

Planning Objections to the proposed development of Rear of 1-3, Britannia Street formerly known as 159/163, King's Cross Road (2016/6356/P) by The Concerned Residents Of Derby Lodge Courtyard:

About The Concerned Residents Of Derby Lodge, Britannia Street and King Cross Road:

The Concerned Residents of Derby Lodge Courtyard (abbreviated to Concerned Residents in this document) are a group formed residents Derby Lodge, Britannia Street and Kings Cross Road who will be affected negatively by the proposed development who have come together as a community to raise and register their concerns as to the detrimental impact that the proposed development will have upon their lives, homes and community.

We are made up of a highly diverse membership representing many different social groups, however the largest proportion are those from the flats at Derby lodge which **include 'sensitive lets', which means that more vulnerable members of the community are housed here.** Many of us have known know each other as neighbours and friends for years if not decades, whilst others are newer to the area but still form a valuable part in our local community. All of us feel that the proposed development in its current form will have a potentially devastating impact on our community, our homes and our lives. As such we are united in our objection to the development as it currently stands but would welcome conversation with the developer to create a development which could be mutually satisfactory.

Our Objections to the proposed development of Rear of 1-3, Britannia Street formerly known as 159/163, King's Cross Road:

It is important to note that the community does, in principal, not object to the development of properties within our community or shared local space. However, we unanimously object to the proposed development in its current form and the developers lack of engagement with the community (suggesting they will not be the most accommodating of neighbours) and neglecting of social responsibility (such no inclusion of social/low cost housing in the proposed site).

This document lays out the community's objections to proposed development and the treatment of the community by the developer. We have also suggested mitigation that will help elevate the concerns and detrimental effects of residents and the community that the proposed development will have.

Developer's failure to consult properly, lack of engagement, poor treatment and ignoring of residents' concerns raised in previous objections:

- We, as a community, feel harshly treated if not completely ignored by the developer in both the first and set second set of proposals for the development of Rear of 1-3, Britannia Street formerly known as 159/163, King's Cross Road. Many residents raise concerns relating to privacy, loss of daylight, noise and light pollution, inaccurate documentation, and the effect of the local conservation area in our previous objections. We feel these concerns were largely ignored by the developer, with **the new plans in many cases (especially in terms privacy, light and noise pollution, and loss of daylight) have made the situation worse.** Additionally, the developer has, in the process of re-submitting the plans, made no attempt to contact or consult with the local community, which the development will reduce the local residents' quality of life significantly.
- Balcap Re have hosted 2 'exhibitions' which showed inchoate drawings and designs in relation to the proposal. it was not clear from the pictures how each flat or house will be affected. A large part of the exhibition appeared to be drawings of other buildings which they have changed or built. Due to the misleading terminology of the 'exhibition' there is potential for the residents not to have really been in any way aware that there was in fact a consultation taking place about the proposals. It was an event which did not have a clear picture of how the proposed building would affect the residents in a practical sense as much of the proposal was drawn and shaded in by way of somewhat confusing cross hatching. Given that these flats contain sensitive lets and vulnerable residents, there was no attempt made to make the proposals easy to read or use, or in any way accessible. On the contrary, they were difficult to follow for the more able of

the residents. It is therefore not accepted by the residents that the exhibition was a proper consultation; and it is further contended that the proper process has not been followed.

- It is deeply concerning that Balcap Re have refused to attend meetings to answer any further questions the residents have had. They have additionally refused to provide the drawings which they used at the exhibition until they were prevailed upon by a local councillor to do so. It speaks volumes about their attitude to residents that they refused to do this and sadly means that we can have no confidence that at any stage of the construction process they will ameliorate or mitigate the work in a way in which takes account the residents' very real concerns about either the construction of the building; nor that once built the office workers will actually be prevailed upon to use the building in a respectful or considerate manner.
- The community is understandably concerned as to the behaviour of the developer as a neighbour given their **total disregard for local community**. Many of our members, in their prior objections and suggests to the previous submission reached out to the developer inviting them to see how the proposed development would effect their lives and quiet enjoyment of their properties, no-one (including this group of concerned residents) was contacted by the developer. The new plans make little or no effort to accommodate and allay our concerns as to the negative effect the development will have on the community's lives, leading us to believe the developer has either not read our concerns or has chosen to ignore them.

