

Plot to the rear of 268 West End Lane – Objection Response (in red)

Ref: 2019/5372/P

04.02.2020

Dear Sir or Madam,

I am writing on behalf of the owners of the following properties comprising the residential flats above the shops numbered 268 to 280 West End Lane regarding the planning permission application number 2019/5372/P relating to the rear of 268 West End Lane.

We, the undersigned, have studied the plans and submissions made by the owner of No. 268 West End Lane in regard to how we feel we will be affected by this proposed development.

The land in question directly faces some of the front doors of the flats situated over the shops, and any increased use of the thoroughfare would affect all of the owners of properties that at present use this means of access.

There will be no increase in thoroughfare as the proposal is a working studio for the owner and wife of 268 West End Lane

So, our questions to the planning authorities are as follows:

1. What is the proposed use of this space? Cleverly it is not specified in the planning application, merely being described as a “work unit”. Although Business Use Class B1 covers a wide spectrum, we as interested parties, do not know whether this might result in manufacturing, or storage, or general office use and more crucially whether this is to be used as a part of the existing shop premises at No.268 West End Lane (also owned by the applicant), or as a separate business.

The proposed use of the space is an office space for the owner of 268 West End Lane which not connected with the restaurant. The intension is to maintain a good standard of tidiness in the alleyway. No manufacturing is proposed in the proposal. The site is currently used as storage by the client. The proposal is not an operating extension of the restaurant and kitchen and no proposal for it to be used by the general public.

2. What guarantee do we have that if planning permission were granted for B1 use there would not be an automatic right to change that to Residential Use in the future, without re-applying for planning permission.

It is clear that the application is for non-residential use

3. If the use is connected to the adjoining shop, or is in some way only to be used as an office space or storeroom, then why do the plans include the provision of kitchen and a large toilet area. This hints at possible future use as living accommodation. In addition, Question 20 on the application form has not been answered, which we interpret as a need to obscure the actual use.

The site is currently used as a storage facility. A kitchenette space as hot drinking and basic food prep requirements for a small office space. The larger toilet area is to meet Part M Building Regulation health and safety requirements for disabled access and use and for future proofing.

4. Mention is made in the plans submitted as part of the application, that attempts have been made to avoid any danger of “overlooking”, or light spill, from the roof lights to the first- floor windows of the flats opposite. However, these plans are not complete, as they have omitted to include the second-floor windows which would be able to see in through the roof lights, and would be subject to light spillage from those.

The roof-lights are needed as the site is very constrained to natural light from the single elevations side. Looking out and up into the second floor residential windows and rooms opposite will not be possible from inside the unit. Ways to mitigate light spill are proposed through the operational unit hour limitations, as directed by Camden. If overlooking from the existing second floor residential units into the proposed office space becomes an issue for the office, the client/owner of the proposal may apply to install a frosted ‘privacy’ film to the rooflights.

5. If the purpose of the proposed building is as a work unit (i.e. office space) then why is the structure built so tall. The internal ceiling height at the rear of the building would be 5 metres, and the windows directly facing the passageway are 2.4 metres high. The size of these windows increases the risk of forced entry being made as there seems to be no apparent definition given to the provision of any security measures.

As the site is of such a small footprint and constrained in such a way that only one elevation receives limited natural daylight. The inclusion of tall windows is necessary for the compliance of natural daylight entry to the unit. All doors and windows will follow robust detailing and Secure by Design principles. The size of the windows is also necessary for natural and ventilation to the unit to reduce any demand for mechanical ventilation and cooling. It is also important for well-being and mental health not to have an internal space that feels oppressively low and aids to comply with requirements of thermal and visual comfort

6. Why is it felt necessary to have industrial sized waste bins for both general waste and recycling. The leases on the premises which define the handling of waste materials (and this parcel of land is covered by the Leases appertaining to Nos. 264 and 266 West End Lane according to the Title Plan No. NGL22870 at the Land Registry) state that waste material to be collected must be placed at the front of the shop concerned, at the edge of the pavement. To our collective knowledge no dustbin or commercial waste collection service is allowed along the length of the passageway at the rear of the shops. We as a group of residents are

considering having bollards placed at the road end of the passage to deter motorcycle delivery people using the space, and if this were to happen there would not be access to the proposed waste bins.

