

Application No:	Consultees Name:	Received:	Comment:	Response:
2021/2071/P	Emily and Ralph Simon	02/07/2021 19:49:44	COMMNT	<p>Our written objection below to the unsightly, noisy and disruptive overdevelopment requested by the new owners of number 13 Elsworthy Road will address three separate issues. The first will object to the proposed application (the Application) based on its negative impact to our Conservation Area and to the Neighbours. The second will address why the Planning and Heritage Statement in the Application is incorrect and misleading. The third will speak as to why the previous approval of a different application in 2015 should not be used as precedent barring the rejection of the Application.</p> <p>1. The Negative Impact on our Conservation Area.</p> <p>The proposed Application has the potential to negatively impact the beauty and historical significance of our Conservation Area. Future additions and development must take care not to break away or detract from the traditional alignment and elevation of the existing building typology and form. This scheme does in fact break away and detract.</p> <p>Specifically noted in our Conservation Plan ("Plan") are the historic rear elevations. The original historic pattern of rear elevations within a street or group of buildings is an integral part of the character and appearance of the Elsworthy Road Conservation Area. As such, rear extensions will not be acceptable where they would compromise the special character.</p> <p>The Plan also notes that the integral visual relationship with the complementary, open rural aspect of Primrose Hill is a marked characteristic of the Conservation Area. Thus Camden has a duty to follow our Conservation Area guidelines in finding that "Any rear extensions or harmful alterations in the locations cited will be strongly discouraged."</p> <p>The proposal submitted by 13 Elsworthy Road for their back garden would destroy the seamless effect between the parks and our neighbourhood, destroy the complementary integration between Elsworthy road and its surroundings, and most importantly destroy the architectural integrity of our houses on the southeast portion of Elsworthy Road and ruin our quiet enjoyment of our property.</p> <p>Thus, to the extent that the rear of 13 Elsworthy Road is changed both in bulk and height it should not be allowed. And of course, the disruption to the neighbourhood and the proposed disruption to neighbours by having a new build of such massive scale, together with a raised terrace would be disastrous. The raised terrace is not "an amenity terrace" as they would have us believe, but a large outdoor entertaining space to be enjoyed to the detriment of the neighbours and to the Park. Noise and lights cannot be blocked by the proposed privacy screening. Our house, and lounge would directly overlook such a terrace and be quite disruptive to us. The added bulk to the house would be quite noticeable. Our visual corridor would be disrupted and in effect ruined.</p> <p>The Conservation Area Report (the "Plan") demands that Camden be aware of even small scale changes that can, cumulatively, have a significant impact on the character of an area. It must be remembered if permission is granted in this pivotal application it will be assumed by all other new owners and developers that they, too, can overdevelop to the detriment of the neighbours and community. So this Application must be judged in the light of the potential of all other houses to do the same overbuild. The whole neighbourhood would be effected with people adding side extensions, changing the garden, entertaining at a raised level, changing roof lines, and overdeveloping.</p>

Application No: Consultees Name: Received:

Comment: Response:

More specifically, the council is charged with denying permission in the following circumstances and the owner of the property is charged with not doing:

- Inappropriate scale, bulk, height, massing and proportions
- Extensions that negatively affect the scale, symmetry, or relative dominance of parts of existing buildings;

2. The Planning and Heritage Statement submitted with the Application is incorrect and Misleading.

We believe that portions of the Planning and Heritage Statement (the "Statement") submitted as part of the Application are incorrect. Many of the excerpts from the Plan are taken out of context, and incorrect conclusions have been drawn from incorrect analysis. Obviously this misapplication and misstatements of portions of our Plan are solely to support the position that this particular overdevelopment should be approved.

The following list of misapplications/misstatements is not exhaustive but instructive:

- The Statement notes that the Plan requires the Council to ensure that the amenity of communities, occupiers and neighbours is protected. The factors to be considered include (inter alia): visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; and impacts of the construction phase. The Application obviously does not conform with these protections. The privacy of neighbours is destroyed, the proposed extensions can be seen from other homes as well as from the Hill itself, the sauna building is right in the line of sight, and the proposed terrace and building up above the current boundary will overshadow the neighbours. Their argument that their building works cannot impact upon neighbouring properties in terms of privacy or daylight / sunlight / overshadowing is just untrue. Further the proposed new terraces extended well beyond the terraces of the other houses. The Statement itself admits that the side extension does diminish privacy, light, and overshadowing, the Statement says this is not important but excuses this lapse by stating that the loss would be extremely minimal and would have in any case have no or little impact. We disagree. We also disagree that privacy shields they may build will guard against our loss of privacy and diminish the overshadowing and that the impact to ourselves is extremely minimal and with no impact.
- The Plan identifies 13 Elsworthy Road as a building that makes a positive contribution to the character and appearance of the conservation area. Yet the Application seeks to add considerable extensions that will change the character and appearance of the house. The argument in the Statement is that no one will really see the change, or notice, but as a close neighbour let us assure you that WE definitely will see and notice the extensions. The so called "amenity terrace" only amplifies the disruption.
- The Statement says in support of the Application that an aim of the Borough is the retention and improvement of existing housing stock to meet the current and future housing needs of the Borough. To submit that this is in favour of this overdevelopment of number 13 is a bit curious. Of course the submitted plans does not call for a demolition of the existing house and their retention of the house is not meritorious. It is a severe misinterpretation to claim that extending the house 5 meters into the garden (with a raised terrace), adding a patio for many meters more into the garden, adding a side extension as storage, changing the roof line, and adding a sauna was what the Borough intended when they said there could be to the improvement of existing housing stock. In fact, it will diminish the other houses in our row of houses. Contrary to what is stated, the plan diminishes the architectural integrity of the neighbourhood, is a nuisance to neighbours, and

Application No: Consultees Name: Received:

Comment:

Response:

does absolutely nothing to enhance the current and future housing needs of the Borough. In fact, it might increase the enjoyment of the new owners of their house to have a bigger, larger home, but it will definitely decrease the enjoyment of all others in their proximity.

- Their assertion that they respect local context and character, by following the established pattern of other alterations and extensions found in the Conservation Area and by remaining subservient to the host building through scale, location, and form; is just incorrect. It does none of those things.
- Although the following is stated, I disagree: Through the careful design approach and features set out above, we consider that the proposed balcony and amenity terrace proposed would not materially change the existing degree of overlooking between properties in the immediate vicinity of the site. This cannot possibly be correct. A raised garden terrace only increases noise, is within our visual corridor, lighting would be added that would definitely be within our visual corridor, and our quiet enjoyment of our property would be diminished. We all have privacy now, but will not if this scheme goes ahead..
- They state that :The proposals are modest in scale, but that is not true. They are in fact over development of the site -- excessive and disruptive.
- Although they state to the contrary, the 5 meter extension with a terrace wiuth a new terrace where none before existed obviously does not respect the scale of the building or the adjoining houses. The extension in to the garden of a terrace changes the nature of all of our gardens.
- The references to number 15 being two stories is seriously misleading. The "two stories" actually is a transparent high ceiling, and does not include a raised terrace upon which people may congregate.
- The proposed extensions are too large to be considered subsidiary to the existing building and absolutely detracts from its character by becoming over-dominant.

3. The previous approval in 2015 of an extension to the property should not be determinative whether the Application should be approved.

The application relies on permission granted in 2015, and also the conservatory of number 15. Although this plan is similar-- it is not the same. The extensions and the building works to be undertaken is vastly more ambitious in its scope, scheme, disruption and effect than the former scheme. The former approved scheme allowed for a type of one story garden room to be added on to the back of the house. While of the same dimensions, =it was intended to be of a more transparent type of conservatory. This new scheme is not adding on a conservatory type extension or a garden room, but is rather using the former room as well as a large new extension to build a very large kitchen with a sitting area. It has been said that the purpose of the new addition is to have a new kitchen, and also to entertain on the raised terrace and far into the garden. Hardly the same scheme that had been approved.

Neighbours did not make comments in 2015, which is unusual, so we can only deduce that we were not properly informed of the scheme, and the Planning Officer ss not aware of the rippling effect that such an overdevelopment would cause to the neighbouring properties.. We, as an example, were never made aware of the former application and if we had known we would have strongly disapproved. You must take note that this approved application was never acted upon, and probably never intended to be acted upon. There is no reason that a planning officer cannot see this current Application as a new event, and disregard the previous application. Each set of plans must be taken on its own merits, without reference to former plans but with reference to the goals of the Conservation Area. There is no reason that an officer must use as precedent a decision which may not have been properly reviewed and was not notified to the neighbours. Most importantly, why should a damaging proposal that was incorrectly decided and never acted upon act as

Application No:	Consultees Name:	Received:	Comment:	Response:
				<p>precedent to destroy our enjoyment of our property?</p> <p>For all of the above reasons, together with the comments already submitted to you from other stakeholders, I believe this Application needs to be refused and the ambitions of the new owners scaled back to preserve the architectural integrity of our neighbourhood, give us peace and quiet, not ruin our visual corridor, and for the planning officer of the Council to follow assiduously the Conservation Plan which it is instructed to do.</p>

