

# CONSULTATION SUMMARY

## Case reference number(s)

2018/3618/P

## Case Officer:

Ben Farrant

## Application Address:

The Cottage  
2A Templewood Avenue  
London  
NW3 7XA

## Proposal(s)

## Representations

<b>Consultations:</b>	<b>No. notified</b>	N/A (Site and press notice)	<b>No. of objections</b>	1
			<b>No of comments</b>	1
			<b>No of support</b>	0

<b>Summary of representations</b>  <i>(Officer response(s) in italics)</i>	<p>The owner/occupier of Flat 1, 42 Redington Road objected to the originally proposed set of plans on the following grounds:</p> <ol style="list-style-type: none"><li>1. The proposed width of the rear extension would reduce the daylight and sunlight reaching the windows of their property</li><li>2. Objection to any chimney or flue facing their property</li><li>3. Objection to the replacement of the existing bay window with door and access stairs (on the basis of lack of privacy, it would allow views</li></ol>
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directly into their bedroom window

4. Right of light concerns
5. The plans claim their window is obscured, which is untrue, an obscure film was attached to the bottom pane of the sash window only to maintain privacy

*Officer Response:*

1. *Whilst it is acknowledged that the proposal would encroach closer to the windows of Flat 1, given the remaining distance and height of the extension, the proposal is considered not to result in undue harm to the daylight/sunlight or outlook of this neighbouring property, and refusal is not warranted on this basis.*
2. *No chimneys or vents have been shown on the plans and are not permitted by this application. Depending on the chimney/vent, it may be that it would not require planning consent, and may form permitted development.*
3. *The replacement of the bay window with a door has since been removed from this submission.*
4. *Whilst the impact on daylight and sunlight have been considered, specific 'right of light' concerns are not a material planning consideration, and are covered by separate legislation.*
5. *The annotated plans have since been amended and now reflect the correct description of the windows at Flat 1, no.42.*

**Heath and  
Hampstead Society**

The Heath & Hampstead Society's Tree Officer commented the following:

1. It is proposed to totémize a tree at the foot of the garden to 5m – this appears to be a veteran tree and would not impact on the development. Request that any consent is subject to a condition that this tree is not impacted and is instead assessed for appropriate veteran tree management and maintained by a veteran tree expert.

*Officer Response: Consent has previously been granted (ref: 2018/5329/T dated 12/12/2018) for the following works: 'REAR GARDEN: 1 x Beech (T2)*

- Crown reduce by 2-3m to just above previous reduction points: 1 x English Oak (T3) - Totemize to 5m, above nest hole: 1 x Leyland Cypress (T4) - Fell to ground level'. The works to the tree in question (T3 of the previous tree application, and T6 of the Cromar Tree Report submitted with the application) were carried out earlier this year. The works were previously found to be acceptable and were approved on this basis. It would therefore be unreasonable to attach such a condition to this application.

**Recommendation:-**

**Grant planning permission**