

Objection to Planning cases **HGY/2023/2257** and **HGY/2023/2256**

From Jacqueline Kremer, 47 Cholmeley Crescent (semi-detached pair with number 45)

We strongly object to both the planning applications above as submitted (they are separate applications, but part of one expansion project).

HGY/2023/2257 - Rear Extension, Basement, Juliet Balcony & Front Hardscaping

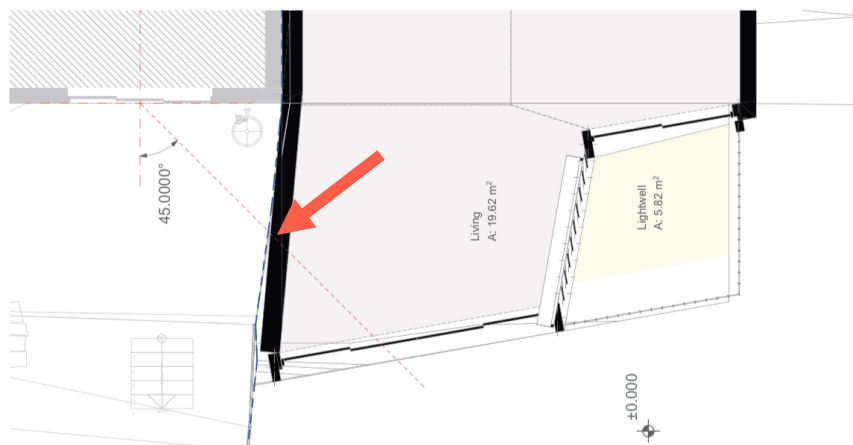
1) Rear Extension - Excessive Size & Height of Extension

The rear extension is designed directly abutting our shared wall, where the pair of semi-detached homes are adjoined.

At 3.27 meters high and 5 meters deep, it will stand 63% higher than the existing wall and will tower over the patio and living room, leading to **significant overshadowing**. It would **be very overbearing** from both from inside our property as well as from the patio and garden. It will block natural light into our patio and **severely limit natural light and daylight** into our living room. The scale as sited directly where the properties join, is out of keeping with the character of the conservation area and should not be permitted.

The national standard for extensions for semi-detached homes is 3 meters; the application is designed as a 5 meter extension. The design statement rationalizes that the scale is appropriate because it's a "detached home with a large garden". This is not the case; numbers 45 and 47 are very much attached. This joining point of the houses is exactly what makes the overall scale and 5 meter depth so dramatic when experienced from number 47.

The design statement itself acknowledges that the extension plan does not meet the 45 degree rule. As shown in the picture below, the 45 degree line from the center of our living room door would intersect with the side of the extension only midway. As a result, most of the light to our living room would be blocked.



- The London Plan (2016) Policy 7.6 Architecture states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. UDP (2006) Saved Policy UD3 also requires development not to have a significant adverse impact on residential amenity in terms of loss of daylight, or sunlight, privacy overlooking, aspect noise, pollution and of fume and smell nuisance. Draft DM Policy (2015) DM1 ‘Delivering High Quality Design’ continues this approach and requires developments to ensure a high standard of privacy and amenity for its users and neighbours.

According to the Highgate Neighbourhood Plan Policy DH7:

Policy DH3: Rear Extensions

Rear extensions on residential properties should be subordinate in scale to the original dwelling, complement its character in terms of design, proportion, materials and detail, should not harm the amenity of adjacent properties, and should retain a significant area of garden or amenity space which is proportionate to that of neighbouring properties in the surrounding area. Development should respect and preserve existing architectural features where these contribute to local character and appearance, for example projecting bays and decorative balconies.

2) Basement - Water Displacement Due to Works

The Basement Impact Assessment states that “groundwater is present in the proposed basement” and it known that in this area there are a series of underground streams and a high level of ground water. The proposed construction of the basement expanse will require both a major excavation and significant water-proofing to ensure that the new basement remains fully dry. As a result, the water will need to be displaced somewhere and since our property shares a foundation wall, there is a likelihood that water would be directed towards our property. This raises a significant risk of flooding, subsidence, and other potential damage. We are not aware of a report from an expert hydrologist to examine these issues and mitigate these risks.

According to Haringey DPD Policy DM 18 -

“It is important that basement development is carried out in a way that does not harm the amenity of neighbors, compromise the structural stability of adjoining properties, increase flood risk or damage the character of the area or natural environments.”

The Highgate Neighbourhood Plan Policy DH7 states that it is required that:

- 1) There will be no adverse affect from subterranean development on the structural stability of adjacent properties and associated potential damage
- 2) There will be no possibility of irreparable damage to the local water regime both in terms of ground water diversion and surface water flooding

It also cites that **“The geology, topography and hydrology of Highgate have led to well-documented problems with a number of residential basement developments, especially with regards to neighbouring properties. Multiple instances are cited in Camden’s Local Plan evidence Report, Survey of Basement Development, Feb 2016. Local concern is such that at the time of writing this Plan, Camden is intending to introduce an Article 4 direction to remove all permitted development rights on basements”**.

Due to the enormous scale and scope of the proposed basement project, we need to ensure that our property will be adequately protected from related water issues and potential subsidence. As in the Highgate Neighbourhood policy, there should be ‘no adverse effect’ and ‘no possibility of irreparable damage’, meaning that even a minor risk would be unacceptable.

To our knowledge, no independent report has been commissioned by an expert hydrologist to confirm that there is no risk at all to our property or to the overall local water regime.

3) Juliet balcony - Privacy

The Juliet balcony and large glass doors were not built with council permission and should not have been constructed. The balcony and doors cause significant overlooking and loss of privacy to our back garden. They should be removed, not made more permanent.

4) Front garden hardscaping - Trees

We support this part of the application, but would want to ensure that the two mature fruit trees with roots along the boundary would be protected during any excavation and that a green border is maintained between the front of the two properties.