

Application No:	Consultees Name:	Received:	Comment:	Response:
2019/2895/P	Claire Diamond	26/07/2019 00:38:25	OBJ	Planning Application - 2019/2895/P

Objection from Claire Diamond, [REDACTED]

I wish to object to this application for roof extension over the front blocks of Frognal Estate on the following grounds:

1. Loss of light for some flats
2. Parking issues
3. Traffic
4. Restriction for use (Discrimination against disabled users and other groups of people)
5. Impact of the construction work rendering existing homes uninhabitable
6. Guidelines on affordable homes not implemented
7. Health and Safety

#### 1. Loss of light

I share the opinion of another leaseholder that Brooks Development Practice Ltd's submission is not tackling all issues which cause loss of light. Interestingly, BDP suggests that there could be many other options for consideration:

This report is not to be used to determine any right to light for existing building windows. This report has been carried out using guidelines set out in BR 209 and cannot be used to replace or satisfy the legal requirements surrounding the right to light. The assessment of loss of light in rights to light cases is carried out in a different way to the methods used in BR 209 and this report. It should not be assumed that if the guidelines in BR 209 are satisfied within this report that a proposed development will not infringe rights to light. If there is a concern over right to light then an appropriately qualified person should be employed to investigate.

a) Light to some flats will be restricted, because of the new floor added to Warwick House:

The 14th floor roof extension to Warwick House will sit within the footprint of the existing building, extended full width across the block:

b) Light to some flats bathroom and kitchen will be restricted, because of the new terrace built above them: With the proposed new terrace (fire escape) above top floor flats kitchen and bathroom, sunlight will be blocked altogether from both of these rooms.

#### 2. Parking

I share the opinion that the application is contradictory. On one hand it says that (The proposed development has been designed to be car-free) but it also acknowledges that there is already a car park:

The existing site has a private (pay and display) parking area in the courtyard available to the residents at 1-4 Midland court, 1-12 Frognal court and Warwick House, with an additional disabled parking area.

In fact, the private parking area is, in theory, for all Frognal Estate residents, not only for the front blocks as specified by the applicant above. Providing spaces for 16 bicycles, as the application suggests, will not oblige anybody to use bicycles. The car park is already a bone of contention for existing residents in the 54 flats of Frognal Estate. Adding a further 16 flats to the mix (8 new flats in the back blocks, not yet fully completed for use, and eight proposed new flats in the front blocks) will have 70 flats competing for the space which until now served, unsatisfactorily, 54 flats. The use of bicycles (instead of cars) would be welcome but they could not deliver furniture, pianos, cookers etc. to the 16 new flats. The potential increase of downloading (even if not necessarily of long-term parking) is significant.

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The application suggests that bin storage is proposed at lower ground level by the south entrance. This suggestion is unclear as currently the disabled parking area is located at lower ground level by the south entrance.

Bottom line: it is unrealistic to accept that possible car usage by sixteen new flats can be accommodated in the car park built for fifty-four flats and that bin storage, so far serving fifty-four flats, can be further extended (in the space built for fifty-four flats) to serve seventy flats.

3. Traffic (within Frogmal Estate)

The 54 flats in Frogmal Estate cause considerable traffic (whether by foot or by car) in the car park and elsewhere. Most flats are multi-let, with several people residing in each. Multiple residents in 16 additional flats (8 in the back blocks still to be completed for usage and 8 in the front blocks) will substantially increase the traffic in our car park, in our staircases and in our fire escapes. Residents in the new flats will not only use the new staircases and new fire escapes: they could gain access to them only through our existing staircases and fire escapes on the lower floors. Our existing staircases and fire escapes were built to provide use for 54 flats, not for 70 flats. The proposed extra load is unwelcome as it may prove to be dangerous.

4. Restriction for use (that is discrimination against disabled users and other groups of people)

The proposed new fourth floor flats (without access to a lift) would be inaccessible to anybody who cannot climb four floors of stairs, who cannot carry shopping to the fourth floor, who has young children, and so on. The proposed new fourth floor flats (without elevators) would cause problems for ambulances and possibly for other emergencies.

