

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4134/P	Katharine Johnson	10/10/2024 07:50:47	OBJ	Proposed Development at Hylda Court, 3-5 St Albans Road, NW5 1RE – Application 2024/4134/P

Background

The proposed development at Hylda Court, 3-5 St Albans Road, NW5 1RE, has raised significant concerns across multiple dimensions, including planning considerations, construction management, design factors, and the impact on light to neighbouring properties. This comprehensive rejection outlines the critical deficiencies and adverse impacts associated with the proposed development, which collectively render it wholly unacceptable.

Planning Considerations

1. Impact on Dartmouth Park Conservation Area

The proposed development is situated within the Dartmouth Park Conservation Area, an area recognised for its historical and architectural significance. The existing Hylda Court is described as an 'Art Deco period piece' and is a "building of note" and contributes positively to the character of the area. The proposed roof extension, despite attempts to mimic the existing architecture, fails to respect the integrity and aesthetic of the original building. The addition of a new floor, even with a set-back design, will disrupt the visual harmony and architectural coherence of Hylda Court. The proposed materials and design elements, such as the white render and parapet roof, do not sufficiently integrate with the existing structure, leading to a discordant and intrusive appearance. Furthermore, the demolition of the garage block and caretaker's flat to make way for the townhouses will result in the loss of views of greenery, which are a significant feature of the Conservation Area. The proposed townhouses, with their modern design and two-storey height, will obstruct these views and detract from the area's historical ambiance. The Conservation Area Appraisal emphasizes the importance of maintaining views of greenery between buildings, and this proposal blatantly disregards this principle.

2. Adverse Impact on Neighbouring Amenity

The proposed development will have a detrimental impact on the amenity of neighbouring occupiers, particularly those residing in Hylda Court and adjacent properties on St Albans Road, most immediately Number 7. The increased height and massing of the roof extension will overshadow neighbouring properties, particularly Number 7, reducing natural light and adversely affecting the outlook from affected properties. The Daylight and Sunlight Assessment submitted with the application acknowledges that several rooms in Hylda Court will not meet the BRE Guidelines for daylight and sunlight, particularly on the ground floor where living rooms and kitchens are located. This reduction in natural light will significantly diminish the quality of life for existing residents. The proposed townhouses will also compromise the privacy of Hylda Court residents. The close proximity of the townhouses to the rear of Hylda Court, with distances as short as 6 metres, will result in direct overlooking into habitable rooms. Although the application proposes obscure glazing for ground floor windows, this is an inadequate solution that fails to address the fundamental issue of privacy intrusion. The first-floor windows of the townhouses will still allow for oblique views into Hylda Court, exacerbating the sense of being overlooked and reducing the current residents' enjoyment of their homes.

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3. Negative Effects on Local Infrastructure and Biodiversity

The proposed developments will place additional strain on local infrastructure, particularly in terms of parking and traffic. The application proposes a car-free development, yet it fails to provide adequate alternative additional transport solutions. The existing garages, although ostensibly under-utilised as garages for cars, serve as storage for residents, and their removal will exacerbate parking pressures on St Albans Road and surrounding streets. No assessment has been made as to why the garages are under-utilised. The proposed cycle parking, whilst a positive addition, is insufficient to mitigate the loss of car parking spaces and does not address the needs of all residents. Moreover, the development will have a negative impact on local biodiversity. The Biodiversity Net Gain Report claims a significant increase in biodiversity, yet the proposed landscaping and planting schemes are superficial and do not compensate for the loss of existing green spaces. The mature trees surrounding the site, which contribute to the area's ecological value, will be at risk from construction activities and future pruning pressures. The proposed Urban Greening Factor score of 0.19 is well below the recommended target of 0.4, indicating a lack of commitment to enhancing the site's ecological value.

Construction Management

1. Inadequate Community Liaison and Consultation

The Construction and Demolition Management Plan (CMP) outlines a neighbourhood consultation process that is insufficiently detailed and lacks evidence of meaningful engagement with the local community. The plan fails to provide comprehensive evidence of who was consulted, how the consultation was conducted, and a summary of the comments received. This lack of transparency and engagement is unacceptable, especially given the high sensitivity of the area due to its residential nature and proximity to many schools and healthcare facilities.

