

Application No:	Consultees Name:	Received:	Comment:
2019/4150/P	Erik Jamieson and Donna Tully	17/10/2019 12:07:49	OBJ

Response:

We would ask that the planning officer/committee reject the current proposals for the reasons set out in this submission.

We would note that the applicant did not engage with us prior to the application being submitted, or to our knowledge the occupiers of other neighbouring properties. Once we were aware of the proposals, we contacted the applicant's agents (Stiff + Trevillion) who have been helpful on providing some further colour on the proposals that is not clear from the planning application. However as far as we are aware, the proposals as submitted do not have the benefit of any community input.

SUMMARY OF COMMENTS

Our principal comments on the application are as follows.

- ✦ The proposed plant enclosure and the removal of the existing bay window is not a "minor alteration". This proposal is to replace a bay of three large sash windows covering the entire aspect of rear elevation with an unsightly structure made from wire bird mesh, polyester panels and aluminium louvres. This is completely out of keeping with the Grade II listed buildings that surround it. The plant enclosure will increase the mass of the applicant's property and make the space at the back of the Doughty Street houses even more pinched.
- ✦ The application does not fairly represent the impact of the proposed changes. There are no photographs of the rear elevation containing the bay window that will be removed. The maps and plans are out of date and do not show the proximity of the newly built extension of 42 Doughty Street to the proposed plant enclosure.
- ✦ The noise survey is not fit for purpose. An assessment of the noise of the proposed air conditioning units cannot be properly made on the basis of the survey submitted with the application.
- ✦ The proposed balustrades across the rear elevation encroach on the spaces to the rear of the Doughty Street houses and seem unnecessary. They are likely to require listed building consent in any event.
- ✦ The proposals are contrary to many of the principles and policies of various Camden Development Policies (CDP) and the Bloomsbury Conservation Area Appraisal and Management Strategy.

We set out our comments in more detail below.

THE PROPOSALS ARE NOT "MINOR ALTERATIONS"

The planning application is stated to be for minor alterations. Whilst some of the proposed changes are of a relatively minor nature, the removal of the bay window on the rear elevation and replacing it with a plant enclosure housing air conditioning units is a very material alteration. The plant enclosure will protrude over 2 (two) metres into the current void above the first floor flat roof. This will bring the mass of the applicant's property closer to the back of the houses in Doughty Street, significantly altering the sense of space and making an already enclosed and confined space even more pinched and tight.

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The bay window at the rear elevation that is proposed to be removed is an early 20th Century bay comprised of three sets of six over six, sash windows, the dimensions of which are approximately 4 (four) metres by 4 (four) metres. The window dominates the outlook from the back of the houses on Guilford Street and Doughty Street, all of which are Grade II listed buildings.

Whilst it is accepted that the outlook from the back of these terraces lack the planned uniformity of the front, the existing rear elevation and bay window is one of the better aspects of the view from the back of these terraces. Replacing this with a plant store made from a combination of wire bird mesh, polyester powder coated acoustic panels and aluminium acoustic louvres is completely out of keeping with, and unsympathetic to, the Grade II listed buildings that surround it.

The Design and Access statement submitted with the application states that the proposed "minor alterations" will have the effect of "significantly enhancing the visual appearance of the existing building through façade improvements". Whether something is an improvement is to an extent subjective, however the proposed plant store is in no way an improvement on the existing rear façade.

The proposed design is also contrary to the Bloomsbury Conservation Plan which provides that "development proposals must preserve or enhance the character or appearance of the Bloomsbury Conservation Area."

The aesthetic aspects of the proposals are also contrary to the principles in Camden Development Policies on Design (in particular paragraphs 2.10 and 15) and Amenity (paragraph 2). Further details are given in the paragraph entitled "The Application is contrary to Planning Policy" below.

THE APPLICATION DOES NOT FAIRLY REPRESENT THE IMPACT OF THE PROPOSED CHANGES

The impact of the proposals to the rear elevation is not at all clear from the planning application. Almost no information is given in the application on the existing rear elevation that will be radically changed. There are no photographs of the existing rear elevation making it impossible for a planning officer/committee to form a view of the likely impact of the proposals.

Similarly, 42 Doughty Street has been recently converted into a residential dwelling (Camden 2017/6024/P and 2017/6034/L). As part of this process, the property has been extended out towards the applicant's proposed plant store, and a garden created right up to the boundary of the applicant's property. As a result, our extension (and garden) is considerably closer to the proposed air conditioning units than shown in the various photos and plans submitted in the application. The extension was completed before the application was submitted.

The ordinance survey map, google map aerial photography, etc. contained in the application all pre-date our new extension and garden renovation. Indeed, the drawing of the existing rear elevation (4457-EX-03-101-Existing Rear Elevation) included in the planning application indicates dense vegetation at the garden level, which pre-dates the application by many months.

