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London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

21<sup>st</sup> December 2023

Dear Josh,

**31 Daleham Gardens, London, NW3 5BU**  
**Objection to application reference 2023/4241/P**

## **Introduction**

The Tavistock and Portman NHS Foundation Trust wishes to register its objection to planning application 2023/4241/P, which proposes the redevelopment of 31 Daleham Gardens to provide a six-storey apartment building comprising 14 flats with associated cycle parking, landscaping and waste storage. The application site at 31 Daleham Gardens shares its northern boundary with Gloucester House School, a specialist school owned and run by the Trust. Whilst the Trust does not object to the principle of the redevelopment of the application site, the Trust has serious concerns about the scale and form of the proposed development and the implications that the delivery of the development would have on the wellbeing of the students at Gloucester House School.

In summary, these concerns relate to:

- The impact of the construction activities on the health and wellbeing of the students and staff at Gloucester House School, with due appreciation for the sensitive nature of this specialist school.
- The lack of consideration given to, and proper assessment of, construction impacts within the planning application material, notably the lack of a Construction Management Plan and lack of assessment of construction impacts in the Noise Impact Assessment.
- The scale and form of the proposed development and the disregard that the design shows for the relationship with the adjacent school.
- The associated impact on daylight/sunlight to windows in the school.
- The associated potential for overlooking from the new flats across the school site and the loss of privacy for students.

- The loss of existing trees along the boundary which compounds the above issues.
- The lack of evidence within the application material to demonstrate that the design of the development has factored in mitigation to ensure that a suitable environment for the new residents can be created without compromising the operation of the existing school (in line with the 'Agent of Change' principle).

The Trust recognises the benefits of redeveloping the application site at 31 Daleham Gardens to deliver new homes, particularly affordable housing. However, the form of development proposed in application 2023/4241/P is incompatible with the school's operations. The Trust would like to work collaboratively with the Council and the applicant to find a way forward.

In this letter we provide an introduction to the Trust, the Gloucester House School and its activities, and set out our concerns with the planning application.

### **The Trust and Gloucester House School**

Tavistock and Portman NHS Trust is a specialist NHS mental health trust with a focus on training and education as well as providing a full range of mental health services and therapies for children and their families, young people and adults. The Trust provides over 30 specialist and community services in Camden, across London and nationally. The Trust has been at the forefront of exploring mental health and wellbeing since the First World War and continues to deliver and develop high quality and high impact patient services whilst offering training and education to transform the healthcare sector.

The Trust owns and manages Gloucester House School at 33 Daleham Gardens. The school is a leading independent special school which works with pupils who have social, emotional and mental health needs and their families in a safe and secure environment.

The school has a fully integrated specialist clinical team located 5 minutes' walk from the Child, Young Adults and Families mental health service of the Tavistock and Portman NHS Foundation Trust. For over 50 years Gloucester House has pioneered therapeutic educational work with children. The school currently has around 21 children aged between 5-14 across Key Stages 1,2 & 3.

The school caters for children with a range of mental health needs. The children have complex histories and their emotional and behavioural challenges can be triggered by a variety of factors. Building works are a trigger for a number of the children who currently attend the school. Even undertaking minor repair works within the school, with simple activities such as drilling, has led to children becoming distressed and displaying aggressive behaviour to staff and to the builders. We have had to manage this risk, with all repair and maintenance works scheduled outside of school hours. We are currently dealing with the challenge of managing the wellbeing of the children and the safety of the staff while there are construction works taking place on a site along the road.

The outdoor space to the rear of the school buildings, adjacent to the application site at 31 Daleham Gardens, is an important resource for the school. It is used as a

breakout space for children to play in at break and lunch times. At other times, it is used as a quiet and calm space where staff can take children if they become stressed and need to be taken out of the classroom environment.

## **Construction Impacts**

One of the most critical concerns for the school relates to the impact of the construction process on the health and wellbeing of the students and staff.

This concern is compounded by:

- The sensitive nature of the specialist school providing services to pupils who have social, emotional and mental health needs and their families in a safe and secure environment.
- The physical proximity of the proposed building to the school, which will involve the removal of all the existing trees that currently provide a visual screen along the boundary and the construction of a part 5, part 6 storey building just 2.5 metres from the boundary.
- The lack of any proper assessment or consideration of construction impacts within the application material.