2. Insufficient Noise and Vibration Mitigation Measures

The proposed noise and vibration mitigation measures are inadequate. The CMP does not provide a recent comparable pre-construction noise survey, nor does it offer detailed predictions for noise levels throughout the proposed works. The plan's reliance on general statements about using the "quietest available machinery" and "effective exhaust silencers" is insufficient, without specific, actionable measures and evidence of compliance with BS 5228:2009 standards. Furthermore, the plan does not adequately address the potential for vibration impacts, which is a significant oversight given the nature of the proposed demolition and construction activities.

3. Inadequate Dust and Air Quality Management

The CMP's approach to managing dust and air quality is lacking in several respects. While a Dust Risk Assessment is included, the plan does not provide sufficient detail on the specific mitigation measures that will be implemented to prevent dust nuisance and air pollution. The proposed measures are generic and do not reflect the high sensitivity of the area. Additionally, the plan does not include a comprehensive strategy for real-time dust monitoring, which is essential for a site of this nature. The absence of a detailed Dust Management Plan (DMP) that includes specific monitoring locations, equipment specifications, and trigger

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levels is a significant deficiency.

4. Inadequate Traffic and Transport Management

The CMP fails to provide a robust strategy for managing construction traffic and minimising its impact on the local community. The proposed vehicle routing and delivery times are not sufficiently detailed, and the plan does not adequately address the cumulative impacts of construction traffic from multiple sites in the vicinity. The lack of a detailed Construction Logistics Plan (CLP) that includes specific measures for managing vehicle movements, reducing peak hour deliveries, and ensuring the safety of vulnerable road users is a critical oversight.

5. Lack of Specificity in Environmental and Safety Measures

The CMP lacks specificity in several key areas related to environmental and safety measures. The plan does not provide detailed information on how rodents will be prevented from spreading from the site, nor does it include the results of an asbestos survey. Additionally, the plan's provisions for managing site cleanliness, waste disposal, and the conduct of construction workers are vague and insufficiently detailed. The absence of a clear strategy for addressing these issues raises significant concerns about the potential environmental and health impacts of the proposed works.

6. Non-Compliance with Camden's Planning Guidance

The CMP does not demonstrate full compliance with Camden's planning guidance, particularly in relation to the requirements set out in Camden Planning Guidance (CPG) 6: Amenity and (CPG) 8: Planning Obligations. The plan's failure to adhere to these guidelines, coupled with the deficiencies outlined above, renders it unacceptable for approval.

Design Factors

1. Inadequate Justification for Demolition

The Design and Access Statement (DAS) asserts that the existing garages are "unsightly, under-utilised, and unnecessary." However, this justification lacks any substantial evidence. The statement fails to provide detailed usage statistics or alternative solutions that could repurpose the garages without resorting to demolition. The claim that the garages are too small for contemporary car sizes is not supported by any empirical data or comparative analysis.

2. Impact on Local Character and Conservation Area

The site is located in Sub Area 8 of the Dartmouth Park Conservation Area, characterised by predominantly 19th-century properties. The DAS acknowledges the importance of preserving the character of the conservation area but does not convincingly demonstrate how the proposed development will achieve this. The introduction of modern townhouses and the roof extension risks undermining the historical and architectural integrity of the area. The proposed design element of the roof extension with throwbacks to mansard design is incongruous with the existing Art Deco style of Hylda Court and the surrounding properties.

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3. Insufficient Consideration of Environmental Impact

The DAS mentions the potential for green/brown roofs to reduce surface water runoff and increase biodiversity. However, the environmental benefits of the proposed development have not been thoroughly explored or quantified. The statement lacks a detailed environmental impact assessment, including the potential effects on local wildlife, air quality, and noise levels. The proposed landscaping changes, while beneficial, do not compensate for the broader environmental implications of increased construction and habitation density.

