

Householder application - 2021/4667/P -
2nd Floor Flat, 29 Buckland Crescent

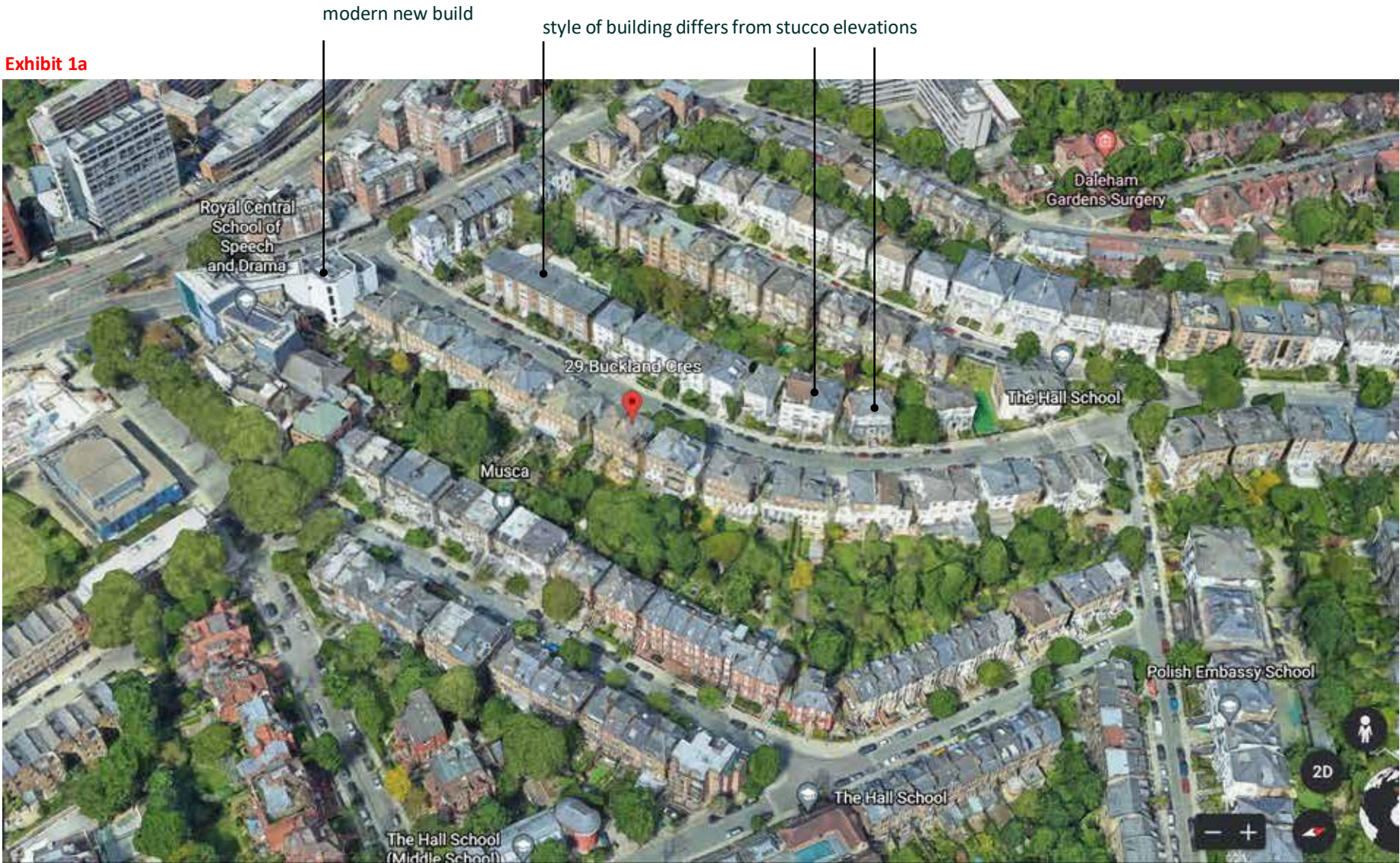
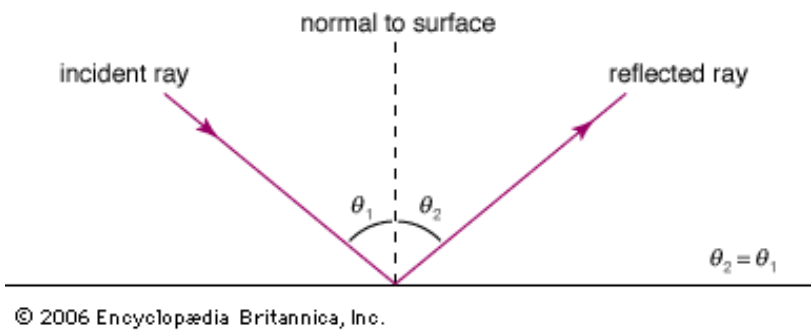
Dear Mr Young,

