

| Application No: | Consultees Name: | Received:           | Comment: | Response:  |
|-----------------|------------------|---------------------|----------|------------|
| 2020/0928/P     | Helene           | 04/04/2020 22:21:50 | OBJ      | Dear Sirs, |

As residents and freeholders of a property at the top of Gascony Avenue, where we can see the top two floors of the existing Francis Gardens building (89-91 West End Lane) from our living room, we are astonished to hear of this planning application. The "Statement of Community Involvement" report states the developer sent leaflets to Gascony Avenue residents but we can confirm this was not received. A direct letter to the residents should have been sent, as follow up to the consultation event on the 16 Dec 2019, outlining the plans for anyone who did not receive the flyer or missed the event. As a duty towards the residents, there should also have been communication of the submission of the planning permission by the developer inviting the local residents to review updated/finalised reports and documentation. We are extremely disappointed by the process followed by applicants and the council which has not been robust enough. We would urge the council to respond to the comments and request any clarifications sought by ourselves and any other respondents before calling a subsequent consultation on this proposal, once the Covid-19 crisis has resolved and that we can all, as affected parties, seek adequate guidance (legal, environmental, structural) on this as we would be able to access outside of this unprecedented lock down situation imposed by the UK government.

Whilst we appreciate all neighbourhoods need renewal, and that house owners have a right and often a need to renovate, this particular project seems to be disproportionate. The current building (89-91 West End Lane) seems to be in good condition, nothing suggests to a need for demolition and re-construction. A simple check online shows the internal accommodation is in fact of a high standard and well reviewed by students (<https://www.hellostudent.co.uk/student-accommodation/london/francis-gardner-apartments/>). As we have experienced and also understand from our neighbours, the current density of population in this area (west of West End Lane) is already high, as is the density of students living in the existing building. In this area, we are all frequently disrupted by traffic, road works, construction noise (whether near or far, as sounds travels well in the streets), as well as from neighbours in their gardens, as well as within their respective accommodation going about their everyday life (the sound of pipes running water in the night can be heard through a terraced house brick wall). This we can accept is part and parcel of city life.

The project in this proposal however looks to significantly increase disruption and negatively impact the quality of life of all nearby residents, not only immediate neighbours, to a level that may of us will find unbearable.

Below, we have outlined the reasons for which we object to this proposal and areas where we would ask the council to review with more scrutiny, so as to make the most reasonable decision, for all residents it tasked with both representing and protecting.

#### 1) Noise:

As mentioned, we can see the top two floors of the current Francis Gardens building (89-91 West End Lane) from our living room windows due to a break in the buildings on the corner of West End Lane and Gascony Avenue. This break in the buildings clearly dictates we will be as disturbed by the demolition and construction of this building, as the sounds will reverberate between the corner buildings straight to us. It is not only the immediate neighbours to the site who will be disrupted by the noise. I urge you to actively consult with a wider number of neighbouring households in the vicinity of the proposed site. Recent road works for fibre broadband on West End Lane during Thursday 2nd and Friday 3rd of April, provides evidence of how sound travels and was a great disruption. This roadwork is less significant than a complete demolition, excavation of a basement and re-building, but already had a significant impact on our ability to live normally in our flat. The noise

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prevented us from focusing on our work (as both of us work from home), and we were unable to avoid the noise, in any of our rooms. We cannot bear to imagine the impact of the noise needed for this project, and the impact it will have on our work, and mental health, as we will have no escape for this for several years. A full review of the impact and methods to limit noise should be provided for consultation prior to approval – the current noise report does not address this.

#### 2) Dust:

We know from past experience of living and/or working near demolition and construction sites, that our location, as described above, will inevitably subject us to excess dust and dirt. As our living room is south facing, as early as late February we need to open the windows to allow air into this room and manage the temperature. We are very concerned the dust from the building site and increased passing traffic, lorries and skips will have on dust entering our home, and how it will affect our breathing. We are great supporters on the ultra-low emission zone and want to see London and the borough of Camden drastically reduce pollution for the well-being of residents – especially for asthmatics, which one of us is. A full review of the impact and methods to limit dust should be provided for consultation prior to approval.

#### 3) Disruption to roads/services:

West End Lane, is one of London's oldest roads, and it can easily be seen on old maps to follow the same exact curves and turns. As such it should be recognised as being inherently narrow, and unfriendly to large vehicles. The demolition, excavation of a basement and then subsequent re-construction of the a building on this site, right between two curves in the road, provide a hugely inadequate space for large vehicles. We can safely assume this project will have significant impacts on traffic and parking in the immediate road (West End Lane) and surrounding area where parking is already very limited. On a daily basis, we, and our neighbours, are often unable to park on our own road. Our circling on streets looking for parking, is detrimental to all local residents.

