

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/0421/P	Jonathan Read	13 Fairfax Place	30/05/2016 23:34:09	OBJ	<p>Further to previous comments that I have made in regards to planning application 2015/4481/P, which was subsequently withdrawn, relating to a basement which Mr Shah intended to build, which included a dental surgery.</p> <p>Whilst I note that subsequent to my comments being made, the reference to a "dental practice" in the basement impact assessment has been removed and the plans now show a "gym", I must admit that I am somewhat dubious as to whether a dental practice will or will not materialise, and as to whether you would be able to enforce this.</p> <p>In any event, I shall repeat my concerns from the original planning application, which remain:</p> <ul style="list-style-type: none"> - The surrounding buildings and walls, in particular the one which backs on to my property (13 Fairfax Place) and that of my neighbours, are all old and with extremely poor foundations. We have two young children (one not yet three years old, the other not yet one year old) who enjoy playing in our rear garden. Were our rear wall to fall whilst our children are playing, the consequences would be grave, potentially fatal. - The dust pollution from excavation in such close proximity to our property would be extreme and could very easily result in respiratory difficulties, potentially irreversible, for either or both of our children. - The noise pollution would be extremely frustrating to both our children and to us, especially if work is permitted on weekends. - Following initial work performed by the owners, our immediate neighbour suffered from a vermin problem, and we too saw mice in our house. This again has serious health implications for our children. <p>Furthermore, I note that in Camden council's own Planning Guidance on Basements (CPG4), the council makes reference to:</p> <ul style="list-style-type: none"> - Para 2.6: "The Council will only permit basements ... where the developer can demonstrate it will not cause harm to ... the local water environment...". Given that the local area was subject to water flooding in 1975 and 2002 (as stated in the Basement Impact Assessment), this gives some concern of the impact of the construction of a basement for Unit 1 of 109 Goldhurst Terrace. - Para 2.8: "The purpose of a BIA is to enable the Council to 'assess whether any predicted damage to neighbouring properties .. is acceptable ..". The BIA makes reference to the Rear Walls to No's 9, 11 & 13 Fairfax Place in section 10.6.10. However, I do not see how the BIA has reached the conclusion that "No displacement from the vertical stress change would be expected ...", given that (a) no one has visited or inspected this wall; (b) there is no reference made to the carport roof being demolished in order for works to be made (which we would expect to be required) or the effect this would have on the rigidity of our walls. - Para 2.63: "The Council's preferred approach is therefore for basement development to not extend beyond the footprint of the original building...", for many excellent reasons highlighted earlier in this paragraph. The proposed plans extend beyond the footprint of the original building, under the car port,

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which is not part of Unit 1 of 109 Goldhurst Terrace (given that this area of land is not owned by the owner of Unit 1 of 109 Goldhurst Terrace but instead by Hamilton Court Developments). For the plethora of reasons which you give supporting your preferred approach, we strongly request that you reject the application.

Finally, I wish to congratulate the Council on the decision to refuse planning permission for application 2016/0931/P, and in particular the decision to give warning of enforcement action. Subsequent to this the scaffolding has finally, after close to 12 months, been removed and we no longer have to suffer the eyesore overlooking our garden.