### ***Lack of Construction Management Plan***

No Construction Management Plan has been submitted with the application, despite this document being listed as a validation requirement for major developments in the LB of Camden. Construction impacts are listed as a key factor for consideration under Policy A1 relating to managing the impact of development.

Whilst Construction Management Plans can be secured through a pre-commencement condition, in cases where the construction process could give rise to significant adverse effects it is essential that proper consideration is given at application stage. In this case, the physical proximity and the sensitive nature of the school means that an Outline Construction Management Plan must be submitted with the application to demonstrate how the applicant would manage the construction process to prevent unacceptable impacts on their sensitive neighbour. Without this information it is not possible for the Council to make a proper judgement against Policy A1.

### ***Lack of assessment of construction noise and vibration***

Children with special social, emotional and mental needs can be particularly sensitive to noisy environments. The construction process will undoubtedly lead to an increase in noise, vibration and disturbance experienced by students and staff in the neighbouring school, especially those using the outdoor space immediately adjacent to the development site.

Whilst noise and disturbance during construction is often considered part and parcel of the development process, given the sensitive nature of the school and the physical proximity of the construction activities, it is essential that this is properly considered at application stage.

A Noise Impact Assessment (NIA) has been submitted with the application. It assesses the impact the school could have on residents in the new flats but does not contain any assessment of the noise and vibration impacts of the construction activities on students and staff and the school. As with the Construction

Management Plan discussed above, it is essential that the Noise Impact Assessment is updated to include an assessment of construction noise so that the Council can make a proper judgement against Policy A1.

### ***Inadequate Health Impact Assessment***

A Rapid Health Impact Assessment Matrix has been submitted with the application. This concludes that there is a neutral impact on school as a result of the development. We do not consider this to be an adequate or accurate assessment. It has not taken into account the likely health impacts given the sensitive nature of the students and has not been informed by an understanding of the likely impacts during the construction phase.

The Rapid Health Impact Assessment does not acknowledge the school's role in catering for protected groups or properly assess the impact on the health and wellbeing of these groups. Paragraph 4.34 of the Camden Local Plan states that "some community facilities offer particular support and safe, welcoming environments for protected groups or communities which in turn contribute to Camden's diversity and social and economic wellbeing. The sometimes dispersed nature of minority groups means this benefit may extend far beyond Camden's administrative boundary. Under the Equality Act 2010, we are required to assess the impact of policies against the 'protected characteristics' of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion, sex/gender and sexual orientation."

A full Health Impact assessment should be submitted as part of the application. Without this information it is not possible for the Council to make a proper judgement against Policy C1.

### ***Retaining an important existing community facility within Camden***

Notwithstanding the above requests for additional information on the construction impacts, the Trust is concerned that the actual impacts on the wellbeing of these sensitive students will be so great that it would result in the school being unable to fulfil its duties to the students and their families. The Trust is concerned that no amount of construction management measures will be sufficient and it would not be feasible to operate a specialist school of this nature while the adjacent site is being constructed.

Whilst the current form of development is clearly not an appropriate response to the context, we understand that the Council will want to see some form of residential development come forward on this site. If the Council is supportive the principle of redeveloping 31 Daleham Gardens, then it needs to:

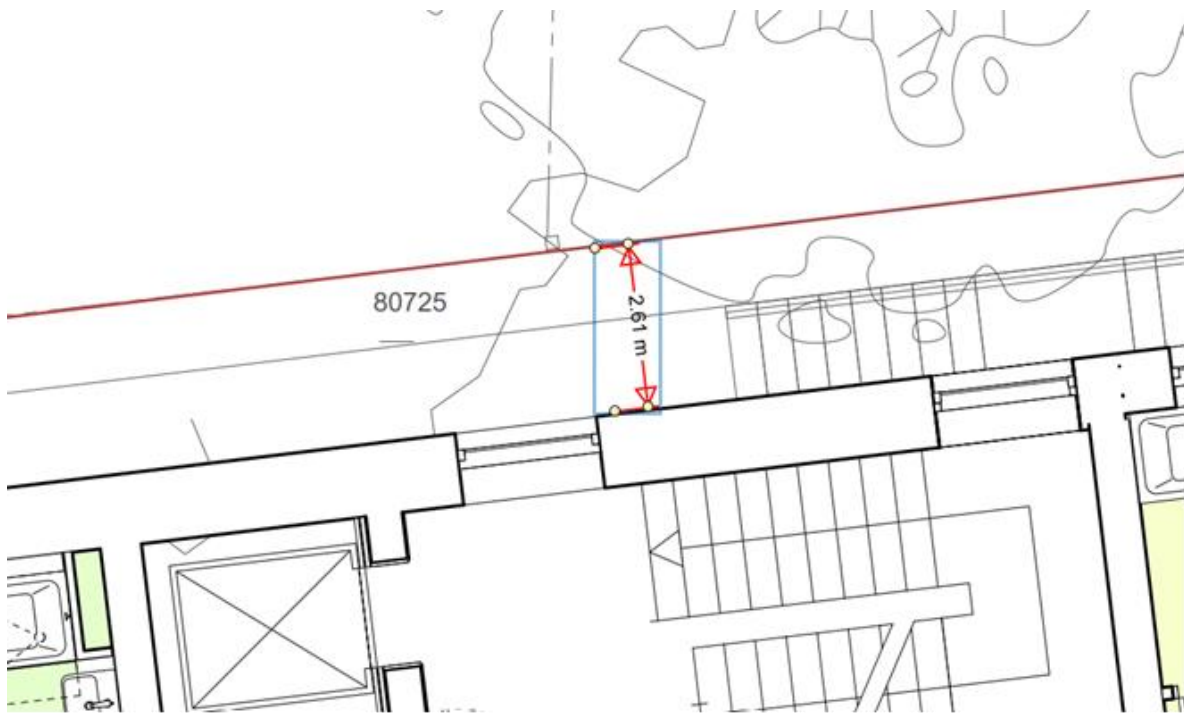
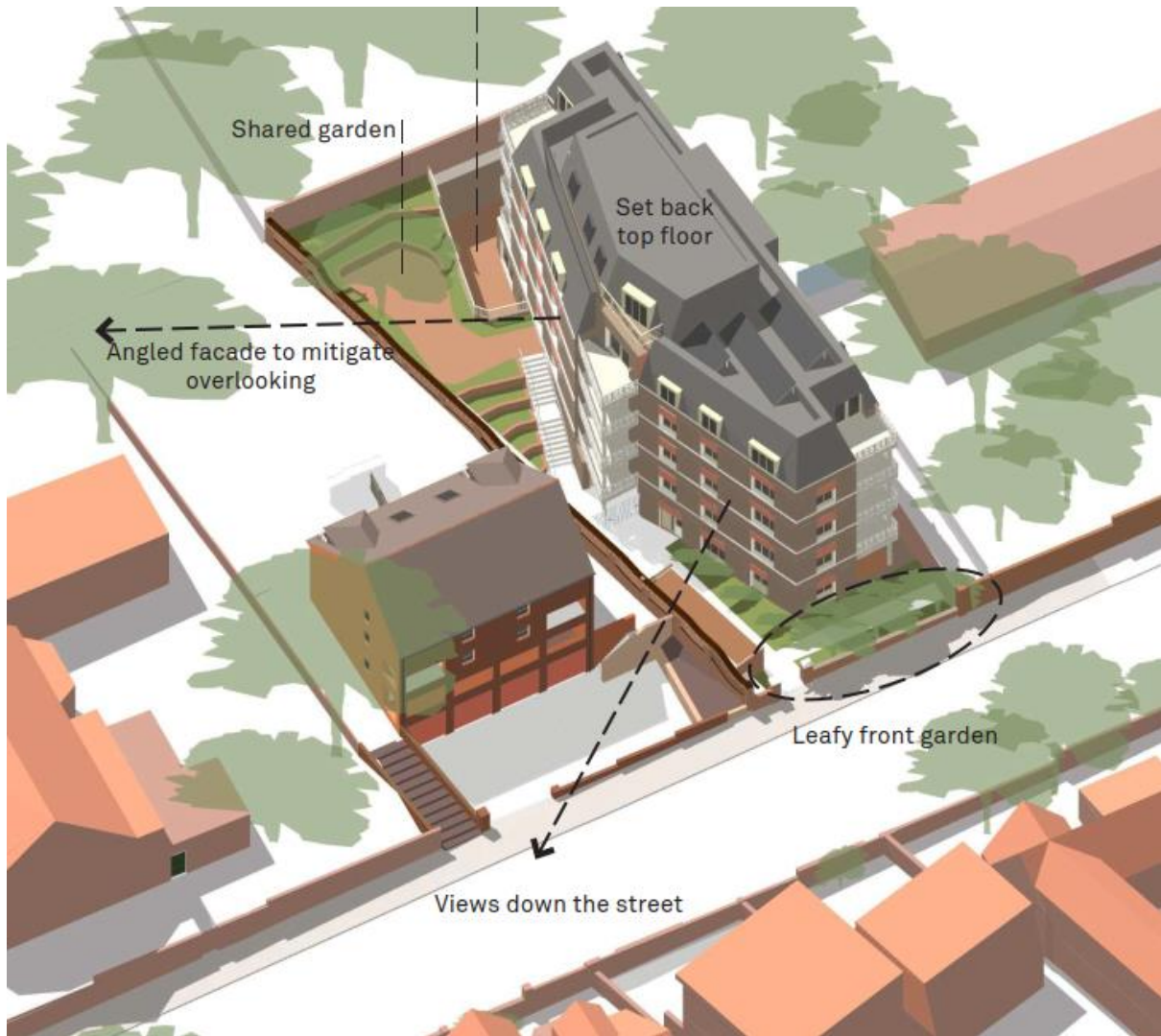
1. Require this or any future application to be supported by a thorough assessment of construction related impacts on the school, taking into account the sensitive nature of the students;
2. Recognise the commitment in Policy C2 that "the Council will ensure existing community facilities are retained recognising their benefit to the community, including protected groups" - a commitment which extends beyond a consideration of whether development proposals would physically displace an existing community facility and equally applies where the new development

