

My Ref: EA/26.02.2017/v4
Your LPA Ref: 2016/1345/P

10 Crabtree Place
London
W1T 2AT

Kate Phillips 2521
Planning Solutions Team
Camden Borough Council
5 Pancras Square
London
N1C 4AG

5th March 2017

Dear Kate

Re: Planning Application Reference 2016/1345/P
For: Conversion of existing single dwelling house to provide 3x self-contained flats, including the enlargement of existing basement, erection of first and second floor rear extensions and alterations to rear wall and roof form.
At: 28 Charlotte Street London W1T 2NF

I write in supplement to my letter of 3rd January 2017 to present my continuing formal objection in the strongest possible terms in relation to the unwarranted, excessive, ill-conceived scheme for overdevelopment presented within the above current application for planning permission (LPA Ref. 2016/1345/P) made by Mr Damon Heath, 28 Charlotte Street, London W1T 2NF.

On this occasion, I write specifically about the revised plans uploaded to the application web file on 15th February 2017 following Cllr Madlani's objections of 14th February 2017.

These revised plans make no changes to holistically address all the critical issues advanced in the many letters on the Councils Planning Casefile Website. The applicant has made cosmetic and minor changes to benefit his own development proposals and has failed to grasp the opportunity to fully address and remove the significant objections currently on record to his proposals.

I confirm these objections still encompass the full range of relevant 'material considerations' which Camden Borough Council as Local Planning Authority must take in to consideration in their evaluation and formal determination of the current application, and may be summarised as follows:

- a. Effect on the character and appearance of an area, and
- b. Loss of privacy and light

The key factors to note are that notwithstanding the latest revisions:

- i. **The Principle** remains wholly unacceptable that any windows (let alone the multiple windows contained in the proposed residential development) still directly face the children's playground through multiple new openings in the previously solid party wall of the playground;
- ii. **This large, bulky, development is uncharacteristic of the neighbourhood.** There is no other comparable development in existence at the rear of any other property in the entire block of terraced houses. This development will create a precedent which will destroy the character of the Fitzrovia area and enable many others to proceed in a similarly aggressive, over-scaled and ill-conceived manner as this applicant has. The applicant has created a look and a design, and photographs and stated the proposed use of similar brick style and colour claiming this is sufficient

to demonstrate a matching character to the neighbourhood. This is a fundamentally flawed approach. The issue with this proposed development is not about the look of the brick of the oversized extension or the roof top dormers to which no-one has any objection. The issue is the overly bulky, brutalist design of the rear extension which is wholly uncharacteristic of the area and the key design cues of the rear of all the other terraced houses in Charlotte Street. The applicant has shown nothing in its revised plans that address the large bulk design at the rear.

- iii. **The large and extensive proposed basement** will be a few metres from the one bedroom of my property which will be used by my 80-year old disabled mother when she returns home following a stroke two weeks ago. This artist's studio was purpose built to be a studio and it was approved for that use. The conversion into flats is an application for not a conversion but a large new construction which includes a large basement. This involves the demolition of all the walls of the studio and the only remaining structure will be the two or three pillars that hold the walls together. The enormous impact of this development must be considered holistically, in its totality, and not just with a vision that it is merely a conversion. This application proposes a large-scale demolition, construction and excavation.
- iv. **Our neighbours, friends and community are prepared to fight this development to the end.** Even if this development gets approved we will refuse access to our property for building works, scaffolding and access to construction vehicles and other associated plans that involve this development. There are significant party wall situations in this application and we will fight those interests legally in the courts to maintain our objections to stop this development.

The Design & Access Statement has not been revised or updated in order to take account of the latest changes made to the proposed plans and no new statements have been provided to address any of the above or following points.