Many thanks for your consideration

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2016/1283/P	The Residents	12 Netley Street London NW1 3EJ	24/05/2016 11:17:59	OBJ	<p>Dear Mr Feeney</p> <p>We wish to object to the proposals set out in planning application 2016/1283/P - 74 Netley Campus, Stanhope Street, NW1 3EX on behalf of our clients, the residents of 12, 13 and 14 Netley Street NW1 3EJ. We set out the detail of our objections below.</p> <p>Site and Surroundings:</p> <p>1. The site contains a mixed community use and residential development to a high density as approved under planning permission 2012/2089/P. Vehicular access is provided from Netley St and pedestrian access from Stanhope Street. The surrounding area is predominantly residential. It is recognised that the site does not lie in a conservation area and within a site with the highest PTAL rating.</p> <p>Proposed development</p> <p>2. Erection of single storey building providing c92sqm of additional classroom space on the site's northern boundary with Everton Mews and the relocation of demolished toilets to south east of site adjoining existing bike and bin stores, with associated soft landscaping, buggy spaces etc. However there are two current outstanding applications for the site which are germane to this application: the application to vary condition three of 2012/2089/P for the original redevelopment scheme, reducing the overall cycle parking provided to 14 from 50 and the extension of the existing Victorian block at roof level to accommodate covered play area and the conversion of a storeroom to a classroom</p> <p>Summary of objection</p> <p>3. The provision of additional educational facilities is not opposed in principle. However we are concerned and therefore do object to the proposed development(s) on the following grounds:</p> <ul style="list-style-type: none"> • Insufficient and contradictory information provided; not least that three current planning applications for the site are currently live and impact on each other as well as cumulatively. • Outstanding undischarged planning conditions from the parent 2012/20989/P planning approval. • Over-development of the site when taking all matters as a whole. • Overbearing development on the north boundary leading to an exaggerated sense of enclosure and a poor quality design and use of materials leading to a visual discordant feature in the streetscene adversely impacting on the living conditions of the residents of Everton Mews • Impact on Netley street properties due to new WC/toilet block proposed. • Unjustified Under-provision of cycle parking. • Additional pedestrian access with lack of information on how this will be managed. This is coupled with no clear permitted hours for approved uses or ancillary community uses of the site, which will give rise to unacceptable levels of noise, disturbance and congestion around the site adversely impacting on the current and future residents of the site and its surrounding properties • Loss of trees.

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Outstanding conditions- Unauthorised development?

4. A check of the Council's planning records suggests that some conditions required submission of details for approval. Therefore approval of these conditions prior to development or occupation commencing have not been discharged:

5. Condition 3- slab levels

Details of the proposed slab levels of the building in relation to the existing and proposed levels of the site and the surrounding land shall not be otherwise than as those submitted to and approved in writing by the local planning authority before any construction work is commenced on the relevant part of the development. The relevant part of the works shall not be carried out otherwise than in accordance with the details thus approved.

Reason: To safeguard the appearance of the premises and the character of the immediate area and the amenities of nearby occupiers in accordance with the requirements of policies CS5 and CS14 of the London Borough of Camden Local Development Framework Core Strategy and policy DP24 and DP26 of the London Borough of Camden Local Development Framework Development Policies.

6. Condition 5- Basements

No works pursuant to the development of the basement areas of the development hereby approved shall commence until such time as a suitably qualified chartered engineer with membership of the appropriate professional body has been appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with the design which has been checked and approved by a building control body (amongst compliance with other matters contained in the submitted Basement Impact Assessment, it shall be ensured that the basement works do not adversely impact upon the public highway or equipment of statutory undertakers). Details of the appointment and the appointee's responsibilities shall be submitted to and approved in writing by the Council prior to the commencement of development. Any subsequent change or reappointment shall be confirmed forthwith for the duration of the construction works.

Reason: To safeguard the appearance and structural stability of neighbouring buildings and the character of the immediate area in accordance with the requirements of policy CS14 of the London Borough of Camden Local Development Framework Development Policies and policies DP24 and DP27 of the London Borough of Camden Local Development Framework Development Policies

7. Condition 19- Sound insulation

Before construction works commence on the residential parts of the development in the respective phases of the development, a scheme shall be submitted to and approved by the Local Planning Authority providing for the insulation of the proposed dwelling units so that externally generated noise

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levels externally from road traffic during the night time period (23:00 to 07:00) do not cause internal noise levels to exceed an indoor ambient noise levels in unoccupied rooms of 30 dB(A) LA eq (1hour) and individual noise event shall not exceed 45 dB LAmax and having regard to the highest measured A-weighted sound pressure level averaged over an hour during the night time period, LAeq,1hr. On completion of the relevant part of the residential development, a sample test shall be carried out to verify compliance with this condition.