proposals would prevent an existing community facility from being able to operate.

3. Acknowledge the impact that the construction activities would have on an important and established community facility, and one that caters for protected groups; and
4. Work with the Trust to help find a way in which the redevelopment of 31 Daleham Gardens can be delivered in a way that enables the Gloucester House school to continue providing an important community service, which may involve finding suitable alternative location for Gloucester House School (either temporarily during construction or permanently).

## **Scale and form of proposed development**

The scale and form of the proposed development shows a disregard for the relationship with the adjacent school. On the southern side of the site, the proposed building has been set back from the boundary and the façade has been angled to try to mitigate overlooking of the adjacent residential properties. However, on the northern side of the site, the proposed part 5, part 6 storey building is pushed right up against the boundary with the school (just 2.6 metres from the boundary wall) and extends almost the full length of the boundary. Instead of proposing any kind of measures or design features to mitigate against overlooking of the school site, the proposed development does the opposite, removing all the existing mature trees along this boundary within the site.



### ***Loss of existing trees***

The proposed development results in the loss of trees along the shared boundary with the school, marked as T11 and T12 in the Tree Survey Plan included in the Preliminary Arboricultural Report (refer to Appendix 2 of this report).

Policy D2 states trees in conservation areas which contribute to the character and appearance of a conservation area should be preserved. The removed trees (T11 and T12) are mature and form part of the landscape character of the conservation area as mentioned in the character appraisal.

These trees are proposed for removal so the building can be squeezed right up against the boundary with the school. Instead of retaining any form of screening within the site, the proposed development relies on the existing trees within the school. The Design and Access Statement states *“There are a number of large mature trees within the garden of Gloucester House that will screen the new building from view.”*

However:

1. We are concerned that the application proposes to remove all the existing trees within the application site so that it can build right up to the boundary wall.
2. Instead of retaining the existing trees or even planting replacement trees to act as a screen along the boundary, the applicant wants to maximise the amount of development on its site to the detriment of the school's activities.
3. These are deciduous trees, which will provide limited screening in the winter months.
4. The trees are not all located adjacent to the boundary and do not provide a continuous screen that would prevent overlooking of the outdoor space.

The proposed development should respect the relationship with the school and set back any development from the boundary line, with the retention of the existing trees.

