

STUDIO Y2

Architecture Urban Design Planning

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Dear Obote

94 Arlington Road London NW1 7HT Planning (Application Reference 2023/1888/P)

Introduction

Following on from the objection made by Zircon Properties on 25 August 2023, we are writing on behalf of Zircon Properties to **strongly object** to the current planning application for no. 94 Arlington Road for:

The erection of a new self-contained dwelling in the rear garden.

Zircon Properties are the owners of no. 8a Delancey Passage (also known as 8 Delancey Passage), which immediately adjoins the northern boundary of the application site, and fronts onto Delancey Passage. Zircon Properties consider that the proposed house in the rear garden of 94 Arlington Road will have a significant impact on the amenity of their property and in particular will result in a significant loss of daylight/sunlight to the ground floor office space, due to the new house blocking off the two existing south facing windows, contrary to Policy A1: Managing the impact of development of the Camden Local Plan.

Zircon Properties also consider that the proposals will impact on the setting of the existing property at 94 Arlington Road, which is identified as a positive building within the Camden Town Conservation Area Appraisal; and will also result in the substantial loss of residential garden land, contrary to paragraph 6.37 of the Camden Local Plan.

For the reasons set out below, Zircon Properties therefore request that Camden Council refuse planning permission for the proposed house.

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Background

Site and Surrounding Context



Figure 1: View of rear of properties on Arlington Road, looking south west from Delancey Street



Figure 2: Location of No. 94 Arlington Road.

Number 8a Delancey Passage is a two-storey commercial property, with flat roof, which was built in the early 1900's as a workspace and has more recently been used as offices. The property is currently rented to the 10:10 Foundation Charity, which has occupied the premises since 2009 and currently employs 19 staff. At ground floor level there is an open plan office space where most of the staff sit. At present, the space receives most of its light from the two ground floor south facing windows, which face onto the application site. There is limited light from the windows facing Delancey Passage due to the height of properties immediately to the east of the building.

Number 8A Delancey Passage is accessed from Delancey Passage, a narrow pedestrian route from Delancey Street and servicing is from Delancey Street. There are a number of other commercial uses on Delancey Street and Delancey Passage, including retail, restaurants, workspace and a design studio.

Properties on Arlington Road, including the application site, are located within the Camden Town Conservation Area, which was designated in November 1986. The CA Appraisal notes that the area around Arlington Road, Albert Street, Mornington Terrace and Delancey Street was developed following the arrival of the railways in the 1830's. Properties along Arlington Road are typically four storey terraced properties in residential use, with gardens to the rear. Nos. 90-98 Arlington Road are identified as positive buildings within the CA.

The Camden Town Conservation Area Appraisal notes that a key element of the distinctive character and appearance of the commercial part of the Camden Town Conservation Area is its variety and eclecticism. It also recognises that front and rear gardens within the residential streets make an important contribution to the streetscape and character of the residential area and states that the Council will resist the loss of soft landscaping and original boundary walls and railings.

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The Proposed Scheme

We note from the submitted documentation that the planning application is for a 1B/2P two-storey house at the rear of the existing garden to number 94 Arlington Road. The proposed house (60 sqm) comprises a ground floor kitchen/dining room/lounge and a bedroom and bathroom at first floor level and would be constructed in cream brick with darker bricks around the windows and doors. The elevation fronting onto Delancey Passage incorporates a balcony at first floor level. There are no windows in the side elevations. An amenity area of 13 sqm is provided to the rear of the property. There is a boundary fence with gate onto Delancey passage and also a boundary fence separating the property from 94 Arlington Road. The scheme will be car free and cycle and bin storage would be provided in the front garden. PVs will be provided on the roof.

The proposed block plan shows that the new house will be built very close up to the boundary with number 8a Delancey Passage, blocking the two south facing ground floor windows. It will also be built over a substantial part of the existing garden area of number 94 Arlington Road.

Objections to the Proposed House

1. Loss of Daylight and Sunlight to the existing property at 8a Delancey Passage

A Daylight Sunlight Assessment has been carried out by Pro Sustainability Ltd to support the planning application. This identifies the location of three of the existing ground floor windows in number 8a Delancey Passage, including the two south facing windows at the boundary wall (W6 and W7).

