

By Email & Post

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22nd January 2014

Dear Sirs,

248 Kilburn High Road - 2013/7487/P

We are writing on behalf of our client, 254 Kilburn High Road LLP, to object to the above application, which is currently being considered by the Council.

As you may be aware, we are currently undertaking pre-application discussions with the Council (LBC ref 2013/6953/pre) for redevelopment of the adjoining site at 254 Kilburn High Road, looking at proposals comprising replacement commercial space at ground level, with around 60 flats above, which would include both market sale and affordable housing provision. We have attached a location plan showing the extent of our site.

We have now had the opportunity to review the application for 248 and are very concerned over the number of flats which have many habitable rooms facing north west directly into our site, set back just two to three metres from the boundary.

Our architects have prepared plans showing our proposals overlaid with the current application drawings, as attached, for first floor upwards. As can be seen, many of the proposed flats (ie B1, B2, B3, B4, B5, C1, C2, C3, C4 and C6) have windows to habitable rooms facing directly into our site, set back just two to three metres from the boundary. Some of these (ie B1, B3) would look more into the proposed parking area, but most at the proposed flank wall.

As set out at paragraph 4.25 of Camden's CPG2

"House and flat developments should be arranged to safeguard the amenity and privacy of occupiers and neighbours.

• New development, extensions, alterations and conversions should not subject neighbours to unacceptable noise disturbance, overlooking or loss of security....."

The BRE guide also gives some helpful commentary on this at paragraph 2.3.1, saying

"from a daylighting standpoint it is possible to reduce the quality of adjoining development land by building too close to the boundary. A well designed building will stand a reasonable distance back from the boundaries so as to enable future nearby developments to enjoy similar access to daylight. By doing so, it will also keep its own natural light when the adjoining land is developed."

As you will be aware, CPG6 references the BRE document and says the Council will use guidelines and methods contained within it.

It would seem that if both schemes were approved, there would be an unacceptable impact on the outlook and daylight to a number of the flats contained within the 248 Kilburn High Road site. Given this, the 248 proposal would be unneighbourly development, which would have a prejudicial impact on our site, impacting on its efficient redevelopment and the delivery of employment space and new homes, including affordable homes, contrary to planning policies which seek to secure efficient use of land.

We realise that the window positions are similar to the previous permissions (2007/3467/P & 2009/5625/P), but these have now lapsed and can only be given limited weight. The fact we are now in active discussions with the Council about developing our site and intend to submit an application shortly does represent a change of circumstance and this issue has to be considered afresh.

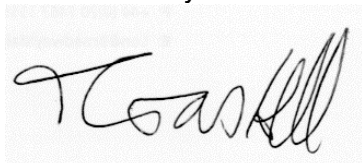
We would also highlight that the submitted daylight report does not assess the light levels within the proposed flats. However, the internal light levels are contained in the Code for Sustainable Homes report as an appendix. This shows that some flats (ie B1, B2 and C1) already struggle for light, with some failures and many fairly close. Clearly this makes these flats more sensitive to development on adjoining sites.

We have approached the applicants, Studio 246 Media Ltd, via their agent to discuss this issue, but it would appear this is an area we are not able to reach an agreement on. We would welcome the redevelopment of this site, but consider that it would be possible to do this in a way which does not have such an impact on our site.

As such, we object to this application on the grounds that it would be unneighbourly development, which would have a prejudicial impact on an adjoining site, impacting on its efficient redevelopment and the delivery of employment space and new homes, including affordable homes, contrary to planning policies which seek to secure efficient use of land.