I am very disappointed to read your belated response dated the 23rd of December 2021. Within here I would like to appeal your decision. Please see below my response, to your statements, in blue.

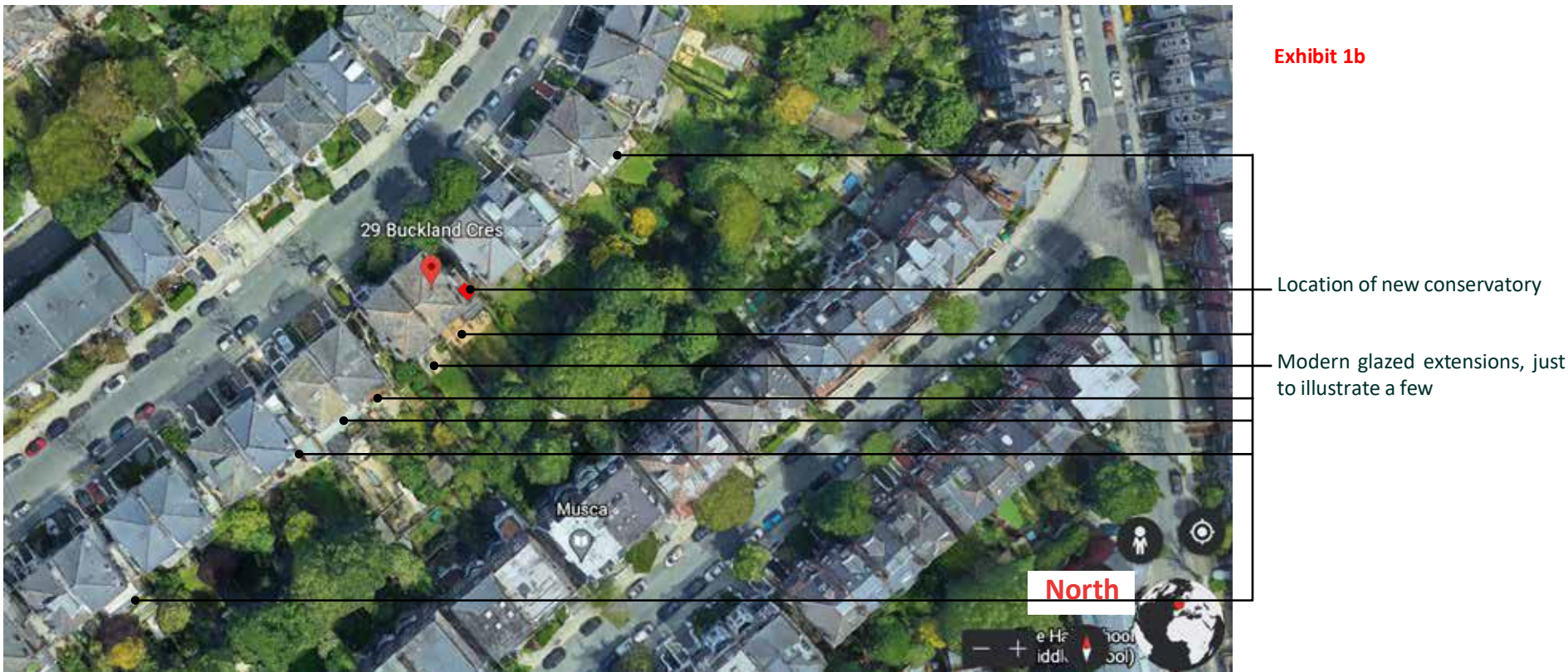
Hi Rojer
Thank you for your email.
Please accept my apologies for not being able to respond sooner. I’ve now reviewed the proposals with a Design Officer and have the following concern.