As such the planning application is potentially misleading and does not properly take into account the impact on the nearest neighbouring property in Doughty Street, and takes no account of the impact on the garden.

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INADEQUACY OF NOISE SURVEY

The noise survey was conducted during a continuous 24 hour period from Wednesday 10th July to 11th July 2019 in order to determine (amongst other things) an accurate background noise level against which to assess the noise coming from the proposed air conditioning units. During this period, there was intense (and very loud) construction activity from 42 Doughty Street, which is the closest property to the noise testing equipment. Photo C of Appendix B to the Noise Survey shows evidence of construction work during the testing period. (Note also that the aerial photo in Photo B pre-dates the construction shown in Photo C, so does not show the existing massing of 42 Doughty Street). The noise from the heavy construction activity would give a very misleading background noise level.

The survey does not take into account the impact of the noise from the air conditioning units on the garden at all.

As such, the results of the Noise Survey are of questionable use in ascertaining whether or not the proposed air conditioning units and attenuation system will be unacceptably noisy.

PROPOSED BALUSTRADES ARE UNECESSARY

The proposal includes running balustrades along the garden walls to the rear of the Doughty Street properties. These balustrades encroach on the space to the rear of the Doughty Street properties, and seem unnecessary as these spaces will be used for maintenance only we understand. Less obtrusive alternative man-safe (or similar) systems could be used if safety is the reason for these, which we understand is the case.

Our understanding is that the garden walls are listed as they form part of the curtilage of the listed houses on Doughty Street. No application for listed building consent in connection with these changes is showing on the Camden planning portal.

THE APPLICATION IS CONTRARY TO PLANNING POLICY

The proposals are contrary to many of the principles and policies of various Camden Development Policies (CDP) and the Bloomsbury Conservation Area Appraisal and Management Strategy. These are not at all addressed in the applicant's Design and Access Statement. Some of these are set out below.

CPG: Energy Efficiency and adaptation:

Para 3.14. "Local Plan Policy CC2 discourages active cooling (air conditioning). Air conditioning will only be permitted where thermal modelling demonstrates a clear need for it after all preferred measures are incorporated in line with the London Plan cooling hierarchy"

The purpose of the removal of the bay windows and plant store is to house air conditioning units. It is unclear to extent to which other options have been explored (such as external shading, better ventilation, etc.).

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It is also not clear why the existing internal plant room could not house the air conditioning units if this was felt necessary following the upgrade to the roof insulation.

CPG: Amenity

"2.13 Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. How pleasant an outlook is depends on what is being viewed... For example, an outlook onto amenity space is more pleasant than an outlook across a servicing yard. Particular care should therefore be taken if the proposed development adjoins properties with a single aspect. Any unpleasant features should be screened if possible, for example with permanent landscaping.

2.14 Developments should ensure that the proximity, size or cumulative effect of any structures avoids having an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers."

The proposed plant store would significantly diminish the outlook from the properties in Doughty Street and Guildford Street.

Some form of screening would be essential if the application (or a revised version of it) was to be approved.

CPG: Design

"2.10 Development should seek to achieve these principles of high-quality design:

Context and character

- Development should respond positively and sensitively to the existing context
- Development should integrate well with the existing character of a place, building and its surrounding"

"2.11 Good design should respond appropriately to the existing context by:

- ensuring the scale of the proposal overall integrates well with the surrounding area...
- positively integrating with and enhancing the character, history, archaeology and nature of existing buildings on the site and other buildings immediately adjacent and in the surrounding area, and any strategic or local views, vistas and landmarks. This is particularly important in conservation areas"

"2.14 Materials should form an integral part of the design process and should: ...

- Respond to existing heritage assets and features by relating to the character and appearance of the area, particularly in conservation areas or within the setting of listed buildings.

The proposal includes replacing a bay of three large sash windows covering the entire aspect of rear elevation with an unsightly structure made from wire bird mesh, polyester panels and aluminium louvres. This is completely out of keeping with the Grade II listed buildings that surround it.

The property proposed to be developed is in the Bloomsbury conservation area. The Camden Planning Guidance and the Bloomsbury Conservation Area Appraisal and Management Strategy are clear that particular care should be taken to be sensitive to the surrounding buildings outlook in conservation areas. The

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applicant's proposal does not do this.

"3.36 The Council will not permit development that results in harm that is less than substantial to the significance of a designated heritage asset unless the public benefits of the proposal outweigh that harm.

Harm

Historic England (in Conservation Principles, Policies and Guidance, 2008) define harm as:
Change for the worse, here primarily referring to the effect of inappropriate interventions on the heritage value of a place."

