

Applicant:
89-91 West End Lane
Francis Gardner Apartments
Ref 2020/0928/P

Dear Sir/Madam

As a resident and freeholder of [REDACTED] and a [REDACTED] neighbour to the proposed development, I **OBJECT TO APPLICATION 2020/0928/P** for the following reasons:-

1. **Overbearing Nature of Proposal** – while I acknowledge Camden’s plan to increase student accommodation in the Borough, to totally demolish and rebuild a perfectly sound building to move from just 70 to 86 beds is both disproportionate and entirely unnecessary. The gain of just 16 student beds versus at least 2 years of disruption to neighbours and the whole surrounding community, not to mention the conservation area, is entirely unjustified. The building is just over 60 years old and significantly younger than all surrounding properties by some 50+ years. There is no independent evidence, report or survey in the application showing that this building is not structurally sound or fit for purpose, nor that it couldn’t be quickly retro-fitted, remodelled and refurbished to modern levels to meet both the increased student occupancy numbers required and the environmental standards now expected - just as other nearby properties have recently done. The only references to this are passing assumptive statements by the developer to support their commercial narrative, that are not supported by any independent, objective facts.
2. **Protecting Amenity** – the application plans show that the new building boundary on the front elevation is to be altered so that it is much nearer to the property’s perimeter and protruding significantly further forward than it is currently in relation to neighbouring buildings. This will hinder our current living room view southwards down West End Lane. Camden local policy A1(a) clearly states that the council will “seek to ensure that the amenity of communities, occupiers and neighbours is protected” including A1(e) “visual privacy; outlook”. In addition, new windows on the front elevation next to our building provide a clear line of sight into our living room that didn’t previously exist, compromising our right to privacy.
3. **Highways/Traffic Disruption** – Camden’s local policy A1(h) (6.9) states “Major developments dependent upon large goods vehicle deliveries will also be resisted in predominantly residential areas”. This section of West End Lane and surrounding streets are almost entirely residential, a fact freely acknowledged by the developer in their many submissions. The development will be on a very restricted site, on a very busy arterial highway depended upon by 10+ local bus routes, in a very busy residential area. It is also the main channel for emergency service vehicles in the area. Currently just one car parked on the roadside outside 89-91 West End Lane (the applicant) causes severe congestion, with vehicles unable to pass one another safely, and materially hampering the flow of traffic. High volumes of heavy vehicles taking away demolition material of a huge building and bringing new materials for the rebuild over 2 years will invariably block a very busy thoroughfare, despite the contractor’s best intentions or promises. Even if marshalled, that will in itself cause a bottleneck on what is already a high volume road. It will be further exacerbated by being on a blind bend, close to both a zebra crossing, schools, bus stops and side road junctions, causing serious potential safety issues. Almost every answer on the CMP in relation to this currently states “this will be provided once a Principal Contractor has been appointed”, so it

is impossible to ascertain/guarantee how the developer could manage these serious considerations responsibly without contravening Camden's local policy A1(h) (6.9), "Major developments dependent upon large goods vehicle deliveries will... be resisted in predominantly residential areas".

4. **Environmental Impact** – Camden's Planning Guidance (CPG3 Mar 2018) on Sustainability (section 8) states the key messages are "Reduce waste by firstly re-using your building, where this is not possible you should implement the waste hierarchy. The waste hierarchy prioritises the reduction, re-use and recycling of materials." Every year the construction industry produces 100 million tonnes of waste according to WRAP, that's over a third of ALL UK waste. Over 85% could be reused, reduced or recycled according to Defra. In that context, totally demolishing this perfectly good building and dumping all the materials in a land fill, only to use even more materials and resources to rebuild it again, when demolishing this property is totally unnecessary and offers so little community benefit, seems completely contradictory to the Council's own publicly stated objectives on sustainability. This is defined as a "material consideration" in planning decisions in Camden's CPG3 document. This application does not stand up to the threshold of materiality set by Camden Council. The developers only make reference to the sustainability of the new build. No consideration is given to re-using or repurposing the current building or its materials in any of the submissions. Indeed, in the document 'Rapid Health Impact Assessment Matrix', section 10 'Minimising the use of resources', the developer says "there is limited scope for material re-use." This is a self declaration by the developer with absolutely no independent evidence to support their assertion.

Additionally the huge volume of construction traffic over 2 years, and the inevitable extra emissions, will drastically contribute to the poor air quality in an area identified by Camden as already having "**elevated pollutant concentration**". Residents in the local community, including several schools, kindergartens and nurseries, shouldn't be unnecessarily subjected to these ongoing and sustained dangerous pollutants. It isn't credible that hundreds upon hundreds of construction vehicles over 2 years at the site during the operational phase won't contribute further to this high pollution, conveniently asserted by the 'Air Quality Assessment' report commissioned and paid for by the developer.

5. **Risk of Creating Precedent** – the building proposed for demolition is barely 60 years old (built c1954). That makes it much newer than all neighbouring properties by some margin. To simply tear down and rebuild a sound building such as this, serving a valuable role in the community, rather than internally refurbishing and refitting it to contemporary standards, would show a wilful neglect for the conservation area and surrounding buildings, and set a dangerous precedent for other developers in the Borough. Increasing student capacity is a laudable aim, but the net gain of just 16 beds is sub-optimal versus the potential repercussions to the wider streetscape and future precedent risks.
6. **Ongoing Noise From Students** – the demographic make up of the community surrounding this building is largely made up of residential family homes. The current student occupants of the proposed development already create a lot of noise, operating very different lifestyles and timekeeping to their neighbours. The peculiarity of the acoustics at the rear of all our buildings, where bedrooms are situated, significantly amplifies this noise, especially when windows are open and during good weather. To add even more students and design in outside roof terraces and more communal areas, would only exacerbate this. No consideration has been given to ongoing noise abatement or mitigation for hundreds of

neighbours. We have a right to the protected amenity of peace within our own homes, and certainly a right to not have this unreasonable noise nuisance purposefully increased.