Alterations should always take into account the character and design of the property and its surroundings. The extensive use of glass material does not respect or relate well to the character and appearance of the existing building in my view. Glazing would appear unduly prominent in the proposed context, not least given that it is widely visible in this position, but also by introducing the potential for generating sun reflection and glare to neighbouring properties, especially given the upper floor level position.

- Please note that the surrounding properties have been given permission to alter/ extend their homes with modern extension which differ to the stucco style. The aerial photos to opposite right clearly displays the existing precedence.
- You state that the glazing would be widely visible. Could you please state from which properties the extension would be visible? The properties either side of No29 (from No 25 to No 35) have extensions comprising of larger glass areas than I am proposing, Please see exhibit 1a and 1b opposite. No 51 also was granted a glazed extension for a yoga studio recently.
- Please bear in mind that the elevation, facing the street, is set back from the street by over half the depth of the building hence will be barely visible from any property or from street level. As you are aware the elevation drawing submitted is only indicative and does not reflect a true elevation as the view is drawn parallel to the elevation instead of the perspective reflecting the view from street level. In addition, the tree which is in front of the building blocks the view to the terrace. see exhibit 4a and 4b
- Could you also please state when the possibility of glare would occur, how many times a year and which properties would be affected. My understanding is that the only elevation which could possibly be affected by glare is the South elevation in December, however the view to the extension from neighbouring buildings is blocked by the tall trees in all the surround rear gardens.
- It is my understanding that glass is primarily “refractive “and mirrors are “reflective”. The refractive index of glass is on average 1.52 depending on the angle of incidences. Most of the light passes through glass with a small amount being reflected at low intensity, as illustrated in the diagram below.



Google Map: Building Location



Google Map: Building Location, North Orientation

- Given that the sun rises in the east and settles in the west, my roof only receives direct sunlight at the point the sun is above the building's opposite (east of my roof). By midday the sun would be directly above eliminating the possibility. The potential window for the possibility for glare is possibly two hours on the brightest of days. Due to the physics of light and optics The small amount of light (if any) would be reflected into the roof of the building (not below) causing meniscal reflection. Any reflection would present the same problem as every window on every house, bus and car in Buckland Crescent.

See Exhibit 2

- Regarding the design of the property, the existing front elevation comprises of a detailed stucco front however the side and rear is very much simplified. showing partial rendered but mainly exposed brick elevations. The various black painted rainwater downpipes and drainage pipes are a distinct feature on the section of the building where the extension will be located.

It is also to note that the glazed area of the proposed South Elevations

of the conservatory does not differ significantly from the large windows of the ground floor flat and neighbouring properties, all which are entirely visible. See Exhibit 3a-3c