"3.42 In assessing applications that affect heritage assets, the Council will, in addition to considering proposals on an individual basis, also consider whether changes could cumulatively cause harm to the overall heritage value and/or integrity of the relevant Conservation Area, Listed building or heritage asset.

3.43 As set out in Historic England Advice Note 1 (second edition, 2018) the cumulative impact of incremental small-scale changes on a particular heritage asset may have as great an effect on its significance as a larger scale change. Where the significance of a heritage asset has been compromised in the past by unsympathetic development to the asset itself or its setting, the Council will consider whether additional change will further detract from, or can enhance, the significance of the asset in order to accord with the approach set out in the NPPF."

The harm to the outlook to the Grade II listed buildings on Guildford Street and Doughty Street will be substantially greater than any public benefits that might be derived from air conditioning an office.

"5.12 Proposals should assess the impacts of the scheme from a design perspective and the contribution it makes to townscape character including:

- † having regard to the scale, form and massing of neighbouring buildings;
- † using materials and detailing that are sympathetic to the host building and buildings nearby;
- † respecting and preserving existing architectural features, such as projecting bays or chimney stacks; (emphasis added)

...
• the effects of the proposal on the amenity of adjacent residential properties with regard to daylight, sunlight, outlook..."

The proposal does not assess the scheme and the impact on the existing character to the rear elevation and views from Doughty Street and Guildford Street.

In particular, the proposal is to destroy the existing projecting bay and sash windows.
No pictures of the bay window and existing outlook are included in the application.

The application misleadingly states that the alterations have the effect of "significantly enhancing the visual appearance of the existing building through façade improvements". This is not a fair representation.
The application does not assess the effect of the increased mass of the applicant's property on the space at the back of the Doughty Street houses.

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Bloomsbury Conservation Area Appraisal and Management Strategy (2011)

3.1.4: "In accordance with the relevant legislation most applications for development within the Conservation Area are required to include a Design and Access Statement. This will be required to adequately explain the design approach and context of the proposals and be accompanied by sufficient, accurate drawings of the existing site, its context as well as the proposed development."

The Design and Access Statement is inadequate in a number of respects as already highlighted. There are inaccurate representations of the existing site, and no photographs of the existing outlook that will be dramatically altered by the proposals.

"5.3 Where new development has not been successful in terms of preserving or enhancing the character and appearance of the Conservation Area, this has generally been due to one of the following:

- ¶ The use of inappropriate materials or detailing
- ¶ Inappropriate scale, bulk, height and massing
- ¶ Inappropriate relationship to the street and neighbouring properties"

"5.4 Alterations and extensions can have a detrimental impact either cumulatively or individually on the character and appearance of the area. Examples within the area include:

...

- The use of inappropriate materials/ inappropriately detailed doors and windows.

...

- Addition of prominent roof level plant/ fire escapes that detract from both the building and character and appearance of the area."

"5.28 Development proposals must preserve or enhance the character or appearance of the Bloomsbury Conservation Area."

"5.29 High quality design and high quality execution will be required of all new development at all scales. It will be important that applications contain sufficient information to enable the Council assess the proposals."

"5.32 "The appearance of all buildings of historic interest (listed and unlisted) within the Conservation Area is harmed by the removal or loss of original architectural features and the use of inappropriate materials. For example, the loss of original joinery, sash windows, porches and front doors, can have considerable negative impact on the appearance of a historic building and the area."

"5.42 Where appropriate the Council will have regard to the feasibility of installing air-handling equipment so that the position, particularly in visually sensitive locations and in the proximity of residential accommodation, will protect local amenity and preserve the appearance of the Conservation Area."

The examples of where developments have not been successful in the past are pertinent here. None of the

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proposed materials are in any way in keeping with the existing fabric of surrounding structures and the massing of the applicant's property is increased making the existing space feel pinched.

The requirement for development proposals to "preserve or enhance the character and appearance of the Bloomsbury Conservation Area" simply has not been met by this application.

CONCLUSION

In view of the numerous ways that the proposals in the application are contrary to many of the principles and policies of various planning policies, it seems appropriate that the application is rejected. At the very least, it should not be approved under delegated powers and should be put to the planning committee.

If the applicant can overcome the planning policy objections and the planning officer/committee is minded to grant the application (or a revised version of it), our expectation would be that the following tools would be used in order to secure a more acceptable outcome:

- ✦ A requirement for proper engagement with the local community to work up an improved scheme;
 - ✦ Screening of the plant room by natural barriers;
 - ✦ Limiting the operating time and days of the air conditioning units; and
 - ✦ A requirement for long-term maintenance contracts for the equipment and ongoing noise monitoring.
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