

Dear planning officers,

I am writing to express my support for the current planning proposal for 31 Daleham Gardens.

My support stems from both a concern, as a young person, for the affordability of the area, and a strong belief, as a historian, in the necessity of developments sensitive to an area's established character while ensuring that creativity and novelty are not stifled.

The need for affordable housing is a given. With rising rental and house prices rapidly outstripping any rise in average income, particularly concerning in an already highly unaffordable area such as NW3, affordable housing schemes are of significant, and growing, importance. The commitment to establishing 50% of the development as affordable housing is a welcome relief in this context. The proposed development clearly helps the community take a positive step towards addressing one of the most pressing issues we face, while operating under the guidance of a trust laudably dedicated to helping alleviate the problem.

In so doing, however, the development must be sensitive to the area in which it is being constructed. I'm glad to see that the proposed development is serious about helping alleviate the issue of inadequate housing, which obviously requires it to be of some size, while masking its size with features such as the mansard roof and narrow front gable. It also sensitively considers the broader Fitzjohns/Netherhall conservation area and surrounding streets, incorporating many historic features into its obviously contemporary style. The large, steeply pitched roofs, projecting bay windows, dark brick, plain tiled roof and emphasis on contrasting decorative elements are all styles found across the conservation area. The size also seems fitting for the area, which contains a diversity of building heights and multiple similarly sized buildings. This is all tastefully done, despite the disjointed nature of the street's upper part, which in many senses seems to present quite a different pattern from the buildings towards the mid-to-lower-end of the street.

While the basis of my support stems from the above points, I feel it is necessary to comment on some of the objections so far received. Given the striking similarities of many of these, a few broad points of general relevancy can be made:

A common objection is that the building is 2.5 larger than the previous building. This is, most often, simply stated, with no explanation given as to why this constitutes grounds for objection. The fact that a building is bigger than the one it is replacing does not, in itself, mean anything, and thus, the vast majority of these objections hold no value. It is arguable that, if anything, the larger size represents a commitment to coming to terms with the increasing demand for living space in the area, which should be celebrated, not castigated.

Many also rely on the proposal's alleged deviation from the character of the 'area'. Yet this term is rarely, if ever, defined, leaving little basis to understand, let alone judge, these objections.

When an 'area' is implicitly defined, it seems to be applied to much too narrow a region – most often the rest of the street. However, Daleham Gardens is not a conservation area in

itself, but rather is subsumed within the Fitzjohns/Netherhall Conservation area – a much broader region than most objections concern themselves with. One of the few complaints to mention this conservation area is a particularly lengthy complaint (Objection Letter and Planning Report) which, though also failing to define the conservation area it speaks of, helpfully quotes the Council's Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan (December 2021), mentioning that properties on 'Daleham Gardens, Fitzjohn's Avenue, Marsefield Gardens and Netherhall Gardens' have multiple shared features – suggesting that the development should at least be seen in the context of such surrounding streets, if not in conjunction with them. However, this report then concerns itself only with Daleham Gardens (for example, 2.2, 2.9 and 2.12) and seems to use 'the conservation area' synonymously with the street. Even if this were not the intention of its author, it is the only interpretation that suits the points made, such as the argument that the development 'will dominate views within the conservation area' (2.12) – a statement that cannot be upheld, even simply on a common-sense basis, in the context of the true conservation area (given its size), nor, for that matter, with a smaller scale in mind, as is evidenced later on. In specific reference to this report, based on an incorrect assessment of the 'conservation area' it is judging, its conclusions rest on exceedingly shaky foundations and thus should be viewed critically, if at all (particularly Section 2: Design, Heritage and Appearance; and as will be stated more explicitly later on).

To judge the suitability of the development to an area, therefore, we must also look beyond Daleham Gardens to the surrounding streets that are within its conservation area. This is particularly necessitated by the site's position at the top of the road and at an intersection with Akenside and Wedderburn Roads (as well as near the intersection with Nutley Terrace) – the importance of which has already been recognised by Camden Council, which, during the public consultancy phase of the development, sought to bring residents from surrounding streets into the consultation. A sole focus on the street would thus be somewhat arbitrary and, without good reason, do away with the precedent already set by the council.

Judging the development with a more suitable (and established) area in mind casts serious doubt over the verity of many of the existing complaints. As mentioned above, many mention the size of the building, including the fact of its 5/6 story height, characterising this as a novelty. And yet, right next to Daleham Gardens, on Wedderburn Road, stands multiple 5-story buildings, including near the top of the road. These, I may add, are often in close proximity to much smaller developments (including 2-story houses), with no objection being heard about the character of the street being disturbed. This pattern is repeated on Nutley Terrace (just off Daleham Gardens), where a 6-storey building (Fitzjohn's House) sits among multiple 2- and 3-storey houses. It seems 5/6-storey buildings and a diversity of building heights are not in themselves contrary to the character of the area.

Finally, vague comments about the nature of NW3 CLT or community land trusts (CLTs) and even affordable housing initiatives in general, misrepresent the scheme and demonstrate a lack of engagement with its particularities. Comments that there is an 'opacity around [the proposal's] trust and motives' and that affordable housing will not be made to those in greatest need 'as is so often the way with such proposals' do not rely on factual evidence

and are often demonstrably false. Information on allocation, for example, is freely available via the CLT's Allocation Policy.