Suggested Mitigation:

- **Developer listens to the community and adjusts plans accordingly.**
- **The developer meets with the local community in person to hear first-hand the objections.** We would view this as a very positive step in repairing currently neglected relations and reaching a proposed set plans for the development that would satisfy both residents and developer. We ask that the developer contacts Darren Charir head of the Derby Lodge TRA, who may then contact the community and set up a meeting.

Inaccuracies in supporting documents and developers failure to rectify these inaccuracies as pointed out in community comments on previous proposal:

- The community is disappointed that the development has reached this stage of the planning process (having passed pre-approval) given the glaring errors and omission in the documents supporting the application.
- We would consider any approval granted based upon the current 'Supporting Documents' to be negligent and we, as a whole community, would immediately look to **appeal any planning consent which is based upon incorrect and incomplete documents.**
- There are numerous inaccuracies and thus false conclusions in the applications and we outline these in this documents, as well as individual residents in their own comment to the application. However, the largest inaccuracy, which has been raised by numerous concerned residents is the **inaccurate Daylight and Sunlight Report that not only omits at least 10 windows (one of which is 12ft by 6ft and easily viewable from the development) but also has incorrect conclusions.** For instance The Daylight and Sunlight Report and in the DAS say there would be "no discernible loss" of daylight despite the report (even in its current flawed state) showing the development will push numerous properties will fall below BRE regulatory limits. Some falling registering a 46% fall in ASPH which BRE states as "substantial impact", and numerous properties registering an APSH decline of 20% which BRE sate is Noticeable.
- Pictures and diagrams of omitted windows are shown in the hard copy of this comment on the development mailed to the planning department, as picture are unable to be submitted through web-portal.
- These concerns/inaccuracies in the last planning submission were raised by numerous residents but in the most recent submission have not been remedied. For example, the aforementioned Daylight and Sunlight Report is listed as 'superseded' on 'Related Documents' section of the planning application but **no new report is forthcoming despite massive inaccuracies of the first report and a change to the proposed developments shape.**
- It follows that the council do not have the information necessary in order to make approve the plans as the report is not accurate and cannot be relied upon.
- These among of numerous errors in the report, suggesting that the report lacks the necessary diligence and detail required for submission and questions validity and bias of the report.
- The report **also omits or skylight windows on properties for 159 to 163 (p30 of lighting report)** are also missing, and these windows are likely the only source of daylight for the below rooms.

Suggested Mitigation:

- **New Daylight and Sunlight Report Commissioned by Council planner recommended consultant:** The existing **Daylight and Sunlight Report is incorrect to the extent of being negligent.** We propose that a new report be commissioned, that accounts for all windows and amenity areas, as well as proposed new shape of the building in the current submission. Additionally, the developers have shown themselves unable to select a competent and/or unbiased Daylight and Sunlight consultant, as illustrated by the poor quality and numerous mistakes within the report. We propose that the Daylight and Sunlight consultant be chosen by the community and/or by the council planners.
- **The Developer in its planning submission recognises the real loss of light to residents and their amenities, and also remove the untrue “no discernible loss” from their application.**
- **Application is withdrawn until factually correct supporting documents are submitted.**
- **Developer meets with affected residents who are happy to invite them into their homes to show the inaccuracies within the report. Once again the community asks that the developer actively engages with the community.**

Reference to Consented Scheme:

- The newly submitted plans make constant reference to ‘the Consented Scheme’. This is the old application from 2008 (approved under different planning policy and regulation), which is lapsed, and thus no longer consented, and thus should bear no reference to the case.
- Additionally the currently proposed development bear little resemblance to the “Consented scheme”. The “Consented” scheme had only circa 5 side windows and no outdoor area in order to minimise disruption to residents’ property and lives, as well as including residential aspects in the development. The proposed development has a large number of windows that will overlook residents’ properties, a large terrace with three large doors accessing it and no residential element.
- Many residents within the community who were residents of the time of the 2008 application mentioned they were not informed of this application and therefore were unable to raise their concerns.
- A good number of current residents within the community were not living in the area when the 2008 application was approved. They are entitled, over people who no-longer reside in the affected area, to protect the quiet enjoyment of their properties and register their objections to a development, which in its current form will be detrimental to their lives.

