

17th May 2016

3 Leverton Street
Kentish Town
London NW5 2PH

Camden Planning Department
London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London WC1H 9JE

FAO: John Diver

Dear Mr Diver,

Re: 300 Kentish Town Road, NW5 2TG. Planning Application Ref. 2016/1745/P

I am writing to submit an objection to the above application on the following grounds:

- a) **The proposals will cause an unacceptable loss of privacy in neighbouring properties.**
- b) **The proposals are not in line with Camden Planning Policy with regard to development within a conservation area and in the context of Listed Buildings.**
- c) **The proposals contain inconsistent, incomplete and misleading submission information.**
- d) **The proposals may cause loss of daylight in neighbouring properties.**

I will address the above points below. I would like to note now though that neither the applicant nor his agent made any attempt to meet and discuss his proposals with us, or inform us about the proposals prior to the application submittal.

a) Loss of Privacy in Adjacent Neighbouring Residential Properties

Leverton Place. The new enlarged first floor extension proposal will substantially reduce the privacy and increase overlooking of the facing properties on Leverton Place, in particular nos. 1, 2 and 3. The front face of the roof extension is approximately 10.2m from the front facades of these houses on Leverton Place. This is substantially closer than the generally recommended 18-21m window-to-window guideline for facing windows of habitable rooms between residential properties. This, together with the proposed fully-glazed, openable, full height floor-to-ceiling french window openings - which would cover over 45% of the length of the north facade of the rear 1st floor extension - mean that the privacy of the properties opposite will be hugely compromised compared to the current situation - both first and second floor bedrooms and living spaces. The Design Statement makes no mention of what local or national planning guidance has been followed in determining appropriate setback distances or percentage of glazed facade areas. To give you an idea of the loss of privacy these proposals would cause, I request you look at page 3 of the Design and Access Statement, top photo. This gives a good picture of the view across to the first and second floor windows of the properties opposite on Leverton Place. This image makes it clear how hugely detrimental to the privacy of these properties the proposed large french windows would be.

Leverton Street. The new proposals extend a 'living' area by 1.2m towards the back of the properties of Leverton Street. They also propose a fully glazed, fully openable, full height floor-to-ceiling french window facing directly towards the backs of 1 and 3 Leverton Street. The proposal states that the set back of this new window from the rear facades of the properties on Leverton Street (the backs of the original properties, not the later extensions) will be 11.6m. Again this is substantially closer than the 18-21m window-to-window planning guideline for facing windows between residential properties. This proposed new french window would represent a very substantial loss of privacy for the rear bedrooms of nos. 1 and 3 Leverton Street, and be massively detrimental to the ability of their occupiers to enjoy the rear, more private spaces of their properties. My elderly neighbour at no.1 Leverton Street always sleeps in her rear bedroom, often with her blind up at night so she can wake at sunrise. What privacy would she have in her own bed if these proposals are allowed to proceed?

Roof Terrace. The current roof terrace/perimeter railings were never granted planning permission and have only gained acceptance because of the passage of time. (Similarly the first floor rear accommodation in question, developed as an office, was never granted planning permission to be converted into residential accommodation). A roof terrace in such a location is completely inappropriate, and contravenes all planning guidance. The current terrace is a source of frequent noise nuisance and intrusion into neighbouring properties' privacy. No permission should be granted for the roof terrace as it currently exists as part of a new planning application approval. Especially as the increase in bedroom numbers that the owner of the property may have constructed without planning permission within the last 6 months will mean a potentially very substantial increase in the level of noise and intrusion suffered by neighbours. Any planning consent should include privacy measures to screen neighbouring properties from inappropriate overlooking and loss of privacy without reducing light levels. In short, the terrace area should be significantly reduced and highly screened as part of any agreement to allow the owner to increase occupancy levels of the property. Furthermore, in the interests of fire safety, the maximum occupancy level permitted on the terrace should be defined in any planning submission/consent.

b) Design within a Conservation Area and in the Context of Listed Buildings

The proposals run against Camden Planning Policy with regard to development within a conservation area and within the context of listed buildings (nos. 1, 3 and 5 Leverton Street). I refer you to Camden Local Framework Development documents CS 14 and DP 25. I believe the proposals do not follow the spirit or the specifics of the policies with respect to the following:

CS 14, clause 14.7, states 'High quality design also takes account of its surroundings and what is distinctive and valued about the local area'.

