

From: Tom Gentleman
Sent: 15 August 2017 11:20
To: planning@camden.gov.uk; [REDACTED]
Subject: 2016/7088/P COMMENT

URGENT

For the attention of **Gideon Whittingham**

Dear Mr Whittingham,

I attach a document containing my comments in opposition to planning application **2016/7088/P**, concerning the proposed redevelopment of the Spiritualist Temple, Rochester Square.

I submitted an earlier version of the document last Wednesday, 9 August, using Camden Council's online form, and I received a receipt showing successful submission. However the document is not showing up on the online case file, so I am resubmitting it now. I would be very grateful if you can ensure that it is uploaded to Camden's planning website, and that it is put before the committee at the planning meeting to consider this application.

I have taken the opportunity to make a couple of amendments and additions to the document, so please use the version of the document attached to this email, not the version submitted last week.

Please confirm receipt. Let me know if there is any further information you need.

Finally, I would like to be notified of the date of the meeting when this application is to be considered, and I would like to speak at the meeting.

Many thanks for your assistance, and kind regards,

Tom Gentleman

32B Rochester Square,
London NW1 9RZ

[REDACTED]

**Planning Application 2016/7088/P,
Spiritualist Temple Rochester Square London NW1 9RY**

SUBMISSION IN OPPOSITION TO THE APPLICATION

**Submission made by: Tom Gentleman & Adam Straw
 32B Rochester Square, London NW1 9RZ**

Introduction and Summary

1. We live at 32B Rochester Square, an upper maisonette facing directly on to the proposed development. The rear windows of our property are between 7.5m and 9.5m from the proposed development. We object to the granting of planning permission for the reasons set out below. In brief summary:
 - a. The proposed development involves the demolition of the Rochester Square Spiritualist Temple (“the Temple”), an attractive and distinctive building of considerable historical interest, which makes a positive contribution to the Camden Square Conservation Area. There is a general presumption in favour of retaining such buildings. Demolishing the Temple would cause substantial harm to the conservation area.
 - b. Applicable policies indicate that such demolition will only be permitted where (a) there is specific justification and (b) there are exceptional circumstances which outweigh the case for retention. As explained below, neither criterion is satisfied. The need for additional accommodation is not an exceptional circumstance; nor is the supposed need for additional community space. No proper consideration has been given to retaining the existing building and satisfying the need for community spaces and/or housing using the existing structure.
 - c. The proposed development involves building over the garden and open space which currently occupies around half of the site. This would

damage the appearance of the conservation area. Applicable policies, addressed below, indicate that such development should be resisted.

- d. The proposed development would involve cramming a substantial building unacceptably close to the neighbouring buildings, leading to overcrowding, overlooking and a general loss of amenity. It will loom over the rear gardens of 29-36 Rochester Square, making them feel like prison yards. The development is 9.5m from the windows of 29-36 Rochester Square, not 15m as stated by the documents in support of the application.
- e. The proposed development will lead to an unacceptable loss of light and view for the residents of 29-36 Rochester Square.
- f. The proposed development will generate significant noise, both during the demolition and building works and also when the development has been completed and occupied. This will interfere with the quiet currently enjoyed by residents of 29-36 Rochester Square, leading to an unacceptable loss of amenity.

2. All of these points are addressed in further detail below.

A. Demolition of a historically interesting building which makes a positive contribution to the area

3. The proposed development involves the demolition of the Temple, an attractive and distinctive building of considerable historical interest. According to paragraph 5.9 of Camden Council's Camden Square Conservation Area Appraisal and Management Strategy adopted on 11 March 2011 ("CAA&MS")¹, the Temple makes a positive contribution to the character and appearance of the conservation area.²

¹ The CAA&MS must be taken into account when considering the application. Camden Development Policies 2010 states, at DP25, that "the Council will.. (a) take account of conservation area statements, appraisals and management plans when assessing applications within conservation areas".

