

Dear Mr Lawlor,

re. planning application ref. 2023/4241/P: 31 Daleham Gardens

Thank you for confirming that Camden will take into account documents received after 13 November.

We would be grateful account can also be taken of the following, in response to them:-

The Tavistock Children's Day Unit, Gloucester House, 33 Daleham Gardens

Please confirm that, as regards Create Consulting Engineers' Daylight & Sunlight Assessment (including Revisions A - D) the attention of members will be drawn to

(1) CPG *Amenity* (Dec 2022) and, in particular, its statement that the BRE guidelines are guidance, not policy, to be applied flexibly and on a case-by-case basis and taking account of the particular site and its context: para. 3.14-16;

(2) that it is integral to the Assessment's conclusion that the proposed development will have minimal impact on neighbouring buildings that although the proposed building actually fails the BRE tests, as detailed in its Appendix B, this should be disregarded because it would be situated in a 'dense urban' environment: : *Executive Summary*, p.3, *Sunlight Analysis*, 6.14; **but**

(a) Camden's Appraisal and Management Plan for the Conservation Area describes the site's context as 'semi-rural' and 'suburban rather than urban': para.3.14, pp.15-16; and, responding to the first iteration of the scheme (which was the same as the application proposal, especially as regards the planning officer's criticisms), in May 2021, the planning officer characterised it as "better suit[ed to] a denser urban context and [does] not respon[d][-ive] to the identified character of the area, which is leafy, with a more suburban feel";

(b) the Assessment's conclusion that the effects on the Children's Day Unit (CDU) should nevertheless be disregarded is also based on the assumed fact that the affected windows as 'unusually close' to the site boundary: 4.27, 6.13, 7.4. The windows are seen in Figure 4.4, p.16. where however the existing fence is out of screenshot, to the right. However, the visible part of the gap is at least 2 metres and the existing fence is in any case not a boundary fence but a temporary one erected for the purposes of the demolition (to facilitate site access), set back from the boundary by at least an additional 2 metres. In this context, members must therefore decide whether it reasonable to disregard the proposed development's impact on the affected windows on the basis that a gap of 4 metres *plus* wide is 'unusually close' ? (And/or did the Assessment proceed on the mistaken assumption that the fence represents the boundary and therefore assume that the gap was 2 metres?)

(3) the fact that the Assessment's conclusions regarding Gloucester House's windows are also based on its authors' doubtful inference that 'the current block was not designed with access to sunlight in mind' (*Executive Summary*, p.2), despite accommodating schoolrooms of which the windows are fully continuous along the length of its south and east elevations, as is seen in the attached photo (view from 30 Daleham Gardens);

(4) and that the Assessment's conclusion that the CDU's 'amenity areas', meaning the playgrounds on either side of the schoolroom block, would be unaffected (para.6.19) is also doubtful:-

a. The areas assessed as 'amenity area' are shown shaded green: Figure 6.2, p.24. Approximately half of the amenity area to the right of the single storey schoolroom block considered has been excluded;

b. the BRE threshold test is a low one: 'at least half of the amenity areas... should receive at least two hours of sunlight on 21 March'. What should really be examined is how much daylight and sunlight the CDU playgrounds stand to lose. Members might therefore prefer to apply a higher standard including a greater number of hours of sunlight and as determined for different periods of the year;

c. Appendix F shows the shading images used by the Assessment. The images show the roof's shadow as regular and straight-edged, as if it was all of uniform height. The proposed building is part 5- and part-6 storeys, with a 1-storey roof extension in its middle. The shadow thrown by the middle part of the roof will clearly reach further out from the building than the shadows of the front and rear parts, so that, if they were accurate, the images would be irregular.

We are copying this to our councillor, Tom Simon.

Kind regards,

Christopher & Jan Balogh