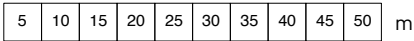
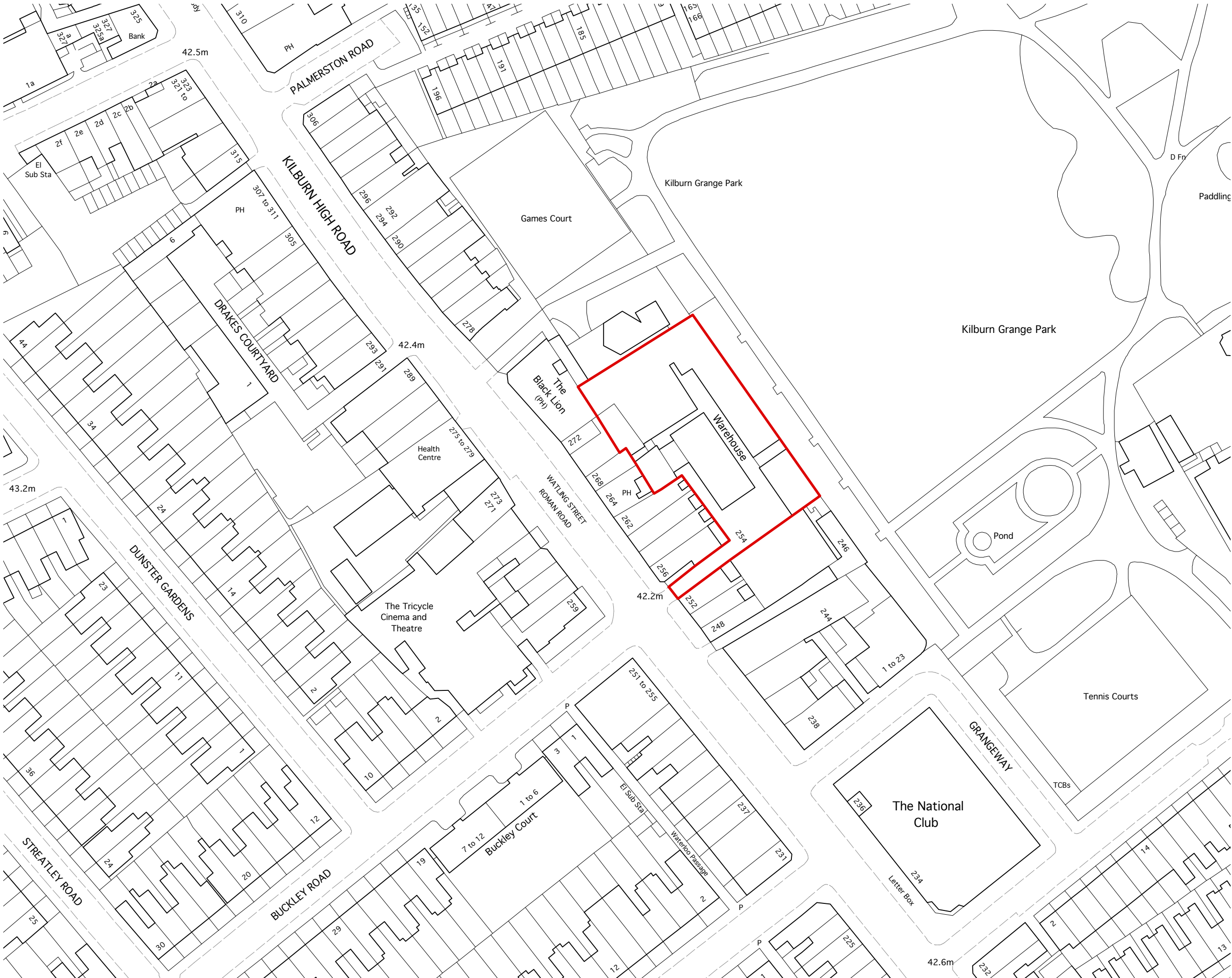
We hope this is straight forward, but do let us know if you have any queries, or if the application is to be reported to Committee.

