

Langland Mansions Management Limited



11 June 2019

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

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

Dear Mr Greenhalgh,

We are writing to object to the above application at Flat 1, 226 Finchley Road (thereafter called "**the Property**").

We set out below our grounds for objection.

1. Inaccurate block plan and insufficient details

The submitted block plan and location plan for this application are inaccurate and misleading. A corrected plan which should also show accurately the proposed extension and the boundary line (which should end where Langland Mansions and 2 Langland Gardens boundary lines meet) will need to be provided so that proper assessment can be made. The current plan showing 39m remaining length of the garden being intact is hugely misleading.

2. Negative Impact on Conservation Area

The 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 of the attached Redington Froggnal Conservation Area Statement and Guidelines. A letter of objection was submitted on 6 June 2019 by Redington Froggnal conservation group.

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”.

3. Negative impact on garden amenity space

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. A correct plan with an accurate representation and calculation which shows the proportion and impact of the proposed new development and the proportionate loss to its rear garden will need to be provided.

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”.* 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 less than 1m away from our existing building wall, create bulk and take away all the natural sunlight from some parts of Langland Mansions currently enjoyed by some residents. 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 our building 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 some residents. 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 window 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 privacy enjoyed by some flats.

6. Right of way and side gate - trespass

Submitted ground floor plan and proposed side elevation drawings show side gate opening into, and right of way into, Langland Mansions private gardens. The applicants have no right over Langland Mansions land. Langland Mansions own the freehold title to all its garden and paved common areas adjacent to 226 Finchley Road. Permitting an application which provides access and/or encroaches on another private property constitutes trespass and is not acceptable for owners and residents at Langland Mansions.

7. Use of window materials

We 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.

8. 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 guaran-

tee 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.

9. Provision of vital technical information and details

The documents which have been posted on Camden Council website for the Property are incorrect, incomplete (missing essential sunlight and daylight assessment, impact on loss of garden amenity space) and therefore misleading. Without complete and accurate information, it is not possible to conduct a proper assessment and also for us to properly seek any professional advice 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 faithfully,

A large black rectangular redaction box covering the signature of the Director.

Director, on behalf of Langland Mansions Management Limited