

Sharanjit Chaggar,

Flat 2, Site of HGY/2023/2168 proposal

Re: Objection to revised planning proposal HGY/2023/2168 proposed by owner of Flat 3 and their planning Manager Hayden Todd at Aitchison Raffety

I am the Freehold and Leaseholder owner of Flat 2, in relation to the proposal HGY/2023/2168 on this site. I am currently working abroad but hope to be moving back into my flat next year.

I am writing to express my strong objection to the proposed balcony and I believe this development raises significant concerns related to both privacy and safety, which I would like to outline below. I believe these multiple planning proposals continue to lack substance and continually lack precedent for any balconies being built above me.

1. Flat 3's lease

It was proved via Haringey Council planning department feedback that there is no provision in flat 3's lease for a balcony.

2. Landlord Approval

- There was never approval from the previous Landlord, Freehold Managers Ltd for a balcony.
- I am one of the current 5 Landlords and I can attest to the fact that there is still no Landlord approval for a balcony.
- There are some recent emails I have received in the last week mentioning now that there are safety requirements that Flat 3 has for a balcony, but this only came after a recent planning enforcement notice Flat 3 received. Both the owner of Flat 1 and myself, have responded to planning proposal HGY/2023/4089 and we do in this proposal, saying that a Juliet Balcony keeps people as equally safe as any new build balcony proposes, without the substantial overlooking this revised balcony imposes.
- It should be noted I was never consulted on approval of the previous/existing illegal balcony even though Flat 3 holds my contact details.
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3. Planning Objections

- This new submission – point 3.4 – implies that Flat 3 naively built a balcony without realising it needed planning permission. I would be surprised if that is the case, but even so, it does not excuse its illegal construction.
- On 26 April, 1989 a balcony was rejected on the current raised platform of flat 3.
- In the week of 12 January 2023 Haringey Planning department asked for the illegal balcony to be taken down with an enforcement notice.
- On 12 July 2023 the retrospective planning proposal was rejected by Haringey Planning Department. Flat 3 and their planning manager had 15 weeks, well above the normal 8 week timing to put forward solutions and now after many weeks later, puts forward a solution that could have been put forward months ago in that 15 week time period.
- The rejection notice to the previous planning proposal explained its rejection as – “an increased sense of overlooking and loss of privacy as some of its main reasons”. This is indeed obvious considering it completely overlooked flat 1, yet this revised planning submission HGY/2023/2168 hardly improves on the extreme overlooking. It moves back the balcony 0.7 meters and still completely overlooks the ground floor flat gardens below.
- On 21 August 2023 an enforcement notice was served to remove the illegal balcony and I await a response to that notice from Flat 3. I was included in an email recently from Flat 3 that

said she 'will agree to the removal of the current balcony', but I have not seen a formal reply yet from Haringey Council. She also mentioned she has sympathy for the overlooking yet is pressing ahead with appeals and a new proposal that continues to completely overlook.

