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Dear Mercy

43 Cholmeley Crescent, London N6 5EX (Planning Application Ref. HGY/2023/1684)

I am writing to object to the proposals for a garden studio as part of the current planning application for:

Replacement of rear and side ground floor extension, with internal remodelling and installation of solar panels on the roof. Replacement of existing shed with larger outbuilding (standalone garden studio) with landscaping works.

I note that the original property at number 43 Cholmeley Crescent was previously extended by means of a loft and a full width single storey rear extension and that the current proposal is to replace the existing rear extension with a new rear and side extension. The extension will project further into the rear garden, and a semi-circular element will be introduced at the northwest corner. The extension will provide a dining area and living area. In addition, a small side extension is added. I do not object to these aspects of the planning application.

The proposals, however, also include a single storey studio, which will be accessed from a new landscaped terrace. Paragraph 6.6 of the Design and Access Statement states that "*the primary focus of the design is to create a serene and peaceful space, separate from the main house, where one can engage in artistic pursuits, relaxation, or personal reflection.*" The plan of the studio shows that there will be doors on both sides of the studio and that it will be lit through a rooflight. The new studio will have access steps, a small courtyard to the rear and a new landscaped terrace within the bounds of the existing lawn retaining wall.

I live at number 12 Kingsley Place, which adjoins the rear garden of number 43 Cholmeley Crescent, and my garden is very close to the site of the proposed studio. I have significant concerns that the siting and size of the proposed studio will impact on my property, as detailed below.

Proposed Studio Size

There is currently a small wooden shed within the rear garden of number 43 Cholmeley Crescent, which abuts the fence to the garden of number 12 Kingsley Place. The location of the existing shed is shown on the existing ground floor plan (drawing no. 2247-100), and the photographs at the Appendix of this letter also demonstrate how close it is to the boundary fence.

The proposed studio is significantly larger than the existing garden shed. The dimensions of the existing garden shed are approximately 3m by 2m; whereas the proposed garden studio is 5.7m deep and between 2.8 and 5.5 m wide. In addition, the proposed studio is 3.5m high.

From the aerial photograph of the site and surrounding area (see Figure 1 in the Appendix to this letter), there do not appear to be similar structures of this size in the rear gardens of other properties

on Cholmeley Crescent and it is considered that the erection of a garden studio of this size will impact on the appearance of this part of the Highgate Conservation Area.

Visual Impact of the Proposed Studio

Properties on the outer edge of Cholmeley Crescent are raised above the road and the rear garden also slopes upwards, with a higher level towards the rear of the site.

The existing side elevation (drawing no. 2247-202) demonstrates the level change across the site, as the height increases towards the boundary with properties on Kingsley Place. The proposed Section AA (drawing no. 2247-2350) clearly demonstrates the height of the top of the studio, which is the equivalent of two and a half storeys of the existing house, due to the ground level at this location (please see Figure 3 in the Appendix). Due to the site levels at the north of the garden, the studio will appear much taller than the elevations suggest and will be very visible from the properties and rear gardens of 12 and 13 Kingsley Place.

Whilst in Spring and Summer the existing trees will provide some screening, during winter there will be direct views through to the studio from 12 Kingsley Place.

Impact on Existing Trees

I note that a Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement have been prepared by Hedges Tree Consultants Ltd, following a tree survey on 20 April 2023.

There is an existing TPO for trees to the rear of the site (TPO 4-12 Kingsley Place) and this is confirmed at paragraph 3.3 of the Arboricultural Impact Assessment, which notes that this includes trees T1 to T4 adjacent to the proposed development area. The proposed studio is considered to be too close to the site boundary with 12 Kingsley Place and will impact on the existing protected TPO trees in the adjoining properties at 12 and 13 Kingsley Place and their RPA. Moreover, as noted in the Arboricultural Impact Assessment, these trees (which are outside of the application boundary and the applicant's control) will require regular pruning.

