



Patrick Marfleet
Development Management
London Borough of Camden
2nd Floor, 5 St Pancras Square
% Town Hall
Judd Street
London
WC1H 9JE

DATE / REF

18/10/2018
JW/13375

WWW.GIA.UK.COM

Dear Patrick,

Re: The Proposed Development of 7ABC Bayham Street – Letter of Objection

We write on behalf of our client, the freehold owners of 2 and 4 Kings Terrace, and 9 Bayham Street NW1 0EY ("the Properties") in objection to the recent planning application (2018/3647/P), received by Camden Council on 10th August 2018 on behalf of Camden Lifestyle (UK) Ltd. The application is for the demolition of the existing office buildings at 7ABC Bayham Street and the erection of a 5 storey (plus two storey basement) building comprising mixed office and hotel use ("the Proposed Scheme").

This objection is written in response to the Daylight, Sunlight and Overshadowing Report dated July 2018 ("The Report") submitted by Point 2 Surveyors as part of the planning application to Camden Council. The Report considers Daylight and Sunlight amenity to the Properties with reference to the Building Research Establishment Guidelines, "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice 2nd Edition (2011) ("the BRE Guidance"). It is acknowledged that the BRE Guidance is the principle guidance in this area and sets out the methodology for ensuring a developer does not cause significant impact upon existing neighbouring daylight and sunlight amenity.

Upon review of the Point 2 Report, the following have been identified as key factors of concern that we raise in objection to the Proposed Development:

- The general arrangement of the mews properties results in one jointly shared private amenity space at the ground level to the rear of 2 and 4 Kings Terrace and 9 Bayham Street. This is the only source of natural light, ventilation and outlook for a number of habitable rooms at the rear of the Properties and as such is of elevated importance in terms of its function and amenity provision. This historic arrangement limits the opportunity for glazing upon such elevations. Although the owners of both 2 and 4 Kings Terrace have, in the last six years, done much to improve and maximise the quantum and quality of light their properties can receive from this courtyard, it is still highly constrained. The courtyard and the rooms within the Properties that look onto it are, therefore, particularly sensitive to any changes in daylight and sunlight entering the courtyard area.
- The Point 2 Report details that 'careful consideration has been given during the design phase to minimise any impacts that may occur' upon surrounding properties. Whilst it is appreciated by the residents at 2 & 4 Kings Terrace that design alterations have been made to the scheme prior to submission, the current scheme still contains significant breaches which will have a serious impact on current levels of amenity, but we believe these are capable of remedy without significant impacts upon the proposed scheme. The immediate proximity of 2 and 4 Kings Terrace and 9 Bayham Street makes the properties particularly sensitive to relatively small changes in amenity quality.

As such, it is important to note that the results, as stated within Section 5 of the Point 2 Report, continue to demonstrate transgressions of the BRE Guidance above the recommended 20% reduction. When assessed against Vertical Sky Component, 5 out of the 9 windows (45%) assessed experience transgressions of Guidance.

- In addition, with regards to the second daylight test, NSL, 3 of the 4 rooms (74%) assessed for No Sky Line, experience transgressions beyond the BRE Guidance on implementation of the Proposed Scheme. The proposed scheme will therefore result in noticeable reductions in daylight to these habitable rooms.
- Information regarding the internal layouts and configurations of the Properties are not provided within the Point 2 Report and therefore, it is not possible to confirm if the layouts Point 2 have used for assessment are correct. This information, along with window maps, needs to be provided.
- In respect of overshadowing, the roof terrace over 2 Kings Terrace is the only private amenity that the property at 4 Kings Terrace enjoys, and which receives good sunlight currently. It is therefore a very key amenity to this property. The Sun Hours on Ground (SHOG) assessment within the Point 2 Report demonstrates a 26% reduction in sunlight amenity to the roof terrace, with the existing 58% of area receiving at least two hours of sunlight on March 21st being reduced to 43%. The BRE Guidelines state that for an amenity area to appear adequately sunlit throughout the year, at least half (50%) of the area should receive at least two hours of sunlight on 21st March and should not receive a reduction of greater than 20% its former value as a result of new development. The proposal is a significant breach on both accounts but could easily be altered to reduce this impact so that it is no greater than at least what the BRE suggest is acceptable.
- The Point 2 Report and the proposed development also fails to acknowledge the live planning consent for a window within the southern elevation of 2 Kings Terrace. This window was consented to under the original planning application for the recent, and now largely completed building works to this property. The fact that the owners of the property have not as at this time implemented this aspect of their planning consent, does not in any way suggest that they wish to abandon their ability to do so in the future, at a time that is appropriate to them. The window is to the main living room. The proposed development encloses fully upon the side elevation and will completely remove my client's right to the window and indeed the light it would bring to the room, from being enjoyed in the future.

In light of the above it is clear that the proposed development, as reported upon by Point 2 and provided to the London Borough of Camden, highlights the fact that although some meaningful changes have been made from the original design concepts that were seen prior to submission, they do not go far enough and the impacts of Camden Lifestyle (UK) Ltd's scheme will still cause a noticeable material and permanent loss of amenity to both 2 and 4 Kings Terrace and 9 Bayham Street. As such, it is the opinion of this practice and our client, that the scheme should not be granted planning permission in its current form. What are significant breaches of our client's amenity could be resolved easily by way of relatively modest further alterations to the proposed scheme.

My clients have previously made themselves available to meet with the applicant, an opportunity that was not taken up by them before the application was submitted. My clients remain open to meeting and discussing these issues so that they can help the applicant find a solution that works for both parties. Until such time, we respectfully ask that the application is not passed for approval.

Kind regards,
Yours sincerely