West End Lane, despite it's narrow and winding shape, is unfortunately an essential north-south road for emergency services, such as ambulance and fire fighters. To limit capacity on this road, with this disproportionate project would be unwise, and in any case, is a decision which should not be taken lightly. A full review of the impact and methods to limit disruption should be provided for consultation prior to approval.

We understand that points 1-3 would be a temporary disruption, however, we urge you to consider the level of disruption this would bring to the surrounding neighbourhood, and at what cost, to those residents individually. Please understand, that the physical and mental impact of the noise, dust, and disruption to emergency service providers on West End Lane will have knock-on effects to the services provided in the borough: welfare, medical, social.

#### 4) Privacy:

We appreciate that immediate neighbours will have significant reservations on this project, as the increase of rooms and student residents will greatly impact their right to privacy within their own homes. However, as we currently have line of sight to the top two floors of the current Francis Gardens building (89-91 West End Lane), which are more elevated than our flat, we can see from drawings that the additional 7th floor with roof

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terraces, facing all directions (north, south, east, west) will impact our privacy, and those of our immediate neighbours, all of whom can also see the building. Our bay windows are already overlooked by homes on the opposite side of the street, as well as passers-by. The project proposed would significantly reduce the small amount of privacy we, and others on Gascony Avenue, currently have within our own homes. We request the plans be amended to remove the additional floor level, keeping the building height the same as the existing building, so as to be in keeping with neighbouring buildings and not tower over them.

#### 5) Basement structure and pilling

We are very concerned about the demolition and pilling stages of the works, as all the properties on the surrounding roads are considerably older than the current Francis Gardens building. Though reports state there is low risk to damaging properties, we are concerned of vibrations to windows, which are fragile. We would like a study done to address this clearly.

Due to the significance of this type of construction we request that the developers amend plans to remove the basement level.

#### 6) Planning strategy:

As previously mentioned, the current building (89-91 West End Lane) seems to be in good condition, nothing suggests to a need for demolition and re-construction. A simple check online shows the internal accommodation is in fact of a high standard and well reviewed by students (<https://www.hellostudent.co.uk/student-accommodation/london/francis-gardner-apartments/>) so we disagree with the statement from the developers that the building is "out of date". The developers have claimed that all options for retaining and refurbishing the building had been reviewed, however we would like to challenge this and request the developers submit evidence of material degradation of the existing building and associated costs to its refurbishment, clearly stating which remedial works are "no longer viable", and which areas make it currently non-compliant with current modern standards.

We understand the Camden's target for student accommodation is as follows, from the 2017 "Camden Local Plan", pg 109:

"We will seek a supply of student housing to meet or exceed Camden's target of 160 additional places in student housing per year"

Accessed online here:

<https://www.camden.gov.uk/documents/20142/3912524/Local+Plan+Low+Res.pdf/54bd0f8c-c737-b10d-b140-756e8beae95>

For a building that is in perfectly satisfactory condition, this project seems ill suited to help the council meet its target for student accommodation, by reducing much needed stock over a 2+ year timescale. We believe redevelopment of other sites in poorer conditions would be a more acceptable proposition for the local area and long-term benefit to residents, students and local businesses.

Also, as acknowledged in the 2017 "Camden Local Plan" pg. 116, "Student housing can have a significant impact on a single public transport route or service". Over a five year period between 2012 and 2017, Transport For London (TFL) has reported 2.1 million additional annual entries and exits from West Hampstead tube station. West Hampstead also sees considerably greater passenger numbers than other neighbouring

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stations: Kilburn, Kilburn Park, Queen's Park, who on average saw 6million less entries and exists in 2017.  
Source: London Underground station passenger usage data. Transport for London. January 2018. Retrieved 22 July 2018. Report accessed online here:  
<https://tfl.gov.uk/cdn/static/cms/documents/multi-year-station-entry-and-exit-figures.xlsx>

In the past year TFL have had to increase the number of trains running through West Hampstead at peak times to be able to safely manage the crowds of commuters. These initiatives have been welcomed by all, but only just address the issue. Increasing population density in the surrounding area should be carefully considered.