DP 25, Conserving Camden's Heritage, states that, in order to maintain the character of Camden's conservation areas, the Council will 'only permit development within a conservation area that preserves and enhances the character and appearance of the area'. With respect to development within the context of Listed Buildings, it states that 'the setting of a listed building is of great importance and should not be harmed by unsympathetic neighbouring development'.

In particular the proposals run against Camden planning policy in the following respects:

The elevations of the proposals do not fit in with the nature of facades facing onto streets in the conservation area. If changes are to be made, they deserve far more design consideration than just inserting a few large french windows. There is no evidence of a well considered facade composition, and no attempt to harmonise the design's appearance within the architecture of the conservation area. For instance, there are no other properties with large french windows opening onto first floor terraces overlooking the street in the conservation area. And no large french windows facing the backs of neighbouring properties placed at such short separating distance. No attempt to cite precedence has been made in the Design and Access Statement. The points cited in section 8 of the statement, 'Conclusion', make no reference to Camden Planning Policy with regard to development within a conservation area and within the context of listed buildings. Hence the points raised provide absolutely no specific support for the design proposals as they stand. There is no reference to planning guidance referring to setbacks, or analysis of percentage areas of glazing on a facade compared with other recent local developments. In short the submission does not demonstrate that the design will sit comfortably within its context, in this important corner of the historic fabric of Camden.

c) Inconsistent, incomplete and misleading submission information

Developments undertaken within the last 6 months without a planning application or planning consent. I have written to you already with my concerns that the applicant has undertaken works without planning permission, and quite possibly Building Regulations approval, to convert the first floor flat from a 1 bedroom to a 3 bedroom flat. Again I request you look at the planning drawings submitted in March 2015 (application ref. 2015/0818/P) to see the layout of the first floor flat at that time. The works undertaken without planning permission within the last 6 months also include 2 windows installed without permission. The application makes no reference to the fact that these changes have been made within the last year. Hence it is not a retrospective application to cover these changes.

Inaccurate or incomplete information on the Application Form.

Section 3 - 'Description of the Proposal', states 'Rear Extension to First Floor Flat'. No statement is made of the demolition proposed, despite the clear request for this information if applicable.

Section 7 - 'Waste Storage and Collection'. The applicant answers 'YES' to both creating a space to store and aid the collection of waste, and to making arrangement for the separate storage and collection of recyclable waste. Both declarations refer you to the Design and Access Statement. In the D&A Statement - and I quote the submission verbatim - it states 'A waste storage area for the flat will be located in the kitchen. Waste will remain in this location until the collection of refuse at which point bins refuse is taken onto the pavement for collection by the Council.' So, they propose having a bin in the kitchen! I bet the architects were laughing into their sleeves when they wrote that!! I refer you to the drawings, where no separate space allocation is made for the storage of waste or recycling, as required under section 10 of Camden Planning Guidance document CPG1 on Waste and Recycling Storage. In fact the proposals meet none of the criteria set out in the 'Key Messages' introduction to section 10 of CPG1 for multi-occupancy properties.

Section 9 - The explanation as to why demolition is required gives no description of a wider benefit of the demolition, and as such the response does not provide a justification for demolition within a conservation area.

Section 25 - The particular site in question, the first floor flat, can only partially be seen from street level, or any public space, and hence a full visit to the property would be required to assess the potential impact of the proposals upon neighbouring properties.

Inaccurate or incomplete information on the submitted Drawings.

