

Ian Henry

The Garden Flat, 3 Heath Drive, Hampstead, NW3 7SY

Attention: Miriam Baptist, Planning Officer, Camden Council

February 22, 2022

Dear Ms Baptist

Objections to office building in garden of 282 Finchley Road – ref: 2021/6220/P

Background

- I was told on two occasions in 2019 and 2020 by the owner that this was temporary and would be removed when work at 282 Finchley Road was complete.
- In an email from Gary Bakall (Camden Enforcement) to local councillor Andrew Parkinson (see end of this document), Mr Bakall asked for this to be removed as it did not have planning permission and was close to neighbouring properties.
- As explained below I believe this building should be removed because a) it is was constructed without planning permission; b) it is wholly inappropriate for the Conservation area; c) its existence runs counter to the Council's garden policy; d) it is vastly over-specified for a temporary storage unit; and e) it could become an illegal dwelling.

My specific objections are as follows:

Impact on our property

1. The building is taller than the dividing fence between our property and 282 Finchley Road. This is clearly visible in the following photo which was taken from 1 Heath Drive and clearly shows the building is higher than the blue fence of my property:

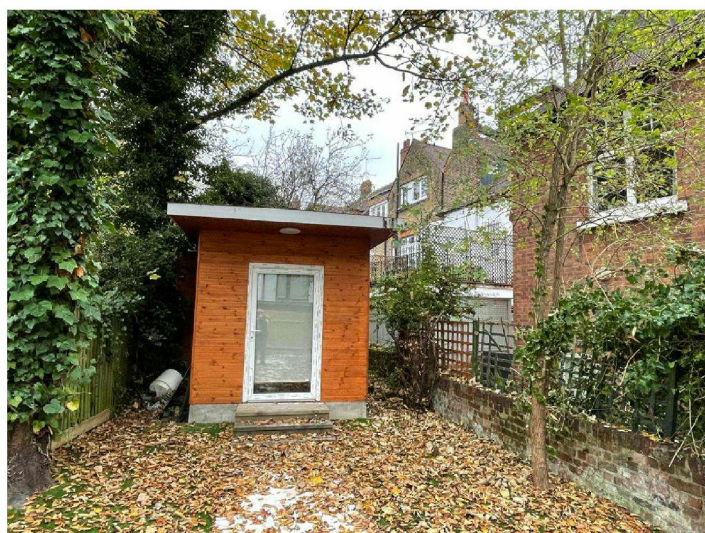


2. When lights in building have been left on at night they shine through the trellis at top of the fence and into our bedrooms.

Impact on neighbouring properties

1. It is far too close to the neighbouring properties, creating an inappropriate increase in building density.
2. It also overlooks 2 Heath Drive.
3. And provides unsightly views from Flats 3 and 4 at 3 Heath Drive.

Photo which supports above points (taken from Planning Application):



Impact on the Conservation Area

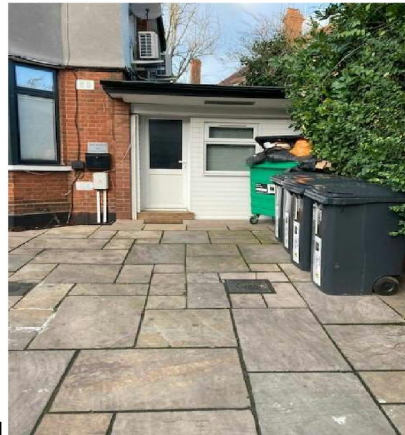
1. This building is entirely out of sympathy with the principles of the local conservation area; it is an unlawful development within the conservation area.
2. Its construction destroyed 1/3+ of the garden, trees and foliage that pre-dated its construction. No prior notice was given before the trees which were there were removed
3. It occupies at least 1/3 or more of the garden (as per plan in Planning Application).
4. All of the above run counter to the pro-garden provisions of Camden Local plan (see <https://www.camden.gov.uk/documents/20142/4820180/Local+Plan.pdf/ce6e992a-91f9-3a60-720c-70290fab78a6>, especially 6.37 on p194; A3c on p200; 6.63 on p202; 7.1/D1j on p224; 7.19 and 7.20 on p229; and D2h on p235.
5. In addition, the development runs counter to the aims and objectives of the neighbourhood plan, <https://www.redfrogforum.org/wp-content/uploads/2021/07/Redington-Frognaal-Neighbourhood-Plan-Adoption-Version-September-2021.pdf>, specifically against SD2.

No justifiable need for the building

1. 282 Finchley Road is a house of multiple occupancy, with an existing office to the side of the building, as shown below:



and



2. I question the need for additional office space of this kind; and if there really is a need, then an extension to the existing building could be applied for.
3. It is also important to say that this is NOT a garden office which might be justifiable for someone working from home, ie for a residential property; to all intents and purposes this is a commercial property with an existing office.
4. If the owner really needs additional outside storage, then a lower conventional shed could be built.
5. As 282 Finchley Road is a HMO, it does not qualify for permitted development rights.

Inappropriate building features

1. If the building is a storage facility or rarely used – as apparently said by the owner to the Camden Officer (see email at the end of this document) – then there is no need for windows, air conditioning or similar (see large unit on the back of the building in the following photo).
2. Nor is there any need for water and a toilet (as per submitted plans) and as clearly evident from substantial waste pipes at the back of the building (see following photos).

Mission creep

1. With water provision already in place, there is nothing practical to stop a shower being added.
2. No one would know, it would be out of sight, out of mind, and there would no regulation or inspection.
3. It is not unreasonable to envisage this building becoming an illegal dwelling.



Drainage

1. I am 99% certain that no mains drainage channel or trench was originally dug for pipes: so...
 - a. Where does waste water go?
 - b. Is there a septic tank? (**which would be illegal surely**)
 - c. Is the waste allowed to leak into the soil? (**which must be an environmental health issue**)
2. Or was a full connection to water and waste made surreptitiously?
 - a. If so, this must be against building regulations ...

Summary

In view of all of the above, I believe this retrospective planning application should be dismissed and enforcement for removal notice served.

Please confirm receipt of this document

Ian Henry

Appendix: email from Gary Bakall on December 1, 2021 – please note the wording of the subject line in the email from Mr Bakall

From: Gary Bakall [REDACTED]
Sent: Wednesday, December 1, 2021 10:27 AM
To: Andrew Parkinson (Cllr) [REDACTED] Elizabeth Beaumont

Subject: RE: **building which should not be in the garden of 282 Finchley road**

Dear Councillor Parkinson,

I have visited the site and met with Mr Henry at no. 3 Heath Drive.

The outbuilding was apparently being used as an office when the current owner brought the property and is still laid out as one although rarely used I understand. **I have requested that it be removed as it does not have planning permission and is close to neighbouring properties** however the owner has indicated that he will make a planning application to retain the structure. If a valid planning application is not received by the New Year and the structure not removed consideration will be given to service of an enforcement notice.

If you require anything else please let know.

Regards

Gary Bakall

Deputy Team Leader
[REDACTED]