### ***Overlooking and loss of privacy***

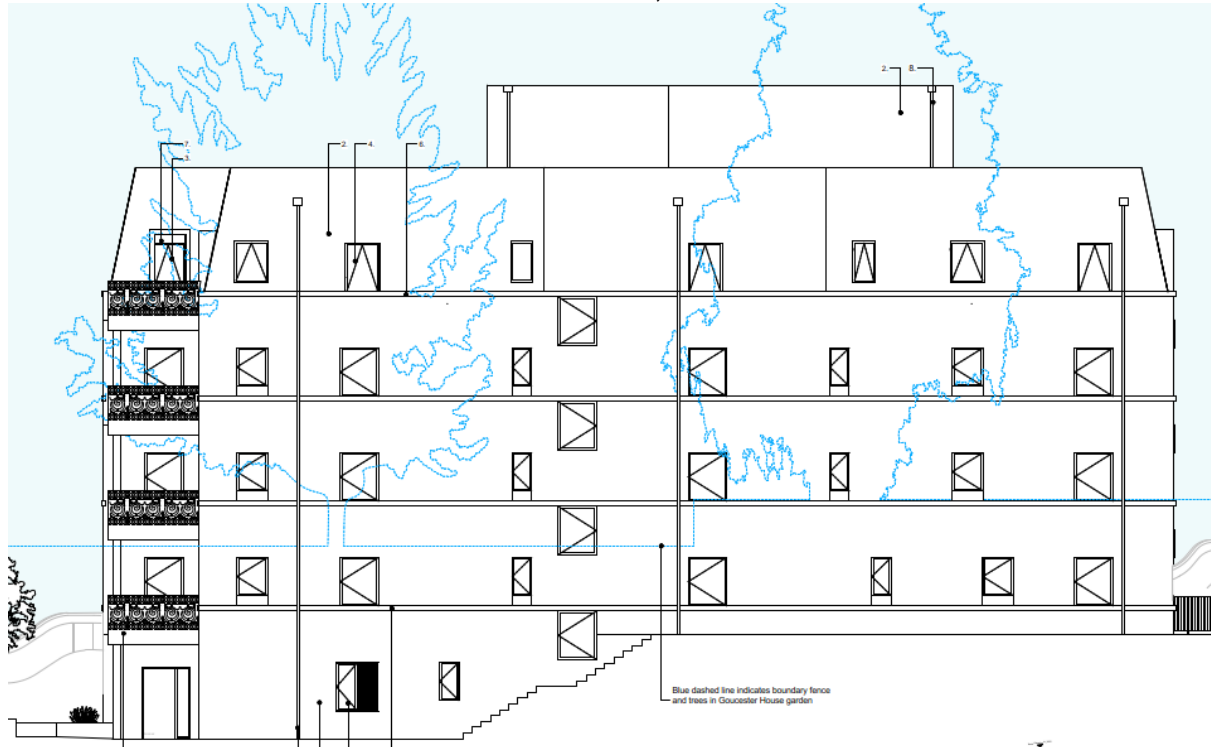
The school's outdoor recreation area is located to the rear the school site, adjacent to the boundary with the application site.

Paragraph 7.20 of the Local Plan states that the Council will resist development that occupies an excessive part of a garden. This clearly applies to the proposed development, which has a part 5/part 6 storey building extending almost the full length of the application site.

The proposed building would be two storeys taller and extends further into the site than the former building on the site. The building would now be 12 metres taller than the boundary fence between the application site and the school. In addition, there would be windows on this elevation which serve habitable rooms at first, second and third floor which would overlook the recreational space of the school, resulting in a loss of privacy.

The Design and Access Statement states that “*The north elevation of the proposed building features smaller windows which serve bathrooms, kitchens and bedrooms, and so overlooking is less significant than on the south facade.*”

However, this statement is misleading. Windows serving the main living space for flats 6, 9 and 12 look out over the school gardens. In total there are 23 windows that look out across the school site across the first, second and third floors.



A degree of overlooking is commonplace within an urban environment. However, the extent of overlooking caused by the lack of a set back from the boundary, the depth of the building within the site, the removal of the existing trees and the lack of any design mitigation measures makes this relationship unacceptable.

The feeling of being overlooked caused by the extent and proximity of the windows could be distressing for some of the more vulnerable students that the school caters for. This would affect their safe and private enjoyment of the amenity/recreational area and would conflict with Policy A1 of the Local Plan.

### ***Loss of daylight and sunlight***

Policy A1 of the Local Plan states that the council will protect neighbours from loss of daylight/sunlight and overshadowing.

On daylight impacts, the Daylight and Sunlight Assessment refers to the low levels of existing light that the windows in the school currently have and the proximity of these windows to the boundary wall. However, this understates the true impacts, which involve reductions in daylight of up to 92% and fails to acknowledge that the extent of impact is caused by the scale and proximity of the proposed building to the boundary.