Suggested Mitigation:

- **Drop reference to consented scheme from current and future applications,** as it has no bearing to existing application and is (having lapsed) **no longer consented.**

Size of Development:

- It is not accepted that the development is comparable to previously approved applications on this site. On the contrary, the proposals appear to extend the current structure by over 200% to a 4 floor office block. There will be a significant increase in scale and massing, which is the extra storey on top of the height of the current warehouses, which will mean that the loss of amenity to the residents is of seeing a wide, clear view across the courtyard, which is uninterrupted. It will also affect the provision of natural light available to the residents (see below).
- The size of the development is hugely out of scale and a large modern development within the context of what is essentially a small residential courtyard and comes up just metres away from residents’ bedrooms, bathrooms and kitchens. It is very imposing. The current warehouse does not do this.
- **This is have a large negative effect on the nature of the community.** At the moment, most residents can see straight across the basin. This will no longer be the case if the development goes ahead as it will block the views of the residents. The only thing they will see out of their bedroom, living room and bathroom windows will be the office block - because of its disproportionately huge size. It will affect the nature of the residential community, making it more fractured and less cohesive.
- The basement is not in keeping with the area - which currently does not have any sizeable underground areas. It means that the development is going to be absolutely huge for a gallery, which will greatly increase evening and night noise. It means that the current size of the warehouse is going to be increased by up to 200%. The Residents are properly concerned that the drilling and building of the basement will have an

adverse impact on the foundations and walls of what are very old flats, not built to sustain such significant proximate pounding.

- The additional (top) floor and increase in height is a very good example of the way in which this proposal puts at the bottom of its priorities the concerns and the interests of the residents, who are overwhelmingly concerned about the implications of the proposal on the light levels which they currently enjoy. In pretending to prioritise the invasive character of this development, the architects and developers are exacerbating the loss of light which so concerns the residents.
- The outlook of the courtyard will be transformed detrimentally by the building. At the moment, residents currently enjoy views across the courtyard and beyond. This will be entirely occluded by the proposed development because of its height. Not only will this obscure the view to the other sides of the courtyard, but it will mean that views across to the Kings Cross Road and the buildings abutting Pentonville Road will be lost.

Suggested Mitigation:

- **Reduce Building Size, removal of top floor from plans:** The primary concerns of residents is the huge scale, far above the scale of the existing property to be developed. The single most significant step the developer can take in order to create plans that work both for them and the community is to reduce the size of the building by removing the top storey which is causing the majority of issues.
- **Recue scope of basement to minimise disruption:**

Loss of Privacy:

- The new building will have many windows and a terrace considerably less than the 18 meters from multiple residential properties that which is in constant use This is less than the 18m required by BRE and Camden Planning Guidelines.
- As the proposal is taking place at the back of the residents' homes, this will have the effect of looking into the most intimate and private parts of their dwellings, such as the bathrooms, bedrooms and kitchens. All the flats are designed so that the less intimate parts of the flat face out onto the street, away from the noise and the general public. At the moment, the space between the residents in the courtyard means that there is a large degree of privacy within the courtyard because the distance around the courtyard makes it difficult to actually see much through the windows. It will be very easy for office users to see into the most private part of the residents' houses, especially if the office workers are smoking or drinking on the terrace. It is unacceptable and will affect the way in which the residents use their homes. This is particularly concerning for families with children.
- This new building is going to be surrounded by and overlook residential dwellings. It overlooks the rest of the courtyard and the residential buildings surrounding that part of the courtyard. There are proposals for a balcony and outdoor space for smokers/ drinks parties, which will have the effect of encouraging office workers to peer into the back of the homes of ordinary residents in the area. It is enormously invasive and intrusive, and totally changes the environment of the area. **The flats at Derby lodge are 'sensitive lets', which means that more vulnerable members of the community are housed here.** This will have the effect of intruding upon their privacy in an aggressive and unpleasant way.
- The proposed west facing terrace is of particular concern, as it will directly overlook and allow terrace users to look into at least 15 (if not more) Derby Lodge flats, as well as providing a direct view onto residential outdoor amenity of Derby Lodge Courtyard. A full view, at less than 18m, will be provided into the kitchen, bedroom and bathroom of 5 Britannia Street. All the above represents serious breaches of the communities privacy.
- Users of the proposed office block will be able to look directly into resident's properties, even the proposed set back windows do not serve to prevent this. There appears almost not concern from the developer as to the right of privacy resident's are entitled to.
- It should be noted that in the planning statement the developers demurs from creating affordable housing because. *"In order to avoid an unreasonable degree of overlooking to nearby residential units the design of any new residential unit on the site would be designed in a manner that would unduly restrict the outlook of that property and would therefore impact on any future occupier, should housing be accommodate at the application site."* The developers themselves consider the building, if used for residential would create and *"unreasonable degree of overlooking to nearby residential units"*. We would

suggest that an office building, which would be in use at all hours of the day would also create an “unreasonable degree of overlooking to nearby residential units”.