Yours faithfully



Tim Gaskell
CMA Planning

enc. Site Plan and Overlay Drawings



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FOR **254 Kilburn High Road LLP**

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PROJECT	546 KILBURN HIGH ROAD		
TITLE	Site Location Plan		
STATUS	Planning		

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
16.11.12	1:1000 A3	12066	S.00	-

park



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REV	DATE	NOTES

PROJECT	254 Kilburn High Road
TITLE	Proposed First Floor Plan
STATUS	Pre-Planning

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
15.01.14	1:150 A3	12066	GA.01	-

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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Proposed Second Floor Plan		
STATUS	Pre-Planning		

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
15.01.14	1:150 @ A3	12066	GA.02	-

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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Proposed Third Floor Plan		
STATUS	Pre-Planning		

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
15.01.14	1:150 @ A3	12066	GA.03	-

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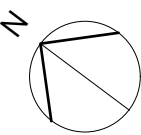
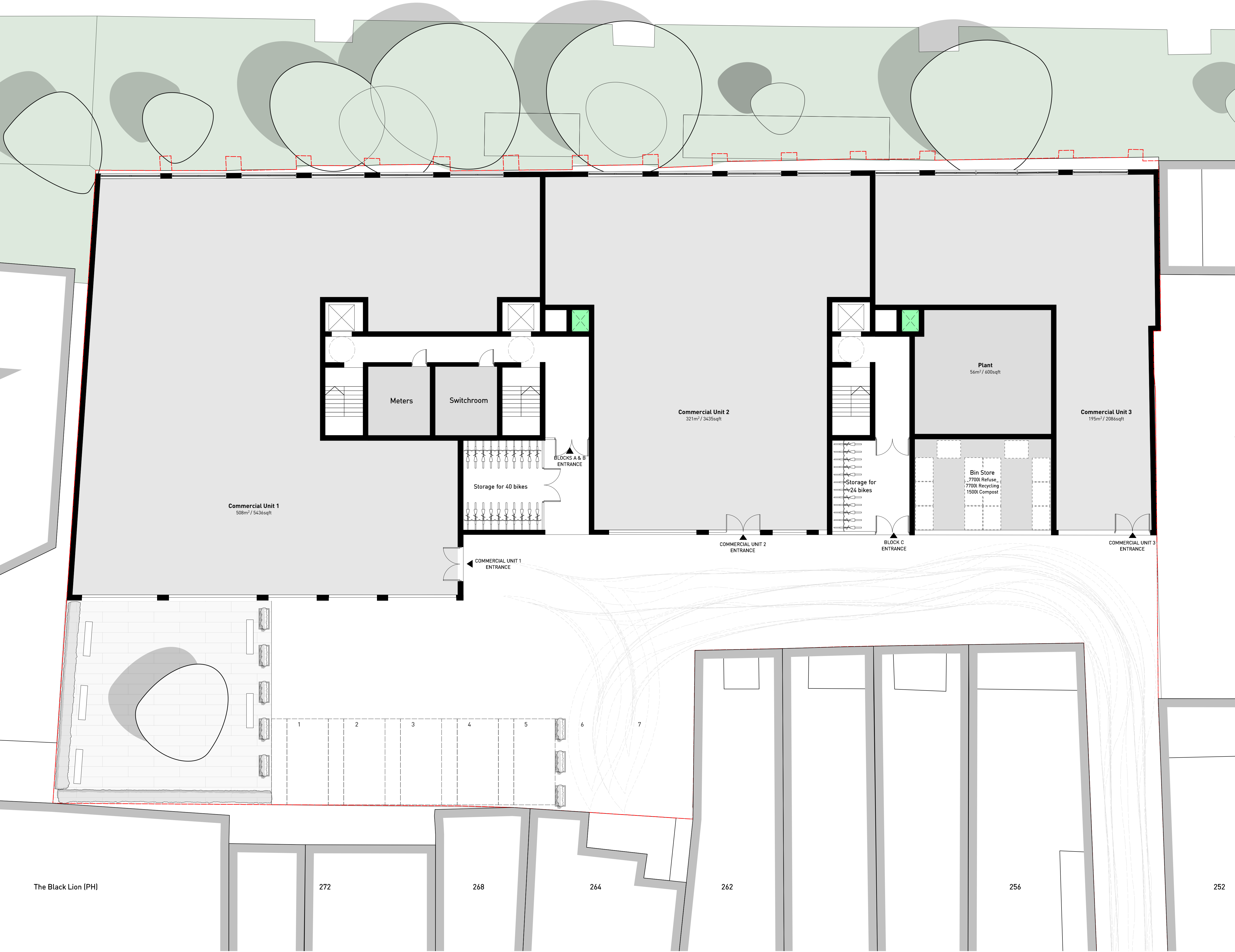
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REV	DATE	NOTES