Such generalist comments also display a fundamental misunderstanding and sometimes distaste for such schemes in general, suggesting that some objections are coloured by objections to affordable housing and CLTs rather than the proposed scheme. Objections on these bases fail to address the particularities of the scheme and thus should be disregarded.

A few more specific points should be raised concerning the lengthy Objection Letter and Planning Report:

In reference to 1.6, 1.7 and 1.13: That Camden Local Planning requirements can be met by reducing the square footage of the development does not in itself constitute an argument for objecting to the plans. The fact that a development exceeds the required *minimum* should not be seen as evidence for a perceived need to reduce its size.

In reference to 1.10: Stating that the proposed development raises questions 'about the justification for demolishing a building within a conservation area', seems a strange attempt at retrospectively de-legitimatising the destruction of a building demolished (by the complaint's own admission) for 'pertinent health and safety concerns' (see 1.20), and then by tenuous argumentative extension, the proposed development.

In reference to 1.1 and 1.12: The argument that 'the provision of 14 units proposed under the [feasibility study] was incorporated into future planning discussions without much scrutiny' and 'without proper consideration of whether or not the site could ever accommodate the proposed dwelling mix' runs entirely contrary to the project's timeline and development. 14 units were not initially proposed, *in spite of* the feasibility study, with 18 instead proposed in October 2021 – a figure that was then reduced to 14 on the basis of comments made by Camden planning officers in pre-application meetings. This evidence also critically undermines the broader argument advanced in 1.12 that the scheme 'is predominately driven by capacity' and is thus 'contrary to London Plan Policy D3', as it was predicated (see 'Consequently') on the assumption that 14 units were readily accepted 'without much scrutiny'.

In reference to 1.23: The statement 'reminding' officers that they are bound 'by law' to follow Section 70 of the Town and Country Planning Act 1990 – practically amounting to telling officers to follow due process – reads almost like a loose attempt at legalese intimidation given that no attempt is made to link the section to any point within the document and no suggestion is made that officers have not been following Section 70.

In reference to 2.7 (with effects on other points): The statement that the 'application to demolish the building was also informed by (and ultimately approved based on) a feasibility study conducted by Mary Duggan Architects' must be significantly qualified. While we might accept that the referenced study did in some (likely specifically undeterminable) manner, inform the application for demolition, it is not possible to say that the application was 'ultimately approved based' on the study. Neither the oft-cited 'Shadow Section 106

Agreement' for 31 Daleham Gardens, nor the Final Decision Notice make any reference to the feasibility study, let alone assign it any role in the procurement of their terms.

This has significant repercussions for many other of the points advanced in this report. Regardless of whether we accept the report's belief that 'the relationship between demolition and redevelopment should not be severed'(1.20), the omission of the feasibility study from these final documents provides no grounds (including explicitly legal ones) for its use as a benchmark to establish particular standards for the planning proposal under consideration to follow. Resultantly, all points (see 1.9, 1.10, 1.11, 1.20, 2.9) that attempt to utilise such a set of standards have no value and should be disregarded.

In reference to 2.4 and 2.8: The report's argument that 'none of the benchmarks intended to preserve the residual historical interest and distinctive built form of the former building have been incorporated into the current application' runs contrary to evidence submitted by NW3 CLT. For example, the previous building and proposed development, despite obvious differences (as should be expected and desired of a new building), present a similarly narrow gable to the street and maintain the generous frontal area. In fact, the Fitzjohns/Netherhall Conservation Area Character Appraisal & Management Plan implicitly approves of No. 12 Netherhall Gardens (in contrast to No.11) for its reflection of 'the gables and modulation of older properties' while 'avoid[ing] bland imitation' – a similar number of features incorporated into the current planning proposal.

While these do not, evidently, represent an exhaustive (or even extensive) list of the multiple and serious concerns that should be raised in regard to this report, such an engagement is arguably rendered unnecessary by the fundamental issue that critically undermines the validity of its statements and the usability of much of its broader whole – that being its conflation of Daleham Gardens with the 'conservation area'. While mentioned in part before, it bears repeating in more complete and explicit terms.

First, all comparative statements made in the report with the 'conservation area' (including 1.4, 1.17, 2.12, 2.16, 3.20, 3.28) cannot, in good faith, be deemed valid, without much further (and broader) investigation as to their suitability in reference to the true 'conservation area'. In their current state, they are, at best, possibly (though likely crudely and without any evidence to prove it) representative and, at worst, entirely misleading.

Secondly, not only are specific comments undermined, but, by relying on too narrow a pool of evidence (pertaining to just 1 of the 21 roads in the area), the broader report's relevance, and thus usability, is also severely compromised. With too restricted a framing, it ignores the vast majority of relevant information, shattering its usefulness even when not explicitly referencing the 'conservation area'.

Even if it is deemed that there is a distinction made between Daleham Gardens and the 'conservation area' in parts of the report (which the current author, despite strenuous effort, could not discern), in its broad use, this conflation would still hold true.

I sincerely hope that these comments will prove helpful in the course of determining the outcome of this planning application and would like to re-emphasise my utmost support for the development, which is necessary, suitable and laudable.

Kind regards,

Anton Higgins