² CAA&MS, paragraph 5.9: "All properties are considered to make a positive contribution to the character and appearance of the Conservation Area unless listed as neutral or negative". The Temple is not listed as either neutral or negative.

4. Paragraph 3.9 of the CAA&MS states that *“The general presumption is in favour of retaining all positive buildings and any proposals involving their demolition will require specific justification”*. There is no proper justification for the demolition of the Temple. On the contrary, its demolition will result in substantial harm to the conservation area.
5. The Temple contributes to the historical interest of the area. Its former function (i.e. a spiritualist temple) is interesting and unusual, and unique in the area. The foundation stone of the building, prominently displayed on its façade, was laid by Sir Arthur Conan Doyle, the author of the Sherlock Holmes and a famous spiritualist. This historical interest would be lost if the Temple were demolished.
6. The Temple is also an attractive and unusual building, in a style which harmonises well with the neighbouring nineteenth century houses on Rochester Square and Camden Road. It has interesting and distinctive details relevant to its function. The scale of the building, and the materials from which it is built also work well with the surrounding buildings. The rear gable (a prominent part of the view from our rear windows) is particularly distinctive, ecclesiastical in character with a triplet of round-arched windows. The gable is surmounted by an unusual stone star – a spiritualist motif, reflecting the historical function of the Temple. The steeply pitched slate roof is attractive and distinctive. The building contributes to the richly varied but harmonious texture of the conservation area.
7. Viewed from the rear windows of 29-36 Rochester Square, the Temple makes a strong positive contribution to the appearance of the conservation area. However, the positive impact of the Temple on the view from the rear of those houses is a factor that appears to have been overlooked in the Heritage Statement submitted with the planning application. Accordingly, we do not agree with the conclusion at paragraph 6 of that statement that the Temple has *“at most a limited significance, deriving principally from the positive but modest visual contribution that its entrance front makes to the Conservation Area”*. More generally, that report unfairly downplays the positive historical

and aesthetic contribution that the Temple makes – no doubt because it was commissioned in order to support the application.

8. Demolition of the Temple would result in substantial harm to the conservation area. When coupled with building the proposed replacement building (unsympathetic in style, and jarring with the surrounding buildings), it would result in very substantial harm to the conservation area, and a substantial loss of amenity to those living at 29-36 Rochester Square.

B. No “specific justification” or “exceptional circumstances” to justify demolition of the Temple

9. Camden Council’s Camden Development Policies 2010 states as follows, at Policy DP25:

“In order to maintain the character of Camden’s conservation areas, the Council will: ... (c) prevent the total or substantial demolition of an unlisted building that makes a positive contribution to the character or appearance of a conservation area where this harms the character or appearance of the conservation area, unless exceptional circumstances are shown that outweigh the case for retention”.

10. Further, as noted above, the CAA&MS indicates at paragraph 5.9 that any proposal for demolition will require “specific justification”.
11. The Planning Statement dated June 2017 submitted in support of the Application (“Planning Statement”) contains no specific justification for the demolition of the Temple. It merely comments at paragraph 1.3 that

“... the existing building is in a dilapidated condition and requires significant investment before it could be considered for re-occupation. The reuse of the existing building is not considered to be a realistic prospect.”

The fact that the existing building would require some renovation, cannot be considered to be a proper basis for demolishing it. The need to carry out repair work is not a rational ground for destroying the whole building.

