



Mr J Diver  
Planning Solutions Team  
Camden London Borough Council  
5 Pancras Square  
London  
N1C 4AG

2<sup>nd</sup> September 2019

Dear John,

**Application 2019/3501/P - 60-70 Shorts Garden and 14-16 Betterton Street, London, WC2H 9AU**

We have been instructed to submit an objection to the above planning application by Miss Janine Ulfane, who resides close to the application site [REDACTED]. The application seeks to vary an existing consent (2017/2204/P) for the redevelopment of the application site including refurbishment and extensions to provide a mix of B1/A1/A3/A4/D1/D2/C3 uses.

**Background**

The application site comprises two existing properties, which form a 'T-shape' and front both Shorts Gardens and Betterton Street. At present, these buildings are used as both B1(a) offices and D2 assembly and leisure space. The site lies within the Seven Dials Conservation Area and in close proximity to several listed buildings, including 24 Betterton Street (Grade II\*), 33 Betterton Street (Grade II) and 22 Endell Street (Grade II).

In April 2017, an application seeking full planning permission for the redevelopment of the application site was submitted to Camden Council. The full description of development reads:

*"The refurbishment, extension and alteration of 60-70 Short Gardens and 14-16 Betterton Street including two storey roof extension to both properties and the installation of new mezzanine floors, refurbishment of vacant basements and the demolition and replacement of the redundant 'vent shaft' building to Shorts Gardens. Provision of mix of uses to 14-16*

[REDACTED]

*Betterton St including flexible retail and non-residential institution (A1/D1) at ground and ground floor mezzanine and no.4 self-contained residential flats (3x 2bed 4person, 1x 3bed 6person – C3). Provision of mix of uses to 60-72 Shorts Gardens including flexible restricted D1/D2 and flexible A3/A4 at basement level, flexible restricted D1/D2 at basement mezzanine, flexible B1 and restricted D1/D2 at ground and ground floor mezzanine and office (B1) at 1st – 4th floors. Associated refuse, cycle, plant and substation provision.”*

The application was considered at planning committee on 25<sup>th</sup> January 2018 and approved by Members, subject to the completion of a S106 legal agreement. Subsequently, the present application which seeks to vary condition 3 (the approved plans list) of planning application 2017/2204/P has been submitted to the Council.

Despite being directly affected by the development of the application site, Miss Ulfane has not been directly consulted by the Council in relation to either of the planning applications and was only informed about the development proposals following a chance encounter with a neighbour. Despite the deadline having already passed for the original application, Miss Ulfane would like to register her objection to the application as she believes herself and her immediate neighbours will be materially affected by this development. It should be noted the following concerns would have been expressed at the appropriate point had she been aware of the development proposals.

#### **Objections to Application 2017/2204/P**

A daylight and sunlight assessment was submitted alongside the original application, which assessed the impact of the development upon 11 nearby properties. The report states:

*“Of the 89 windows assessed, 63 (70%) will meet the BRE Guidelines for VSC and 49 (90%) of the 54 rooms assessed will achieve BRE compliance in relation to NSL. With regards to sunlight, all (100%) rooms assessed will comply with the BRE Guidelines for APSH.*

*There is one property (18-20 Betterton Street) adjacent to the site which experiences changes in VSC and NSL which are below the suggested BRE Guidelines.”*



Although the report states that the BRE Guidelines should not be interpreted strictly, it is not considered overly harsh to suggest that a development where the impact on 30% of the neighbouring windows fails to meet the guidelines is unacceptable. The guidelines have been set at a certain standard for a reason and planning authorities should seek to uphold these standards unless there are material reasons why concessions should be made. The development does not appear to directly benefit any of the occupiers of the properties which would be adversely affected in terms of daylighting, so there is not considered to be sufficient justification for deviating from the BRE guidelines.

Paragraph 127 (f) of the Revised NPPF states that planning decisions should ensure that developments:

*“create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

Owing to the impact on achievable light for neighbouring properties, the development is considered to be in breach of NPPF 127(f), without sufficient justification being provided for this position.

