



Mr R Lester
Planning Development Team
London Borough of Camden
Town Hall
Judd Street
London
WC1H 9JE

Our Ref: JAC/DI/11816

25th April 2017

Dear Mr Lester

OBJECTION LETTER IN RESPECT OF THE PROPOSAL AT FLAXMAN TERRACE R/O 137 EUSTON ROAD, LONDON, WC1H 9BL (REFERENCE: 2016/4414/P) WITH PARTICULAR REFERENCE TO THE AMENDED SUBMISSIONS

We refer to the above matter and are grateful for the ongoing contact in this matter.

Firstly it is clear that with the removal of the bay window from the rear most part of the elevation, some of the privacy concerns are abated to an extent. There will however still be a clear line of sight between the rear elevation of the proposal and some of the principal windows of the dance school. In such circumstances, we re-state our objections as previously set out. It is important that privacy is provided to enable maximisation of teaching opportunities.

In addition to the above and having considered the matter in further detail we remain extremely concerned with respect to the proposed blocking of the third storey window which serves the dance studio. We remain extremely concerned regarding the loss of light that would occur. In addition, whilst acknowledging that it is not necessarily a planning matter, we do wish to place on record that our client has no intention of allowing the developer to attach to the external wall of their property.

As far as they are concerned it is their wall and not a 'party wall' and therefore there is no right of attachment. I can confirm that they have instructed their solicitors in this regard.

We reiterate the fact that the amended plans do not show the relationship between the terrace and the window along the eastern elevation of The Place. Whilst we understand from recent correspondence that this will be obscure glass in order to provide some retained light, the does not get around the fact that the proposal will block almost two-thirds of the window to the dance studios and provide amenity areas that looks directly into the studio.

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We note that the amended drawings have removed the bay windows to the front of the property, replacing it with a less pronounced, boxed bay window. This will still extend beyond the front elevation of the 16 Flaxman Terrace by approximately 0.8 metres, providing some loss of light to the studios along the southern elevation of no. 16.

We are still of the view that the introduction of a frontage in this location will spoil the current “sense of arrival” provided by The Place and have a negative impact on the appearance of the property, the street scene and Conservation Area. This is a matter which should be of significant weight.



Fig. 1 View looking towards The Place and the application site from Bidborough Street

Any sight lines into the studios could give rise to problems in terms of the school delivering their safeguarding obligations as they have done for the past 18 years. The studios are used by dancers ages 11 and upwards and vulnerable adults so their privacy is paramount. Furthermore, the school has an obligation to protect the intellectual property of choreographers and the privacy and confidentiality of professional artists using the studios.

Back in October we set out in our letter of 4th October matters relating to a number of concerns such as privacy, daylighting and sun lighting. We did also set out significant concern in respect of noise and potential vibration issues relating to the likelihood of future complaints against our clients valued educational, arts and leisure facility.

We have now had another opportunity to look at the ‘noise assessment’ produced by Syntegra consulting and have concerns that is not representative of likely noise levels.

The reason we state this is because noise can be both air borne and transferred through buildings.

Based on the submitted report it is impossible to tell whether the noise surveys were undertaken at a time when lessons were taking place within the dance school and meaning that there is no



certainty that dance lessons/activities were taking place. The studios are used almost constantly throughout the day up from 7am up until 10pm in the evening and activities will vary depending on the users. This will mean that noise levels will also vary for dance classes and rehearsals and at different times throughout the day.

We can confirm that the dance school were not contacted by Syntegra and on that basis it would appear that the report does not achieve what it set out to; i.e. it has not measured a representative experience.

The dance school operates into the evening (up until 10pm most days) and does involve activity which can give rise to some noise generation. Amplified music and dance will inevitably also give rise to noise transmission through the fabric of the building. It appears that no assessment whatsoever of the potential impact of this has been undertaken.

We are of the view that it is essential that a full noise survey is undertaken when it is known that the adjacent dance school will be being used to its likely maximum level. Any assessment should involve both the assessment of general noises as well as noise transmission through the building itself.

In the absence of firm evidence, there would be no basis for future residents to object we maintain that the supporting evidence for this application is inadequate. In short the proposal would be likely to give rise to complaints from future occupiers of what is just one single residential property. We submit that any benefits arising from the construction of one single property are minimal when considered in the context of the very significant contribution that the dance school makes locally, nationally and internationally.

We reiterate the fact that The Place has been one of the world's leading centres for dance since 1969 and located at Flaxman Terrace since 1976 playing a vital role within the community. Furthermore, The Place is supported by National Portfolio Funding from Arts Council England, further highlighting the support received nationally for its vital role as a national centre for contemporary dance development.

Your local plan policy very much supports community facilities and harm to such facilities should not in our submission be caused merely for the provision of one dwelling house.

Alongside this the reality is that the applicants have failed to demonstrate that the dwelling created would have either an acceptable internal or external noise environment. This is also a significant material consideration

Finally, we have a very significant concern that the site to which the application is related is simply not suited to the provision of a single dwelling house. It seems extremely unlikely it would be possible to provide a dwelling that could be provided with a suitable noise environment and we therefore must maintain a very strong objection of the grounds as set out.

We would ask that you advise us of your intentions with this application as we would wish to speak at planning committee if it was to be referred.



If you have any queries on any of the matters set out please do not hesitate to contact us. In particular should the acoustic consultant wish to undertake noise assessments on days when it is known that the school is being used to its maximum we would be happy to provide a time table for them to consider.



John Collins