12. The Planning Statement does not suggest that any proper consideration has been given to the re-use of the existing Temple (no doubt because a complete demolition and redevelopment would be more profitable for the developer).
13. In fact, the Temple is not significantly dilapidated. It was in use by the Spiritualists until around 4 years ago, and it appears structurally sound. It would self-evidently require less investment to restore it and bring it back into use (whether as a community space or as a residential conversion) than it would to demolish and redevelop the site. Several other former ecclesiastical buildings nearby have been converted into flats: there is no obvious reason why the same could not be done here.
14. The Planning Statement suggests that there are the following exceptional circumstances that would enable the Council to permit the demolition of the Temple: (a) the creation of an *“enlarged and vastly improved community space”* and (b) the provision of 8 two bed flats, for which there is an acute need in the borough, including one affordable unit. In fact, as explained below, these are not exceptional circumstances.
15. We deal first with the proposed “improved community space”, together with the artists studios that are to be included in the basement:
 - a. The proposal is that the site will contain a community art space. But the area is already well served by this type of facility, and there appears to be no demand for more art space. For example, the Cobb Gallery and Camden Image Gallery are just around the corner, on Royal College Street. Those galleries are very little used, and we have very rarely seen members of the public in them. That indicates there is no genuine desire for an additional art space. There are numerous other community venues, such as the London Irish Centre and St Paul’s Church on Camden Square. The proposal does not add anything significant to the community activities that are already available nearby.
 - b. The planning application contains a list of activities which the applicant hopes might occur in the ‘community space’. It is notable that these are all vague and aspirational. There is no specific, concrete event which has been

arranged. There is no solid agreement with any third party that any one of the activities will in fact take place. Considerable caution must be had with the commitments expressed by the applicant. That is firstly because the only commitment they have made (which was to plant a tree in the first planting season) appears to have breached: see paragraph 22 below. Secondly, their application is false in important respects, for example in greatly exaggerating the distance between the houses on Rochester Square and the wall of the new development, as explained in paragraph 27 below.

- c. The proposal suggests there is a need for artists to have more studio space. The studio space will be in a basement lacking in daylight. There is no evidence that artists living in Camden have an overwhelming need for basement studios of this sort. If there is a genuine need for private artists to have such studio space, it is far from an overwhelming or exceptional need. That can be seen, for example, from Camden Council's Policy C3 on Cultural and Leisure facilities, which says:

“Smaller facilities may, however, be appropriate anywhere in the Borough providing they do not have an adverse impact on the surrounding area or local community”.

- d. For the reasons in this response, the new development will have a serious adverse impact on the surrounding area, and it is plainly not justified by any need for a private artist to have a basement lacking natural light for studio space. If there is a need for studio space, then it is an ordinary need of limited importance. It cannot be characterised as an “exceptional circumstance”.
- e. If it were considered to be an exceptional circumstance, it would justify demolition of an historic building, within a conservation area, in an extremely wide range of circumstances. All a developer would need to do is to suggest that some people may wish to use the space for creative or leisure purposes, and that would be sufficient to demolish unique and significant historical buildings. Granting permission in this case would stand as a precedent for other cases, in which consistency would require

applications to demolish historic buildings to be granted on the ground that a few people may wish to use the space for creative or leisure purposes.

- f. For example, the fact that someone expresses the view that there is a need for space for music recording studios, or picture framing studios, or rooms for writers, or rooms for freelance TV or radio producers, or for yoga studios, or many, many other creative or leisure activities, would be sufficient to grant planning permission no matter how important the building or conservation area at issue. It will always be possible to find someone to express that type of view. It follows that granting the planning application on the ground that some people may wish to use the space as creative or leisure workspace, would render Camden's Policy DP25(c) effectively meaningless.
 - g. Moreover, it is not accurate to say the proposal would "enlarge" the available community space. At present, insofar as it is used as a spiritualist centre, the entire site is a community space, including a spacious and tall hall and a generous rear garden; in particular the rear garden was in regular use by the Spiritualists as part of the community space. By contrast, the proposed new community space would occupy only a part of the site, a large part of which would be in a cramped basement. There would be no garden community space, and no space as generous as the existing hall.
 - h. Restoration / conversion of the existing building, rather than demolition, could provide for community space, if that were important.
16. Dealing next with the suggestion that the provision of 8 two bed flats, or the need for such flats, amounts to an "exceptional circumstance":
- a. The need for additional two bed flats within the borough cannot properly be characterised as "exceptional circumstance" justifying the Council from departing from its stated policy of not permitting demolition. The need for new property is a usual or ordinary need which has been present and consistent for many years right across the borough. It is at most a general circumstance, which affects the whole borough. It cannot be characterised

as an “exceptional circumstance”. If it were taken as an exceptional circumstance, that could be used as a justification for allowing demolition anywhere within a conservation area, rendering Camden’s Policy DP25(c) effectively meaningless.

