

Date
11 April 2016

J McClue Esq
Planning Services
London Borough of Camden
2nd Floor
5 Pancras Square c/o Town Hall
Judd Street
London
WC1H 9JE

By Email Only

Dear Mr McClue

**Planning Application Ref 2016/1117/P
Bangor Wharf, Georgiana Street**

Daniel Watney LLP has been instructed to make representations to the above planning application (ref. 2016/1117/P at Bangor Wharf, Georgiana Street) on behalf of Helix Property Advisors, who manage the neighbouring property at no. 146-150 Royal College Street. This property falls directly to the north of the planning application site, and approximately eight metres from the proposed five storey building.

As detailed below, we are concerned that the proposed development would have an unacceptable impact on the amenities of No.146 Royal College Street and would form an unacceptably close, overbearing relationship with our client's property at 146-150 Royal College Street .

We are also concerned that opportunities to retain and enhance employment floorspace would be missed; such is the reduction in employment floorspace which comprises an increasingly rare offer of flexible, more affordable space. Finally, we would query the effectiveness of the programme of public consultation, given the Statement of Community Involvement suggests a far greater level of engagement and support from the affected population than their own data appears to show.

Review of current planning application

No. 146 Royal College Street comprises a three storey former warehouse building with direct river frontage. The southern elevation, which faces directly onto the planning application site, is served by large windows at ground floor with smaller windows at first and second floor. Between 1996 and 2009, the property was occupied by a publisher with wholesale retail operations. Since 2011, the property has been occupied by Rainbow Wave, an independent agency for numerous fashion houses and brands.

No. 146 Royal College Street acts as both an operational base and headquarters for Rainbow Wave. This includes some office accommodation with a significant proportion of the building being devoted to exhibition and showroom space. This space is used for presentations and shows to buyers, which are integral to Rainbow Wave's business operation. It is important to note that there is a heavy reliance upon natural light and sense of space to create an environment which complements their business operations of displaying and showcasing their client's products. When buyers visit the premises they pay particular attention to the garments, their colours, textures and fabrics all of which are important to be viewed in natural light.

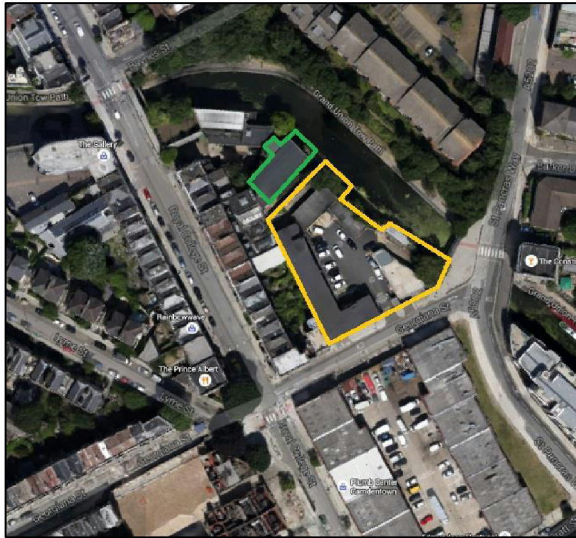


Figure 1: Application Site Relationship

The southern elevation of No. 146 Royal College Street faces directly onto the planning application site. At present, a single storey property is located close to the shared boundary with our client's property. Figure 2 overleaf shows the current relationship between the two properties. A fence separates the two plots with defensible space on either side.



Figure 2: Existing Relationship

Whilst the two buildings are in close proximity, no conflict arises due to the variation in heights. Historically, as shown in Figure 3 below, a physical dock provided a clear separation between no. 146 Royal College Street, and the adjacent site. Furthermore, there were no buildings located on Bangor Wharf. The dock was partially filled in by 1971 and a building was constructed to the site of Bangor Wharf. Importantly, the retained dock provided a good degree of physical separation, space and light between the two properties. Today, whilst the dock has been entirely filled in, the sense of separation is retained by the modest building height to the south.

It is important to note that historically there has been no building frontage to the canal from Bangor Wharf, and no building of comparable height to the south of no.146 Royal College Street.



Figure 3: 1896 – Visible dock



Figure 4: 1971 – Infilling of dock

Design and Conservation

We do not consider that the proposed design has had regard to the historic layout of the site, its relationship to the canal or relevant adopted policy.