Inaccurate Drawing Information - There are significant inconsistencies in terms of measurements between the plan and elevation drawings submitted. For instance if you take a measurement of the Leverton Place elevations on drawings, the apparent length of the rear extension (i.e. the portion of the building identified on the drawings as Unit 1) is around 13.6 metres. If you measure the plans, it is over 14.4 metres. This is a difference of around 0.8m - a significant discrepancy given the context. With such lax standards in their survey/draughting accuracy, and so few dimensions or levels given in support of their application, how can one possibly accept their assertions in respect of rights of light measurements, or any other dimensional assertion supported by these drawings, with any degree of certainty?

Floor, Roof or Parapet Level Information on the Drawings - No existing or proposed floor, roof or parapet setting-out levels are given on the plans or elevations. This is completely unacceptable, and contrary to basic architectural practice within the planning process, most especially where conservation or historical environments are concerned.

Roof Top Plant Equipment. Neither the existing or proposed plans or elevations show any of the ventilation plant or ductwork for the restaurant business located on the ground floor of 300 Kentish Town Road. The existing plant on the first and second floor roof levels is large and old. The careful placement or better still the concealment of plant equipment should be part of the planning consideration for a proposal of this nature in a conservation area. Omitting any information about this plant, in either the drawings or Design and Access Statement, or any reference to a plant upgrade compliant with modern noise control standards, or any proposal to screen the equipment as part of the property upgrade proposal, is a serious and unacceptable omission.

Misleading Information.

The 'As Proposed' drawings have a room labelled as 'STUDY/LOUNGE'. This is clearly intended to be a 4th bedroom. No commercially let 3 bedroom flat in London with a large kitchen and living room area has a separate small 'Study-Lounge'. The applicant and his agent are clearly hoping that we are all complete idiots. They are proposing a 4 bedroom flat layout where, just a few months ago, there was a 1 bedroom flat. But without the honesty or integrity to show this on their drawings or declare it in their application.

d) Loss of daylight in neighbouring properties

Nos. 1 and 3 Leverton Street. Our house, 3 Leverton Street, is located directly behind the proposed development. In respect of the above information concerning dimensional inaccuracy of the drawings, it is clear that the submitted information does not demonstrate that no right-to-light infringement would be made by the submitted proposals. The elevations of the rear section of 300 Kentish Town Road, on which the applicant claims to demonstrate that no rights of light are infringed, are drawn as being shorter than the plans that show the same building. The 25 degree angle test conveniently (only just) works on the elevations. So are the plans or the elevations correct? If the plans are correct, the building would be longer and the rights to light may be infringed. If the applicant and his agent can't even draw the length of their own building correctly, how can one trust any dimensional information given concerning neighbouring

properties? Also, as was the case in the last two planning applications they have made, no Daylight or Sunlight report to support this application has been submitted. For such a dense urban site with different surrounding roof and parapet levels, where light patterns as the sun moves across the sky vary so greatly between summer and winter, far greater evidence is required that no loss of daylight in neighbouring habitable rooms is required than a crude line drawn at 25 degrees on a potentially inaccurate drawing. In short the application information does not demonstrate that no right to light would be infringed by the proposed extension. A full Daylight and Sunlight report should be demanded by the Council to support of any further proposed increase in the footprint to the first floor flat of 300 Kentish Town Road.

In conclusion, I request that the proposals as they stand are rejected. They would be severely detrimental to the privacy of neighbouring properties. They make no attempt to comply with Camden Planning Policy in key respects. The submitted information is inadequate to assess the impact of the proposals on neighbouring properties - e.g. the drawings are inaccurate with a lack of dimension and level information, and no Daylight and Sunlight report has been submitted. The application form contains both factually incorrect and mis-leading information. And also no mention is made anywhere of the work undertaken within the last 6 months without planning consent. Hence this application does not retrospectively cover work already undertaken. As a consequence of these issues the submitted information is misleading to both the planning department and to local residents. But perhaps even more fundamentally, the design as it stands would be detrimental to the conservation area and in particular to neighbouring residential and listed properties. And in this respect alone, it clearly runs against a number of Camden planning policies.

If you would like to visit our house to assess for yourself the potential impact of the proposed development, please don't hesitate to contact me.

Yours sincerely,

Richard Porter