- b. Further, only one of the proposed flats is to be affordable. The proposed development will not make any significant contribution to fulfilling the need for affordable properties in the area. The existing structure could be used, with a basement, to contain several flats including an affordable property.
- c. As already noted, there is no indication that any proper consideration has been given to the possibility of creating flats from the additional building rather than demolishing the Temple. It would appear that several separate flats could be created within the present structure – particularly if a basement were added. That would provide for more housing, without destroying a building of unique and unusual interest, without destroying an important open garden space, and without damaging the amenity of nearby residents.

- 17. Accordingly, there are no exceptional circumstances that would permit demolition. Alternatively, if that is wrong, the exceptional circumstances do not outweigh the case for retention, in view of the positive contribution made by the Temple.

C. Loss of open aspect and open space

- 18. The existing Rochester Square Spiritualist Temple covers around one half of its site; and a substantial part of the building is only 1 storey high. The remainder of the site (just under one half of the total) is open space: a large back garden, and a small front yard. The back garden is prominently visible from the street in Rochester Square. That open space and garden would be lost if the development were permitted: the proposed block would cover the entirety of the site, damaging the open and airy aspect of the area.

19. Both local and national planning policy documents indicate that it is unacceptable to build over the garden in this manner. In this regard:
- a. The CAA&MS states as follows at paragraph 7.9: *“Rear Garden Spaces: Development which results in the loss of private open spaces is unlikely to be acceptable if it is considered to harm the contribution of these spaces to the character and appearance of the conservation area. Particular care should be taken when considering development within rear gardens in prominent positions, for example those on corner sites, where the visual impact of a proposal may be greater.”*
 - b. See also CAA&MS, paragraph 7.4: *“Gaps between buildings represent an important established feature of relief in an otherwise densely developed environment, where the buildings are generally arranged in terraces 3 storeys in height. The Council will resist development in gaps where they are formed; ... Back garden development, where it can be seen from the public realm, will be resisted, in order to preserve green gaps within streetscapes and views along rear vistas.”*
 - c. Camden Council’s Local Plan (June 2017) states at paragraph 6.37 that *“Development within rear gardens and other undeveloped areas can have a significant impact upon the amenity and character of the area. The Council will protect such spaces in accordance with paragraph 74 of the National Planning Policy Framework... We will resist development that occupies an excessive part of the garden, and the loss of garden space which contributes to the character of the townscape”.*
 - d. As noted above, Camden Council’s policy is to protect rear gardens in accordance with paragraph 74 of the National Planning Policy Framework. Paragraph 74 states: *“Existing open space... should not be built on unless: ● an assessment has been undertaken which has clearly shown the open space... to be surplus to requirements; or ● the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or [irrelevant].”*
20. The rear garden of the Temple makes an important contribution to the area. It is a prominent part of the view both from the street and from the windows of

houses in Rochester Square and Julian Court. Although somewhat neglected by its current owners, it was until recently filled with pots and shrubs, and it could with limited work be brought back into a very attractive state. Even in its present state, it contributes to the open character of the townscape, and enhances the appearance of the conservation area. It enhances the views from 29-36 Rochester Square, which benefit both from the presence of the garden, and the view across it to Camden Mews.