Application No:	Consultees Name:	Received:	Comment:	Response:
2021/2071/P	Emily and Ralph Simon	02/07/2021 19:53:47	OBJ	<p>Our written objection below to the unsightly, noisy and disruptive overdevelopment requested by the new owners of number 13 Elsworthy Road will address three separate issues. The first will object to the proposed application (the Application) based on its negative impact to our Conservation Area and to the Neighbours. The second will address why the Planning and Heritage Statement in the Application is incorrect and misleading. The third will speak as to why the previous approval of a different application in 2015 should not be used as precedent barring the rejection of the Application.</p> <p>1. The Negative Impact on our Conservation Area.</p> <p>The proposed Application has the potential to negatively impact the beauty and historical significance of our Conservation Area. Future additions and development must take care not to break away or detract from the traditional alignment and elevation of the existing building typology and form. This scheme does in fact break away and detract.</p> <p>Specifically noted in our Conservation Plan ("Plan") are the historic rear elevations. The original historic pattern of rear elevations within a street or group of buildings is an integral part of the character and appearance of the Elsworthy Road Conservation Area. As such, rear extensions will not be acceptable where they would compromise the special character.</p> <p>The Plan also notes that the integral visual relationship with the complementary, open rural aspect of Primrose Hill is a marked characteristic of the Conservation Area. Thus Camden has a duty to follow our Conservation Area guidelines in finding that "Any rear extensions or harmful alterations in the locations cited will be strongly discouraged."</p> <p>The proposal submitted by 13 Elsworthy Road for their back garden would destroy the seamless effect between the parks and our neighbourhood, destroy the complementary integration between Elsworthy road and its surroundings, and most importantly destroy the architectural integrity of our houses on the southeast portion of Elsworthy Road and ruin our quiet enjoyment of our property.</p> <p>Thus, to the extent that the rear of 13 Elsworthy Road is changed both in bulk and height it should not be allowed. And of course, the disruption to the neighbourhood and the proposed disruption to neighbours by having a new build of such massive scale, together with a raised terrace would be disastrous. The raised terrace is not "an amenity terrace" as they would have us believe, but a large outdoor entertaining space to be enjoyed to the detriment of the neighbours and to the Park. Noise and lights cannot be blocked by the proposed privacy screening. Our house, and lounge would directly overlook such a terrace and be quite disruptive to us. The added bulk to the house would be quite noticeable. Our visual corridor would be disrupted and in effect ruined.</p> <p>The Conservation Area Report (the "Plan") demands that Camden be aware of even small scale changes that can, cumulatively, have a significant impact on the character of an area. It must be remembered if permission is granted in this pivotal application it will be assumed by all other new owners and developers that they, too, can overdevelop to the detriment of the neighbours and community. So this Application must be judged in the light of the potential of all other houses to do the same overbuild. The whole neighbourhood would be effected with people adding side extensions, changing the garden, entertaining at a raised level, changing roof lines, and overdeveloping.</p>

Application No: Consultees Name: Received:

Comment: Response:

More specifically, the council is charged with denying permission in the following circumstances and the owner of the property is charged with not doing:

- Inappropriate scale, bulk, height, massing and proportions
- Extensions that negatively affect the scale, symmetry, or relative dominance of parts of existing buildings;

2. The Planning and Heritage Statement submitted with the Application is incorrect and Misleading.

We believe that portions of the Planning and Heritage Statement (the "Statement") submitted as part of the Application are incorrect. Many of the excerpts from the Plan are taken out of context, and incorrect conclusions have been drawn from incorrect analysis. Obviously this misapplication and misstatements of portions of our Plan are solely to support the position that this particular overdevelopment should be approved.

The following list of misapplications/misstatements is not exhaustive but instructive:

- The Statement notes that the Plan requires the Council to ensure that the amenity of communities, occupiers and neighbours is protected. The factors to be considered include (inter alia): visual privacy, outlook; sunlight, daylight and overshadowing; artificial lighting levels; and impacts of the construction phase. The Application obviously does not conform with these protections. The privacy of neighbours is destroyed, the proposed extensions can be seen from other homes as well as from the Hill itself, the sauna building is right in the line of sight, and the proposed terrace and building up above the current boundary will overshadow the neighbours. Their argument that their building works cannot impact upon neighbouring properties in terms of privacy or daylight / sunlight / overshadowing is just untrue. Further the proposed new terraces extended well beyond the terraces of the other houses. The Statement itself admits that the side extension does diminish privacy, light, and overshadowing, the Statement says this is not important but excuses this lapse by stating that the loss would be extremely minimal and would have in any case have no or little impact. We disagree. We also disagree that privacy shields they may build will guard against our loss of privacy and diminish the overshadowing and that the impact to ourselves is extremely minimal and with no impact.
- The Plan identifies 13 Elsworthy Road as a building that makes a positive contribution to the character and appearance of the conservation area. Yet the Application seeks to add considerable extensions that will change the character and appearance of the house. The argument in the Statement is that no one will really see the change, or notice, but as a close neighbour let us assure you that WE definitely will see and notice the extensions. The so called "amenity terrace" only amplifies the disruption.
- The Statement says in support of the Application that an aim of the Borough is the retention and improvement of existing housing stock to meet the current and future housing needs of the Borough. To submit that this is in favour of this overdevelopment of number 13 is a bit curious. Of course the submitted plans does not call for a demolition of the existing house and their retention of the house is not meritorious. It is a severe misinterpretation to claim that extending the house 5 meters into the garden (with a raised terrace), adding a patio for many meters more into the garden, adding a side extension as storage, changing the roof line, and adding a sauna was what the Borough intended when they said there could be to the improvement of existing housing stock. In fact, it will diminish the other houses in our row of houses. Contrary to what is stated, the plan diminishes the architectural integrity of the neighbourhood, is a nuisance to neighbours, and

Application No: Consultees Name: Received:

Comment:

Response:

does absolutely nothing to enhance the current and future housing needs of the Borough. In fact, it might increase the enjoyment of the new owners of their house to have a bigger, larger home, but it will definitely decrease the enjoyment of all others in their proximity.

- Their assertion that they respect local context and character, by following the established pattern of other alterations and extensions found in the Conservation Area and by remaining subservient to the host building through scale, location, and form; is just incorrect. It does none of those things.
- Although the following is stated, I disagree: Through the careful design approach and features set out above, we consider that the proposed balcony and amenity terrace proposed would not materially change the existing degree of overlooking between properties in the immediate vicinity of the site. This cannot possibly be correct. A raised garden terrace only increases noise, is within our visual corridor, lighting would be added that would definitely be within our visual corridor, and our quiet enjoyment of our property would be diminished. We all have privacy now, but will not if this scheme goes ahead..
- They state that :The proposals are modest in scale, but that is not true. They are in fact over development of the site -- excessive and disruptive.
- Although they state to the contrary, the 5 meter extension with a terrace wiuth a new terrace where none before existed obviously does not respect the scale of the building or the adjoining houses. The extension in to the garden of a terrace changes the nature of all of our gardens.
- The references to number 15 being two stories is seriously misleading. The "two stories" actually is a transparent high ceiling, and does not include a raised terrace upon which people may congregate.
- The proposed extensions are too large to be considered subsidiary to the existing building and absolutely detracts from its character by becoming over-dominant.

3. The previous approval in 2015 of an extension to the property should not be determinative whether the Application should be approved.

The application relies on permission granted in 2015, and also the conservatory of number 15. Although this plan is similar-- it is not the same. The extensions and the building works to be undertaken is vastly more ambitious in its scope, scheme, disruption and effect than the former scheme. The former approved scheme allowed for a type of one story garden room to be added on to the back of the house. While of the same dimensions, =it was intended to be of a more transparent type of conservatory. This new scheme is not adding on a conservatory type extension or a garden room, but is rather using the former room as well as a large new extension to build a very large kitchen with a sitting area. It has been said that the purpose of the new addition is to have a new kitchen, and also to entertain on the raised terrace and far into the garden. Hardly the same scheme that had been approved.

Neighbours did not make comments in 2015, which is unusual, so we can only deduce that we were not properly informed of the scheme, and the Planning Officer ss not aware of the rippling effect that such an overdevelopment would cause to the neighbouring properties.. We, as an example, were never made aware of the former application and if we had known we would have strongly disapproved. You must take note that this approved application was never acted upon, and probably never intended to be acted upon. There is no reason that a planning officer cannot see this current Application as a new event, and disregard the previous application. Each set of plans must be taken on its own merits, without reference to former plans but with reference to the goals of the Conservation Area. There is no reason that an officer must use as precedent a decision which may not have been properly reviewed and was not notified to the neighbours. Most importantly, why should a damaging proposal that was incorrectly decided and never acted upon act as

Application No:	Consultees Name:	Received:	Comment:	Response:
				<p>precedent to destroy our enjoyment of our property?</p> <p>For all of the above reasons, together with the comments already submitted to you from other stakeholders, I believe this Application needs to be refused and the ambitions of the new owners scaled back to preserve the architectural integrity of our neighbourhood, give us peace and quiet, not ruin our visual corridor, and for the planning officer of the Council to follow assiduously the Conservation Plan which it is instructed to do.</p>
