18th July 2019

Flat 1

26 Adamson Road

London

NW3 3HR

Mr Thomas Sild

Planning Officer

London Borough of Camden

Town Hall

Judd Street

London

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Dear Mr Sild

**Re: 26 Adamson Road London NW3 3HR**

This is an objection to planning application **2019/2973/P**, which seeks consent to *form a balustrade to enclose a roof terrace and to amend a sash window to a glazed door.* The application form says the area to be enclosed is a substantial 25 sqm. No domestic use of the terrace as a sitting out area or anything else has occurred since its illegal use 30 years ago.

The flat asphalt roof that is subject of the application is above a lower ground floor extension (the rear of Flat 1) permitted in 1987 when the original house was converted into 5 flats (consent **8700697**). We live in Flat 1 also known as the Garden Flat.

Application plan SV 01 shows the open layout of our 60 sqm or so garden and the fully glazed roof conservatory extension to our flat. The higher level of the garden above the retaining wall shown makes it particularly easy to overlook from the proposed terrace.

In any event, the application is fundamentally misconceived because it ignores the planning history. On 22 September 1988, planning application **8803656** was refused that sought consent for *retention of French doors and the erection of railings around the flat roof of the rear ground floor extension to form a terrace…*

Following this refusal, we understand that the Council issued an Enforcement notice in October 1990 stating that this was a breach of the planning permission granted in October 1987 and required removal of the French windows and railings and that use of the roof terrace should cease. The Notice was issued because *It is considered that the proposed roof terrace would result in unreasonable overlooking and loss of privacy to the adjoining residential properties to the detriment of the amenities of the residents.*

Since this Enforcement Notice, the neighbour at No. 22 erected a balcony following consent **2007/2619** but this is only about 2m deep compared with the 4m or so depth of the proposal. No. 24 erected a similar depth balcony following consent **2008/2471/P.** Unlike the split ownership of this application site, in both cases these cases (as well as the balcony being much smaller) the ground floor and garden floor at No. 22 & 24 are maisonettes and so overlooking of the rear garden is unimportant. They are not comparable.

Thus, the Council has already determined that an application of a similar character to the current one should be refused. The terraces that have been permitted to the west are much smaller and in the same ownership as the gardens beneath.

There has been no material change in local circumstances that might justify a different conclusion for such a large terrace now.

We therefore regret to advise you that we strongly object to this proposed application on the following grounds:

1. **Noise**
* This will be an unprecedently large balcony in the Camden area. While all the other balconies can only accommodate a handful of people, this 25sqm one will accommodate a crowd. It will inevitably be used for parties that could go on late into the summer night.
* This is the only part of our property where we have relative quiet from noise from above as the current owners have laid new wooden floors to replace carpets and the noise of feet, talking and music from use of the terrace will severely affect our indoor amenity.
1. **Disruption**

The main access to the rear of the dwelling is along our entrance from the side. During construction there will be a lot of disruption and noise from laying paving stones, strengthening the roof and potential damage to our ceilings.

1. **Privacy**
* The use will be a real invasion of privacy of our property as the occupants will be able to look down into our conservatory and garden as they plan to use up to the entire boundary. In addition, the occupants will be able to overlook into some flats in neighbouring Adamsfield Building at 28 Adamson Road.
* In contrast, the rear balustrade will only be about 1m high. This will overlook our garden and through the conservatory roof over the full width of the garden and will have a severe effect on our ability to use these areas without a sense of being overlooked at all times.
1. **Belsize Conservation Area Status**

The proposed height and design of the screens will be detrimental to the character and appearance of the Camden’s Belsize conservation area heritage as these can be clearly seen from Crossfield Road unlike the screens at 24 Adamson Road which is much shorter and is not so prominent from eye line of sight from street level at Crossfield Road. The extra depth of the proposal at upper floor level means that the galvanised side privacy screens proposed will over-dominate the gardens on either side. Therefore, we do not believe the proposed design preserves or enhance the area and sets an unwelcomed precedence for interpreting Camden’s Planning Guidance for Design and general principles relating to Balconies and Terraces.

1. **Rear Elevation is not structurally resilient to carry additional weight load**

The roof of the rear extension is of wooden construction. We have been advised by a roofer and a structural engineer that the current construction will not be able to withstand use by people walking on it for long without sagging and eventually failing (I had a structural survey carried out when I purchased the property and the surveyor stated that: *“ It is important that you ensure that this roof is not used as a balcony as it is of timber construction and the covering and the ceiling below would not withstand constant impact loads by people walking above”).*

* We had cracks in our ceiling when maintenance on the property was last carried out which had to be remediated even without any use of the terrace taking place, which just shows the unsuitability of placing any additional load on it.
* The proposed use of paving and galvanised steel frame of the balustrade will put additional weight on the roof. No structural engineer’s report has been submitted to provide how the applicants propose to strengthen the rear elevation with their design
1. **Access**

Erecting a balustrade will restrict access to the rear part of the building when there is a need to erect scaffolding for the routine maintenance and repairs to the property

Please give full weight to this objection – we are the most affected of all the potential objectors. The site is not visible from the road and I would be very glad to meet you on site for you to understand its full scope. Please kindly contact me on my e-mail address to arrange for a visit.

Your sincerely

Joyce and Lester Loh