

Schedule of Consultation Responses

30 Percy Street, Camden

Updated - 1 October 2019

Please find below a summary of the consultation responses received to date (within the 'Consultation Response' column) and the team's response to the comments which have been made (within the 'Comments' column).

Consultation Response	Comments
<p>Neighbour Objection, Daniel Kent, Flat 5 28 Percy Street 08 October 2019</p> <p>“Dear Sir I am writing in respect of the planning application relating to 30 Percy Street. I would like to register my concerns and objections to parts of this application particularly in relation to the rear roof terrace proposed at first floor.</p> <p>I am the owner of Flat 5, 28 Percy Street and the view from my living room looks directly over where the proposed roof terrace would be. I have real concerns around my visual privacy given I have extensive full height glass windows to my living area which will be very visible from the terrace. Just as important is the potential noise and disturbance a roof terrace could bring to my quiet enjoyment of the flat in relation to potential roof terrace parties and late night entertaining of the office users on the terrace.</p> <p>I would be grateful if this matter can be taken into full consideration when reviewing the application.</p> <p>Please feel free to email me should you wish to discuss this matter further.</p>	<p>The existing accommodation of the property includes a three storey 1990's rear extension constructed of a steel frame and fully glazed elevations and roof.</p> <p>The layout of the existing rear addition with its elevated mezzanine level provides any internal occupier views of the surrounding properties.</p> <p>From the outset of the design process, it has been proposed to remove the existing incongruous rear extension with a more sensitive and neighbourly addition.</p> <p>Whilst taking the opportunity to lower the height of the structures to the rear, the inclusion and design of an external roof terrace has been mindful of neighbourly considerations and therefore carefully designed to mitigate overlooking and to enhance the visual amenity to the surrounding properties.</p> <p>The image below extracted from the DAS supporting the application, illustrates how the proposed construction is</p>

Kind regards
Daniel Kent”

lower than the existing and how any views from the proposed terrace are similar to those from the existing consented extension.

External Terrace Planter Design

The two elevations show the existing and proposed scope of view outwards from the site. As existing, the glazed structure allows greater overlooking than what is proposed due to the new perimeter wall/planter screen treatment at up to a height of 1.6m.

The area denoted in orange below is also inaccessible (only for access and maintenance) and further reduces persons present to the perimeter boundary. This also means that the overall terrace size is less than that of the existing office space which encapsulates a greater area. Please refer to Sunlight and Daylight report undertaken by Malcolm Hollis for details.



The location of the decked area has been purposefully located at the furthest point from the residential windows to the neighbouring properties to the east of 30 Percy Street as illustrated in the far left image.

As illustrated above over 50% of the proposed roof is glass and acts as a skylight for the ground floor of the extension below. It is inaccessible preventing activity along the boundary wall, other than for maintenance

	<p>purposes. The existing extension also require maintenance to the perimeter (for removal of debris from perimeter gutters etc) and this therefore reflects the current consented condition.</p> <p>A landscaped planter provides enhanced visual amenity to all elevations of the roof whilst increasing privacy when compared to the existing configuration.</p> <p>It is proposed that the hours of operation of the terrace will be restricted – this is a commercial property operating during commercial hours. Suitable suggestions have been proposed to be secured by a condition.</p>
<p>Objection, Robert Mitchell - 8 October 2019</p> <p>“I have been made aware of the planning application (2019/4241/P) and listed building consent submission for the external alterations and rear extension of 30 Percy Street and in my capacity as a specialist conservation architect, consider that the submission cannot be supported for the following reasons.</p> <p>The heritage statement is comprehensive and enables a full understanding of the context within which these changes have been conceived and relevant comment on the 1990’s extension to the rear of the property by Arup. The main issues to be considered are the loss of historic fabric, amenity of the neighbours and the setting of the historic asset, the latter reinforced under para 2.37 in determining heritage significance. Para 2.45 calls for consideration of the circumstances under which changes are made and thereby the impact and para 3.8 requires the conflict between the heritage asset and the proposal to be minimised. The constraints are therefore clearly set out in this document and the judgement is whether or not the proposal adheres to this advice.</p> <p>The description of the work describes the change from a 3 storey building to a 2 storey one without mention of the significant increase in the upper floor level and the addition to the height of the parapet wall (identified on the section in the D&A) with the corten screen</p>	<p>The following responses are provided adopting the headings of the objector:</p> <p><i>I. Visually More Imposing</i></p> <p>It is a point of fact that the existing 1990’s addition to the rear of the property is a 3-storey building comprising of basement, ground and mezzanine levels.</p> <p>The existing rear addition constructed in steel with fully glazed elevations with an incongruous pyramid roof which rises to a height above the first-floor stair half landing and over 2m higher than the parapet of the boundary wall with No.29 Percy Street.</p> <p>The replacement addition comprises of basement and ground floor accommodation – this is demonstrably 1 storey lower than the existing structure.</p>