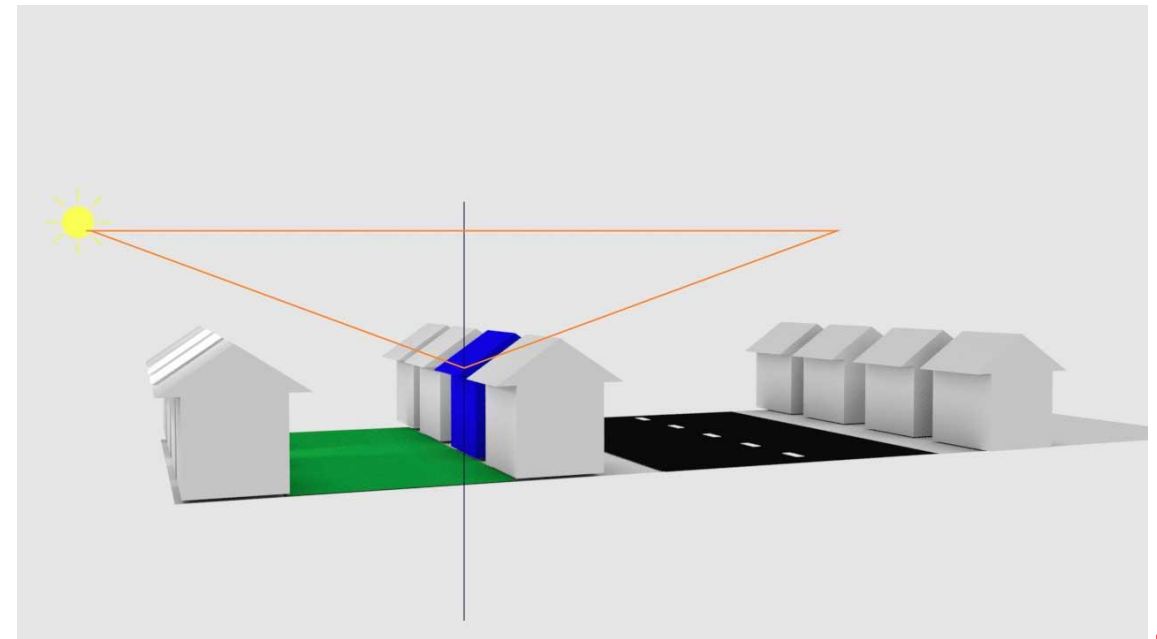


Exhibit 2

Exhibit 3a No.31 Glass roof and doors



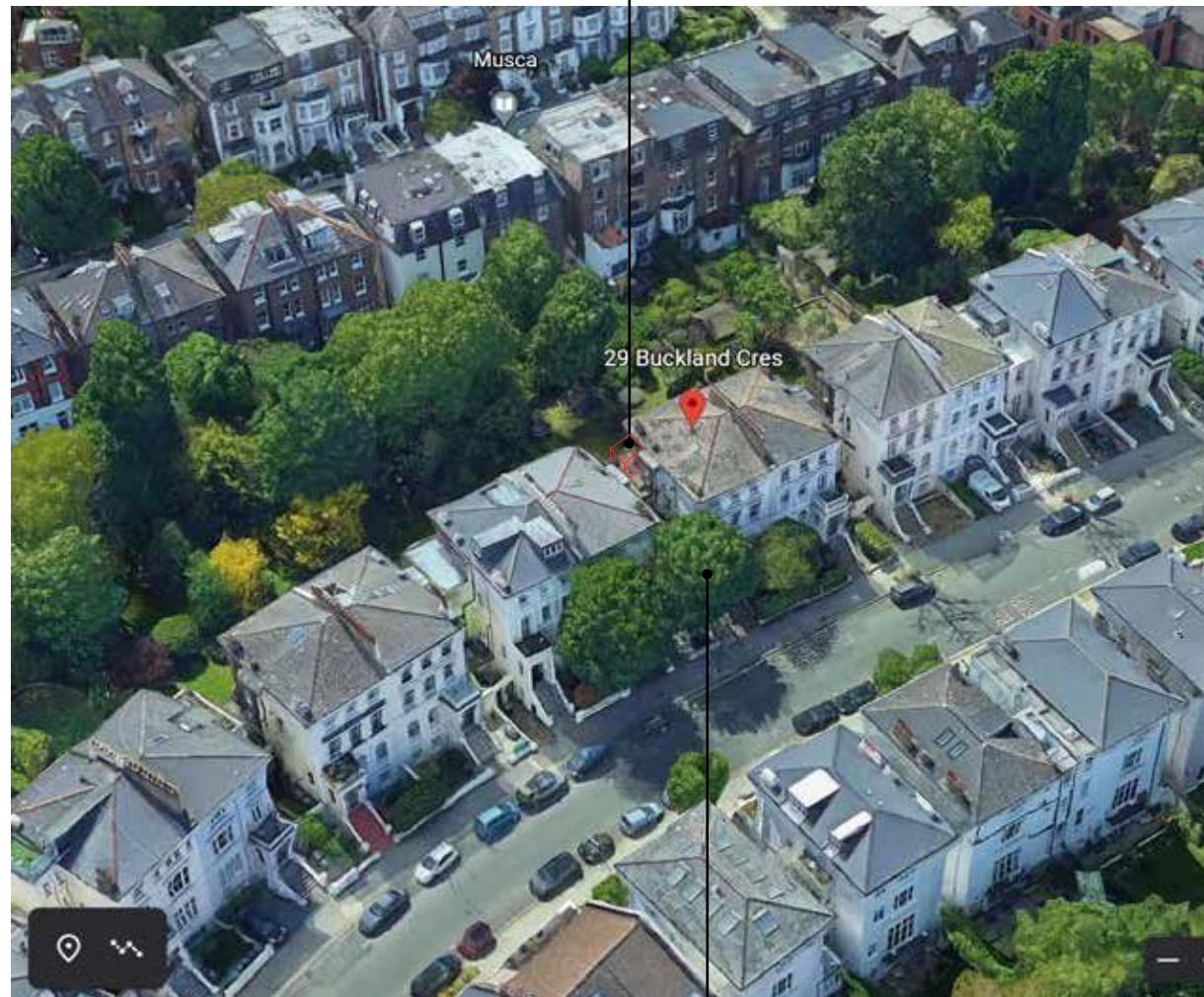
Exhibit 3b No.35 Glazed conservatory, glass balustrade and glass skylight



Exhibit 3c No.29 Glazed conservatory, glass balustrade and glass skylight also No.31 Glass roof and doors



Indicative conservatory



Google Map: Street View 1.

Exhibit 4a

29 Buckland Crescent



Google Map: Street View 2.

Exhibit 4b

Tree

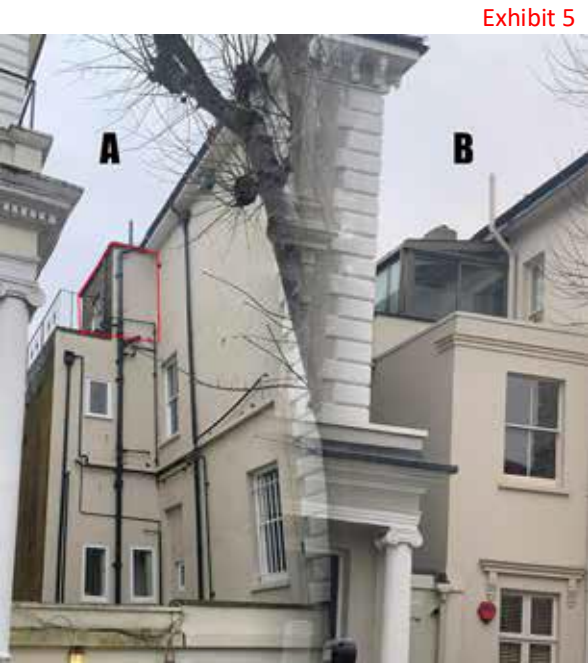
Indicative outline of proposed conservatory



View from rear neighbouring garden

Exhibit 4a

Plasesee side by side comparison illustrating clearly that there would be less visibility due to the difference in structure of building. My kitchen brickwork (A) overs at least 50% from the front elevation in comparison to number 37.
See exhibit 5



Google Map: Location Map

There is also concern that the position and size of the proposed conservatory might introduce harm to the amenity of neighbouring properties at the side and rear through the increased potential for overlooking and harmful privacy impacts (along with the potential adverse effects of glare and sun reflection referred to above).

