



FAO: David Peres Da Costa  
Planning Solutions Team  
Camden Council  
5 Pancras Square  
London  
N1C 4AG

24.11.2023

Dear David

**81 Belsize Park Gardens, London, NW3 4NJ (Application Ref: 2023/3407/P)**  
**Comment Letter**

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I am writing on behalf of the residents of Numbers 83, 85, 87 and 89 Belsize Park Gardens, London, NW3 4NJ to set out objections and comments in respect of the above application which is currently under consideration by the Council.

#### **Background**

The four properties in question are located to the east of the application site. The property at Number 83 is located immediately to the east of the application site, and all properties have access to a private, shared garden that runs along the majority of the eastern boundary of the application site.

It should be noted that applicant has had discussions with residents over the past few months regarding the proposals, which have been productive and are appreciated. Residents do not object to the principle of development, but concerns remain in relation to some more detailed design issues that the applicant is proposing.

These comments and objections are outlined below:

#### **Windows**

Firstly, residents object to the inclusion of 10 new windows to the eastern elevation to be added to the first-floor level. These objections relate specifically to the following windows:

- a) 2 x windows to the Photography Classroom 3;
- b) 2 x windows to the General Classroom 2;

Ground Floor  
86-90 Paul Street  
London  
EC2A 4NE

0845 121 3432  
www.gradeplanning.co.uk

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- c) 2 x windows to the Study Room; and
- d) 4 x windows to the Student Common Room.

Windows in locations a) to c), above will be located on the wall adjacent to the rear garden of Number 83 Belsize Park Gardens and windows d), above will be located on the wall adjacent to the shared communal garden. Whilst it is recognised that these windows are proposed to be opaque and non-openable, residents object to the installation of these on residential amenity grounds with particular regard to criteria e and g) of **Policy A1** of the Local Plan relating to visual privacy, outlook and artificial lighting levels. At their closest point, the proposed windows will be located 4m from the nearest elevation of Number 83 Belsize Park Gardens and 1.8m from the boundary of its rear garden. Residents have a specific objection in terms of the impact of lighting that will be emitted from these windows, which given their close proximity to garden space and rear windows is considered to adversely affect their amenity.

Secondly, it is understood that all windows (existing and proposed) to the eastern elevation (the shared boundary wall) are proposed to be opaque and non-openable. This general approach is supported by residents, and it is requested that a **planning condition** is placed upon any planning permission that ensures all windows (including the glass blocks) are opaque and non-openable in perpetuity (residents would require that the glazing itself is opaque and that a condition specifically restricts the use of translucent film being applied to windows).

#### Height of Boundary Wall

Residents also have concerns in relation to the height of the proposed boundary wall to the eastern elevation of the site, which runs between the site boundary and external walkway that will be used by students. At present, the wall includes wooden panels which run along the top of this and extends to around 2.5m in height. It is understood that the proposals include the replacement of this wall (and its slight extension further north), but that its proposed height will be only c.2m in height.

Given this, it is requested that the height of the wall is increased to an equivalent height along its entire length to existing (2.5m) so that residents are afforded the same level of visual privacy and amenity that they currently enjoy. It is noted that para 2.3 of the Council's **Amenity CPG** states that the most sensitive places to overlooking are typically habitable rooms and gardens to the rear of residential buildings, so residents would request that the existing level of privacy is retained.

In addition, the boundary wall is currently proposed to reduce in height to c.1.2m alongside the driveway to Number 83 (for approximately 8m in length). It is requested that the height of the wall in this area is increased to 2.5m in order to maintain visual privacy and to ensure residents of Number 83 are protected from amenity impacts (noise and overlooking) resulting from the intensification of the use of the building, particularly given that this area will be the main entrance for the school. It is considered that from a townscape perspective, that increasing the height of this wall in this location would be suitable, as the massing of Number 81 extends meets the pavement line (whereas the residential properties further south and east do not), so the wall would provide a clear distinction between the two types of building typologies.

#### School Opening Hours

It is noted that the School Travel Plan submitted to accompany the application does not include detail of any proposed weekend opening hours and that the school will be open between 08:00 and 19:30 during the week (to allow for evening classes). In order to ensure that the amenity of residents is protected during the morning, evening

and at weekends, residents would request that a condition is placed upon any planning permission that restricts opening hours of the school to between 08:00 and 19:30 on weekdays, with no weekend access.

#### **Delivery Arrangements and Traffic Movements**

It is noted that the Delivery, Service and Refuse Management Plan accompanying the application predicts up to three deliveries per day to the school. This document assumes that the area in front of Number 81 will be used as a drop-off point, but this part of the street is already an allocated area for car parking that falls with a CPZ (09:00 to 18:30, Monday to Friday and 09:30 to 13:30 on Saturday).

Therefore, there are concerns that if cars are parked in front of Number 81 then delivery vehicles would stop in the cross-over area that allows access to the driveway to Number 83, as car parking is obviously not permitted in this location. It is suggested that your Highways Officer considers this point in detail and considers whether more formal changes to the loading/unloading of vehicles should form part of the proposals.

Residents also have concerns regarding additional traffic generation resulting from the proposals. The Transport Assessment accompanying the application outlines that there would be an additional 28 car movements per day to and from the school. Belsize Park Gardens already suffers from peak-time congestion and the additional car movements will have a considerable impact on this, particularly as there is not proposed to be a drop-off area within the proposals and it is likely that parents will drop off/pick up students in front of the driveway to Number 83 in the absence of any other available space.

We would therefore urge the Council to review in detail the trip generation, delivery and drop off/pick arrangements associated with the proposals to ensure that these can be successfully accommodated from a highways perspective.

#### **Introduction of Café**

Residents object to the introduction of a café space to the ground floor of the building due to amenity issues (noise, odour etc.), given its close proximity to the boundary with Number 83.

#### **Heating and Ventilation**

Residents also have concerns in relation to the inclusion to any ventilation grilles for the proposed MVHR that are to be located on the eastern boundary of the site. Information accompanying the application does not provide detail on the exact location as to where any grilles will be located. Therefore, we would request that the Council clarifies this point with the applicant to ensure that no ventilation grilles are provided to the eastern boundary of the site.

#### **Fire Escape to Communal Garden**

There is an existing fire escape door to the eastern boundary wall that leads to the communal garden. As the Fire Statement accompanying the application states, following occupation of the building, the use of this door would not form part of the escape strategy and will not be required. Therefore, residents would request that a condition be placed upon any planning permission that would prevent the use of this door as a fire escape (or for any other means of access) following occupation of the development.

**Covenant**

Note that there is a covenant in place in relation to the eastern boundary wall. Whilst it is recognised that this is not directly a planning matter, any future works to the wall will need to be agreed between the applicant and residents should planning permission be granted, so the Council should be aware of this point.

Should you have any queries, please do not hesitate to contact me.

Yours sincerely

**Ben Rogers**  
Director

ben@gradeplanning.co.uk  