- Policy DP26 still requires measures to be taken to ensure that the privacy of residential occupants is maintained. The current development does not maintain our privacy but instead reduces it. We have no wish for the occupants of our property, especially children, to be subject to the stares of unknown strangers

Suggested Mitigations:

- **Reduce Building Height: This is the most requested amendment to the proposed development among the community.** Were the top floor of the proposed development removed from the plan then there would be a significant reduction in the privacy invasion and “unreasonable degree of overlooking” in adjacent residential properties, as building height the windows at the upper floor create the largest degree of overlooking and invasion of privacy.
- **Remove Terrace from proposal.** The terrace is in clear breach of privacy, allowing its users to look out in all direction massively increasing the number of properties terrace users can look into. A terrace is not required for a modern office (very few have them) and is superfluous and should be dropped from plans.
- **Removal of large number of windows and installation of privacy solutions:** There are large number of windows that look directly into properties and are less than the required 18m, these should be removed from plans. Addental, the developers architect should suggest solutions that will prevent privacy breaches, little or not effort appears to have been expended in this area.

Loss of Day and Sun Light:

- This is a very common concern among the community and relates to the excessive increase in height the proposed development would entail, which would massively deprive residents of daylight as it their right.
- While the Daylight and Sunlight Report, prepared by Malcolm Hollis LLP, has numerous flaws and omissions (as laid out below) and does not account for the dimension of the latest revised planning – as such we view that it does not provide a factual representation of the effect he building will have upon residents affected by the development. In the online application, the document is listed a ‘superseded’ but no new document has been forthcoming despite numerous requests from the community.

Windows Omitted within the Daylight and Sunlight Report :

- **5 Britannia Street:** The omission 12ft by 6ft window skylight window of the ground floor kitchen that is the primary source of light for the family kitchen and only source of direct sunlight for the room. The Daylight and Sun report completely omits this very large and easily observable window. Also omitted, are windows and French windows that back onto outside at rear of kitchen.
- **3 Britannia Street:** Lightwell and 2 windows that provide only source of light for ground floor living room and bathroom.
- **159-163 Kings Cross Road:** 5 skylight windows that provide only source of natural light for rooms that include a kitchen, living area and workrooms.
- It should be noted that the proposed height of the building will have significant detrimental effects of a large number of properties within Derby Lodge, Britannia Street and King Cross Road. Especially those on ground or first floor. Even though the report has omitted many of the most affected windows the development still does not **meet BRE requirements**; with four properties suffering a reduction of daylight that puts their daylight below required standards and prevents them from enjoying their property.
- The report notes that 5 Britannia Street will see only 9% of its outdoor amenity area received sunlight(well below BRE guidelines) in Spring, a massive 81% (Pr/Ex ratio of 0.19) it currently received, **massively failing BRE criteria**. 3 Britannia Street will see a decline from of 31% (Pr/Ex Ratio of 0.69).
- The developer states that these amenities are not used during spring, in a vain attempt to ignore measurement that did meet standards. This is untrue, and a possibly deliberately misleading, anyone observing the current area and enjoying the current lovely spring weather.
- The DAS included in the submission states In the DAS the developers state that:
“Collaboration with Malcolm Hollis from the early stages of design ensured that there will be no discernible loss. Furthermore working closely with the neighbouring residents through a series of public consultation have also ensured that there will be no adverse impact with regards to the daylight and sunlight enjoyed by the residents. Refer to Daylight/Sunlight report by Malcolm Hollis”

The above is clearly untrue, not only is there significant loss of light, the Daylight/Sunlight report by Malcolm Hollis illustrates that they fail to meet BRE criteria and there is a discernible loss of light. Some properties registering a 81% fall in ASPH which BRE states as “substantial impact”, and numerous properties registering an APSH declines in excess of 20% which BRE state is noticeable. This runs contrary to the DAS statement which said there was “no discernible loss”, which is contrary to their own findings.