Reason: To ensure that the proposed dwellings will not be unduly effected by external noise in accordance with Policy CS5 of the Core Strategy and DP26 of the Development Policies of the Camden Local Development Framework

8. Condition 21-Waste Storage Details

Before construction work on the relevant part of the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved in writing by the Council. The approved facility shall be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

9. Condition 43- Community Use Plan

Before construction work on the relevant part of the development commences, details of the location, design and method of waste storage and removal (including recycled materials) shall be submitted to and approved in writing by the Council. The approved facility shall be provided prior to the first occupation of any of the new units and permanently maintained and retained thereafter.

Reason: To safeguard the amenities of the adjoining premises and the area generally, in accordance with the requirements of policies CS5 and CS18 of the London Borough of Camden Local Development Framework Core Strategy and policy DP26 of the London Borough of Camden Local Development Framework Development Policies.

10. We are concerned that the overall scheme may not be fully lawful as a consequence and would appreciate clarity in this matter. The above condition touches on many of our concerns, particularly:

11. The permitted hours of use, especially given the use of external community groups as part of a Community use Plan (which may affect the use of the proposed building).Waste storage, with additional floorspace and the assumption of the applicant for no additional storage.

12. Given that these conditions remain undischarged, they must be considered contrary to Policies CS5, CS14 and CS18 of the LBC ore Strategy and DM Policies DP24, DP26 and DP27.

Insufficient information

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13. There is a lack of information with regard to the background of this scheme and the two pending applications for this site. Issues such as hours of opening, waste storage details, cycle parking spaces and loss of trees and the cumulative impacts of concurrent planning applications should have been clearly set out as they will all have a material impact on the living conditions of the surrounding area as well as those working, living and studying on the subject site itself.

14. This shortcoming has led to significant time being spent looking at the planning background and the other two applications, information and clarity of which should have been provided by the applicant.

Procedural Matters

15. It is worth noting that this application, submitted under 2016/1283/P is only one of three currently under consideration. The two others are an application under Ref 2016/1252/P for the creation of new classroom within existing roof and erection of external store, new staircase, WC and canopy all at roof level and the variation of condition 23 of the original scheme under 2016/1674/P regarding cycle parking. Cumulatively these propose additional development footprint, a further marked reduction in the required cycle parking: from 83 to 50 now to 14. All of the applications above quote 14 as being the existing and the other two application as the proposed number of cycle spaces part from the subject planning application proposing an increase from 14 to 22.

16. Whilst we recognise that there is no constraint on submitting separate planning applications, we believe the cumulative impact of the separate planning applications is misleading. Taken in isolation it does not show the extent of development, nor the loss of cycle parking. Of more concern is that it appears to assume that the application to vary condition 23 will succeed. In addition there is an apparent discrepancy between the proposed no of cycle spaces, is it 14 or 22?

17. Given the above we would respectfully ask that the three applications and their proposals are withdrawn and resubmitted as one application so they can be evaluated together with clear reference to the parent planning application approved under 2016/2089/P.

Overdevelopment of the site

18. The permission granted in 2012 to redevelop the site has provided 80 residential units along with the educational facilities. This permission has been subject to amendments over time through variations of conditions and submission of details required pre-commencement of the development.

19. Parking issues will be dealt with in detail later in this letter of objection but it is clear that this scheme alone proposed c92 sqm. of additional classroom space. The scheme under 2016/1252/P propose the conversion of a storage shed on the roof of the existing Victorian Building to a science classroom yet this ancillary storage use is argued to result in no increase to the educational use but is in effect an additional classroom and the current under-provision of cycle parking on site at 14 is

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proposed to be either kept as 14 or in this particular application to be 'increased' to 22. In reality the approved 50 cycle spaces has not been provided at all and this remains an under-provision.

20. The application under ref. 2016/1252/P proposes the creation of new classroom within existing roof and erection of external store, new staircase, WC and canopy all at roof level. Along with additional classroom space this adds significant bulk to an already imposing building .

21. Para 1.18 of the Planning Statement submitted in support of 2012/2089/P quoted

“Additional outdoor learning space is provided on the roof of the Victorian school building. A section of the external learning space will be available for the PRU (Pupil Referral unit), which currently does not have direct access to secure external play space”.