In essence: in the absence of lifts, the proposed roof extension to fourth floor flats would restrict the types of resident who could live in the proposed new dwellings, and would de facto constitute a form of discrimination against the elderly, the disabled, and families who need to use prams.

5. Impact of the construction work rendering existing homes uninhabitable

The application avoids showing the impact of the construction work. They say that

The document provides an overview of the proposed construction methodology and overview of the measures which will be put in place to minimise any impacts on neighbouring residents during construction.

However, the application does not admit that the proposed extension of existing internal staircases is one meter (or less) from eight current top floor flats. They state only that

These [the new extensions] will be accessed via the stair core of the existing building.

They avoid mentioning that the current eight top floor flats will, in practice, become building sites. They do not specify how exactly the internal staircases will go upwards, going through the current roof, without hugely impacting the eight current top floor flats. They do not explain how access will be maintained to those current top floor flats which do not have any other means of access (like backdoors with keyholes and keys) to their flats. For instance, on advice of police crime prevention officers, some flat do NOT have backdoor access: how will these flat occupier access/exit to and from their top floor home while the roof and walls on the current top floor, within about a meter from their flat, are demolished?

The application states that

All existing plant will be relocated onto the new flat roof, accessed from pull down ladders at 1-12 Frogmal Court and Midland Court, ...

All existing plant and services will be extended and relocated to the new flat roof as required. New man safe systems will be installed to provide safe access for servicing.

Presumably they mean water tanks, chimneys (and TV antennas). Some flats gain their water from the main, fewer flats gain their water from the water tank. Flat who get their water from the water tank: will they be left

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without water (for hours/days/weeks) while the developers move the water tank to the new roof?  
 The roof extension to the back blocks (by the current applicant!) caused significant damages to flats in the back blocks, with serious flooding, and rendering the flat inhabitable causing loss of revenue in rent for example or just people having to move out, causing distress and cost as well as an increased premium in insurance. The landlord and their developers have not offered any compensation. Five years on, the development has not yet been completed.  
 It is more than likely that the proposed roof extension to the front blocks will take years of inconvenience, excessive dirt and significant damages to our existing staircases and walls.

6. Guidelines on affordable homes not implemented

The application states that  
 For the purposes of this application, a total of 16% affordable housing should be delivered, equivalent to 1.2 units. The applicant proposes to provide this on-site as part of the proposed development. Given the guideline split set out within Policy H4 (Part A), the unit is proposed to be as an affordable-rented level.  
 This statement is wishful thinking at its best or, otherwise, a disingenuous promise. The developer (that is the applicant) will sell the proposed new flats for the highest prices he can get and the flats will be let, by then possibly but not necessarily out of the hands of the developer / applicant (who owns some flats in the Estate), most probably at the highest market rate. At any event, what does affordable mean? Affordable for whom? For what specific rental charge? On what guarantee? Under whose supervision?  
 It is unlikely (and it is not even promised) that the proposed new flats will include social housing within the development. It is disingenuous to indicate affordable-rented level.

7. Health and Safety

a) The proposal compromises the structural safety of the building  
 Our blocks are built over a train tunnel. Every time a train passes through the tunnel, our block shakes. It certainly shakes considerably in my flat on the third floor. The building stands directly above the mouths of two railway tunnels dating from the 19th century, which at this point are very shallow and immediately below ground level. The lines in these tunnels are very intensively used. They take all Thameslink trains and East Midlands trains, as well as heavy goods trains.  
 The existing building stands on shallow foundations that pass directly over the tunnels.  
 Currently, each train passing through the tunnels induces vibration in these foundations.  
 This vibration is transmitted to the building above, in a pattern that magnifies them through the fabric and is particularly noticeable at the top floor, where I live.  
 Over many decades it is likely that this vibration has compromised the long-term stability of the building. The application proposes to add one more floor: an additional and very significant structural load that will bear on the existing foundations. What investigations have been done to measure and if necessary, reinforce the structure to guaranty its safety long term?

b) Although most flats in our block(s) are let to healthy young people, there are also a number of longstanding elderly owner-occupiers (with various disabilities) living here. The proposed extensive building works will make life for these people (several of whom live on the current top floors in the front blocks) unbearable, possibly leading to tragic outcomes.