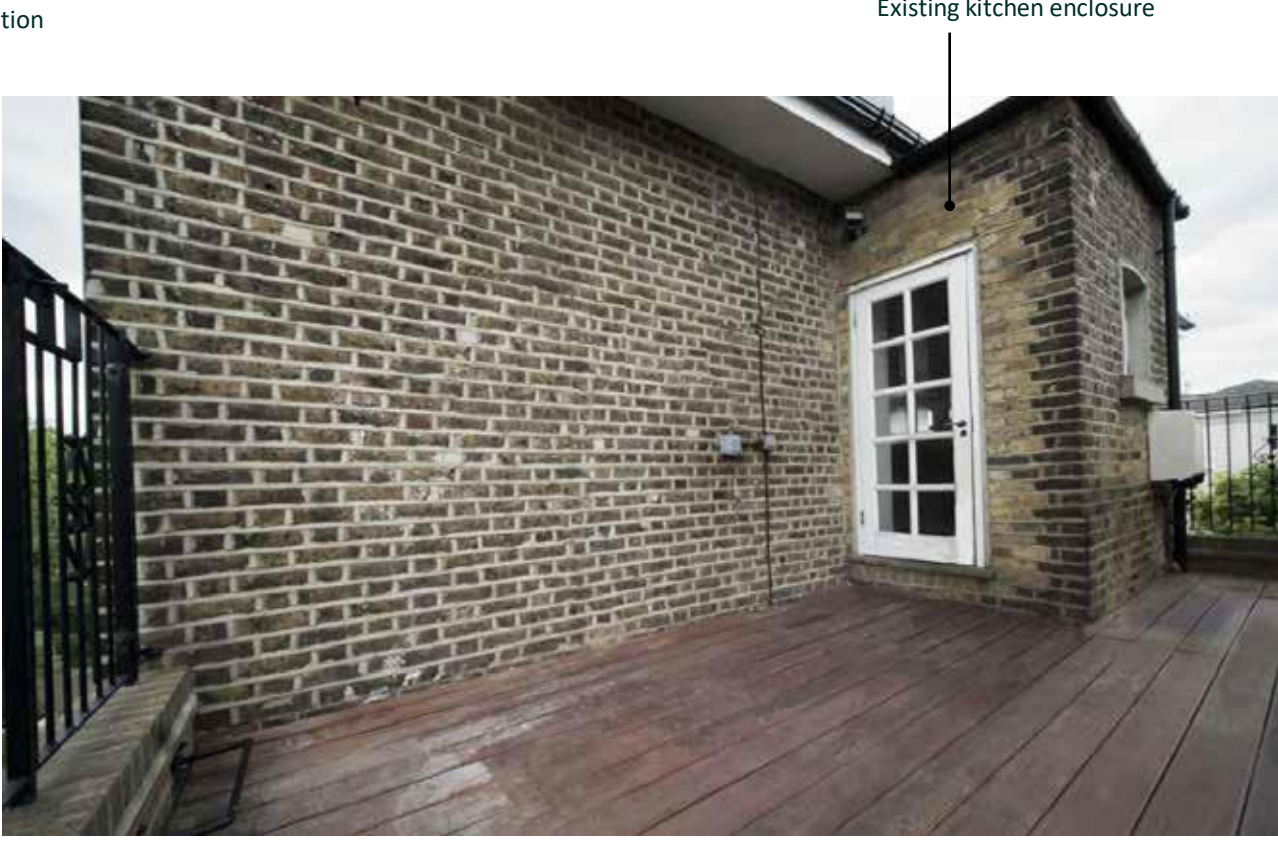
Please note the conservatory will be located on an existing roof terrace hence the “impact” on privacy of the neighbour will not differ from the one currently; therefore, I would have thought that this statement becomes void.
See exhibit 4a