above and therefore an overall increase in height on the boundary wall in the region of 2 metres.

The D&A suggests that the extension further detaches itself from the host building revealing more of the Georgian rear elevation. This clearly not the case with the upper levels of the extension encapsulating more of the rear elevation. The adjustments to the window to lower the cill to provide access to the terrace suggest that this is as a means of escape but internal steps appear on the sections and not the plans and so this is likely to be used an accommodation stair and thus the terrace will be used more frequently.

The bee hives on the roof are to be accompanied by “specialist planting and shrubbery” which is not clear on the drawings in terms of location, construction or visual impact and roof plant is to be added to the previously remodelled mansard and so the question of noise impact needs to be considered.

I would therefore wish to lodge an objection to the applications on the basis of these concerns under the following headings.

- a. Visually more imposing on the neighbouring properties with an unacceptable impact on the light to the neighbouring courtyard.
- b. Reduced visibility of the rear façade of the host property and therefore an unacceptable impact on the setting of the listed building.
- c. Noise generated by the roof plant and thus loss of amenity

The roof of the proposed rear addition is in part to be used as a roof terrace; however, the occupiable part of the terrace has been designed to be at its furthest from the boundary of No.29.

As set out in the design and access statement, a planter and decorative perforated screen lower than the existing building is proposed following consultation with the neighbour.

It is confirmed that the proposals do not impact on the access of natural light to the neighbouring property.

II. Reduced Visibility of the Rear Façade

The content of this objection is incorrect.

By way of clarification, the DAS does not state that extension detaches itself from the host building.

The existing extension is partly detached from the existing building but due to its configuration there is no visibility of the ground/ first floor of the rear of the host property.

The existing pyramid structure is significantly higher than the level of the proposed flat roof proposed which will provide a completely visible elevation from 1st floor and above. The existing structure masks a large portion of the façade between levels 1 and 2.

As stated in the DAS, access to the terrace is provided from the stair half landing utilising an existing route onto the roof.

The stairs onto the roof are clearly shown on the plans and sections.

III. Noise of roof plant and loss of amenity
An acoustic report accompanies the planning application, which demonstrated the compliance of the proposals. It is proposed to replace plant in existing locations on the roof over 3rd. A copy of this acoustic report is attached

By way of clarification, the existing third floor roof is not accessible as a terrace for amenity purposes.

Neighbour Objection, Simon Bishop & Bojana Ignjatovic, 29 Percy Street 04 October 2019

Dear Mr Marfleet,

We are writing to object to certain aspects of the proposed planning application for 30 Percy Street, W1. We live next door at 29 Percy Street, the sole residency of myself and my wife, Bojana.

We strongly object to the plans to introduce a roof terrace at the first floor level for the following reasons.

- 1. The proposed roof terrace impinges significantly on the privacy of 29 Percy Street and, in particular, in relation to our gallery extension but also in relation to the main house, including our main bedroom on the second floor. I note that in my own planning application submitted in 2014, a request for a roof terrace on the top of the house was refused on the grounds of its proximity to the rear garden of our neighbour.

