



Mr Brendan Versluys
Planning Department
London Borough of Camden
5 Pancras Square
London
N1C 4AG

14 May 2025

Dear Mr Versluys,

Application ref. 2025/1534/P: 9-12 New College Parade, Finchley Road, London NW3 5EX

We are writing to you on behalf of a group of residents of 39 College Crescent, London, NW3 5LB, in objection to the live planning application at 9-12 New College Parade, Finchley Road, London NW3 5EX (ref. 2025/1534/P).

You will be aware that the residents of 39 College Crescent have previously objected to the proposals at the site in relation to height and massing alongside other matters. We are pleased to note that some of their feedback has been taken on board and that the revised proposals show a reduced scale and massing.

The residents of 39 College Crescent are supportive in principle of the redevelopment of this site. However, unfortunately concerns remain regarding the revised proposals, particularly in relation to their impact on residential amenity and the scale and massing of the proposed development. We set out these concerns in more detail below. Our clients are aware from discussions with neighbours that these concerns are shared by residents of other local buildings including College Court and New College Court.

It is noted that the applicant and their advisors have been successful in encouraging supportive comments to the application from residents of the wider area, the vast majority of whom would not be considered 'neighbours' to the site (and some of whom are even residents outside of the borough). In contrast we are instructed by some of the closest neighbours to the proposal who would be directly affected by the proposed development; and we urge you to review the comments on the application in this context.

Planning Policy Context

Camden's Local Plan (2017) contains several policies which relate directly to residents' concerns regarding this application. Policy C1 of the Local Plan relates to Health and Wellbeing and the promotion of strong, vibrant and healthy communities. The policy requires development to positively contribute to creating high quality, active, safe and accessible places, and requires all proposals for major development schemes to include a Health Impact Assessment (HIA).

Policy A1 of the Local Plan seeks to manage the impact of development and protect the quality of life of occupiers and neighbours. The policy states that where development causes unacceptable harm to amenity, planning permission will not be granted. The factors that the Council will consider include privacy and outlook, daylight, sunlight and overshadowing, noise and vibration levels, odour, fumes and dust.

Policy E3 of the Local Plan recognises the importance of the visitor economy in Camden. It states that the Council will expect new, large scale tourism development and visitor accommodation to be located in Central London. Smaller scale visitor accommodation will be allowed in the town centres of Camden Town, West Hampstead, Kentish Town and Finchley Road/Swiss Cottage. All tourism development and visitor accommodation must: *“not harm the balance and mix of uses in the area, local character, residential amenity, services for the local community, the environment or transport systems”*.

Policy D1 of the Local Plan states that the Council will seek to secure high quality design that respects local context and character, and integrates well with the surrounding streets and open spaces.

In addition to planning policy, Camden has published relevant Supplementary Planning Documents (SPDs). The Amenity SPD (2021) sets out the following:

- Interior and exterior spaces that are overlooked lack privacy, which can affect the quality of life of occupants. The Council will therefore expect development to be designed to protect the privacy of the occupants of both new and existing dwellings to a reasonable degree. The places most sensitive to overlooking are typically habitable rooms and gardens at the rear of residential buildings.
- It is good practice to ensure a minimum distance of 18m between the windows of habitable rooms in existing properties directly facing proposed (residential or non-residential) development; this should be measured between the two closest points on each building (including balconies). Where this cannot be achieved, mitigation such as obscure glazing can be used; however it is not acceptable for habitable rooms to have windows glazed exclusively with obscure glass.
- Levels of daylight and sunlight within buildings are important for amenity, health and wellbeing. The Council will carefully assess whether proposals have the potential to reduce daylight and sunlight levels for existing and future occupiers, and will require a daylight and sunlight report to be submitted with applications for major development.

In addition the Design SPD (2021) and the Planning for Health and Wellbeing SPD (2021) are relevant in assessing the application. The latter elaborates on the Local Plan's requirement that a Health Impact screening assessment is submitted on major development sites which deliver 1,000sqm or more of non-residential floorspace. The proposed development comprises 1,165sqm of hotel floorspace (Use Class C1) therefore a Rapid Health Impact Assessment should have been submitted alongside the planning application, in accordance with local policy.

Objections to the Proposed Development

The changes made by the applicant since the previous submission are noted and as set out above, the reduction in height from the previous submission is welcomed. Nonetheless, the combination of the increase in height from the existing position and the significant proposed depth of the building is considered to result in an excessive scale and massing which comprises overdevelopment of the site and will result in detrimental impacts to residential amenity, contrary to Policies A1 and E3 of the Local Plan.