The Draft Tree Protection Plan demonstrates the proximity of trees T1-C*, T2-C, T3-C and T4-C to the boundary and that the proposed new studio falls within the root protection area of these trees and the proposed trees to be removed (T11-C, T6-C and T5-U) – please see extract at Figure 4 of the Appendix). Paragraph 3.5.4 of the Arboricultural Impact Assessment suggests that the proposed footprint of the new garden studio will impact on up to 20% of the RPA of any individual retained tree, but given the age of these trees, it could be greater.

The canopy of these trees also overlaps the new studio. I also have concerns that construction works could damage the roots of these trees. As noted above, these trees are outside of the application boundary and are not owned by the applicant. Any works suggested in the Tree Report (for example crown lift up to 4m for trees T2, T3 and T4 and periodic pruning (paragraph 3.4.2 of the Arboricultural Impact Assessment) would require permission from third parties.

Paragraph 3.5.5 of the Arboricultural Impact Assessment) also notes that *"the finalised design of the proposed studio foundation slab must make allowance for the presence of the roots of trees T1-T4 and ensuring that conditions are favourable for their survival including access to moisture and gaseous exchange."* I therefore consider that further consideration should be given to locating any structure in the proposed location.

Noise and Security Concerns

I also have concerns over potential noise from the studio (for example, from exercise equipment and music) impacting on the enjoyment of my house and garden due to the proximity of the studio to existing properties on Kingsley Place, and in particular number 12.

The existence of a rear access from the studio will also cause potential security issues for 12 Kingsley Place and I would request that a new higher fence is erected at the back of number 43 Cholmeley Crescent.

I note that protective fencing is proposed along the garden boundary during construction, as shown on the Draft Tree Protection Plan prepared by Hedges Tree Consultants Ltd, but no details are provided as to the materials of the fencing or its height. I would request that permanent fencing is introduced to secure this boundary and provide additional screening to properties on Kingsley Place. I would also request that the rear door to the studio is removed and that no courtyard is provided adjacent to my property, in order to minimise noise and disturbance. I note that paragraph 3.5.6 of the draft Arboricultural Statement states that *"given the proximity of trees T2-T4 and the accumulation of loose organic material beyond the low retaining wall, it is likely that rooting material is to be found in the area of the proposed rear courtyard at a level above that of the adjacent shed base. Subject to further investigation, it will be necessary for any rear courtyard to be constructed at an elevated level (i.e., stepping up from the studio) using low-invasive construction techniques and permeable surfacing to avoid damage to the underlying rooting area. It is also likely that some degree of localised distortion of the courtyard surface may be caused by the adjacent trees (either root growth or root plate movement).* The presence of an elevated courtyard would increase the potential for overlooking and loss of privacy to my property.

Summary and Conclusion

As noted above, I object to the proposed garden studio in its current form and location so close to my property, and the potential impact it will have on existing TPO trees, visual impact, noise levels, loss of privacy and reduced security.

I consider that if a garden studio is to be introduced, it should be located closer to the existing house at no. 43 and should be smaller in size, and with no rear windows or doors or terrace/courtyard facing onto Kingsley Place. In addition, I would request that a higher fence be implemented along the boundary wall with my property, with landscaping, to screen the studio.

Yours sincerely
Lisa Freedman

Appendix – Supporting Information



Figure 1 – Plan and Aerial photograph showing the proximity of the proposed studio to the rear garden of 12 Kingsley Place