- Balcap Re state in their proposal that only one window is going to be affected by the plans. This simply cannot be the case. Their own plans miss out at least 10 residents’ windows in their drawings, which suggests that those windows have not been taken into account and is a good indicator of the lack of care and attention which has been taken in compiling the light report and its conclusions. Further, the report writer appears not to have been into any of the surrounding properties while writing the report, which further undermines the accuracy of the recommendation.
- It is perfectly obvious that all the residents up to the fourth stories will be SIGNIFICANTLY affected by the proposals in terms of the light they receive. Further, the backyards of the Victorian houses along the start of Britannia Street and the Kings Cross Road are going to be hugely impinged on by this development and its imposing nature, and the light wells in their properties, which appear entirely to have been overlooked in the report.
- It follows that the council do not have the information necessary in order to make approve the plans as the report is not accurate and cannot be relied upon.
- It is hard to see how the first and second floors (and therefore most of the houses are not going to find that there is much less light coming into their flats and houses if a large, dark building is now the most proximate building close to their windows- just metres away. The loss of light is going to be really quite dramatic and will mean that the residential dwellings lose access to this.
- The windows of the dwellings cannot be changed as they are grade 2 listed so the residents have no way of ameliorating the loss of light by e.g. making their windows larger.
- Given extensive complaints and suggests from residents regarding the inaccuracy of the report, residents suggested that a new report be commission, with input from local community. No new report has been forthcoming, no contact has been received from developers and mistakes and omission have not been corrected.
- **Breach of 25 degree rule:**
- The residents argue that the proposal breaches the 25 degree rule. **Increasing the height of the building from the existing 1 storey plus pitched roof to 3 storeys high within just a few metres of the residents bedrooms, bathrooms and living rooms will inevitably cut the light to those rooms significantly and breaches the guidelines** as the walls are right next to the building and the encroachment is going to be at least 65 degrees, if not higher. it is also plain that by increasing the height of the building as proposed, the first and second floors will all but loose access to the natural light which they currently enjoy. **These dwellings have been here for over 150 years and have a well-established right to light. The view and light of these lower floors will be entirely taken up with and obscured by, the new building**

Suggested Mitigations:

- **Lowering the height of the proposed structure:** When the developers presented their plans to the community, we were not told it was a consultation, numerous concerns were raise about the height of the proposed structure, however there was not alteration to the height of the building from exhibited plans to submitted plans. At the proposed height of the building it will inevitably and detrimentally restrict day light to existing residents. We suggest that the plans of the development be modified to keep the current height and profile of the existing building.
- **The Developer in its planning submission recognises the real loss of light to residents and their amenities, and also remove the untrue “no discernible loss” from their application.**
- **New Daylight and Sunlight Report Commission by Council planer recommended consultant:** The existing Daylight and Sunlight Report is incorrect to the extent of being negligent. We propose that a new report be commissioned, that accounts for all windows and amenity areas. Additionally, the developers have shown themselves unable to select a competent and/or unbiased Daylight and Sunlight consultant, as illustrated by the poor quality and numerous mistakes within the report. We propose that the Daylight and Sunlight consultant be chosen in tandem with the community and/or by the council planners.

Light Pollution:

- The community's enjoyment and use of their property in the evenings is of great concern to existing and the light pollution that will be caused by the new development will affect almost all residents as they look back onto the area of the proposed development.
- The building will be in use beyond normal working hours, including the necessity of cleaners cleaning offices. This means that strong office lighting will leak out of proposed windows and skylights into the shared space and through residential windows.
- The back of Derby Lodge is currently very dark, which allows residents to sleep well. The office blocks are going to be noisy at all hours of the day because of the air conditioning, and will also be intrusive because of the light pollution in the evening. It will disturb the residents in the area. There are significant lightwells in the area which will have the effect of lightening the area in a way which is not acceptable given that residents' bedrooms back onto the building.
- **The revised plan has not taken concerns of residents into account and will actually make light pollution worse.** As the addition of massive central skylights and the removal of louvres mean light will flow uninhibited into the shared area.