According to my best knowledge, Policy A1 of a relevant Camden Council document advises that

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the Council will protect the quality of life of occupiers and neighbours by only granting permission that does not cause harm to amenity → including visual privacy and overlooking, outlook, sunlight and daylight, noise and vibration levels and dust (during construction, for example)

Conclusion

I submit that Application 2019/2895/P should be REFUSED and I wish to be notified of the committee date.

Claire Diamond

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2019/2895/P	A Suchde	25/07/2019 17:24:18	OBJ	Letter of Objection

To:  
The Planning Committee, London Borough of Camden

From:  
A Suchde, [REDACTED]

Dear Sir/Madam,

Ref: 2019/2895/P  
Planning application on top of Frogna Court/Warwick Court - Erection of single storey roof extension to create 8 residential flats.

[REDACTED]

I am writing to object to the above planning application. I do not recognise the description of the estate in the documents. There are many inaccuracies, omissions and the grounds for my objection are as follows:

The report fails to mention that the estate is built on a slope with the ground floor of the blocks occupied by commercial shops and there are 3 layers of flats above Frogna Court and Warwick House and only 2 layers above Midland Court. The main access to these flats are from the main Finchley Road and there are no lifts and many steps to these flats. The car park at the rear of the front blocks is at the same level as the first floor flats and the shops on the ground floor are at a lower level.

There is a narrow passage way between the main road and the car park which is at a much higher level and with no direct access to the flats. This will result in the new flats being on the 4th level and with no lifts will restrict the number of people who can live there. It will be unsuitable for families with children, the middle aged and the elderly.

It is not clear how will the residents of the new flats access the premises!

DO NOTE:

The external staircases are the fire escapes at the rear of the blocks and can only be accessed by an ally way from the main Finchley Road. With the approval and strict instructions of the fire brigade, it is explicitly mentioned in the leases that these fire escapes are to be used in emergency situations only and nothing is to be stored on them except dustbins and coal bunkers. Plants are forbidden.

If the fire escapes are used to access the flats, this will be in violation of the leases as mentioned above & ito be used in emergency situations only!

There has been absolutely no details of how the leaseholders will be safeguarded from the horrors & the inept construction that was done on the rear block.

How will the construction be policed from the noise, vibration levels and dust and visual privacy during and

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after construction?

The leaseholders in the rear blocks have experienced horrendous issues with the current building of the roof extensions. There have been horrific levels of noise, how will the the noise levels be policed with the breaking and altering of the parapet walls and the chimney stacks? How can we be assured that we will not suffer the same problem?

The water leakage and damage to the back blocks has been extensive. Do the planners know that this has taken place? How can the leaseholders be reassured that the hallways and homes will not get flooded as has happened in the back blocks? How will our water supplies not be disrupted during and after the removal of the overhead water tanks?

What provisions will be made to make sure there are no accidents, with what should be a hard hat area around the whole building site? What provisions are in place for compensation if there is any damage to the flats and stairwells?

A major concern is about access in the case of fire. Having suffered a fire in the mid 1990s at 10 Frognal Court, fire engines will need to be able to gain access to attend any fires on the estate. Have the fire brigade been consulted about fire safety?

Has Network Rail has been consulted on the proposal? There is no Structural Method Statement.

What consideration has been given to the 2 Belsize tunnels running under Midland Court and 1-12 Frognal Court? They are both much closer to the surface than they are under the front blocks. Are the planning committee or anyone aware there are the remains of the cinema under Warwick House extending into the car park? This was closed in the early 1930s and the seats are still in place. There is a void under the blocks and above the Network Rail tunnels.

I propose that that any planning decision be rejected and invite the planning officer and committee to visit the site and see how many many omissions and inaccuracies exist in the proposal.

Yours faithfully,

A. Suchde

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