2. The proposed roof terrace is a large, open-plan space which will be used for a variety of purposes, including as a sunroom, a dining area, a lounge and a garden. This will result in a significant increase in the number of people who will be present on the terrace at any one time, and will result in a significant increase in the noise and disturbance caused to our neighbour.

3. The proposed roof terrace will result in a significant increase in the number of people who will be present on the terrace at any one time, and will result in a significant increase in the noise and disturbance caused to our neighbour.



External Terrace Planter Design

The two elevations show the existing and proposed scope of view onwards from the site. As existing, the glazed structure allows greater overlooking than what is proposed due to the new perimeter wall/planting screen treatment at up to a height of 1.5m.

The area denoted in orange below is also inaccessible (only for access and maintenance) and further reduces persons present to the perimeter boundary. This also means that the overall terrace size is less than that of the existing office space which encapsulates a greater area. Please refer to Sunlight and Daylight report undertaken by Malvern Media for details.



The existing accommodation of the property includes a three storey 1990's rear extension constructed of a steel frame and fully glazed elevations and roof.

Whilst it is clear that high quality modern architecture can successfully cohabit with heritage assets, the incongruous pyramid form and glazed elevations of the existing rear addition provides a very curious and imbalanced relationship between the two neighbouring Grade II listed properties.

The proposal not only lowers the height of the rear addition but also adopts a high-quality architectural approach with complimentary materials to that of No.29 including corten which is used extensively in the neighbouring property.

The objector raises a matter of a perceived imbalance of the proposal when compared to the existing arrangement, it is clear from the design and access statement and the summary above that the proposals are an enhancement to the setting of the Grade II listed buildings.

very overshadowed and enclosed. It is therefore extremely likely that the proposed changes would have a significant detrimental effect on the amount of sunlight/daylight entering the garden and, possibly also, the rear rooms of the house. Please note that this concern goes beyond any formal rights of light analysis; it is simply one of a proposed change inflicting significant detriment on the enjoyment of our property by further creating a sense of enclosure than that that already exists.

- ∞ The proposed raising of the wall would also impinge on the aesthetic integrity of the walls surrounding our garden. The proposed 1.6 metre increase would introduce a significant degree of imbalance undermining the integrity of an award-winning Grade II listed Georgian building (and which is made open to the public as part of Open House London). I note that the planning application provides no drawings of the likely imbalance that the proposed roof terrace would introduce.
- ∞ In addition to the issues of adverse effects on privacy and on light is the issue of noise that people using the terrace would inevitably generate. It is hard to see how any regime that attempted to limit access to certain times could be adequately be monitored and/or policed. Nor would it be possible to control effectively the volume of noise generated by people on the terrace. Any noise emanating from the proposed terrace will affect enjoyment of my house throughout the day (as noted above, this is our only residence).
- ∞ Finally, I note that there is currently no roof terrace at this level. Since the house is to be used solely for non-residential purposes, it is hard to understand why a roof terrace is necessary to achieve the objectives of the applicants.

We raised most of the above objections with the applicants and their architect in April, following a meeting in that month. I was told that they would respond to our concerns. However, apart from a preliminary assessment of the formal rights of light issue we have received no response and the planning application appears not to have changed in any way in relation to the proposed roof terrace. (We would be happy to provide the email correspondence if required).

We attach some photographs to give you some sense of the likely impact from the perspective of our house. If you or one of your colleagues would like to visit 29 Percy Street to verify our concerns we would be very happy to arrange a convenient time.

We would be grateful if you could acknowledge the receipt of this email.

We look forward to hearing from you.

Kind regards,

Simon Bishop & Bojana Ignjatovic

The layout of the existing rear addition with its elevated mezzanine level provides any internal occupier views of the surrounding properties across all levels. As illustrated in the middle image below (which is extracted from the DAS supporting the application).