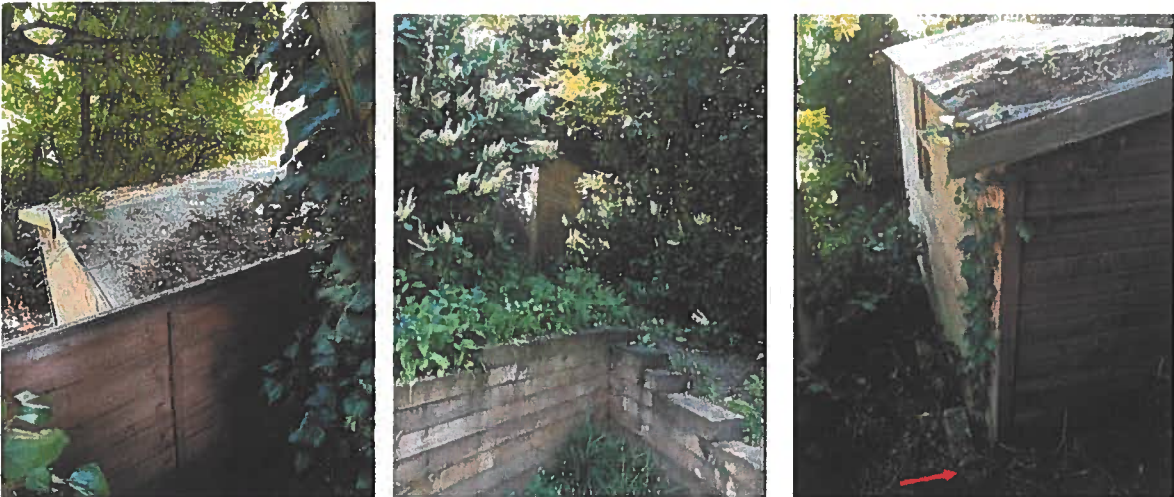


Figure 2 – Photo showing proximity of current shed to the boundary fence with 12 Kingsley Place

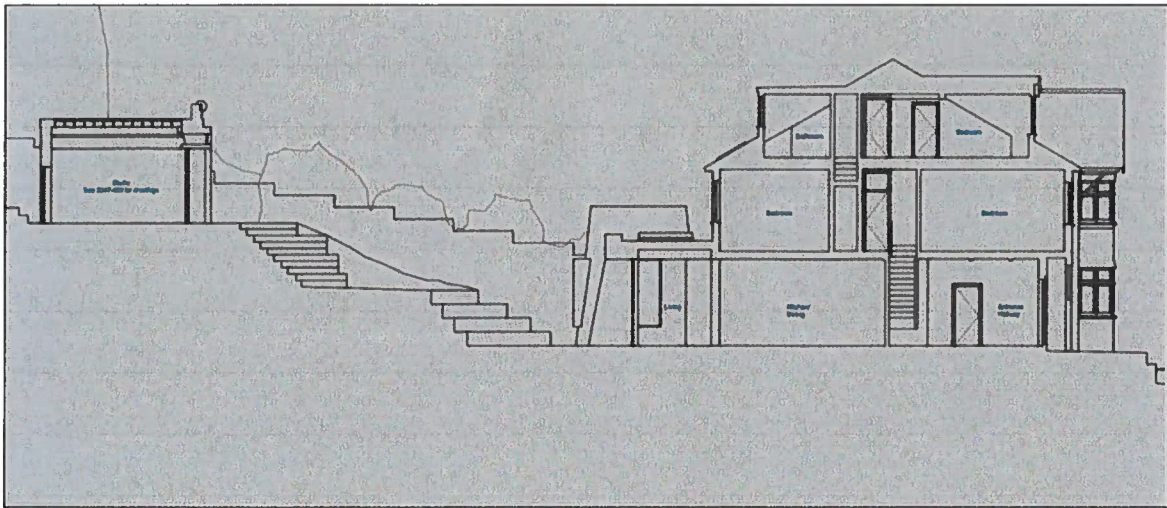


Figure 3 – Section showing the level change across the site, and the height of the proposed studio

