98 Albert Street

London NW17NE

January 12, 2020

**Dear Mr. Dempsey,**

**Re: application no 2019/4433/P 96 Albert street NW17NE application for creation of garden building.**

**I wish to lodge an objection to the above application on the following grounds:**

**A. Height of proposed building**

**B. Incompatibility with conservation area and surrounding listed buildings**

**C. Comments on the applicant’s Design and Access Statement**

**D. Insufficient evidence of need for application**

**I shall expand on each ground in turn.**

**A. Height of proposed building**

The proposed building has a height of 2.9 m within 50 cms of the boundary between my property and that of the applicant. Permitted Development rules (outside a Conservation Area etc) exclude an outbuilding more than 2.5 m high within 2m of a boundary. This suggests that an outbuilding up to 2.5m high is considered acceptable, and anything higher would normally cause an unacceptable detriment to the neighbour. There is nothing about this proposed outbuilding which means that it is **unusually acceptable**; and in addition we are in a Conservation Area and Listed Buildings, where higher standards might be expected.

In fact the specific circumstances make this height so close to the boundary **especially** unreasonable and unacceptable:-

1. The gardens are to the East (more precisely ENE) of the 5 storey tall houses of Albert Street, so from lunchtime onwards sunlight is increasingly restricted only to the bottom end of the garden, where I have my paved patio. The proposed building at No 96 extends South of this area and will therefore significantly reduce the afternoon sun still further. The building is 2.9m high and my garden is only 5m wide, so the shadow will soon cover most of my garden, with the only exception being in the height of summer.

2. The depth of the proposed building is 4.5 metres – well in excess of the extent of the terrace at the end of the garden where I regularly eat in the Summer with my children. The brick party wall is very low ( .72 m on my side) and the non-solid wooden fence which I erected 14 years ago has an additional maximum height of 1.23 m.

3. One of my four children uses an electric wheelchair and is wholly non-ambulant so he would be particularly impacted by a large close structure of such height. Taking all these facts into consideration, a structure of the proposed height and depth would inevitably impact very significantly on my family’s ability to use and enjoy that part of our garden because of its oppressive enormity, its overshadowing of my terrace as well as the visual domination of such a large “box” structure so close to the party boundary. There are no other structures or fences higher than 2m in the vicinity (except for the tip of a pitched roof on a shed.)

4. The proposed box will be clearly visible from windows over 4 floors from my house and those of my neighbours, so our view and aesthetic enjoyment of uninterrupted open space and the visual relationships within it would be significantly impacted by a building of such scale.

B. **Incompatibility with conservation area and surrounding listed buildings**

Sn 72(1) of Planning (Listed Building and Conservation Areas) Act 1990 states that special attention *shall* (my emphasis) be paid by the decision- maker to the desirability of preserving or enhancing the character or appearance of a conservation area. Policies D1 and D2 of Camden’s local policy concur. Further the National Planning Policy Framework para 193 states that great weight should be given to the conservation of a designated heritage asset and that aesthetic and visual relationships within the setting are factors that should be taken into consideration.

With its dimensions, its “box” structure, its materials and its large flat roof, the proposed building is excessive. Its size will be emphasised by the fact it almost completely fills the width of the garden (the 50cm spaces around will not support meaningful or attractive growth). It will look like a shoe-box shoe-horned into the garden.

In their Design and Access Statement the applicants state that “The areas at the end of these gardens have trees, shrubs, garden walls, wooden fences and trellising. Therefore, the structure will be substantially concealed amongst these items.”

To be blunt, this is absolute nonsense, and their own photograph proves it. Almost none of the shrubs etc shown in that photograph are higher than the proposed roof, so would not hide it from any window above the ground floor of the nearby houses in Albert Street. Indeed, as I write this representation in the depth of Winter, there is currently substantially less foliage than that shown in the applicant’s photograph which appears to have been taken in the summer.

Although the proposed green roof is preferable to an asphalt roof, please imagine a rectangle of sedum roof raised 2.9m above all the other gardens. How unnatural would that look? Furthermore, there is no guarantee the owners will care for the sedum roof. Such roofs frequently fail and become very ugly. It is no substitute for a natural landscape, especially in a Conservation area and within the curtilage of a Listed Building.

**C.** **Further comments on the Design and Access Statement**

Much of the Statement may be technically accurate but is nonetheless misleading:

1. The shed behind the end boundary wall is not really 2.35m high. Only the single point of the ridge may be that high.
2. the garden wall to my house, No 98, is .72m high on my side, which, with the addition of the not-solid wooden trellis, reaches a maximum height of 1.95m and a minimum height of 1.75m.
3. The actual area of the proposed outhouse may be 16% of the garden, but including the 50cm gap around, the area effectively occupied is 25%.

d) There will be **light pollution** unless the “integrated venetian blinds” are permanently used when it is dark. This is totally unlikely and unrealistic. The light from such large windows facing all the houses in Albert Street would be very obvious and unpleasant, and so different from the light which might come from a shed, for example, with occasional occupation. Since the applicants stress their need for this extra room, presumably they will be using it frequently.

e) There can be no guarantee that the present or future owners do not move in a bed and use the room as sleeping accommodation.

**D. Insufficient evidence of need for application**

For listed buildings, applicants have to show good reason for what they propose. Surely the same principle should apply to a proposal for a garden room in the grounds of a listed building? Ultimately, has the applicant established a need for extra amenity space in a 5-storey house?

**Conclusion:** The proposed building cannot be argued to meet any of the following requirements:

* human in scale
* contributes to positive relationships between urban and natural landscapes
* informed by the surrounding historic environment.

In my opinion therefore, the proposed structure is out of scale, not sympathetic to the general arrangement of listed rows of houses with flat green and patio-ed gardens between them and incompatible with the nature of a designated heritage asset.

In summary, I object to the application on the grounds of oppressive, proximate impact on my house and garden enjoyment; incompatibility with even the preservation let alone the enhancement of a conservation area noted for its rich open spaces; misleading design and access statement and insufficient evidence of legitimate need for an additional amenity space in a 5-storey house.

Kindly acknowledge receipt of my representation.

Yours sincerely,

Catharine Seddon