

Application No:	Consultees Name:	Received:	Comment:	Response:
2023/2346/P	KATHERINE DIE	23/07/2023 16:26:55	COMMENT	<p>I would like to comment as the resident and owner of the top floor flat of 33 Betterton Street, a listed building directly opposite the applicants site.</p> <p>The planning decision notice dated 24 August 2022 include the following:</p> <p>10 Notwithstanding the details shown on the drawings, the detailed design of the 5 first to second floor windows on Betterton Street shall be submitted for approval by the Council. The submission should demonstrate how the windows have been designed to minimise the impact of [REDACTED] to the [REDACTED] properties. The approved windows design should be permanently retained and maintained thereafter.</p> <p>Reason: In order to prevent unreasonable [REDACTED] premises in accordance with the requirements of policies A1 and D1 of the London Borough of Camden Local Plan 2017.</p> <p>The current application appears to seeks to challenge the above condition. Having contacted the Council I also understand that the current application may not have been made by the correct route and is expected to need to be resubmitted, however as it has not been withdrawn, I am submitting a comment.</p> <p>My understanding is that the conditions were added to the approval in response to the comments made to the previous application, to protect the residents of the buildings opposite [REDACTED]. The approval of the plans, including the size, design and shape of the windows, with conditions, was presumably made as a set, and if the overlooking conditions are removed, the size, design and shape of the windows should also be re-reviewed.</p> <p>From my understanding of the drawings, the windows proposed are full length sliding patio style opening windows, with an internal balustrade, which will enable a person to stand at the window, and possibly even lean out, onto a very narrow street opposite residential flats. This arrangement might be considered almost more akin to the use of a balcony than a window.</p> <p>It is noted that the application states that desks will be positioned inside the building to discourage overlooking, but it is unclear how the planning permission will control desk arrangements of future owners and it is my understanding that the current permitted use of the building allows uses other than as simply office space. Is it possible that the space can be put to alternative use, such as a restaurant, without further permission being sought? Similarly, the application notes the expected regular opening hours of an office building will reduce impact. Have the conditions applied restricted usable hours of those rooms? If not, there is no obligation for these to be observed.</p> <p>If the condition for the Council to approve the detailed design is removed, there is a risk that the windows will not have been designed to prevent unreasonable overlooking of neighbouring premises. Unless I am mistaken, the applicant appears to argue that the previous existence of widows on the road should enable them to install windows of any detailed design they chose without reference to overlooking. However, it is quite possible that the windows of the previous design of the Hospital Club were also designed to minimise overlooking.</p> <p>I respectfully request that the Council retains its condition to review the detailed window design, giving consideration to the likely and possible uses of the windows, with regards to overlooking. Given the design of the windows, including that they open, this extends beyond simply the frosting of glass. I also request that the review does not rely on proposed internal furniture configuration over which the process has limited future control, and that all possible uses of the space under the current permitted designation of the building are considered.</p> <p>The photographs of Betterton Street included in the original application appear to mostly show Endell Street rather than Betterton Street. If photographs of Betterton Street would assist, these can be provided.</p>