

From: David Saxby [REDACTED]
Sent: 22 September 2015 14:40
To: Dempsey, Matthew
Cc: Sexton, Gavin
Subject: 2015/3729/P

Follow Up Flag: Follow up
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Dear Matthew

Ref: 2015/3729/P

Further to our previous correspondence, I see the stated reasons for the current amendments sought is:

"To provide secure windows to meet Secure by Design and provide ventilation in accordance with the Building Regulations"

Please can you challenge the applicant on this, as I believe the statement is disingenuous on both accounts – and as such have the potential to mislead anyone else who is considering the merits of the application. Having myself looked at the relevant standards/regulations, I conclude the amendments are not required in order to comply with either – rather it seems the amendments are simply expediency in avoiding the need to consider the design within particular context of this building.

Firstly, the addition of trickle ventilators is not a mandatory requirement of Part F1 of the Buildings Regulations (specifically Section 7.4). The regulations state that if windows being replaced do not have trickle ventilation, which is the case at Carnegie House, and the room was not already adequately ventilated by other installed provision, it would then be good practice to install trickle ventilators. However, the habitable rooms at Carnegie House already have both air-bricks in the external walls of habitable rooms, and also high level the top-hung vents, both part of the original design which are to be retained. As such, provision for adequate background ventilation already exists and additional vents are not therefore necessary to comply with Building Regulations (please consult your own Building Control Officers if you are in any doubt). Neither therefore is the consequent impact they will have on both the Conservation Area or sunlight & daylight within the dwellings as I have previously noted.

I can see that it might be expedient for the applicant (the window installer) to simply propose trickle ventilators in all situations, rather than consider the particular requirement of each situation, but given the impact both on the dwellings and Conservation Area, I think greater consideration of the design is necessary (in fact your own policy requires "high quality design"). Ultimately this further consideration would demonstrate they are not required, as I note above.

Similarly, I can only see it as expediency that leads the applicant to suggest the use of Dummy Sashes are required to meet Secure-by-Design; this is clearly not the case, rather it seemingly, simply being the method using thee chosen windows system. As well as being achieved by many windows systems without the need for dummy sashes, this requirement can more discretely be met by the use of other means.

Further, given this requirement of Secure-by-Design (see Section 28.1) is to deter "casual and opportunistic" burglars, it only requires this enhanced provision "for ground floor, basement and easily accessible windows", further advising (28.1.1);

"Common sense dictates that easily accessible windows or doorsets are those that can be accessed via a flat roof, balcony or other similar structure e.g. external supporting or decorative balcony detail. 'Easily Accessible', in this context also means that access can be gained by two persons (one climbing, one assisting) without the use of a climbing aid, such as a ladder".

As such, again the amendment and its subsequent impacts on the Conservation Area and sunlight & daylight in the dwellings, seems largely unnecessary given the majority of windows are above ground floor. Again, I think greater consideration of the design would demonstrate they are not required.

On the above basis, clearly you should not feel obliged to consider this application on anything other than its material planning considerations i.e. does it adversely affect the amenity of the dwellings (loss of sunlight & daylight), and is it of high quality design that preserves or enhances the special character of the Conservation Area. On both counts I think it has unnecessary, detrimental impacts. I note that the previously approved scheme, which was submitted by an architect, did not deem either of these elements necessary.

Given the above, I wish to register my objection to these seemingly unnecessary amendments and the detrimental impact they will have.

Yours sincerely,

David

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