The size of the bin store is created to accommodate current and future standard waste and recycling provisions by the council. No industrial waste is proposed. The waste collection would follow that what is existing on the site at present.

7. If the plans that get passed by the planning committee still include drainage connections to the foul sewer, that would mean digging up the passageway at the rear of the shops. We, the residents and owners of the adjoining properties spent several tens of thousands of pounds having new drainage put in to the passage, and a new surface laid. There is no mention of the disturbance, upheaval and reinstatement that shall be needed to this new surface.

We understand there have been new works to the passage way and finished to a good standard. Any disturbance of these new works would be made good and brought back to their original standard once any works needed to connect to the mains sewer is needed. The residents of the units connected to this would not be expected to pay for any of this work.

8. At present there is no mains water, electricity, gas or communications connections to the site. To provide these without unsightly overhead wiring or pipework would involve the digging up of the passageway. Again, this has not been mentioned. Also, additional external lighting is included in the proposal. We, as connected residents installed lighting along the length of the passageway, and can see no need for any additional lighting to be provided. Indeed it would only add to the general light pollution in the area.

This is a low -key development with minimum services for one small unit. Connections to mains services will be necessary. Connecting to existing man-holes and services should be possible due to the close proximity of the surrounding networks.

Only excavation of necessary areas would be undertaken to avoid as much disturbance of the existing passage way as possible. Protection of the passageway materials would also be assessed and implemented, where possible. Works would ensure the passageway is returned and made good to its existing condition.

9. Turning to the details contained within the Construction Management Plan. It appears that the only provision for community liaison regarding this project is after planning permission is granted. We are asking for consultation, representation and involvement in the application so that problems can be resolved before permission is granted.

As advised via Camden Council. We would welcome the involvement of the local residents in an informal manner with the client to reduce Council time and cost. The Construction Management Plan is seen as a live and open document to which amendments can be made to benefit all parties and residents involved.

10. Within the CMP a delivery plan for site traffic is detailed (Page 22). Within this there are mentioned two things that give rise to concern. The first is the use of a mini excavator weighing 3 tonnes. The newly laid surface of the passageway, along which this vehicle would have to travel, does not have the structural strength to withstand such a weight. It was built to accommodate foot passage only, and the use of any mechanical vehicles would result in the breaking up of the tiled surface, and possible damage to the substrata below.

Excavation of the site will be kept to a minimum and will be of small scale due to the small size of the plot. A larger excavator could be proposed as mentioned, if access via the Mansions is possible, which may also speed up works. However, a mini excavator weighing approximately 1650Kg and 650mm in width would be accessible to the site via the passage way. A mini-excavator could be stored on site behind secure hoarding. Where possible, hand excavation would take place, which is a slower process but less impacting in terms of noise.

Secondly, Stage 6 of the delivery plan refers to the deliveries for residential fit out. This adds weight to the argument that this development may be a thinly disguised residential unit.

It is clear that the application is for non-residential use. Any reference to residential fit out is for office furniture only.

11. There is no mention of where the building materials, once delivered for this project, are to be stored. The passageway is narrow, and in constant use. It seems likely that some disruption will occur if materials are not contained within the site itself.

Materials will be stored on the site, behind secure hoarding, in the way the site is currently used as a storage facility.

12. Why has there been no effort on the part of the applicant to make use of the piece of ground that is part of the garage area of Harvard Court Mansions to enable loading and unloading of waste and materials for this project. The site bounds this space and using this would avoid the need for on street parking, and the potential

Suggested use of the land to Harvard Mansions will be considered. This will rely on consultation and agreement from the residents of Harvard Mansions. Use of the existing access to the site has also to be considered.

13. Lastly in the past the site suffered from an infestation of Japanese Knotweed. Has there been any evidence submitted that this nuisance has been completely eradicated to the correct standards before any development takes place.

Part of Camden conditions that a survey of site is undertaken to identify if Japanese Knotweed is present. If present, suitably controlled measures will be undertaken to eradicate the species. Removal of this would improve the condition of the site and context for the surrounding residents.

Submitted on behalf of those parties representing 264 -280 West End Lane, NW6 1LJ 22nd December 2019