From the outset of the design process, it has been proposed to remove the existing incongruous rear extension with a more sensitive and neighbourly addition.

Whilst taking the opportunity to lower the height of the structures to the rear, the inclusion and design of an external roof terrace has been mindful of neighbourly considerations and therefore carefully designed to mitigate overlooking and to enhance the visual amenity to the surrounding properties.

The location of the decked area has been purposefully located at the furthest point from the residential windows to the neighbouring properties to the east of 30 Percy Street. As can be seen from the above image.

Over 50% of the proposed roof is glass acting as a skylight for the ground floor of the extension below and therefore inaccessible preventing activity along the boundary wall.

The glass roof is not accessible other than for maintenance and has been designed to take a maintenance load. The existing extension also requires maintenance to the perimeter (for removal of debris from perimeter gutters etc) and this therefore reflects the current consented condition.

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A landscaped planter provides enhanced visual amenity to all elevations of the roof whilst increasing privacy, even during maintenance activities, when compared to the existing configuration.

It is proposed that the hours of operation of the terrace will be restricted – this is a commercial property operating during commercial hours. Suitable suggestions have been proposed to be secured via a condition.

A sunlight and daylight study accompanies the planning application (attached) and concludes there will be no loss of light as a result of the proposals on the neighbouring properties. Indeed, this report was shared with Mr Bishop during meetings in early 2019 as detailed below and he was invited to comment but declined to do so.

It is confirmed that the proposals do not provide an amenity terrace at the roof over 3rd floor, although plant access is proposed via ladder.

Mr Bishop make note that there was limited consolation in advance of the application. The applicant has undertaken dedicated consultation with the resident since late 2018. This has included initial contact following the purchase of the property, a detailed meeting between the project team and the resident to introduce the early proposals, email correspondence providing further technical information such as the daylight and sunlight report and a commitment to limiting the use of the terrace via the S106. No response was received following the provision of this further information or to the offer of a further meeting to review the proposals.

Neighbour Objection, Gianni Botsford, Architect of extension and alterations to 29 Percy Street 04 October 2019

I write to object to the proposals for the works at 30 Percy St.

I am the architect for the recent restoration and extension of the neighbouring Grade 2 Listed property at 29 Percy St, which includes a new glass and Corten extension to the main house which faces the flank wall of the extension to 30 Percy St. This project has won a number of architectural awards (most recently the Giles Worsely Award for a new building in a Georgian context in the Georgian Society Awards 2019).

Sense of Enclosure and loss of light:

Since this project has completed an additional storey has been approved and constructed to 28 Percy St to the East, as well as the office building to the North. This has had a significant effect on the sense of enclosure to the garden, house and new extension as well as loss of light. The new proposals for 30 Percy St will only increase the sense of enclosure due to the substantial increase in height of the flank wall of almost 2m in height, as well as reducing the amount of afternoon sunlight reaching the extension and garden. The D&A describes the rear building reducing from a 3 storey building to a 2 storey building without mentioning that it is proposed to be substantially higher along the flank wall due to the increase height of the parapet wall.

Privacy and overlooking- new roof terrace:

The proposals include a roof terrace at this upper level which will impact significantly on the privacy of 29 Percy St- direct views into the rear gallery and second floor bedroom will be possible from those using the roof terrace. In addition the potential for noise and conversation will affect how the house and garden can be used and it is difficult to understand why a roof terrace should be allowed where there has never been one before.

High level roof terrace:

Various additions are proposed to the high level roof including bee hives, specialist planting and shrubbery which suggests greater use of this roof terrace that has never had planning permission.

Roof Plant:

Roof plant is to be added to the mansard which will potentially generate unwanted noise and acoustic pollution close to the top floor bedrooms to 29 Percy St

The following response adopt the same headings used by the objector.

Sense of Enclosure and loss of light

The objector recognises the recent permitted changes in the context of the surrounding buildings and therefore the setting of the Grade II listed assets.