4. Overlooking and Privacy Concerns

The DAS claims that the new townhouses will not compromise the privacy of existing residents. However, the proposed design includes extensive glazing and bay windows, which could lead to significant overlooking issues. The reliance on opaque glazing and privacy screens is not a sufficient solution, as these measures can only partially mitigate privacy concerns. The potential for increased noise and reduced privacy for existing residents has not been adequately addressed.

5. Questionable Sustainability Claims

While the DAS emphasizes the sustainability of the development, the actual measures proposed are minimal and lack innovation. The statement mentions compliance with Part L of the Building Regulations and the use of energy-efficient appliances, but these are standard requirements for any new development. The DAS does not propose any groundbreaking or exemplary sustainability practices that would set this development apart as a model of environmental responsibility.

6. Inadequate Response to Pre-Application Feedback

The DAS outlines the feedback received from the pre-application submission and the subsequent design changes. However, the response to the feedback appears superficial and does not fully address the concerns raised. For instance, the redesign of the roof extension to a more solid and rectilinear form does not convincingly integrate with the existing building's aesthetic. The adjustments to the mews houses' facade are minor and do not significantly improve their relationship with the host building.

Loss of Light to Neighbouring Properties

1. Inadequate Consideration of Sensitive Receptors

The Daylight and Sunlight Assessment Report fails to adequately identify and assess all sensitive receptors. While it acknowledges the importance of living rooms, dining rooms, and kitchens, it dismisses the significance of bedrooms and other potentially affected spaces. The assertion that bedrooms are "less important" is not supported by any substantial evidence and contradicts the holistic approach required for such assessments. Furthermore, the exclusion of certain non-domestic buildings from detailed analysis, despite their potential reasonable expectation of daylight, is a significant oversight.

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2. Flawed Methodological Approach

The assessment relies heavily on the Vertical Sky Component (VSC) and No Sky Line (NSL) methodologies, yet it does not provide a comprehensive analysis of the actual daylight levels within the rooms. The VSC method, while useful, is a simplistic geometrical calculation that does not account for the real-world complexities of light distribution within a space. The report's reliance on this method without supplementary internal daylight level assessments is insufficient.

3. Inconsistent Application of BRE Guidelines

The report inconsistently applies the BRE Guidelines, particularly in its treatment of some of the kitchens in Hylda Court. The assertion that kitchens smaller than 13m² should not be considered habitable spaces is not universally accepted and varies between boroughs in London and across the country. The report's blanket exclusion of these spaces from detailed analysis is arbitrary and not justified by the guidelines. This selective application of standards raises questions about the objectivity and thoroughness of the assessment.

4. Inadequate Analysis of Overshadowing and Solar Glare

The report's analysis of overshadowing is superficial and fails to consider the full impact on all relevant amenity areas and neighbouring properties, in particular Number 7. The dismissal of balconies from the overshadowing assessment, despite their potential significance to residents' quality of life, is a notable omission. Additionally, the report's decision to forego an analysis of solar glare, based on an assumption about the building's design, is premature and lacks empirical support.

5. Insufficient Consideration of Seasonal Variations

The assessment does not adequately account for seasonal variations in daylight and sunlight availability. The reliance on a single date (21st March) for the "Sun on the Ground" analysis does not provide a comprehensive picture of the year-round impacts. The report should have included additional analyses for other key dates, such as the summer and winter solstices, to provide a more complete understanding of the development's impact on the surrounding neighbourhood and in particular on Number 7.

Conclusion

To conclude, the proposed development at Hylda Court is fundamentally flawed and should be rejected. The adverse impact on the Dartmouth Park Conservation Area, the significant harm to neighbouring amenities and neighbouring houses, the substandard quality of the proposed accommodation, and the negative effects on local infrastructure and biodiversity all provide compelling reasons for refusal. The development fails to meet the requirements of the Camden Local Plan, the London Plan, and the National Planning Policy Framework, and it does not serve the best interests of the local community.

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I urge the planning authority to reject this application and protect the character, amenity, and ecological value of the Dartmouth Park Conservation Area.
