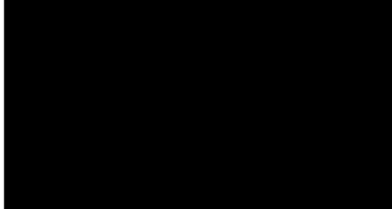


Todd J. Berman
Chair, The Hampstead Hill Gardens
Residents' Association

20 January 2020

Attn.: Ms. Rachel English
Planning Officer
Camden Council
Rachel.English@camden.gov.uk



RE: Planning Application 2019/5835/P, 4b Hampstead Hill Gardens.

Dear Ms. English:

I am writing to you in my capacity as Chair of the Hampstead Hill Gardens Residents' Association, and on behalf of the Committee of the Residents' Association, in order to state our opposition to the proposed plans to radically redevelop 4b Hampstead Hill Gardens (2019/5835/P).

The decision of the RA Committee was taken unanimously and reflects our view -- and the professional advice we have received -- that the proposed development contravenes a number of critical Camden Council planning policies, the NPPF, the London Plan, the Hampstead Neighbourhood Plan and the Hampstead Conservation Area Statement.

Our opposition is based on the harm that would result to neighbouring properties, to Hampstead Hill Gardens more generally, as well as to the Hampstead Conservation Area and the neighbouring roads and gardens which will all be impacted:

Streetscape: The streetscape on this road, and in particular at the specific point in the road where the site is located, would be severely compromised by this proposal. The proposed redesign of the building is not in keeping aesthetically with its surroundings. If allowed, it would detrimentally impact the character and continuity of the existing streetscape, one which is defined by the setting of the surrounding Grade II listed buildings.

The site itself is a semi-detached building which today has a consistency with its neighbouring property at 4a, which has a consistent height, shares a similar roofline and a design aesthetic which would be seriously compromised by this plan. The roofline would become a jagged edge, with one roof substantially out of kilter with its fully attached and larger next door property.

The site historically was one home, with one roofline: The Applicant is proposing to radically alter the roofline, creating a "tower" effect which would be quite inappropriate in the context of the surrounding homes and the protected style of building which forms the core of the immediate road's character.

Massing: The Applicant's proposal results in substantial massing of the building, in particular against the street and public footpath for those passing and for near neighbours. This would be out of context on this road where most of the properties are set well back from the highway.

The building's current low, consistent roofline and clear setback from the road and public pavement creates a sense of openness which would be destroyed as the light and views would be blocked by the substantial increase in height and density of the new design. The Applicant's own pictorial representations of the proposed design illustrate the massing effect on the immediate area in front of the building as well as in the rear gardens of 4a, 4, 2a, 2 and 6 Hampstead Hill Gardens.

Overdevelopment: The site of the existing building comprising both 4a and 4b was originally open gardens with a tennis court. This was designed so that the older original houses which are arranged in a horseshoe shape around the site on both sides of the road had as their focal point an open space and a view of St. Stephen's Church rather than dwellings jammed together. The Applicant's father was allowed to build 4a to replace the tennis court. He later converted the garage and part of the rear garden to what is now 4b but that was in the immediate post War years and prior to the area being designated a Conservation Area in 1968.

What was a space between the dwellings was thus converted into two homes, with the Applicant's current residence having previously been the attached garage to 4a's principal residence. The proposed plan would convert what was a garage, and now a 3/4 bedroom home, into a much larger 4 bedroom family home, doubling the habitable space, dwarfing the original primary residence next door and further enveloping the latter's garden.

This is precisely the type of overdevelopment which the Hampstead Neighbourhood Plan and the Conservation Area Statement were designed to prevent. The massing of the building near the highway and against the property lines; the increase in height of the structure which blocks views and compromises the skyline; the loss of sunlight to neighbouring gardens and homes; the creation of an extended basement well beyond the footprint of the existing building are all key indicators that collectively establish that this is a case of overdeveloping a site and it should not be approved.

Obscuring/Blocking of Views: The increased height of the additional storey would dramatically alter views to and from at least seven nearby Grade II listed properties, interfering with them and in part obscuring some, depending on the point of observation.

It was the express intent of the Hampstead Conservation Area Statement and the Hampstead Neighbourhood Plan that these views be protected from overdevelopment such as is proposed by the Applicant. Protecting the ability to view these heritage properties – as well as the views from these homes -- is as critical as protecting the properties themselves and the Applicant's plan would obscure if not entirely eclipse them.

Critical views from several of these nearby listed properties would be compromised. For example, there are line of sight views from a number of windows at 9 Hampstead Hill Gardens to the spire of Grade I listed St. Stephens' Church which will be entirely blocked if this plan is allowed to proceed.

Skyscape: The proposed plans would damage the skyline for virtually all near neighbours, both from the front of the building and in neighbouring gardens. The proposed plans would materially and detrimentally alter the perspectives each of the Applicant's several neighbours currently enjoy and would damage their ability to enjoy evening sun, morning light and the beauty of the Hampstead skyline throughout the day. For example, when 4b was built it closed in 4a's west

facing rear garden from the east and with a mature copper beech to the south the additional height will make 4a's garden a dark well.