Within the site allocation, the character of this part of the canal is noted as being open, and as such, *“any development should avoid excessive bulk and massing along the canal and ensure views of the canal are improved.”* As we have set out above, there is no historic precedent not justification for the erection of mass to those parts of the site as currently proposed.

Figures 5 and 6 overleaf show the existing and proposed elevation as viewed from the river. The existing elevation shows No. 146 College Street sitting adjacent to the single storey line of development (both shaded grey.) The proposed five and six storey elements are of far greater bulk, mass and height than existing and of any development in the surrounding area, significantly exceeding the height and plot size of properties in the surrounding area. Both the amount of glazing and the size of individual windows are far larger than the fenestration to surrounding properties, and introduce an aesthetic that is entirely at odds with the character and appearance of the immediate area and the setting of the canal.

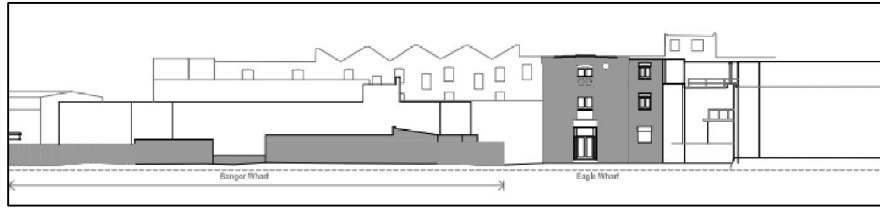


Figure 5: Existing Elevation Viewed from the Canal



Figure 6: Proposed Elevation Viewed from the Canal

The proposals would introduce an inappropriate massing fronting onto the canal, harming its open character, and eroding any sense of the site playing a role with the canal. Opportunities to enhance the infilled dock, which could have reinforced this historic role, have not been taken in the application scheme, and should be looked at in detail.

We consider that the proposed design would be harmful to the character and appearance of the Conservation Area and impacts on surrounding occupiers. As such, the scheme as currently designed is considered unacceptable

Daylight and Sunlight

The planning application proposes the erection of a five storey block circa 4m from the shared boundary with no. 146 Royal College Street. The position, mass and height of this building has the potential to significantly harm the levels of sunlight and daylight and create unacceptable overbearing and sense of enclosure to 146 Royal College Street.

As noted above, good sunlight and daylight is important to the building, given its use as a fashion showroom and office with natural light being important to view textures, fabrics and colours and to create an environment which is complementary to their operation which relies upon showcases and exhibitions. We note the current Daylight & Sunlight Report (dated Feb 2016) has specifically excluded 146 Royal College Street storey (presumably on the basis the building is not residential), however the BRE Guide 'Site layout Planning for Daylight and Sunlight' is clear that in testing for neighbouring buildings:

'the guidelines may also be applied to any existing non-domestic building where the occupants have a reasonable expectation of daylight (clause 2.2.2)...and safeguard the access of sunlight both for existing dwellings, and for any nearby non-domestic buildings where there is a particular requirement for sunlight (clause 3.2.1).'

The height and mass of the proposed development is likely to have a substantial impact on the windows on the southern elevation of No. 146 Royal College Street. Accordingly, we request that the daylight and sunlight report is extended in the first instance to review the impact of the

proposal on daylight (VSC and ADF) and sunlight (APSH and winter hours) to our client's building. Any noticeable effects should be avoided as per the BRE Guide's recommendations.

In addition to the likely unacceptable implications on our client's property by the proposed building, the proposed internal arrangement will be such that at each floor, habitable rooms will directly overlook No. 146 Royal College Street and vice versa. At floors one to three, two separate living rooms and one bedroom will directly overlook No. 146 Royal College Street. This would create an unacceptable amenity conflict and loss of privacy for both occupiers. The relationship between the two properties as proposed is not considered acceptable in such close proximity.

This would significantly harm the amenity of occupiers of our clients building and disrupt their commercial operations by significantly reducing the usability of their current premises. In the long term, the viability of the accommodation is likely to be harmed due to the reduction in the quality and usability of the space.

Employment Land Use

The current planning application proposes the loss of 397 sq. m of employment floorspace. This is contrary to adopted planning policy and pre-application advice which was clear that the existing quantum of employment floorspace should be maintained or increased as a starting point.

Various splits of residential and employment floorspace were put forward during pre-application engagement with the Council, however Officers were clear in their advice that despite the benefits of three additional residential units, including one accessible unit, a net reduction of 338 sq. m of employment floorspace was not acceptable. The current proposal would result in a loss of 397 sq. m of employment floorspace, in excess of that figure previously found unacceptable to Officers.