PROJECT	254 Kilburn High Road
TITLE	Proposed Fourth Floor Plan
STATUS	Pre-Planning

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
15.01.14	1:150 @ A3	12066	GA.04	-



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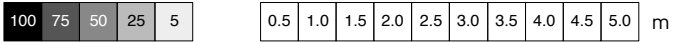
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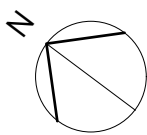
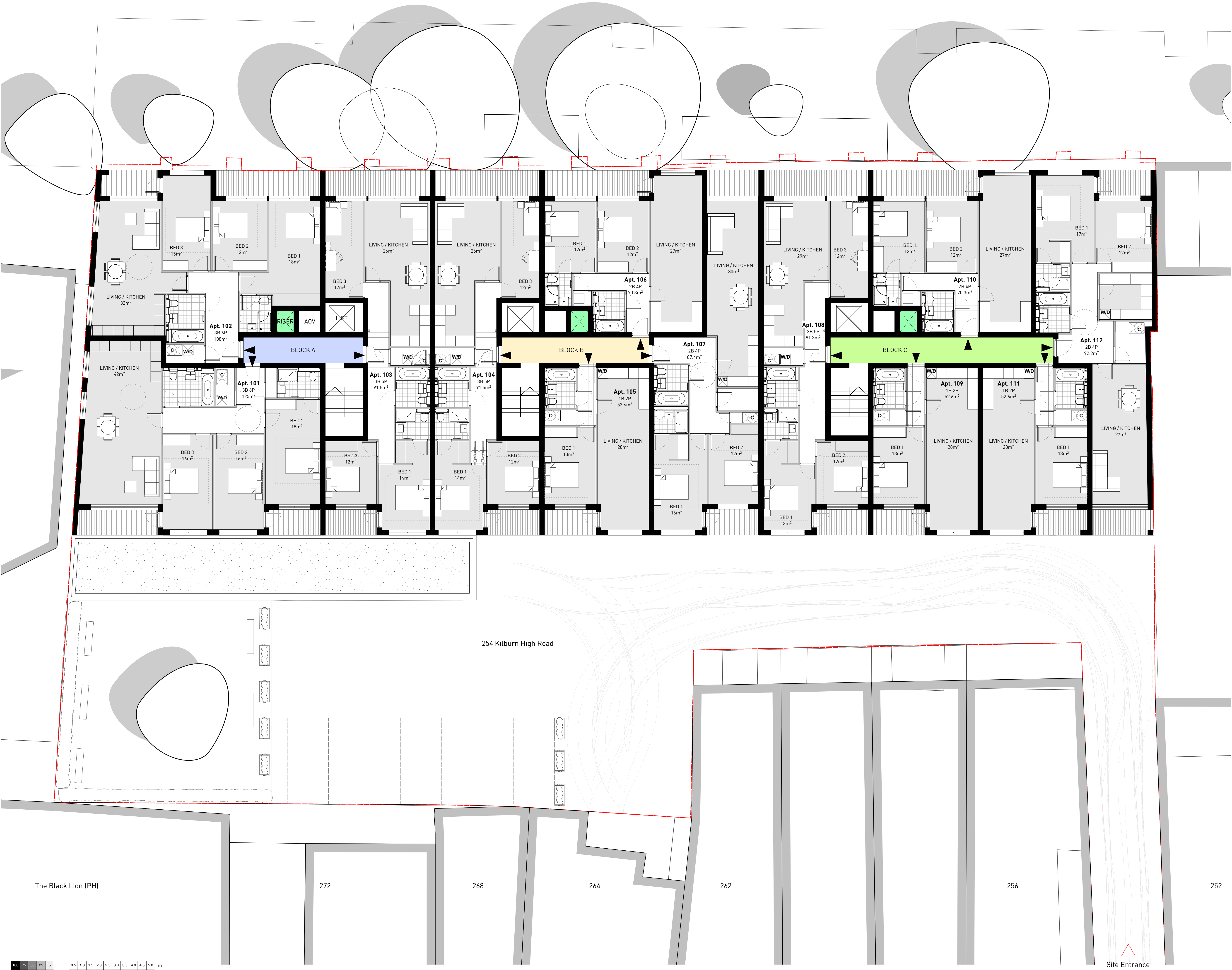
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B	08.04.14	Revised Bike stores
A	07.04.14	Revised Access
REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Ground Floor Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.00	B





