

London Borough of Camden  
Planning & Built Environment  
c/o Town Hall  
Judd Street  
London  
WC1H 8ND

The Dugbar Trust  
c/o 37 Rotherwick Road  
London  
NW11 7DD

For the attention of Ms Tessa Craig

Dear Sirs

**Town & Country Planning Act 1990 (as amended)**  
**Objection to planning application (reference 2016/4136/P) at 9 Maresfield Gardens**

I write to object to the proposed development at 9 Maresfield Gardens. I am a trustee of the Dugbar Trust which owns Flat C at 9 Maresfield Gardens.

I have a number of concerns about the proposal which includes some significant planning issues which in my view are a breach of the development plan. A number of the planning application documents appear to suggest that the application is on behalf of all of the owners and is part of a complete renovation of the property. This is not the case and there are a number of owners, including the Dugbar Trust who knew nothing of the application until it was made and we were notified by the Council.

My main concerns are:

1. Inaccurate Construction Management Plan;
2. The mix of units;
3. The introduction of lightwells;
4. Poor daylighting;
5. Material proposed for rear staircases;
6. Noise and light spillage from the proposed new outside spaces.

I set these concerns out below.

## **1. Construction Management Plan (CMP)**

The authors of the CMP appear to have fundamentally misunderstood the proposed development. They seem to consider the proposed works as if the whole building is being redeveloped. That is not the case as the top two floors are in separate ownerships and these flats will remain occupied. The key failures of the CMP are:

- It fails to acknowledge that the nearest noise sensitive receptors are in the property itself and not in neighbouring properties;
- There has been no dialogue with neighbours or other flat owners which is a requirement of the first stage CMP;
- There is no consideration of construction impacts on residents of the building who are not part of the application and as such will be in occupation throughout the works. Such substantial works would make the remainder of the property uninhabitable in my view. There is nothing in the CMP to suggest that occupation during the works is in any way manageable;
- The noise, vibration and dust will make the occupation of the Dugbar Trust's flat uninhabitable for any residential use. The trust currently has a tenant in occupation and intends to continue renting the flat out for some time. It owns the property for my children. My eldest son who is a full time student will, in due course, be using the property to live and study in. The existing (and future) tenant, and in due course my son, should be able to expect reasonable environmental conditions to be able to use this property for such a residential use;
- The CMP proposes hoarding around the entire house to reduce the effects of noise and dust on neighbouring properties clearly ignoring the fact that large parts of the property will be occupied throughout the works.

## **2. The mix of units**

The proposed development would fail to deliver the accommodation that is most in need. The planning forms have been filled in incorrectly. The forms show a reduction from seven existing units to four proposed units. The forms also fail to show the actual number of flats that are currently within the building.

What is proposed is that the housing units that are most in need (larger units) are being lost and in their place are smaller units, specifically one bedroom flats of which three are proposed. If this space is being developed then it should be providing housing that meets the housing need as identified in LB Camden's Policy CS2 and DP2.

As the proposal fails to deliver or justify a departure from the Council's policies and there are no other material considerations to support such a departure then the Council would need to refuse the application on the ground of poor housing mix.

### **3. The Introduction of Lightwells**

The extensive subterranean development requires the introduction of a large number of lightwells on all sides of the existing house. These would cause significant harm to the character of the house in particular in views of the front of the property where the house will be dominated by railings. In my view this overdevelopment harms the building and is a harmful addition to this side of Maresfield Gardens.

### **4. Poor Daylighting**

The design of the additional development results in poor daylighting to the basement and ground floor areas. The submitted daylight and sunlight report confirms that the proposed daylight of the habitable rooms would fail to meet LB Camden's policy on this matter.

The submitted daylight and sunlight report does not take account of the proposed planted trellis along the north side of the basement flats. This is designed to reduce the impact of overlooking. In order to fulfil that function it would need to be sufficiently dense to reduce the amount of light that these rooms would receive.

The application should therefore be refused on the ground of failing to meet the natural light standards set out in LB Camden's CPG2.

### **5. Material Proposed for the Rear Staircases**

The proposal includes two new external stair cases to the rear of the property. These are both proposed as metal and painted black. In my view this would be a poor quality design resembling an emergency fire escape from the back of a shop, office or a hotel. There must be a better design solution to this and possibly one that requires just one set of steps or none at all.

If the mix of units were to be more compliant then the applicant would be able to consider duplex units with integrated stairs within apartments. This would remove the need to have such an external manifestation of the inadequate internal layouts.

### **6. Noise and light spillage from the proposed new outside spaces**

The increase in the number of units and the amount of private amenity space created in lightwells and balconies would impact on the enjoyment of the existing occupiers. The incorporation of large lantern style light would create light spillage to the rear upper floors.

## **Conclusions**

The Council must consider the fact that the proposed development relates only to the lower half of an occupied block of flats. The extensive remodelling and basement digging below and around the property would make the use of the upper floors uninhabitable.

The planning application contains errors on the planning forms and the CMP appears to be based on a scheme of comprehensive refurbishment and extension which is not what is proposed.

Further the application has failed to respond to key issues identified in the pre-application reply from LB Camden (ref 2015/6846/PRE, dated 4 March 2016). This includes the residential mix, daylighting of the proposed units and neighbouring amenity.

The combination of errors in the planning documents and failing to adhere to key planning policies would indicate that LB Camden should refuse the application. Any permission granted on the basis of what has been submitted would risk being subject of a legal challenge.

I hope the Council will do all that it can to resist such inappropriate development and I would be happy to show officers or members around the Trust's property so that it can be seen what parts of the converted house are not part of the application and where I feel the impacts would be unbearable.

Yours faithfully

**Derek Spitz**