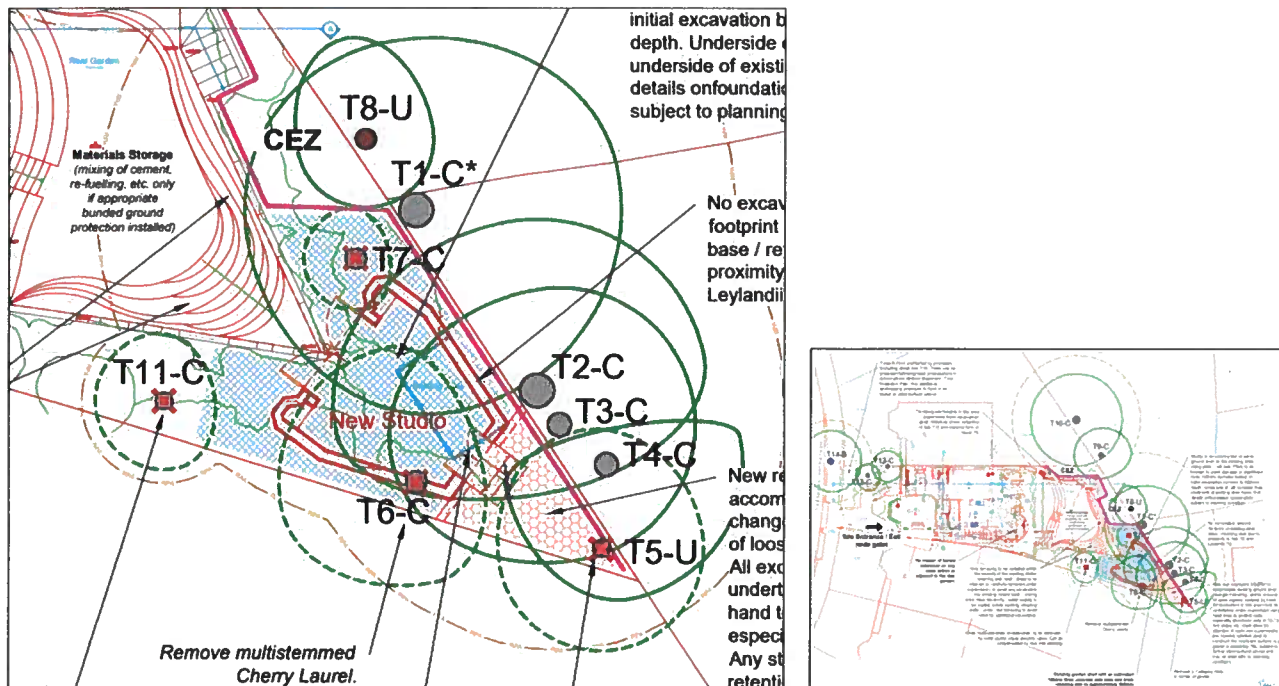


Figure 4: Extract from Tree Survey, demonstrating the extent of the RPA and Canopy of existing trees

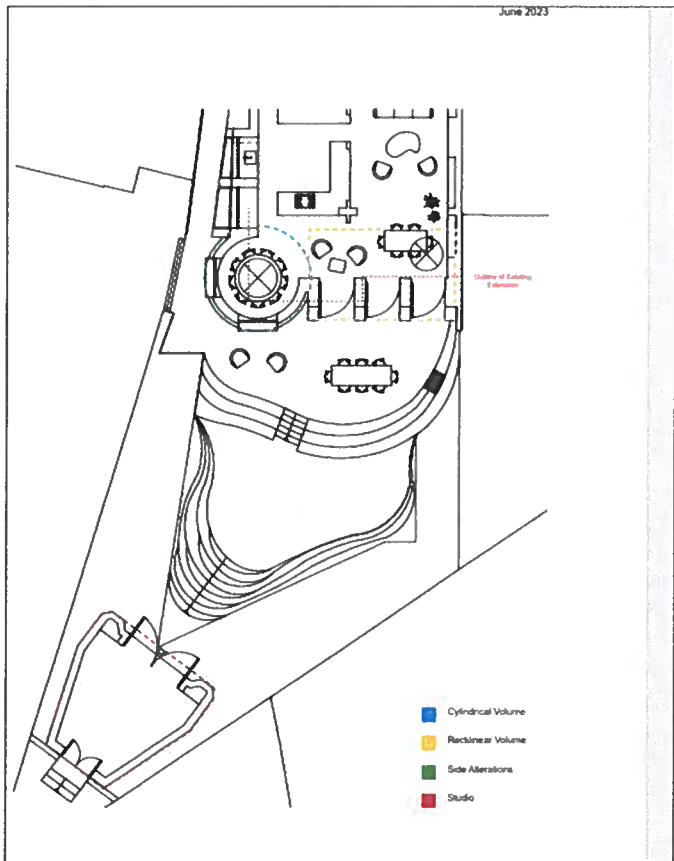


Figure 5: Location of the proposed studio