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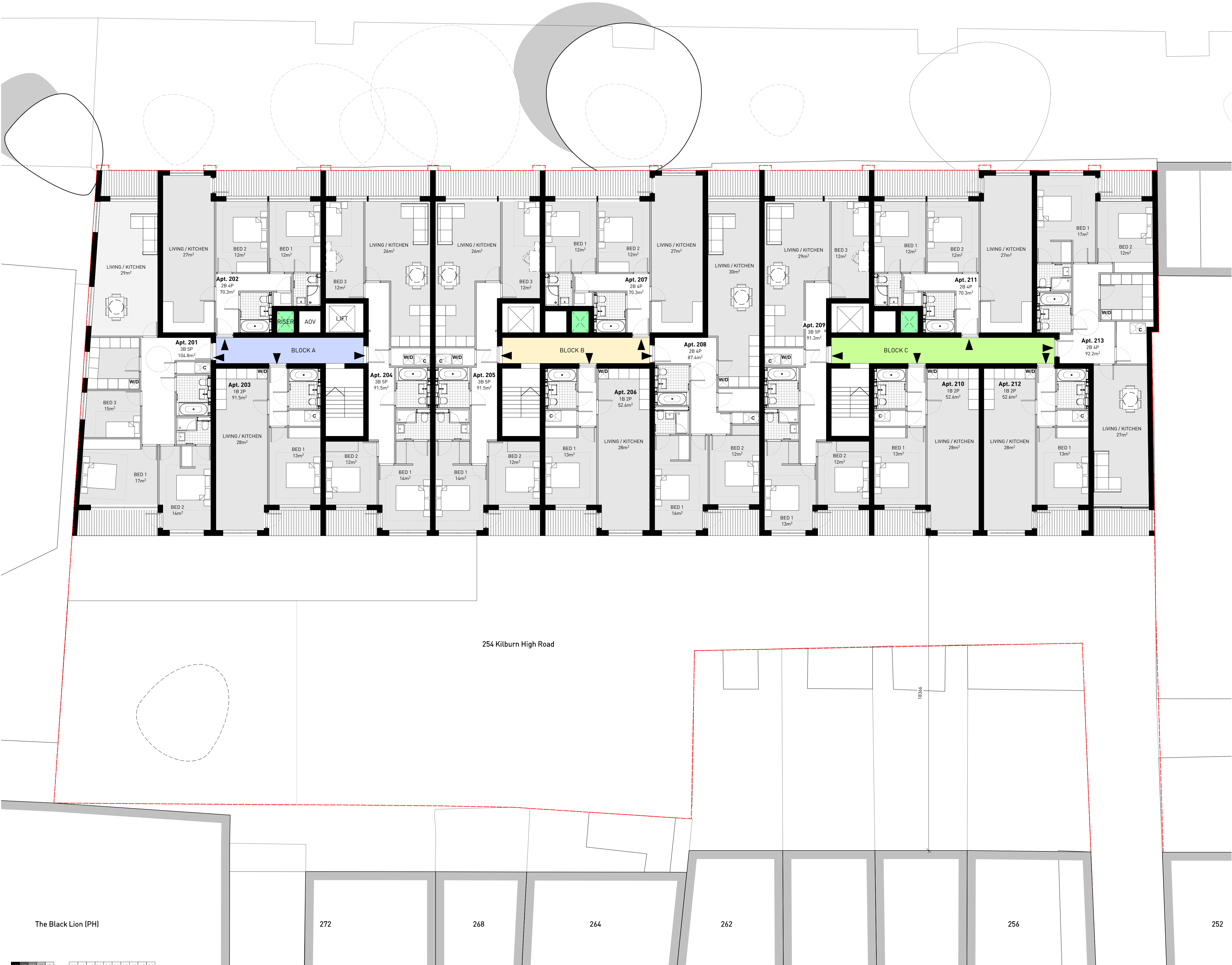
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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	First Floor Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.01	A