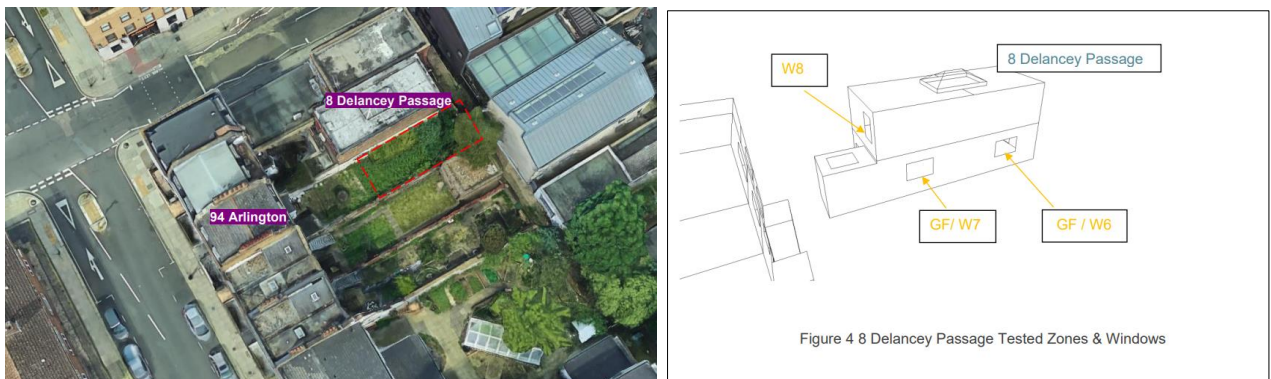


Figure 3: Extract from Daylight/Sunlight Assessment showing location of windows

The Assessment confirms that there is a high impact on window 6 and a medium impact on window 7 – the % VSC changes from 33.40 to 0.01 for window 6 and from 35.03 to 12.28 for window 7. Table 6 of the Assessment shows the average probable sunlight hours for window 7 - reduced from 56.97% to 22.11%. No figures are provided for window 6.

The Assessment therefore shows that there will be a **very significant impact** on both the amount and quality of daylight and sunlight within the main office in 8a Delancey Street, which will have a very negative impact on the working environment for staff and impact on the useability of the workspace. The impact is particularly severe given that these are the only south facing windows, and as noted above, the light into other ground floor windows is already constrained. This will have

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a very negative impact in terms of having to make more use of artificial light, with implications for energy use and a reduction in sustainability. There are further concerns that blocking window 6 could restrict airflow to the window. The change to the quality of the office accommodation could also result in the current tenants moving out, resulting in a loss of employment in the area.

It should be noted, that whilst not a planning matter, no. 8a Delancey Passage has a right of light, as the building has received natural daylight for more than 20 years from the south facing windows.

Moreover, under the latest BRE Guidance (2022), it is necessary to consider the implications of loss of daylight/sunlight on non-residential properties, including workshops and offices. Further account is also taken in the current BRE guidance of the effect of any proposal on daylight distribution within a room and also to “view out” - a test to ensure that building occupants (particularly those required to be indoors for long periods, and at fixed locations, such as office workers) can feel more connected to the outside world. In addition, the latest BRE guidance encourages energy efficiency by utilising natural light in buildings. The proposed house will clearly **severely impact** on the overall amenity and quality of the office environment, the view out and energy efficiency of no. 8a Delancey Passage. This is considered to be **unacceptable harm to the amenity** of no. 8a Delancey Passage.

In consequence, it is considered that the proposed scheme is contrary to Policy A1: Managing the impact of development of the Camden Local Plan (2017), which states that the Council will seek to protect the quality of life of occupiers and neighbours. Policy A1 also states that planning permission will not be granted where development causes unacceptable harm to amenity, including f. sunlight, daylight and overshadowing.

2. Impact on the Camden Town Conservation Area

A secondary concern is that the proposed house will have an adverse impact on the setting of the existing property at 94 Arlington Road (a positive building within the CA Appraisal) and on the surrounding Conservation Area, due to its proximity to other properties and the loss of garden space. The proposed house would be between 9.5 and 11m from the existing properties on Arlington Road, which is below the generally accepted distance of 18m between two residential properties. It will also result in the loss of garden space which currently contributes to the character of the Conservation Area. This is contrary to guidance in Policy D2 and local plan policy on garden space.

Policy D2: Heritage states that “*the Council will preserve and, where appropriate, enhance Camden’s rich and diverse heritage assets and their settings, including conservation areas, listed buildings, archaeological remains, scheduled ancient monuments and historic parks and gardens and locally listed heritage assets.*” In relation to conservation areas, Policy D2 notes that “*in order to maintain the character of Camden’s conservation areas, the Council will take account of conservation area statements, appraisals and management strategies when assessing applications within conservation areas. The Council will:*

e. require that development within conservation areas preserves or, where possible, enhances the character or appearance of the area;

h. preserve trees and garden spaces which contribute to the character and appearance of a conservation area or which provide a setting for Camden’s architectural heritage”.

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The Local Plan also seeks to protect residential garden space. Paragraph 6.37 of the Local Plan states that *“development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework. Gardens help shape their local area, provide a setting for buildings, provide visual interest and may support natural habitats. Therefore, they can be an important element in the character and identity of an area (its ‘sense of place’)...(The Council) will “resist development that occupies an excessive part of the garden, and the loss of garden space which contributes to the character of the townscape.”*

3. Other matters

Zircon Properties also considers that further clarification is sought as to how the property will be accessed and serviced. The submitted Design and Access Statement (DAS) states that *“Access would be provided from the existing building with a secondary escape out onto Delancey passage”*. However, from the submitted plans, there would only appear to be access from Delancey passage due to the boundary fence within the existing garden.

Summary and Conclusion

Zircon Properties **strongly objects** to the proposed erection of a new self-contained dwelling in the rear garden of no. 94 Arlington Road due to the very negative impact it will have on their property at 8a Delancey Passage in terms of loss of daylight/sunlight; and also due to the impact of the proposal on the Camden Town Conservation Area and on the setting of no. 94 Arlington Road. Zircon Properties therefore request that planning permission be refused for this application.

Yours sincerely

Studio Y2 Partnership