Glazing aside, rear extensions are generally expected to come no higher than the one floor below eaves height. The existing later side extension already rises above that. In addition, side infills would normally be expected to come no higher than the porch of the main entrance, nor block or reduce views through to the rear from the front/ street. Development in a conservation area is required to preserve or enhance the area. I consider that the proposal (and any form of enclosed extension to the terrace) would detract from the character and appearance of the host building and the Belsize Conservation Area in which it is located.

I’ve taken into consideration the site context and any relevant planning history which includes a smaller conservatory at a similar floor level at no. 37 (planning ref. 8600176). However, this is a permission approved in 1986 and pre-dates current policies and guidance. As such, I consider this to be an isolated, historic example and not to set a precedent for similar alterations and having assessed the proposal on its own merit. Looking at Google Earth it becomes apparent that the area of the conservative at no. 37 is larger than the one I have submitted not smaller as stated.
See exhibit 6



Existing Front Elevation Exhibit 7a



Existing Roof Terrace Exhibit 7b

Whilst you do not consider no.37 being a precedent I would have thought that combined with the modern extensions to the rear a precedent exist that should be applied to all equally, as the underlying principle of a precedent is to ensure all are treated equally and not left to discretion of individuals as that could result in unfair decisions.

Furthermore it seems to be rather injustice that residence of the lower flats and surrounding neighbours are permitted to improve their homes but that residence of the upper floor not.

Please also note that the architectural style of the street has already been altered for example with the construction of the apartment block 24-28 and alteration to house 10 / neighbouring building and the numerous modern extensions within the street etc. (please see illustration on the first page)

I therefore advise you to withdraw the application rather than receive a likely refusal.

- Considering the points within my response,
- Especially with the property being in England (weather, sun angle and season) and orientation of the terrace and layout of the surrounding buildings it is very unlikely. glare the issue of glare should be of consideration.
 - Potential issue regarding privacy is not relevant as I currently have full access to roof terrace upon conservatory in intended. **See exhibit 7b and 4a view from windows**
 - The proposed conservatory does not exceed the size of the one at no. 37 or 35.
 - The proposed conservatory sits far back from road, barely visible therefore does not detract from the character of the stucco façade. **See exhibit 7a**
 - Furthermore, permission was granted recently to No 35 for a fully glazed roof extension which again is not only larger and contains more glass than my request but it is also fully visible from every perceivable angle. **See exhibit 3b**

I’m aware that this view will be disappointing news for you which is indeed unfortunate. With this in mind, and in an attempt to move things forward in some way, it might be possible to insert a timber framed window or glazed doors in a similar position to the proposed new door opening shown on the floor plans. This would provide access from the bedroom to the terrace and some additional light. The design and amenity issues would need to be considered; however, if you would like to submit proposals for something along these lines, then please submit a planning application via the Planning Portal (after confirmation that you wish to withdraw the current application).

Please do consider that we are living in the time of Covid where we are more bound to stay within our homes therefore any space which will enhance the living condition is vital.

I’d therefore be grateful if you could let me know how you wish to proceed once you have had an opportunity to consider the above advice.

I would like to you to reconsider your decision and take into account the evidence I have provided.

It is beyond doubt and unquestionable that the contributing factors used to form the conclusion are factually wrong and have led to an unjust decision resulting in my application not been given the same consideration and latitude of neighbouring properties.

Finally, I wish you a very happy Christmas and New Year.

My intention is to appeal the decision but hoping this can be resolved directly now that I have provided the evidence to address your concerns. Could you please contact me as soon as possible.

Kind regards
Tony
Tony Young - Planning Technician
Regeneration and Planning
Culture and Environment Directorate

Kind Regards
Rojer Taylor White