The impacts of the proposed height and depth of the building are demonstrated by the findings of the submitted Daylight and Sunlight Assessment. At present, the residents of 39 College Crescent enjoy well-lit accommodation, as a result of the height of the existing buildings at 9-12 New College Parade which are lower than New College Court to the west. The Daylight and Sunlight Assessment shows some significant losses to daylight values at 39 College Crescent, with losses of more than 20% using the VSC method to 7 windows. At other neighbouring buildings, there are significant losses, such as at New College Court where there are 4 windows which will suffer a loss more than 20%, 3 of which will lose more than 40% of existing daylight. At 9-10 College House, there is a loss of over 80% to one window.

When considering the sunlight analysis, there are also significant losses, with more than 20% annual loss at a number of windows at 39 College Crescent.

It is understood that BRE Guidelines are often applied flexibly, particularly in an urban context. However, impacts to residential amenity must be weighed against the benefits of the proposal. It is clear from Officer's pre-app advice (summarised in the DAS) that the Council's preference would be for residential dwellings to be delivered at this site rather than hotel accommodation. The public benefits of hotel accommodation in this location are limited in comparison to other forms of development, and it is not considered that these would outweigh the harmful impact on residential amenity - particularly in the context of Policy E3 which states that tourism development and visitor accommodation "*must not harm [...] residential amenity*".

Furthermore, the Daylight and Sunlight Assessment fails to consider cumulative schemes, in particular the BP Petrol Station scheme (ref. 2022/3553/P). Without taking into account this approved development, the assessment does not provide an accurate picture of the potential impacts of the proposal on neighbouring residential properties.

It is also disappointing to see that the Daylight and Sunlight Assessment does not carry out an assessment of the overshadowing of the amenity space to the rear of 39 College Crescent; and in fact, the impact of the proposal to this amenity space including in terms of overlooking and overshadowing is not considered within the application documents generally. In our response to the applicant's public consultation (which ended only one day prior to the submission of the application) we requested that this was included within the application submission.

The overdevelopment of the site also gives rise to overlooking impacts. The Council's Amenity SPD states that it is good practice to ensure a minimum distance of 18m between the windows of habitable rooms; the Design and Access Statement indicates that at the closest point the distance between the proposed building and the balconies and windows of residents of 39 College Crescent is only 13m, significantly below the 18m guideline. At the furthest point, the distance is 16m, which is still below the guideline figure. While it is acknowledged that at present the distance between these buildings is below 18m, in this context it is not appropriate for any further encroachment towards 39 College Crescent, or for additional windows to be introduced at upper levels that would have an overlooking impact.

The proximity and height of the building raise significant issues with regard to overlooking. While it is noted that obscure glazed glass is proposed to rear windows, this will inevitably compromise the quality of the hotel accommodation proposed (this obscure glazing is also not evident from the proposed images shown in the DAS such as those on page 56). The DAS (page 30) indicates that the hotel could be partly used as a 'long-stay' hotel. This raises concerns for a number of reasons; it conflicts with the idea put forward within the application documents that the hotel will bring economic benefits in the form of visitor spending, as long-term guests inevitably would spend less in the local area than those visiting for short periods or on holiday. In the absence of an Operator Statement it is unclear exactly what this means, however Camden's Amenity SPD is clear that it is not acceptable for habitable rooms to have windows glazed exclusively with obscure glass. It is not considered that the quality of hotel rooms facing the rear of the building would be suitable for long-term accommodation. It is also not clear whether the windows would be openable, which would defeat the purpose of obscure glazing. The proposed obscure glazing is therefore not considered an acceptable solution to the potential overlooking issue which is indicative of the overdevelopment of the site.

Residents understand that there are ambitions to redevelop this site and also that there are likely to be proposals brought forward for other properties along New College Parade, and are supportive in principle of improvements to this area. However residents request that the Council considers this area and its potential for redevelopment as a whole; it is understood that other adjoining sites may be brought forward for development and it would be preferable for a more comprehensive masterplan to be brought forward for the parade. While there are some taller buildings in this area including New College Court and the approved BP Petrol Station Scheme, in order to maintain residential amenity for residents of 39 College Crescent and neighbouring buildings, variation in building heights, scale and massing will be necessary to avoid adverse impacts on daylight, sunlight, overlooking, privacy and overshadowing. It is in this context which residents object to the current application.

Conclusions

In summary, the proposed development at 9-12 New College Parade is considered to comprise overdevelopment of the site; this is evidenced by the overbearing impact that the proposal will have due to its scale and massing as well as significant impacts on residential amenity in the form of privacy, overlooking, daylight, sunlight and overshadowing that are considered to collectively comprise substantial harm, which is not outweighed by the limited public benefits that a hotel development will provide.

We trust that residents' concerns are clear and will be taken into account in your assessment and determination of the application. Should you require any further information, please do not hesitate to contact me (btidswell@hghconsulting.com) or Roger Hepher (rehpher@hghconsulting.com).

Yours sincerely,



Bella Tidswell
Principal Planner