22. At present the plans show an open space and a store. The proposal would not increase overall floorspace but will increase classroom capacity through changing the storeroom into a science classroom.

23. In addition the proximity of the new WC block to Netley Street (Nos 11-14 face the existing Victorian Building) will have an adverse impact on their outlook and enjoyment of the view and further reduce the amount of open space available. The proximity will also give rise to an increasing degree of noise and disturbance This is illustrated by the photographs and plans shown below:

24. The original scheme granted permission in 2012 have a considerably larger amount of open space which progressive amendments have shrunk significantly over time. An additional building that is the subject of this application along with the cumulative impact of reduced cycle parking and roof development to an existing building will result in further overdevelopment on site which through the bulk of the buildings and under provision of on-site cycle parking would result in the loss of trees and the overdevelopment of the site. As such it is considered that the proposal is contrary to Policies CS5, CS11, CS14, SC15, CS19 and CS10 of the Core Strategy and Development Management Policies DP24, DP26 and DP28.

Design and Use of Materials

25. The proposed new building in close proximity to the boundary requires a development of high quality design making careful use of materials. However the scale and location of the proposed building on the northern boundary of the site given its scale, bulk and proximity to the boundary would in our view provide an exaggerated sense of enclosure and overshadowing. Thus adversely impacting on the living conditions of the occupiers of the opposing properties in Everton Mews and creating a poor visual outlook detracting from the appearance of the site and the immediate surrounding area. As such it would be contrary to Policies CS5, CS6 and CS14 of the Core Strategy and Development Management Policies DP24 and DP26.

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Access and Parking

26. The parent scheme granted permission under 2012/2089/P was for a car free development with a s106 agreement which included highway improvements and on street disabled parking provision. The very high PTAL rating inter alia justified this. However, the current proposals and the two current live applications give rise to concerns with regard to cycle parking and access.

27. Submitted with this application was a travel statement which anticipated 97% of pupils arriving at the school by sustainable means, walking/cycling PT. A current application for the variation of condition 23 (2016/1674) found 98% of pupils travels to and from school by these means and thus the survey was remarkably prescient. A reduction of the cycle spaces from 83 to 50 spaces was argued under previous planning application Ref 2012/6812/P which was approved, justified not least by being in accordance with the London Plan. However this further proposed reduction from the 14 currently provide in breach of planning condition. Condition 23 states:

The cycle storage area for 78 cycles for the private residential flats, 20 cycles for the affordable houses and 83 cycles (or any other number of cycles previously agreed in writing with the local planning authority) for the educational uses shown on the drawings hereby approved shall be provided in their entirety for each appropriate phase of the development prior to the first occupation of any of the new residential units or use of the educational areas in each relevant phase, and thereafter permanently maintained and retained thereafter.

Reason: To ensure the development provides adequate cycle parking facilities in accordance with the requirements of policy CS11 of the London Borough of Camden Local Development Framework Core Strategy and policy DP17 of the London Borough of Camden Local Development Framework Development Policies.

28. Yet this is being used to maintain the current breach of planning condition which provides only 14 cycle spaces not the 50 approved, itself a marked reduction form the 83 originally granted permission. 2016/1647/P justifies this on its application form:

“The current provision of 14 bike spaces is under-used, and the further provision of 36 additional spaces would further reduce the playground area and inhibit the benefit of outdoor space for education purposes, and the extent of green space across the site”

29. This was a further reduction to 50 for educational purposes granted under 2012/6815/P from the original planning permission. At the same time the three current schemes all note the existing provision of 14 cycle spaces (in breach of condition 23) proposal will provide along with the other current scheme additional facilities and an intensification of the educational use.

30. The proposal recommends an increase from 14 to 22 but the other applications pending base the assumption on 14 without clarifying that this is based on an assumption that this will be approved. Not what has actually been approved, which is for 50 cycle spaces for educational purposes. The way this

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information has been presented is, to say the least misleading.

