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**From:** Mike Moon [REDACTED]  
**Sent:** 21 May 2024 14:23  
**To:** Planning  
**Subject:** RE: 2023/5352/P - 37 Heath Drive London Camden NW3 7SD - Objection

[REDACTED]

[REDACTED]

application.

Kind Regards

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**From:** Mike Moon  
**Sent:** Tuesday, May 7, 2024 2:12 PM  
**To:** Planning <[Planning@camden.gov.uk](mailto:Planning@camden.gov.uk)>  
**Subject:** 2023/5352/P - 37 Heath Drive London Camden NW3 7SD - Objection

**FAO ADAM GREENLEIGH**

Dear Adam,

On behalf of the owners of 38 Heath Drive, we write to object to planning application 2023/5352/P at 37 Heath Drive, which seeks permission for the following:

*'Demolition of existing building and erection of 5 storey building comprising 10 flats (2 x 2 bed, 6 x 3 bed, 2 x 4 bed) with one level of basement below comprising gym, yoga facilities, bicycle storage for 24 units, waste storage; 4 electric car parking spaces with charging points and landscaping in front.'*

We note that a number of objections have already been lodged in relation to this application, and we echo the concerns raised over the excessive height and massing and design out of keeping with the Conservation Area and the unjustified demolition and rebuild of the property, however our main concern is with regard to the impact on the amenity of 38 Heath Drive.

Camden Local Plan Policy A1 'Managing the Impact of Development' states that *'The Council will seek to protect the quality of life of occupiers and neighbours. We will grant permission for development unless this causes unacceptable harm to amenity.'* The policy goes on to state that the Council will (amongst other commitments):

- Seek to ensure that the amenity of communities, occupiers and neighbours is protected;
- seek to ensure development contributes towards strong and successful communities by balancing the needs of development with the needs and characteristics of local areas and communities;

Policy A1 notes that factors that will be considered, amongst others, include visual privacy and outlook and sunlight, daylight and overshadowing. With regard to sunlight, daylight and overshadowing, the Local Plan states the following:

*'Loss of daylight and sunlight can be caused if spaces are overshadowed by development. To assess whether acceptable levels of daylight and sunlight are available to habitable, outdoor amenity and open spaces, the Council will take into account the most recent guidance published by the Building Research Establishment (currently the Building Research Establishment's Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 2011). Further detail can be found within our supplementary planning document Camden Planning Guidance on amenity.'*

We have had sight of the Daylight and Sunlight Report prepared by T16 Design Limited in support of the planning application, and it is clear that the proposals for 37 Heath Drive will give rise to some significant daylight effects upon a large number of habitable rooms within 38 Heath Drive. The submitted Daylight and Sunlight Report identifies transgressions of the BRE guideline numerical targets in respect of 11 of the 15 windows tested (73%) for the Vertical Sky Component (VSC) form of daylight assessment, with relative alterations in VSC of up to 85% and retained VSC levels as low as 1.7% (compared to the BRE recommended 27%). This represents a significant departure from the BRE guidelines, irrespective of the urban location, and will give rise to a substantial loss of sky visibility from these habitable windows.

In addition, there are also some significant breaches of the BRE guideline recommendations in terms of the No Sky Line (NSL) daylight distribution assessment, with 6 of the 9 habitable rooms tested (66%) failing to meet the BRE numerical targets. Importantly, there are relative alterations in NSL daylight distribution of up to 48%, including 5 of the principal living, kitchen, dining rooms. This represents a significant reduction in daylight distribution to these rooms, and when combined with the substantial VSC impacts will clearly result in an unacceptable degree of harm to the daylight amenity to the property.

As shown by the excessive breach of BRE guidance, the impact on daylight and sunlight levels on 38 Heath Drive are unacceptable and will be severely detrimental to the occupants of the property. The proposals would therefore be in conflict with Camden Local Plan Policy A1 and should be refused accordingly.

We are also concerned by the proposals in terms of their impact on the privacy of the occupants of 38 Heath Drive, namely from the terraces on the rear elevation that would result in unrestricted overlooking to the facing windows on 38 Heath Drive. At present there does not appear to be any consideration of

mitigation to prevent this therefore again this would result in an unacceptable impact on residential amenity in contravention of Policy A1.

We acknowledge that the consultation period officially ended on the 28<sup>th</sup> April, however we have only recently become aware of the proposals, and note on the online register that you will take account of all representations received until the application is determined. Given this, and the level of impact of the proposals on 38 Heath Drive, we trust you will take these representations into account when considering your decision.

Kind Regards,

**Mike Moon**