21. The proposed development would certainly occupy an *“excessive part of the garden”* (see paragraph 6.37 of the Local Plan, quoted above): it proposes to build over the entirety of the garden. The cramped pathway along the side of part of the proposed development is no substitute for the current open garden.
22. Until last year, the rear garden of the Temple was partly occupied by a large and beautiful lime tree (covered by a tree preservation order), which made a distinctive leafy view looking down Camden Mews: the tree was perfectly framed by the end of that street. Permission was granted to fell that lime tree following application 2016/3236/T, but only on the condition that *“within the first available planting season following the completion of works, a Hornbeam ... shall be planted within 5m of the removed tree unless otherwise agreed in writing by the local authority”*. The timing suggests that the application to fell the tree was taken as a step to facilitate the proposed development. However, the application did not mention that there was any plan to redevelop the site or to build over the place where the lime tree stood: if there had been any such mention, there would likely have been local objection to permission being granted to fell the tree.
23. Despite the condition just mentioned, no tree has yet been planted. The Council should assess the application on the basis that a tree has been planted in accordance with the condition, and would need to be felled to accommodate the development. The current owners cannot be permitted to benefit from their failure to plant a tree as required.
24. The Planning Statement indicates that the proposed development would include a hornbeam planted at the eastern boundary of the site. However, this will not be an adequate substitute for the tree that has been felled, since it would be cramped into a very small space at the boundary (as the proposed Ground Plan shows), with no prospect of developing into a large tree equivalent to that which has been felled. Despite the proposed hornbeam, the leafy view at the end of Camden Mews would be lost.

25. The conditions within paragraph 74 of the National Planning Policy Framework are plainly not satisfied. No assessment has shown, or could show, that the open space is surplus to requirements, or that the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location. It follows from paragraph 6.37 of Camden Council's Local Plan that the development should be resisted.

D. Overdevelopment of site, cramming a substantial building unacceptably close to the neighbouring buildings.

26. The proposed development is for a three storey building, built on what is currently largely open land, very close to the existing buildings on 29-36 Rochester Square. It is also very close to Julian Court. It will cause serious and unacceptable loss of amenity to residents in those buildings.
27. The Planning Statement contains inaccurate information on this point. At paragraph 7.81 it states that the houses at 29-36 Rochester Square "*feature rear facing windows at a distance of approximately 15m to their rear boundary, which it shares with the application site*". This is wrong: in fact, most of the rear windows of the terrace are **only 9.5 m** from the wall of the proposed development, and some windows are closer. The window of the projecting part of 32 Rochester Square which gives access to the garden and allows light into the hallway of the house, is only 7.5 m from the wall of the proposed development.
28. The proposed development is for a far more substantial building than the one currently there, crammed into a very narrow site. The resulting density of building will be far greater than the norm in the Camden Square Conservation Area, and is inappropriate for the character of the area.
29. The proposed development would include a 3 storey, c 9 m high blank wall right on the boundary with 31 and 32 Rochester Square. This is far higher than the existing structure: behind 32 Rochester Square, there is currently only a 1 storey building.
30. The rear garden of 32 Rochester Square is currently open and airy in feel. With the proposed 9 m blank wall, it will feel like a prison yard.

31. The new building will also loom over the lower floors of 29-32 Rochester Square, giving a cramped and overcrowded feel, destroying the existing open feel from which even the lower floors of those building now benefit.
32. At present, the rear gardens of 29-32 Rochester Square are not overlooked at all from the site of the Temple. By contrast, the proposed development includes both windows facing onto the rear of 29-32 Rochester Square, and roof terraces overlooking those buildings. The steps proposed to reduce the impact of overlooking (i.e. partially frosted windows, and slatted screens for the roof terraces) will not fully mitigate the overlooking. The windows will lead to light pollution where there is currently none, and the slatted screens will not prevent noise and the feeling of being overlooked at a distance of only 9.6m.
33. In short, permitting such a substantial new building so close to the existing buildings will lead to an inappropriate density of building, unacceptable overlooking and loss of privacy, and a correspondingly serious loss of amenity to residents in 29-36 Rochester Square.