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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Second Floor Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.02	-



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REV	DATE	NOTES

PROJECT	254 Kilburn High Road
TITLE	Third Floor Plan
STATUS	PLANNING
DRAWN	AB
CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.03	-

The Black Lion (PH)

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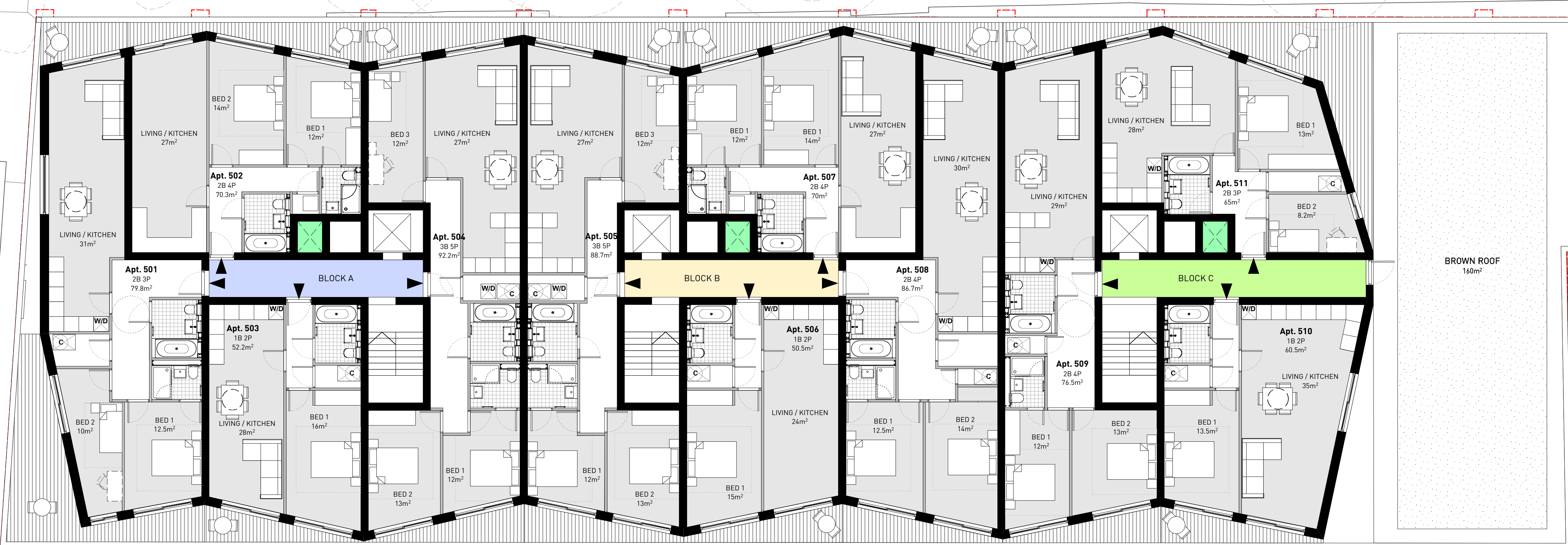
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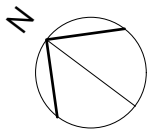
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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Fourth Floor Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.04	-



254 Kilburn High Road



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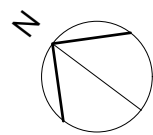
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A	07.04.14	Revised Layouts
REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Fifth Floor Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.05	A



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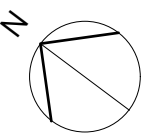
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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Roof Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	GA.06	-

Kilburn Grange Park



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REV	DATE	NOTES

PROJECT	254 Kilburn High Road		
TITLE	Site Plan		
STATUS	PLANNING		
DRAWN	AB	CHECKED	AJD

DATE	SCALE	PROJECT NO.	DRAWING NO.	REVISION
04.04.14	1:100 @ A1	12066	S.00	-