The site is allocated within Camden's 2013 Site Allocations Plan. The allocation seeks the redevelopment of the site to provide replacement employment floorspace and new permanent residential accommodation. The allocation is based on any development demonstrating that the site is no longer suitable for the existing business use and that alternative business uses have been fully explored.

The planning application does not provide any information as to whether the site is no longer suitable to support the existing quantum of employment floorspace in its existing use nor a future use. Given the clear departure from planning policy and Officer guidance, we would expect the planning application to be supported by viability work based on up to date research into the local (not Borough-wide, given the disparities in employment areas and their character) employment market and comparable lettings to corroborate any findings that the site is no longer suitable for the same level of employment floorspace across various business uses.

The applicant suggests that the Borough has an oversupply of employment floorspace, and points to a pipeline of 480,000 sq. m of office floorspace within the Borough, as set out within the Council's Employment Land Review 2008. The more up to date Authority Monitoring Report 2014/15 identifies a total of 263,289 sq. m net additional office floorspace to be delivered to 2025. However, it is very important to note that the majority of this is to be delivered at Kings Cross St Pancras and Euston and other growth areas. Furthermore, the increases in office floorspace at Kings Cross and other growth areas obscure net reductions across all other types Class B employment floorspace across Camden. Figure 7 overleaf refers.

In short, pipeline employment floorspace is being concentrated to very specific pockets within the Borough, and in the main to the Kings Cross area, whilst reductions are being felt across the remainder. The quality of the stock to be provided at Kings Cross in particular is likely to be out of reach for the majority of smaller or start-up industries, resulting in likely relocation to other Borough's and causing harm to the vitality and viability of Camden's economy.