4. Overlooking

- I want to say most clearly that I strongly oppose this balcony.
- The addition of a balcony above my property will inevitably result in a loss of privacy. This will impact my ability to enjoy my garden when I return to live in the property, and therefore my ability to enjoy my home without feeling overlooked by residents on the balcony. I value my privacy, tranquillity and indeed safety, and I believe this balcony would infringe upon that.
- There was never a balcony in place in all my time at Coolhurst Road. Nobody was able to sit above me and overlooked me, and I could sit privately in my garden with little disturbance. As alluded to in various presentations, Flat 3's mother never sat and down looked on me, not even once. There are no pictures that support previous use of a balcony apart from some inanimate objects that have been photographed. In the previous planning proposal HGY/2023/4089 it said it was very dangerous without a balcony to use it so how could it be used. So, no historical use before the illegal balcony HGY/2023/04898 was built and a previous enforcement notice from 1989 that has come to light that means no historical use was allowed.
- This revised submission moves back the balcony back 0.7 metres, but still in the form of a balcony, which will make it the most overlooking balcony, by far, in our local area. Flat 3's revised HGY/2023/2168 now has no pictures this time around which could support their view of local precedent, perhaps because they do not support the extreme overlooking of this revised proposal. The examples cited in HGY/2023/2168 3 – 12 Coolhurst Road, 20 Coolhurst Road and 60 Coolhurst Road – are all set back in overlooking terms several more times than this proposal engenders. They have buildings in between that maintain privacy and in fact some of the balconies put forward are not yet built. Aitchison Rafetty also mentions that one balcony, 12 Coolhurst Road, was granted conditional permission, but does not share with us those conditions.
- Revised proposal 3.4 mentions - I have not complained about the current tenant's use of the balcony. I do not currently live at the property so I think it might be offensive to complain about people I haven't met. I have though complained in the previous objection to HGY/2023/0489 and still do most strongly in this submission HGY/2023/2168. I have also made it clear to flat 3 and 4 owners that I strongly oppose the change in conditions in loss of privacy, extra noise that this balcony and potentially if this sets a precedent for Flat 4 to also construct a balcony, would bring.
- This current proposal cites other balconies that are not like for like and don't overlook from a balcony as close as 0.7 meters back. I also do not know the conditions on which those balconies were approved.

5. Other Overlooking

- As explained in my previous objection to HGY/2023/2168 – An approval to this revised balcony will give approval to Flat 4 above me to also have a balcony and the owner of flat 4 has already discussed this desire with the owner of Flat 1. Currently, I also have a balcony overlooking some of my garden to the right of my flat.
- If this submission is approved, I would have 2 balconies that would overlook me almost completely via this revised proposal, and another that partly overlooks already. I would

suggest it unthinkable that Haringey Council Planning Department will support such an offensive proposal, meaning I would have a major loss of freedom and privacy, extra noise and being talked down to from immediately above.

- The examples of much more set back balconies Flat 3's garden by Aitchinson Raffety latest proposal do not have the immediate overlooking from anywhere near as close. They are also singular balconies overlooking a garden below where approval of this proposal will mean I end up with 3 balconies overlooking me.
- I believed that living in a conservation area entitled me to reasonable protection from down looking. The recent multiple rejections of a balcony being allowed on Flat 3's raised platform from Haringey Council have also confirmed there is a strong regard from their department to this major overlooking.
- I omitted to mention in my previous submission that Flat 3 has full, singular use of their own garden to the rear of Flat 1's garden. It does not suffer from any immediate overlooking, as this proposal would result in for me.

6. Safety concerns from Flat 3

- Safety is a paramount concern for me, both as a landlord and homeowner planning to return to live in the property with young children. The presence of a balcony above my apartment raises the risk of falling objects and debris. This poses a potential danger to both myself and my family, as well as my neighbour and anyone else who may be in the garden area. Flat 3's proposed balcony being moved back by 0.7 metres does little to alleviate this fear. Furthermore, there may be issues related to noise disturbance and possible damage to the properties below during construction. This is an indirect exposure for my flat from Flat 3, but setting the precedent for Flat 4 would hugely exacerbate this concern.
- The owner of Flat 3 has suggested there is a safety requirement for this balcony. Firstly, the owner of Flat 1, as a kind gesture, responded to a temporary safety requirement to the seriously ill mother of the owner of Flat 3 who previously resided above him. Subsequently, in the previous submission and in recent emails there are assertions from Flat 3 and Flat 4 that a new build balcony is required as a safety requirement. There have been multiple responses from Flat 1 and from me saying that a Juliette balcony would equally protect any person living in Flat 3. This was shown in my objection to flat 3's HGY/2023/0489 proposal. A Juliet Balcony creates a safety barrier without the major privacy intrusion.

In conclusion

I kindly request that Haringey Council thoroughly reviews the potential implications of this development on my property and the surrounding area. I believe that the proposed balcony construction is not in harmony with the private and quiet character of the neighbourhood and will significantly impact my quality of life, and hope that when I return to my flat next year that my young family will be able to enjoy the safety and privacy of my garden as everyone in my local area does.