

Application No:	Consultees Name:	Received:	Comment:	Response:
2021/2599/P	Paul F J Fox	30/07/2021 16:54:00	OBJ	<p>6 Holmdale Road is one of a group of 4 terraced houses. The application includes a photograph captioned "view of traditional canted bays with hipped roofs within the wider local environment". However this 4 house terrace is different; the backs of the houses are flat faced save for a multi floor extension to nos 8 fronting onto Pandora Road.</p> <p>Of the 4 houses 2, including nos 6, have existing one story garden/basement extensions. Only number 6 has an existing roof terrace, permission for which was granted in 2006 (2006/4809/P). The roof terrace was contentious at the time. Conditions on planning required a balustrade on the roof terrace set back from the front of the terrace by 1600mm and privacy screens to protect the privacy of the neighbouring properties. However the balustrade was quickly removed, the roof terrace illegally extended and the function of the privacy screens negated. As a result nos 4 was obliged to erect its own privacy screen parallel with the full extent of the roof terrace.</p> <p>The balustrade was only reinstated in conjunction with this present application, presumably in reaction to planning officer observations in the refusal of application 2020/0050/P. The only very recent adherence to existing planning conditions can perhaps be gauged from the fact that all of the photographs of the existing roof terrace accompanying the present application still show the full terrace being used.</p> <p>The proposal is for an extension considerably larger than presently exists. As the present extension is 12.6 sqm (2006/4809/P, letter 20 October 2006) and the application states a net gain of 18sqm, then proposal is for a new/replacement structure of 30.6 sqm. This equates to a new structure 243% larger than the one it replaces. It is to be two rather than one storey.</p> <p>The proposed lower ground floor is part full width and extends into the garden a further 1220mm (4550mm proposed against 3330mm existing).</p> <p>The proposed raised ground floor of 4550mm consists of a full width structure of 2000mm and a roof terrace extending, at its maximum, a further 1375mm to be sectioned off from the remaining roof by a balustrade. The application states that 2000mm was the previously 2006 approved position of the balustrade (see for example 146_02.01). This is not correct. As the existing extension has a depth of 3330mm (see for example 146_01.00) and the condition is that the balustrade be set "back from the rear elevation by 1600mm" (2006/4809/P, letter 20 October 2006) then the existing "planning approval" is that the balustrade be set at 1700mm from the house and not, as erroneously and consistently stated in this application, at 2000mm. Further the existing "planning approval" (which is in fact a condition - consistently ignored in practice - and not an approval) is for a balustrade and not a structure. In any event the application now proposes that the roof terrace extends to a maximum of 3375mm from the existing house which exceeds not only the previous planning condition of 1700mm by a substantial 1675mm (almost double) but indeed exceeds the total 3330mm depth of the existing extension. It is as if the 2006 condition no longer exists.</p> <p>There is also the inevitable scepticism that attaches to the proposed use of balustrades that, experience shows, last only as long as the planning process itself. Indeed one can only wonder if the balustrades are to be fitted with hinges.</p> <p>What is proposed will affect the privacy of surrounding properties. When planning conditions were imposed in 2006 it was established that a roof terrace extending to 3330mm "would enable direct views into a first floor</p>

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habitable window" namely nos 8 (para 6.3.1 letter 20 October 2006). Presumably a terrace extending to 3375mm, 45mm further than even was sought in 2006, will exacerbate this issue to both nos 4 and 8.

The application addresses the issue of privacy by effectively seeking to outsource it to the property's neighbours. The application speaks of "heavy foliage" in nos 8 which, it is said, either "partially" or "almost completely" obscures the extension depending precisely on where you stand. However whatever camouflage properties this foliage in truth possesses - and the application itself seems unsure - it is not something nos 8 is obliged to maintain and in any event would be subject to inherent vagaries: different seasons, pruning, or simple removal? The application does not offer its own screening rather it considers it incumbent on its neighbour to provide this.

The same issue is even more stark with nos 4. This property was obliged to erect its own privacy screen because of the flagrant breach of the 2006 condition. The application now relies on this very screen to assert that nos 4's privacy will not be infringed by the application. This misses the point entirely. If the 2006 planning condition is adhered to then the privacy screen at nos 4 is redundant and can be removed if nos 4 wishes. What the application cannot do is oblige its neighbours to take or maintain steps to protect their own privacy, that is the application's obligation which it makes no attempt to discharge. The application states the following

"The extensively reviewed and previously approved existing party fence walls and privacy screen (allowing for localised adaption) remains in place as existing"

This is a baffling statement. In so far as it refers to the applicant's privacy screens it is self-evident from the application that they are to be removed and not replaced. In so far as it refers to the nos 4's screen they have never been "reviewed and previously approved" and it is not within the applicant's gift to assert that they will remain in place. Quite simply if the law had been obeyed the screen would never have been there in the first place and the applicant cannot seek to benefit from the consequences of its own breach.

There is no precedent for such a large two storey construction overlooking a set of four quiet and private gardens, the backs of whose houses are not canted bays with pitched roofs but flat faced. The existing extensions are sunk into the ground. The extension now proposed, further extended into the garden, will be a view stop from the back windows of every house. It will cause light and noise pollution – indeed as the raised ground floor is to be part room/part terrace it is to be presumed that the terrace part will receive greater use. Further for the first time, it is proposed that the roof terrace be directly accessible via an external staircase and thus the terrace will become a means of entering/exiting the property particularly from the raised ground floor, and thus the terrace will become a thoroughfare as well as a destination. Further it is proposed that the structure have 3 glazed roof lights which will throw light above the extension (it is unclear if these windows are to be opening which, if so, would exacerbate the noise pollution).

The application states that the existing gross internal floor area is 120 sqm which includes the 12.6 sqm granted in 2006. The application now seeks a further 18 sqm. If granted then what was in 2006 a 107.4 sqm flat will have increased in size by nearly 30% (30.6sqm). Together with a roof terrace it will become a flat too big for its site, a large cuckoo among a small terrace of 3 sparrows. Residents simply don't want to be overlooked by one out of four properties that extends disproportionately largely into the gardens and, by virtue of the extension, will be seen from most of the windows of the properties. Nor do they want to overlook it.

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For these reasons the application should be rejected.