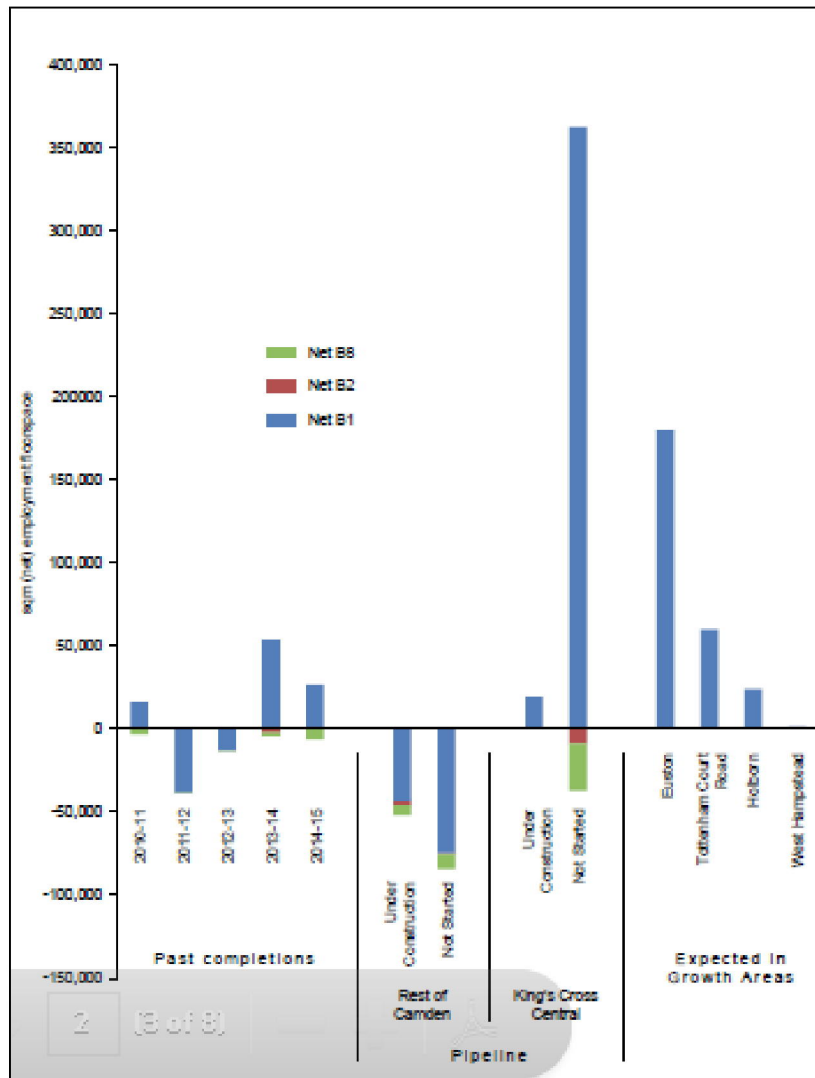


Figure 7: Employment Floorspace Development

The August 2014 Camden Employment Land Study confirmed demand for industrial stock as 'positive and sustained', a result of the proximity to the Central Activity Zone and thus being ideally placed to service central London occupiers. Demand is also forecast to grow from occupiers who are forced out of the CAZ as their premises are redeveloped for higher value land uses. The Study suggests that the Authority should seek to protect industrial land, particularly where the businesses are viable and sustainable. Evidence to the contrary has not been put forward by the applicant to demonstrate the acceptability to a reduction in employment floorspace.

We consider that the Applicant should undertake a viability exercise as a minimum to demonstrate that it is not viable to reprove the existing quantum of employment floorspace on site in its current or an alternative employment use. Camden's own evidence base points to

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the potential harm arising from the persistent loss of industrial employment floorspace, and whilst the Applicant identifies oversupply of employment floorspace, this is entirely as a result of significant commercial floorspace being created at Kings Cross and Euston. The type of commercial floorspace in Kings Cross and Euston would not be affordable for smaller or start-up organisations, nor would it be suitable for Class B1 (b), (c) B2 or B8 occupiers, and thus the vitality and viability of Camden's employment sector could be undermined.

Statement of Community Involvement

The Statement of Community Involvement suggests that the low level of interest expressed following public consultation indicates that the majority of residents in the local area were unconcerned by the proposals. We are concerned that the level of feedback actually reflects an ineffective public consultation exercise, corroborated by the number of representations submitted to the application in objection to date. We are also concerned that the SCI appears to overlook or misinterpret its own data. We do not agree with the assertion in the conclusions of the SCI that residents support the redevelopment of the site.

The SCI includes a map of responses, which we have reproduced below. Notwithstanding our concern that 'Supportive / Neutral Feedback' is an ineffective description, it is clear that occupiers who neighbour the site responded negatively to the proposals. Supportive feedback from occupiers who live some distance from the site and would not be directly affected should hold little if any weight.

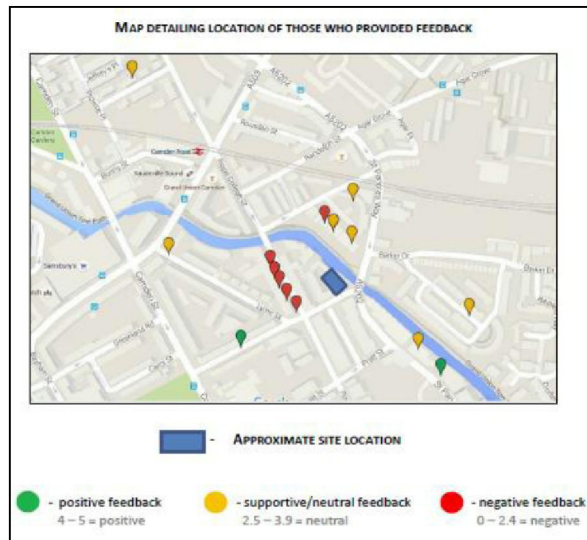


Figure 8: Location of Respondents

The SCI suggests that this feedback should not be considered to reflect the overall view of the local community. Arguably the most important views are of those who are directly affected and there is a clear response in this regard. Occupiers along the adjacent stretch of Royal College Street will experience significant and harmful impacts to receivable levels of daylight and sunlight, and experience unacceptable overlooking and a sense of overbearing.

Turning to the design, the SCI identifies that 90% of responses were neutral or disagreed as to whether the scheme was in keeping with the local area. Such a significant majority indicates unease with the proposed development. The SCI suggests that the reduction of one storey would alleviate these concerns, however given the original question did not relate height specifically and only whether the scheme was in keeping, it cannot be assumed that this will be the case.