Suggested Mitigations:

- **Removal of rooftop skylight:** This would serve to cut light pollution significantly.
- **Removal of large numbers of windows:** This would serve to cut light pollution significantly.
- **Removal of Gallery in basement that will decrease night-time use of the building.**

Noise Pollution

- The courtyard area within the developed is proposed is surrounded by residential building. This creates the effect of an echo chamber which magnifies noise.
- The development with an outdoor terrace such as the proposed terrace, air conditioning and heating, and extractor fans from waste storage (which will pipe foul smelling waste gas into the courtyard) will all create considerable and often constant noise.
- The terrace and its access (three large doors leading directly to offices) are of particular concern, given its substantial size and the likelihood that doors will be opened in warmer months, mean that the courtyard will be polluted by the noise of an office as well as terrace users and smokers.
- The development, in its current form, will further create increases to this noise which will likely render quiet enjoyment of outdoor space and rooms adjoining the courtyard (e.g. without the background noise of constant air-conditioning fans and exhaust fumes), while also meaning it may become unfeasible for us to open rear facing windows.
- The Residents are very concerned about the increase in foot fall around the entrance of the office space. It will have the effect of making the houses and flats close to the entrance very intruded upon and it will be really quite invasive in the mornings, at lunch times and in the evenings. It will affect the noise going into the houses. It means that the street will be significantly more congested, leading to a significant loss of amenity to residents, many of whom are families.
- There is little in the submitted planning documents that addresses this issue.

Suggested Mitigations:

- **Removal of terrace and openable windows and doors (to courtyard) from plans:** The removal terrace and its access points would serve to reduce the issue of noise pollution considerably. In the terrace (and its access) current form the quiet use and enjoyment neighbouring properties would be impossible.
- **Restrict building use to reasonable 08.00-18.00 office hours, only:** The acoustic report suggests that air conditioning units only be used during office hours, however the modern office hours often range far into the night and people often work within weekends. Office workers cannot go without heating/air conditioning thus we propose to that building use is limited to 8.00-18.00 in order that residents may have quiet enjoyment of their property. This requires the **removal from plans of the use of basement as a gallery.**

Detrimental Change of Character of Conservation Area and Local Community:

- The nature of the proposals are to make offices and a gallery within a residential area. The development will entirely change the nature of the area for the worse. As things stand, the residents are a united and cohesive group who share the same interests and concerns about where they live. The nature of the relationship that office workers and the property management companies have with the places they work is entirely different

to that relationship with people who actually live in the area. For example, they are not concerned about noise, or light pollution or any other form of pollution and these are typically the sorts of concerns which do tend to preoccupy residents. To make this minimally used warehouse into an office block does therefore bring 2 very different sets of priorities and interests into conflict. Office workers are unlikely to care much about the space they work in, whereas for residents this will be the very hearts of their lives. There is no comfortable relationship with the surrounding buildings.

- There is also a gallery proposed. Britannia Street already has one gallery, which notably is not hidden behind residential buildings. It is deeply inappropriate to open up a residential unit to office workers, but even more so to members of the public coming at different times of the day into the office/gallery space.
- It is not clear why the Derby Lodge courtyard needs office space. This end of the road is entirely residential in nature. Although there are flats further up the road, there are no other offices towards the top of the road, and no other examples of office or gallery space being imposed into, and surrounded by, the most central residential space, as this is. The courtyard was envisaged by the same Victorian architects who designed the flats surrounding it. The area was designed to be residential and is Grade 2 listed. These proposals are entirely out of keeping with the philosophy behind the architecture of the buildings and the heritage status of those buildings, which was to improve the LIVING conditions of the working poor in London. The nature of this proposal entirely subverts the stated aim of the Victorian buildings by prioritising office workers' interests. It is not accepted that the current light industrial usage status does interfere as significantly with the heritage status of the surrounding buildings as the warehouse has no open spaces or windows nor is overlooking nor imposing on the flats.
- This warehouse historically has housed a mirror workshop which has typically employed between 3 and 5 employees. The office space is likely to have high double figures workers coming that day every working day, and if there is a gallery, then this may well increase the footfall well into the weekends and the evenings too. The very nature of all the comings and goings will change the nature of this area enormously, and without a single benefit to the residents. On the contrary, their living conditions are only going to be compromised by the proposal.
- Access to the site is by way of a single, small entrance on Britannia street. This will make the matter of congestion, noise and disturbance particularly acute. Building a large office block within a courtyard with many families living there is simply odd and inappropriate.
- Derby Lodge and properties on Britannia are grade 2 listed buildings.
- The design of the new development is highly modern and, thus, would destroy the unique characteristics of the area. Two aspects of the building are significantly detrimental to the character and stand out against the existing buildings: the 3 large glass doors leading to the terrace and the hyper modern aspect of the windows especially stand out against the current environment; for instance current residents must, when installing new windows, keep the same design aesthetics. Aesthetics the proposed development makes no concessions to.
- The Camden Council's King's Cross / St. Pancras Conservation Area Audit notes that: "New development should be seen as an opportunity to preserve or enhance the character or appearance of the Conservation Area. New development should respect the built form and historic context of the area, local views, existing features such as building lines, roof lines, elevational design, and where appropriate, architectural characteristics, detailing, profile, and materials of adjoining buildings. Proposals should be guided by the UDP in terms of appropriate uses." The current development proposed is clearly not in keeping with listed buildings within the area including, but not limited to DL (Derby Lodge) flats 1-48 and DL flats 49-144.
- This is going to make a significant difference to the size of the building overall, which is both aggressive looking and imposing. It will mean that the outlook across the basin will be significantly changed as we are not looking any more at the backs of Victorian residential buildings, but will have a large, monolithic and claustrophobic dark office block in the middle of what is currently a light residential courtyard. It is not in keeping with the area (a conservation area), and marks a massive and detrimental change from the status quo.