1. Unjustifiable, Substantial Loss of Privacy and Light for Neighbours:

- (a) **Domestic Privacy** - the latest revisions have successfully addressed my concerns in relation to visual privacy for my own personal residence.
- (b) **Access for Natural Light** – The party wall will still be substantially raised resulting in a noticeable darkening of the interior of my own residence. The daylight assessment has not been revised/update to take account of the latest design changes and so does not even address the reduced lighting levels which will now be available for the proposed plans.
- (c) **Public Space:** The proposed, perforated brick wall still provides for unwarranted surveillance of the public space of Crabtree Place and Crabtree Fields Playground, notwithstanding that the outer, rear wall of the development will now comprise sections of perforated brick and the external balconies are shown as finishing short of contact with that outer wall. Those choosing to observe from external balconies or internal areas of flats would now be more screened from observation themselves. No greater protection from unwarranted observation has been provided for the children using a play space from a development whose occupants will have no use of or access to that space. In addition, although the balconies are currently shown stopping short of the exterior wall, there would be nothing to stop later alterations to the design, during or post construction to bring those balconies right up to the outer wall. The perforated brick wall is the ideal camouflage for the 'peeping tom'.

2. Unacceptable Noise and Disturbance from Proposed Density of Development:

The revised proposals have made no attempt to address my previously stated concerns on these issues. It is an enclosed space. Any noise from the living areas of the proposed flats will cause noise in Crabtree Place and Crabtree Fields Playground.

3. Adverse Effect on Character and Appearance of Conservation Area:

- (a) **Excessive scale & insensitive design:** The proposal fails to address my previous objections on this issue in any meaningful/substantive manner. The development currently proposed remains aggressive in character. It is still only with the excessive alterations to the party wall that the level of accommodation currently proposed could be achieved.
- (b) **Party Wall & Structural Considerations:** The extensive underground and above ground works proposed and their potential impact upon the substantial basement office facility have not been addressed. The Basement Impact Assessment (BIA) prepared by Campbell Reith on behalf of Lambeth Council which has now been made available identifies several areas where the current application, even in its latest amended form, remains incomplete due to the lack of any separate BIA having been prepared by the applicant. However, it is also now evident this BIA itself is flawed and contains claims/conclusions unsubstantiated by evidential reports on those missing elements.

The following quotes from the BIA Report still require to be addressed:

i. Foundation Depth:

"foundations will need to be deepened to encounter the Lynch Hill Gravel below"

This means the current foundation design is flawed as it is not currently shown deep enough and has thus not taken proper account of the ground conditions prevailing. In being deepened to 'encounter' the Lynch gravel this means the foundations will actually meet the groundwater levels which unsurprisingly lie within that gravel bed.

ii. Groundwater Levels:

"groundwater data indicates the groundwater level to be at least 1.0m below the basement slab"

No account has been taken of the impact the extended foundations required will have upon ground water contained within the Lynch Hill Gravel. No details have been given by the applicant regarding the water table with respect to the excavation for the basement.

iii. Pedestrian Right of Way:

"a pedestrian right of way is located near the rear of the property, although this has been identified and proposed actions are considered adequate"

No details have been given by the applicant regarding the right of way/public highway located within the proposed development. What are the proposed actions? They are not specified in the BIA nor does the BIA contain a reference as to where these actions are listed. Where precisely is the pedestrian right of way referred to as, again, no detailed reference has been provided on where this is located?

iv. Conditions Surveys of Neighbouring Properties:

"it is agreed that condition surveys of the neighbouring properties should be commissioned and a programme of monitoring the adjoining structures should be established before the work starts. The movement monitoring strategy should be continued during excavation and construction"

No one has asked anyone in our Crabtree Development for views regarding this proposal and no one has seen a neighbouring properties report. No conditions surveys have been undertaken and no residents have been approached in order that such might be undertaken. No proposed monitoring programme has been presented as part of the current application.

v. Basement Impact Assessment:

"it should be noted that the Local Authority may require submission of a 'basement impact assessment' in connection with the proposed development, and that this report, in itself, will be insufficient for satisfying this requirement. This report does not consider the stability of existing foundations during the excavation and underpinning works"

There is no sign of any BIA having been completed by the applicant. Has the required BIA been completed by the applicant? Has it been updated on each occasion the drawn proposals have been revised?

vi. Underground Services Search:

"an appropriate services search should be undertaken. The potential influence should be investigated should such infrastructure be identified"

There is a large office block in the basement of Crabtree Place with an a large amount of services which abut onto the back of the proposed excavation which is not referred to and thus raising the question as to whether its presence has been considered.

vii. Man-Made Cavities

"There are no known man-made cavities (e.g. tunnels) in the vicinity of the proposed basement"