The design of Betterton Street elevation, particularly the uppermost floors, is also considered to be at odds with the prevailing character and appearance of other buildings in the locality, featuring a contemporary design which is unsympathetic to the traditional vernacular of the existing buildings which surround the site. This is even demonstrated within the submitted Design & Access Statement, which shows the discord between the existing buildings and the Betterton Street building.





Policy D1 of the Camden Local Plan (2017) states that the Council will seek to secure high quality design in new developments. However, owing to the design of the uppermost floors, the Betterton Street building is not considered to be high quality. The development is therefore not supported by policy D1.

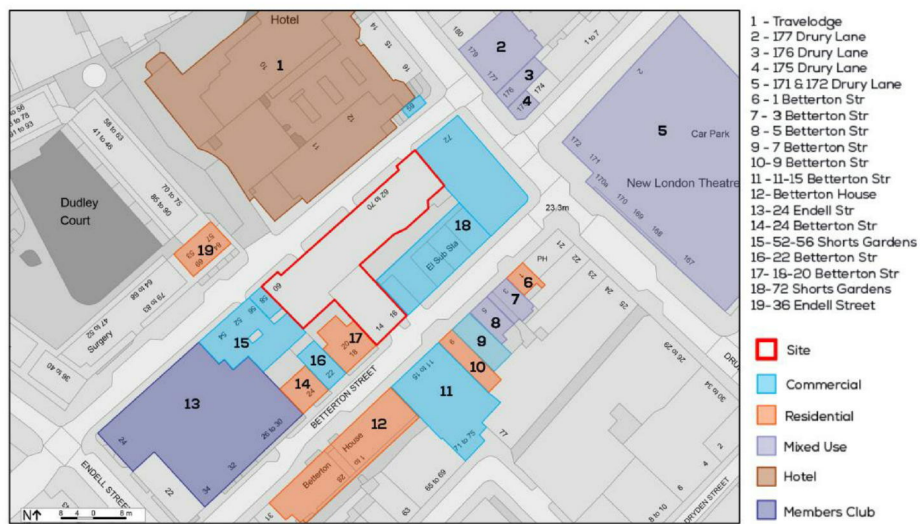
As this element of the design is not considered to enhance the immediate area, its negative impact is further amplified due to the application site's location with the Seven Dials Conservation Area (Sub-Area 1). For this reason, the development is considered to be non-compliant with policies D1 and D2, which both require development proposals to preserve and where possible enhance heritage assets within the Borough.



### **Objections to Application 2019/3501/P**

In addition to the above comments, Miss Ulfane would like to register her objections to the present application on the following grounds.

One of the changes to the development, proposed in the variation application is the movement of the lift shafts in the commercial area of the building closer to the residential properties which lie on the southwestern side of the application site (particularly 18-20 and 24 Betterton Street).



The placement of the lift shafts closer to residential properties adjacent to the site may result in noise and disturbance experienced when these elements are operational. Although a report which assesses the impact of the plant noise has been submitted alongside the current application, this does not address the issue of noise associated with the lifts and it does not appear to have been specifically addressed at any other point in the submission. Without evidence to demonstrate that this alteration will not result in any material impact upon neighbouring properties, an objection must be raised.

### **Conclusion**

For the reasons presented above, both the existing development and the proposed variation are considered non-compliant with the NPPF and Camden's Local Plan (2017), resulting in development proposals which are oppressive to the amenity of neighbouring residents and harmful to the character and appearance of the local area.

The development is likely to have a material impact on the quality of life of the existing residents/occupiers who live and work in properties adjacent to the application site, particularly 18-20, 22 and 24 Betterton Street. Given this impact, it is incredibly disappointing that there has been a lack of direct consultation and notice given for the major development proposed.

Miss Ulfane is deeply concerned that after spending nearly five years restoring her Grade II\* listed house in this historic area of London, including bringing in major trees to the garden (including a mature Mulberry tree) that there is potential for damage to be caused to both house and trees through the building works, and that going forward there will be a loss of light and lack of privacy, issues of noise and quality of life, all of which are extremely distressing to our client.

Yours sincerely,



**Ben Kelly MPlan MRTPI**  
Senior Planner

