affecting adversely the outlook and sense of proximity to open space of residents of 228. Thus what is proposed is contrary to Local Plan Policy A1.

We would also like to note that a block plan has been submitted with insufficient details. The applicant should be required provide a block plan which shows the existing condition and the proposed extension relative to neighbouring properties.

#### **Adverse impact on the Conservation Area**

The proposed development is located within the Redington and Froggnal Conservation Area. As such, Local Plan Policy D2 applies, which states "*The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets and their settings, including conservation areas...The Council will not permit the loss or substantial harm to a designated heritage asset, including conservation areas...unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss*". This Policy goes on to state that "*The Council will e) require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area...h) preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden's architectural heritage*". The proposed development seeks to extend into the garden area of 226, meaning there would be a reduction in the garden space within the Conservation Area, thus undermining its character, which relies upon the subtle interplay of relatively dense buildings and open garden spaces. The proposed extension is therefore contrary to Policy D1.

Furthermore, the development proposes the use of uPVC windows. Camden's Design SPG clearly stipulates that "*uPVC can have a harmful aesthetic impact and an inability to biodegrade and therefore*

*is strongly discouraged*". We note that a previous application for the replacement of existing timber windows at 226 with new white uPVC windows (uPVC) was refused because it would have a detrimental impact on the building and conservation area, and we request that the Council be consistent in its treatment of this matter.

### **Conclusion**

As outlined above, we consider that the proposed development would adversely impact upon the existing residential amenity of flats within 228, as well negatively impacting upon the character of the conservation area in direct conflict with both local and national planning policy.

Although we appreciate every planning application is to be decided on its own merits, we would also ask that you consider the unfortunate precedents that would be set if this application were to be approved.

We look forward to receiving written confirmation that this objection has been received and registered.

Yours faithfully,

**Roger Hepher**

Director