7. **Conservation Area and Heritage** – the building proposed for demolition and rebuild is situated in South Hampstead Conservation Area. The site is located between two buildings, including my own property, which are identified by Camden as making a **positive** contribution to the character and appearance of the conservation area. This building (89-91 West End Lane) currently reflects the style and character of the area and is sympathetic to the buildings that surround it, identified by Camden as important. The decision maker for this application is required to give considerable weight and importance to preserving the character and appearance of the conservation area in adherence to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. To demolish this building and replace it with an unnecessary new building would cause irreparable damage to the heritage asset and completely erode the character of the conservation area on this part of West End Lane. The new construction is proposed to be set much further forward than the current building, will completely dispose of the original materials such as London stock bricks that complement surrounding local heritage buildings, and replace it with a property that will sit totally out of context with the aesthetic of the conservation area, despite the developer's best efforts. The frontage of the current Frances Gardner apartments already adopts the characteristics of surrounding buildings and references the features of the conservation area, as the developers freely acknowledge in their application "Heritage Report", so why demolish and replace it with an inferior modern façade?

Policy D2 (Heritage) for Camden states that "The Council will not permit the loss of or substantial harm to a designated heritage asset, including conservation areas and Listed Buildings, unless it can be demonstrated that the substantial harm or loss is necessary to achieve **substantial** public benefits that outweigh that harm or loss". The net gain of just 16 additional student beds could not be deemed by any measure to be 'Substantial' in public benefit versus losing a heritage streetscene forever. Even if the property in question is deemed 'neutral' by Camden, Policy D2 (Heritage) still stipulates that "The Council will preserve and, where appropriate, enhance Camden's rich and diverse heritage assets **and their settings**". The setting in question is mine and other neighbouring properties that surround this building, currently deemed by Camden as making a **positive** contribution to the character and appearance of the conservation area, which would be completely unprotected and irrevocably changed if this application is approved. The new building would not enhance their settings any more than the current property in situ. By that measure the decision maker would be failing in their obligation to preserve the character and appearance of the conservation area in adherence to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 unless they reject this development.

8. **Garden Grabbing** – the submitted plans and document 'BIA Vol 1' show the felling and removal of numerous trees at the front of the property, immediately adjacent to 93 West End Lane. These currently act as a privacy, pollution and sound barrier for our building to the extremely busy and polluted thoroughfare, as well as adding to the aesthetic quality and protected ecology of the area and streetscene. These trees should be conserved to avoid garden grabbing that is all too prevalent in our densely populated cities, depriving communities of vital green space. Camden's own guidance on trees (CPG Trees Nov 2018) outlines the protection developers must give to existing trees, not just by offering replacements. Policy CC2 (Adapting to Climate Change) requires all development should adopt measures such as "the protection of **existing** green spaces".

9. **Noise, Vibration and Structural Risks** – Camden’s local policy A1(j) ‘noise and vibration levels’ clearly states that this can have a major effect on amenity, especially in high density areas like Camden. The proposed development is less than 2 meters from our building, shares party walls with another neighbour and is densely surrounded very closely on all sides by highly populated residential properties. To demolish and rebuild 7 storeys plus a deeply excavated basement will have a profound effect on all our health and wellbeing for 2 years. Currently passing trucks and buses on West End Lane cause internal noise and tangible vibration in our property four floors up, so unnecessary demolition, deep excavation and rebuilding of this development within 2 metres will be of an unbearable magnitude for a sustained period.

I also have serious concerns about the structural safety of neighbouring properties if this demolition proceeds. The submitted document ‘BIA vol 1’ indicates that the proposed basement significantly increases the differential depth of foundations relative to neighbouring properties. Point 6.2.3 clearly states “The proposed development will increase differential foundation depth with neighbours. Construction and excavation activities will cause ground movements that have the potential to damage existing, neighbouring structures”.

In line with policy A5 on basements, the council must ensure that no harm is caused to neighbouring properties by basement development. Estimations in this report by a vested developer shouldn’t be reasonably or safely relied upon for such a significant matter, not least since their own estimation of risk, which is caveated and preconditioned at every point, doesn’t sound wholly confident or assured. This isn’t something to be taken lightly when the safety of hundreds of neighbours and whole properties is at risk in a very densely built location.

Our building suffered significant damage when another adjacent neighbour (95 West End Lane) did internal works and remodelling/refurbishment in recent years, works that were on a profoundly lower scale than those proposed here, but that still caused serious building movement and cracks.

Finally I would also like to formally object on record to what I feel is a misrepresentation of the conversations I had in January, presented to Camden in the developer’s consultation submissions. I don’t feel the narrow synopsis and positive spin fairly or accurately reflects the true character or content of the communication that occurred, or my objections. As a direct neighbour we also never received any invitations to the consultation meeting and were unaware it was taking place.

As the House of Commons Briefing Paper number 01030 (30 August 2019) reminds and reassures planning committees and councillors, “Your involvement in the development management process is crucial. It is important that you represent the needs of your residents in discussions with developers.”

For the above reasons I **OBJECT** to this development and respectfully urge you to reject this application.

Thank you.

Neil Barwick