Gloucester House	GL000000	5	7	20.61	9.77	52.60%	FAIL
School	GL000000	5	8	23.63	10.38	56.07%	FAIL
	GL000000	5	9	25.06	9.49	62.13%	FAIL
	GL000000	5	10	10.86	0.82	92.45%	FAIL
	GL000000	5	11	11.95	0.95	92.05%	FAIL
	GL000000	5	12	10.31	1.03	90.01%	FAIL
	GL000000	5	13	9.94	0.85	91.45%	FAIL
	GL000000	5	14	23.45	10.41	55.61%	FAIL
	GL000000	5	15	22.29	9.63	56.80%	FAIL

On sunlight impacts, the Daylight and Sunlight Assessment states *“The only windows that miss the recommended targets and were identified to be located in Gloucester House School. Because these windows are close to the common boundary fencing between the Gloucester House School and the proposed building, they already receive a low level of sunlight, and it has been determined that the occupants of this room will not notice the loss of sunlight.”*

Again this understates the true impacts, which involve reductions in sunlight ranging from 42% to 83%.

Gloucester House	GL000000	5	1.25	90	46.21	18.56	26.56	4.47	42.52%	75.92%
School	GL000000	5	1.25	90	51.08	21.62	26.88	4.67	47.38%	78.40%
	GL000000	5	0.5	90	54.02	22.77	28.5	4.85	47.24%	78.70%
	GL000000	5	0.31	90	23.08	20.71	4.63	3.48	79.94%	83.20%
	GL000000	5	0.12	90	24.55	21.89	4.91	3.74	80.00%	82.91%
	GL000000	5	0.13	90	23.36	20.73	4.81	3.65	79.41%	82.39%
	GL000000	5	0.31	90	23.16	20.51	5.24	4.01	77.37%	80.45%
	GL000000	5	0.5	90	50.18	21.1	26.9	4.8	46.39%	77.25%
	GL000000	5	1.25	90	49.38	20.69	26.7	5.06	45.93%	75.54%

Consequently, the proposal is considered not to comply with Policy A1 on this matter.

### ***Impact of scale on local character***

The site is in the Fitzjohns Netherhall Conservation Area. The character appraisal/management plan states it is characterised by late 19<sup>th</sup> and first half of the 20<sup>th</sup> century buildings, which are stylistically diverse, but predominantly draw on Queen Anne Revival and Arts and Crafts influences. Their plots normally feature small front gardens often with trees and large rear gardens. Legislation, national, London and local planning policy all states that Conservation Areas should be preserved or enhanced through development. Specifically, Policy HC1 of the London Plan sets out that development proposals should be sympathetic to the assets' significance.

The scale of the proposal with the depth protruding into the garden, is not considered to preserve the conservation area, given a key characteristic is large rear gardens. The protrusion past the established rear building line would be out of character and thus not a sympathetic design, also contrary to Policy D1 of the Local Plan.

### **Impact on future development potential**

As set out above, the Trust has serious concerns that the impacts of the proposed development, particularly during the construction period, on the wellbeing of the sensitive students will be so great that it would result in the school being unable to fulfil its duties to the students and their families. In the event that the redevelopment

of 31 Daleham Gardens resulted in the need to relocate Gloucester House school, it could open up the opportunity to redevelop the school site at 33 Daleham Gardens.

It is telling that, in the event that the current application were to be approved and the development delivered, it would clearly be inappropriate to replicate the same form of development on the school site at 33 Daleham Gardens, with the removal of all the existing trees along the boundary and erection of a part 5 part 6 storey building running the length of the site, just 2.5 metres from the shared boundary, with 20+ windows facing across the boundary.

The proposed development, by reason of its scale, massing and position close to the shared boundary, would compromise the future development potential of the school site. Given the seriousness of the potential impacts on the school and its vulnerable occupiers, the Council should consider the future development potential of both sites together to ensure that any proposal for 31 Daleham Gardens does not have a unduly restrictive impact on the ability to bring forward an appropriate development on the neighbouring site in the future.

### **Summary**

In summary, the Trust requests that it is given the opportunity to engage and consult in any further discussions that take place regarding this development on the points raised in these representations. The welfare of the students at the school and the protection of the Trust's operations are its main priority.

I trust this has provided an appropriate summary of the concerns relating to the application, but please do not hesitate to contact me if you have any queries.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Michael Holland', with a stylized flourish at the end.

Dr Michael Holland  
Chief Executive