This statement reinforces the most astounding conclusion, that the Local Authority's own consultants and the applicant and his agents have failed to undertake the most basis of checks to determined that a very large,

commercial, office basement already exists and abuts the proposed basement for the new development and that accordingly the proposed development's potential impact upon same has not been taken in to account at all. No details have been given by the applicant regarding the excavation which would abut the large basement and subbasement complex next door to the proposed development.

x. **Unsubstantiated Conclusions:**

"this has been borne out in the vast majority of past projects on similar properties. The design and construction methodology, as described above, deals with the potential risks and ensures that the excavation and construction of the proposed basement will not affect the structural integrity of the property and adjoining property"

How does this project compare to what other projects? There has been no similar project in the area and so what is the comparator? What is the report referring to? What similar projects? This is a worryingly vague and generalized statement which provides no reassurance as it concludes a report which not only insists that further information is required in order to make a property assessment but also fails to identify either the presence or proximity of the very large, commercial office basement abutting the development.

- (c) **Health and Safety and Construction:** Nothing has been provided to address the previously expressed concerns on this issue.

4. **Other issues of objection.**

- (a) **Outdoor Amenity Space:** Nothing has been provided to address the question of how emergency services needing access will manage when my outdoor amenity space is obstructed with the external scaffolding required to enable the proposed demolition and construction work.
- (b) **Disabled Access:** The essential requirement to maintain such access for my disabled mother's safety remains unaddressed.
- (c) **Crabtree Place Pavement:** Nothing has been submitted to address the lack of structural capacity within the roof of the adjoining basement office to cope with the additional loading of construction traffic, machinery and equipment.
- (d) **Playground - Crabtree Fields:** The proposed plans are silent on the closure of the recreation area during demolition and construction.
- (e) **Party Wall to Public Gardens - Crabtree Fields:** Nothing has been submitted to address the commercial/legal aspect of the proposed work to a wall in joint ownership.
- (f) **Character and Precedent within the Area for Similar Potential Proposals by another Developer:** The revised plans fail to address the unacceptable scale of the proposed development and now include even lower levels of natural daylight for future occupiers of the flats proposed.

- (g) **Failure to Adequately Consider Practicable Alternatives:** Still nothing has been presented to demonstrate much simpler, less intensive and intrusive development options have been considered.
- (h) **Community Benefit:** The current application still provides no such community and employment benefits. The current proposals are entirely exploitative in providing solely open market housing.
- (i) **Basement:** Still nothing has been provided to address the construction risks relevant to the large basement office abutting the property or the water table.

Conclusion:

I (and other residents of Crabtree Place, Houses 2, 3, 4, 5, 6, 7, 8 and flats 1, 2, 3, 4, 9 and myself being No 10) (Total:23 people) still absolutely reject and strongly object to the building alterations and extension proposed, with new openings and terraces/balconies, frosted glass and 'perforated brick walls' of such modern, uncompromisingly modern design at such strongly discordant variance with the traditional period style of the terrace of buildings, introducing glass and stainless steel, instead of using traditional architectural design, materials and detailing. The current proposal still fails to represent the high-quality design for new housing required under the current NPPF and shows an economic concern which pays no heed to context and adverse impact on neighbouring amenities and the character of the Conservation Area.

I consider the above grounds for objection (and those received from other neighbours) should take precedent over the ill-conceived proposals contained within the current submission, even in their revised form, and that planning permission should be refused.

I remain happy to allow access to my own property should an officer of the Council wish to take the opportunity to view the existing situation and consider the current proposals in the light of the above objections from my property.

If this application is to be decided by Elected Members of the Council, please take this representation as notice that I would wish the opportunity to speak at the meeting of the planning committee at which this application is expected to be decided. I would be grateful for as much advanced notice of the date of any such meeting.

If you require clarification on any aspect of the above or wish to make a request to arrange access, then please do not hesitate to contact me directly.

Yours faithfully,

Signatory: **Edward Aydin**

Occupant of: 10 Crabtree Place

Supporting Signatory: **Dan Fitz**, for and on behalf of Crabtree Freehold Ltd.

Occupant of: 4 Crabtree Place