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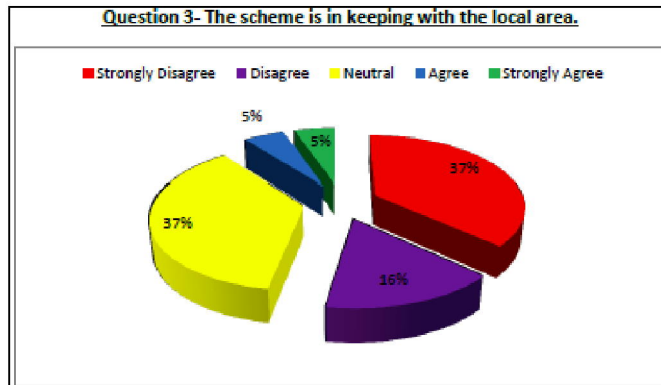


Figure 9: Responses

In terms of the questions as to whether the proposed design will visually improve the area, 73% of responders disagreed. Again, the SCI suggests that the reduction in storey height would address this however there is no further evidence to suggest that this was the sole issue of concern and thus cannot be taken as a positive response. We note that the applicant was requested repeatedly by responders to reduce the storey height by two to a total of five storeys; however the submission scheme still proposes six storeys at its tallest point.

Finally, as to whether responders supported the proposals, 63% responded negatively and 21% neutrally, with just 16% supporting the proposals. This is entirely contrary to the suggestion in paragraph 5.7.3 of the SCI that residents welcomed the redevelopment of the site. It is clear that the proposals are not supported by those occupiers who would be most affected by the development, which reflects that the design and layout of the scheme is inappropriate and should be revised.

Summary

In summary, our client has significant concerns that the current proposals for the redevelopment of Bangor Wharf which are likely to give rise to material harm to the daylight and sunlight receivable by No. 146 Royal College Street, a historic former warehouse immediately to the north of the site and currently in viable occupation by Rainbowwave. This, coupled with the sense of overbearing, would cause harm to the amenity of the current occupier and puts their commercial operation at significant risk given it relies upon good levels of sunlight and daylight.

We are also concerned that the proposed development would be incongruous, being of an unacceptably large scale and massing which has no historic precedent. The sense of enclosure to the canal does not reflect historic development of the site which is identified as being open in character, and overlooking opportunities such as reinstating the historic dock further eroding the ability to understand the wharf as part of the canal's history. The fenestration and materials palette is not in keeping with the character of the surrounding area.

We do not consider that the loss of the employment floorspace has been robustly justified, not taking into account the character of local level employment floorspace, needs or demand. Camden's own evidence base points towards the preservation of industrial floorspace and identifies a net reduction in all employment floorspace in this part of the Borough. The absence of a robust case, supported by evidence demonstrating that it is not viable to retain the existing quantum of employment floorspace in a business use, indicates that the loss of employment floorspace as proposed is not in accordance with policy and should not be supported.

Finally, we consider that the Statement of Community Involvement reflects an ineffective programme of engagement that has sought to indicate greater local level support than the data indicates. Conversely, those who would be directly affected by the proposed development do

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not support the current planning application and it is clear from representations already made that any subsequent revisions to the scheme are unlikely to alleviate these concerns. This points to an inappropriate and insensitive design which has not taken into account the character or amenity of the surrounding area. We therefore request that the design is revised to include a reduction in height, greater separation from our client's buildings and a more contextually appropriate approach to fenestration and aesthetic.

I trust that our comments are clear however we are happy to discuss any part further.

Yours sincerely



Charlotte Goodrum – Associate Partner
Planning




Encl Letter from Dr Gregoris Kambouroglou of Rainbowwave

30th March 2016

Rain bow Wave.

146 Royal College Street
London
NW1 0TA



To whom it may concern,

I write to the Council as the secretary of Rainbowwave Ltd, the leaseholder of 146 Royal College Street, acknowledged neighbour of the site development.

We are seriously concerned that the proposed development will have a detrimental impact on our showroom business which is dependent on natural light.

Mrs. C Brooks, showroom manger, has tried to attend meeting to raise and publicize our concerns, however was not allowed to be present.

We have communicated the Risk posed to our business (and it's 45 employees) to the Landlords agents- Helix.

We would like to register our objection to the proposed development whilst we consult with our agents (Monmouth Dean surveyors) and submit the necessary documentation in support of our objection. We ask the council to grant us the opportunity to do so.

Miss Emma Davis is our acting showroom manager and co-author of this note of objection.

Please note her email contact details:
emma@rainbowwave.com

We are at the Council's disposal for any further information required.

Regards

Dr Gregoris Kambouoglou
On behalf of
Rainbowwave Ltd

Company Reg No: 4501620
VAT Reg No: GB 758 2950 91