E. Loss of light and view

34. The proposed development will lead to an unacceptable loss of light and view for residents of 29-36 Rochester Square, and no 32 in particular.
35. At present, the Temple is only 1 storey high at the boundary with Rochester Square. This will increase to 3 storeys (approximately 9m) if the development is permitted. As noted above, the boundary wall is only 9.5m from the wall of 32 Rochester Square (or less, for some parts). Having so tall a building so close to 29-36 Rochester Square will inevitably limit the amount of light that reaches (a) the lower windows of the houses at nos. 29-36, and (b) their gardens. The problem will be particularly acute for those living in the basements of 29-36 (e.g. the basement flat at 32A), since these are sunken below ground level. Seen from their windows, the proposed development will loom even higher, and the loss of light will be more serious.
36. An expert report has been provided in support of the proposal, about loss of light. The figures used by the experts are not all clear, and it is therefore not possible to check whether all of the data upon which the report is based is accurate. We were not visited by the experts to take measurements. Insofar as the report suggests that the adverse impact of the proposed development on

the levels of light in the lower floors of 32 Rochester Square will be limited, it is plainly wrong. It is obvious that a 3 storey building, only 7.5m to 9.5m away, will substantially reduce the amount of daylight in the windows of the lower floors, as compared to the existing 1 storey building.

37. The garden at 32 Rochester Square needs all the light it can get for plants to thrive. Given the shadow cast by the one storey rear wing of the Temple, it is hard to grow plants close to the boundary with the Temple even at present. However, the position will be far worse if the new three storey development is permitted.
38. The garden currently benefits from evening sunlight, making it pleasant to sit in during the evening. However, if the development goes ahead, it will lose evening sunlight. This would represent a serious and unacceptable loss of amenity. The loss of light will have a substantial deleterious effect on the gardens behind 29-36 Rochester Square, and in consequence, the general amenity of the area.
39. Further, the rear windows of 29-36 Rochester Square currently have a pleasant outlook, for reasons discussed in sections B and C above. That outlook would be seriously compromised if the proposed development were permitted, leading to significant loss of amenity. The outlook is currently open and airy, with a pleasant view across the low rear wing of the Temple to the tall tree behind Julian Court, and also across to the junction of Camden Mews and Rochester Square. That view would be lost. In particular, the rear windows of 32 Rochester Square would look directly across to an unattractive 9 m high blank wall. Currently, even the lower floors of that house enjoy views of the tree behind Julian Court; but if the development is permitted, they will have no view at all.

F. Noise

40. The rear rooms and rear gardens of 29-36 Rochester Square are currently very quiet – unusually so, for their inner city location. This is an important and valuable part of their amenity. Many residents (including us) work from home, which we can do without disturbance. Many of the bedrooms are at the rear.

41. The proposed development would lead to an unacceptable increase in noise and loss of amenity, both during the development work and more importantly, in the long term. In this regard:
- a. Significant and very disruptive noise is inevitable during the period of development and construction. This is projected to last one year, and may well overrun. It will be impossible to work from home during this period.
 - b. When the development is complete and the flats are occupied, noise will be inevitable, for three reasons. First, access to the flats and their bicycle store is through an open path parallel to the rear boundary of 29-36 Rochester Square. There will necessarily be noise from residents and visitors coming and going, talking in the path, and banging gates, at all hours of the day and night. Secondly, there will inevitably be noise from the roof terraces (some of it potentially late at night), which will be audible both from the back gardens and rooms at the rear of 29-36 Rochester Square. Thirdly, people arriving at or leaving the proposed community square would be likely to congregate in the street, making noise in what is currently a quiet residential area.
42. This increase in noise would represent a serious loss of amenity to neighbouring residents, and an unacceptable intrusion into the peaceful character of the area.

G. Conclusion

43. For all the reasons given above, we submit that planning permission should be refused.
44. Please consider this to be two separate objections, submitted on behalf of both Tom Gentleman and Adam Straw.
45. Each of us wishes to make oral representations at the planning meeting where the application is to be considered.

TOM GENTLEMAN

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