31. We have another concern that the additional access 'B' gives rise to potential congestion, especially along Everton Mews. Again there are insufficient details, not least of ancillary other community uses of the site and how this may impact on overall access to and from the site and likely disturbance and more specifically with the management of the additional access. Given the insufficient nature of the detail provided we are of the opinion that it cannot be gauged to be acceptable and therefore that permission should be refused as contrary to Policies CS5, CS11 and CC17 of the Core Strategy and Development Management Policies DP17, DP18, DP19 DP21, DP26 DP29.

Noise and Disturbance

32. Additional noise and disturbance from existing and new pupils and staff at key times of day. There is insufficient detail as to how this will be policed. Increases in both pupils and staff will give rise to an increase in noise and disturbance to adjoining properties, especially those in Everton Mews.

33. The outstanding condition requires details of sound insulation and the Community Use Plan, there is a lack of detail submitted with regard to the interaction with residents and how to avoid potential conflict of these very different uses of the site. Hours of opening are not disclosed as part of this application. It is unfortunate that no details are provided especially as the above two conditions 19, and 43 appear to remain in breach.

34. Accordingly, in this aspect the development is considered to be contrary to CS5, CS10 CS14 and CS16 of the Core Strategy and Development Management Policies DP26 and DP28.

Refuse

35. With condition 21 remaining undischarged, it is not acceptable not to provide more detail to justify the lack of need for no further waste provision and utilise 'existing facilities' Consequently it is considered that in this regard the scheme is contrary to Policies CS5 and CS19 of the Core Strategy.

Trees and Landscaping

36. There will be a net Loss of trees to accommodate the relocated WC. There is no information on the quality of these trees which are to be removed and whether their preservation is desirable. Consequently, it is considered that an aboricultural statement should be required prior to any development taking place should planning permission be granted.

37. Landscaping details are insufficient to convey that impact of new building will be 'softened' as the applicant claims. Therefore it is recommended that a pre-commencement condition requiring the submission of details for approval prior to any works taken place is imposed should planning permission be granted.

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38. At present it is considered that the scheme is contrary to Policies CS5 and CS15 of the Core Strategy

Conclusions

39. This planning application whilst on the face of it relatively straightforward in reality is nothing of the sort. A number of concerns are raised, not least the outstanding nature, according to the Council's online records regarding a number of pre-commencement or occupation conditions which have not been discharged which are material to this application. This coupled is with two other planning applications running concurrently. Given the lack of information attached with the applications apparently in isolation would if all were approved result in the site being subject to a significant increase in the intensity of its educational development with no approved details with regard to minimising through soundproofing its impact on the existing properties. It would lead to a significant reduction in the provision of cycle space in a car free development and lead to further enclosure along its northern boundary due to the erection of a new building resulting cumulatively in overdevelopment of an already intensively developed site.

40. The proposed increase in cycle parking would still result in only 44% provision of the approved number of cycle spaces and the additional pedestrian access to the site is likely to give rise to increase noise, disturbance and congestion, especially given the lack of clarity (which compliance with condition 43 of 2012/2089/P would provide) of when the site and the additional access would be used and how it would be policed.

41. The design of the new building is considered to be rather poor and would visually detract from the appearance of the site and the surrounding area.

42. Other issues with regard to refuse storage, landscaping details and loss of trees could be dealt with by condition but it is noted that the 2012 permission details for refuse storage under condition 21 have still not been discharged.

43. In summation, given the importance of the outstanding conditions, the fact that there are a total of three applications currently live for this subject site and the lack of information and details provided with regard to the degree of use, the conversion of a storeroom to a classroom and when taken individually this application is at odds with how one should view the cumulative impact of the three live planning applications, it is suggested that the applicant be invited to withdraw these applications and ensure that the outstanding conditions attached to 2012/2089/P are discharged before a scheme which covers all of the proposed developments and amendments is submitted. It is considered that such an approach would be in the interests of good planning practice and provide clarity for interested parties to make considered responses to. At present the piecemeal nature of the three applications and the outstanding conditions and lack of detail is unacceptable and in its present form this application (and the two current applications) should be refused.