The proposed scheme reduces the height of the existing incongruous pyramid structure to the rear of 30 Percy Street – this is not only an enhancement to the setting of the Grade II listed buildings but will also reduce the perceived mass and bulk and therefore improve the sense of enclosure from the current arrangement.

The party wall and use of perforated Corten privacy screen is clearly described within the DAS and accompanying drawings.

A sunlight and daylight report has been submitted with the planning application (attached) – it concludes there is no impact on the neighbouring properties resulting from the proposals.

Privacy and Overlooking

The existing accommodation of the property includes a three storey 1990's rear extension constructed of a steel frame and fully glazed elevations and roof.

The layout of the existing rear addition with its elevated mezzanine level provides any internal occupier views of the surrounding properties.

From the outset of the design process, it has been proposed to remove the existing incongruous rear extension with a more sensitive and neighbourly addition.

	<p>Whilst taking the opportunity to lower the height of the structures to the rear, the inclusion and design of an external roof terrace has been mindful of neighbourly considerations and therefore carefully designed to mitigate overlooking and to enhance the visual amenity to the surrounding properties.</p> <p>The hours of operation of the terrace will be restricted – this is a commercial property operating during commercial hours; therefore, late night and weekend use will not be permitted.</p> <p><i>Roof Plant</i> The 3rd floor roof does not provide an occupiable terrace.</p> <p>An acoustic report has been submitted with the planning application (attached).</p>
<p>Neighbour Objection, Julia Thannheiser, Flat 4 28 Percy Street 01 October 2019</p> <p><i>“Dear Patrick I live in Flat 4, 28 Percy Street, W1T 2DB London and have just learned about the planning permission of 30 Percy Street. I believe they have proposed a roof terrace on the first floor, increasing the height of the existing wall by 1.6m. I would like to object to this application as it would adversely affect my privacy and quality of life in my property. Please let me know how to proceed. Many thanks Julia Thannheiser”</i></p>	<p>Team Response:</p> <p>The existing rear addition constructed in steel with fully glazed elevations with an incongruous pyramid roof rises to a height over 2m higher than the parapet of the boundary wall with No.29 Percy Street.</p> <p>The replacement addition comprises of basement and ground floor accommodation – this is demonstrably 1 storey lower than the existing structure.</p> <p>The roof of the proposed rear addition is in part to be used as a roof terrace; however, the occupiable part of the terrace has been designed to be at its furthest from the boundary of the residential buildings to the east of 30 Percy Street.</p>

	<p>It is proposed that the hours of operation of the terrace will be restricted – this is a commercial property operating during commercial hours. Suitable suggestions have been proposed to be secured via a condition.</p>
<p>Thames Water, 12 September 2019</p> <p><i>“Dear Sir/ Madam</i> <i>Waste Comments:</i> <i>With regard to Surface Water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website:</i> https://developers.thameswater.co.uk/developing-a-large-site/apply-and-pay-for-services/wastewater-services</p> <p><i>As required by Building regulations part H paragraph 2.36, Thames Water requests that the applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water’s Risk management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk Application forms should be completed on line via www.thameswater.co.uk Please refer to the wholesale; business customers; groundwater discharges section.</i></p> <p><i>Thames water would advise that with regard to Waste Water Network and Sewage Treatment Works infrastructure capacity, we would not have any objection to the above planning application based on the information provided.</i></p>	<p>Team Response:</p> <p>The comments raised by Thames Water are understood and will be accommodated in the design. This is an existing premises with a fully developed site.</p> <p>The proposals will remove a pyramid shaped rear extension and replace the same with a flat roof terrace marginally reducing water run off rates during percolation.</p> <p>This is an existing basement and no excavations or alterations to the main sewer connection is planned.</p> <p>As this is not a new basement there are no plans to dewater or pump groundwater into the public network.</p>

Water comments

If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/ minute at the point when it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.”