Suggested Mitigations:

- **Redesign of building to match current area, including terrace doors and ensuring windows are of similar design to existing area.**

Lack of Affordable housing in development:

- The area has a high proportion of affordable housing and the developers are neglecting their obligation to create affordable housing that would benefit the community.
- The flats at Derby lodge are 'sensitive lets', which means that more vulnerable members of the community are housed here. This gives the area a true sense of community as we look out for each other, especially the most vulnerable.
- The Planning statement says that "the proposed development results in an increase in commercial floor space of 371.7sqm GEA (310.3 sqm, GIA) providing a total GEA of 973.6 (878.6sqm GIA). As such, the proposal triggers the requirement of 50% of this additional floor space to be provided as residential floor space which results in 185.85 sqm GEA."
- The primary rationales provided by the developer for not fulfilling their obligation to create affordable housing is that they cannot create a split entrance, a highly questionable ascertain given the width of the entrance, and that there would be "unreasonable degree of overlooking". However, later in report they contradictory argue the building, as an office, would not create an infringement on current resident privacy (unreasonable overlooking), suggesting that either the office build would mean a significant loss of privacy to existing residents or that the privacy reason for refusing affordable housing is spurious.
- It should be noted that the 2008 application that the developer (incorrectly) states as "consented" included residential housing, showing there is no reason for the developer not to uphold its social and community commitments.

Suggested Mitigations:

- **Build required affordable housing:** It is their duty to the community and the reasons given for not providing are either insufficient to meet this much needed community, given lack of affordable housing stock, policy or show that the proposed building will invade the privacy of existing residents.

Construction Disturbance and Noise:

- It is concerning that Balcap Re have proposed the digging out of a gallery space and an underground floor. This will have huge implications on the residents as they are going to have to endure at least 12 months + of constant, intensive and very noisy drilling. The effect on those residents who have come here as a sensitive let council dwelling will be catastrophic and enormous. It is bound to affect the mental health of those vulnerable and elderly residents, as well as night or shift workers, the self-employed and the families in the area.
- The acoustics of the courtyard are particularly striking as the noise from open windows is extremely echoey. It is possible to hear a tap running and washing up from an open kitchen window from across the other side of the courtyard. Within this environment the noise from the terraces and the large air conditioning units will be amplified and exacerbated, making the proposed use of the building constantly intrusive for the residents. It is also very difficult to see how the proposed development will not be breaking the noise limits with the drilling which is necessary for any form of their proposal (but especially the creation of the basement floor). Given that this is a heritage area, the residents are not permitted to have double glazing in their windows. This will make the noise even more unbearable.

Sustainability:

- It is hard to see how the offices are going to be sustainable, given the Brexit vote. As things stand, there are many unused office spaces within the Kings cross area (most notably the lighthouse). It is hard to see why there is a need for further office development in this area or why it needs to change from light industrial use.

Conclusion:

The residents of Derby Lodge, Kings Cross Road and Britannia Street stand united against the development in its current form. While we have above outlined our key concerns and suggestions on how to mitigate the negative effects associated with the development. We think in order to create suitable proposals that will not negatively affect the existing residents it is necessary for the **developer to meet, engage and listen to existing residents**, something they have thus far failed to do in any meaningful way.

THE CONCERNED RESIDENTS OF DERBY LODGE COURTYARD.