Restrictive Covenants: The original architect and builder clearly intended to limit the scale of future building at the site -- and in particular sought to ensure there could be no further vertical growth -- by placing a restrictive covenant on the property which applies to 4a as the dominant property but which should also apply to 4b by reference as it was and remains the subservient property, as well as a fully integrated part of the original structure. The passage of 50 years has created a constructive easement for light and air on behalf of 4a that should be respected and enforced.

Failure to Create Additional Housing in Camden: The current structure at 4b HHG is a 3/4 bedroom property occupied by one family with 5 residents: The Applicant, his spouse and their three children.

The new structure which is being proposed doubles the size of the property but only adds one bedroom. This proposal does not in fact increase Camden's housing stock because the exact same family will live there but simply in a more expansive space. There is in fact no net new housing stock being added for the Camden community despite the loss of amenity, the massing and overbuilding required and the damage to the streetscape and green environment that will result.

Light: The plans should be rejected if for no other reason than the damage the addition of the new 3rd storey tower would do to the lightscape of neighbouring properties. The increased height of the structure creates a sundial effect, casting a block of shade more or less continuously across nearby homes and gardens throughout the day as the sun traverses the sky. The applicant's own Design Statement concedes that the application is not BRE compliant because of the proposed third floor.

Heritage: The proposal would result in the destruction of a subordinate and inoffensive structure which while not listed has nevertheless through the passage of time become a critical part of the character of the road. The structure's design is now firmly a part of the streetscape. Local residents have grown accustomed to the size, shape and integrated style of 4a and 4b and it would be a tremendous loss to this community to allow a radical new design which is widely opposed.

Design: The Applicant's proposed design is bulky, overbearing, has a commercial aesthetic and is inconsistent with the character and architecture of neighbouring properties. Some materials used such as reflective tiling are out of keeping with nearby homes. This incompatibility would be particularly severe in the case of 4a, which is entirely different in design, style, materials and shape from that which the Applicant proposes.

The proposed design would clash outright with the setting: There are seven near neighbours whose Grade II listed homes were built by the acclaimed architects Batterbury & Huxley. The proposed design is alien to the consistent style of local properties and makes no contextual sense.

Perhaps as importantly, the proposed design is completely out of character and out of context with respect to the larger part of the structure to which it is attached. The Applicant's proposal bears virtually no resemblance to 4a but would rather create a jarring, irrational vision entirely lacking any relationship to where it is and to what it is attached.

Overlooking (front and back): The proposal results in a loss of privacy for nearby homes by building too high and by seeking to add Juliet balconies to the front upper level. Whether intended or not, the result will be that additional windows will be added to the property, existing windows enlarged, and several new windows added on the proposed new tower level which will all have direct views

into near properties. This is in particular the case with direct views into bathrooms and bedrooms at 7 and 9 as well as 2, 2a, 4a, 4 and several of the residences at 6 Hampstead Hill Gardens.

In the front of the building, the Applicant proposes juliet balconies which would effectively create a viewing platform directly across the road into the bedrooms, bathrooms and sitting rooms of several facing properties, a number of which have young children whose privacy will be at risk if this plan is allowed to proceed.

Overshadowing (at the sides): By virtue of its increased height, the new tower structure will substantially increase the incidence of overshadowing, in particular affecting neighbouring gardens at 4a, 4, 2, 2a and 6 Hampstead Hill Gardens. The privacy of several gardens will be almost entirely compromised with virtually every corner of adjacent and facing properties now overshadowed, most dramatically for the home at 4a. These gardens are all used continuously as integral inside/outside spaces: Allowing an adjacent neighbour to build a structure which would as a matter of certainty overshadow those private spaces is unacceptable. The application is clear that it is not BRE compliant.

Amenity: The bulk, the size and the scope of this design would materially compromise the amenity of surrounding properties, reducing light, obstructing views, exacerbating noise and vibration and harming the heritage of the site itself as well as the streetscape. Local residents have every right to seek to preserve the amenity value of their properties and roads and this proposal would present a threat to that quality of life. There is no doubt that the amenity of the road and near properties would be reduced and it is our considered view that the level of amenity reduction is simply not acceptable in the context of what is being proposed.

Finally, I attach for your reference a Heritage Report commissioned by one of our local residents which is both comprehensive and critical of the proposed application, identifying and enumerating a range of significant concerns with the scope and scale of the plan, the design and numerous planning policy issues.

Allowing this radical design in this rare setting of Grade II listed buildings would set a harmful precedent, undermining the integrity of the Conservation Area. The applicant's proposed design may have merit but it is not appropriate for this site.

Given the importance of this planning application to the local community, we would respectfully request that this application be rejected.

I would also like the opportunity if possible to speak to the Planning Committee as the Chair of the relevant Residents' Association and as a near neighbour directly impacted by this proposal.

All of that said, I urge you on behalf of many local residents, on behalf of several near neighbours for whom this plan would be quite damaging to their persons and properties, and on behalf of the Hampstead Conservation Area more generally to reject this planning application.

Kind regards.

Todd J. Berman, Chair, The Hampstead Hill Gardens Residents' Association.