To summarise, we would like to request the following, to be reviewed in a second consultation, before a planning decision is made:

- Developers to submit evidence of material degradation of the existing building and associated costs to it's refurbishment, clearly stating which remedial works are "no longer viable", and which areas make it currently non-compliant with current modern standards.
  - Developers to amend plans to remove the additional floor level (7th floor)
  - Developers to amend plans to remove the basement level
  - Developers to provide study on the impact and methods to limit noise during works
  - Developers to provide study on the impact and methods to limit dust during works
  - Developers to provide study the impact and methods to limit road disruption during the works
  - Developers to provide study as to the expected integrity of windows in the surrounding areas
  - Council to respond to questions on impact to local transport services
  - Council to respond to questions on the necessity to demolish the building and application's appropriateness as to the council's student accommodate strategy
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| 2020/0928/P     | David Lloyd      | 03/04/2020 17:20:19 | OBJ      | Local resident Objects to planning proposal |

Not enough information given on application

The precise breakdown of existing and proposed floor areas has not been provided - the high level numbers shown on the application forms showing an increase from 2,700 to 3,600 sq m are very suspect and must be verified / validated to fully appreciate the increased scale of the development.

Over development

The increase in floor area is equivalent to 1/3 of the already over developed existing building (hardly "modest" as suggested in the Heritage Statement). In fact following many years of development involving increasing the floor area of the building to its maximum, the existing building is already massive and is shoehorned onto this tiny site and has virtually no external space. Assuming the site area of 865 sq m is correct, this makes the development plot ratio 4.16 which is unimaginable. As a comparison Kings Gardens next door has a site area of around 5,760 sq m and a built up area of around 8,500 sq m (excl basements and garages) which is a plot ratio of just 1.47. In other words the proposed development is nearly 3 times as dense as it's neighbour. The context model clearly demonstrates how over developed the site will become, particularly at the rear.

Inaccurate assumptions

The structural documents make the assumption that Kings Gardens does not have basements in the Basement Impact Statement (p22). This is factually incorrect as there are basement storage units located throughout the building. In addition Kings Gardens has experienced numerous cases of subsidence over the years so the proposed plan to fully pile the entire extremity of the Francis Gardner site is very worrying bearing in mind the fragile nature of foundation design when Kings Gardens was constructed. The site boundary lines shown on the existing and proposed drawings are not consistent.

More open space needed on development

Currently there is no communal external amenity space provided for the building. The increased building occupancy will therefore put further strain on the limited public amenity spaces and facilities in the borough. With such a high concentration of residents, surely a private communal external space should be provided for all the residents. The internal floor to ceiling height is not shown on the proposed sections, what is the intended clearance / headroom ?

Residential amenity

The proposals lack sufficient external amenity space and that provided is of a very low quality. Out of 88 units only 7 occupants have an external terrace (which is a dark slither of space in the basement and will have virtually no light, no sun, no view and have a 7-storey sheer wall adjacent to it). The suggestion on the Design & Access Statement section 4.04 that the front driveway alongside the main road is in anyway an amenity space is ridiculous, part of which is reserved for pedestrian access, vehicle turning, car and cycle parking. Similarly to suggest the lobby is internal amenity space is also nonsense. Finally the communal internal amenity spaces are also of a very low quality and are all located in the basement, most of which have no natural light, no sunlight and none have any views outside so will be very claustrophobic and unpleasant. The design of these amenity spaces would never be tolerated on any residential development so why would they be here ? It's incredible that the bin store and bicycle storeroom have better quality internal amenity than the residents !

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**Noise nuisance**

Kings Gardens has been blighted by the habitual re-development of Francis Gardner for the last 15 years. Numerous extensions, excavations and height increases have been granted permission and implemented on the current building to maximise it's footprint during this time. In fact Kings Gardens has actually helped the owners implement a lot of this work by providing construction access at the rear, in many instances causing damage to our property and causing a nuisance through construction activities generally such as using our building to support scaffolding without a licence or consent. The prospect of 2 more years of noise, dust, traffic congestion, road closures, demolition, piling, subsidence issues, construction activity on such a confined site and busy road next door to us is quite frankly horrifying to contemplate.

**Out of keeping with character of the area**

The development proposed is within a conservation area rich in period Victorian and Edwardian houses and mansion flats of the highest quality. Whilst it is unfortunate that poor quality designs were built in the 50s-70s nearby, the vast majority of the area is of a period and domestic scale encompassing fine details and articulations and should remain so.

The proposed floor levels & windows to all elevations bear no relationship to the period buildings either side as a result of squeezing in another floor to maximise the overall floor area of the building. The existing building, whilst built later, at least follows the general floor levels and window sizes and lines of it's neighbours and the overall height is not overbearing. The proposed rear elevation looks like a prison, it has no articulation, the windows are small and out of scale from it's neighbours in particular Kings Gardens, which most notably are not drawn for obvious comparable reasons. The "south facing" side elevation to Kings Gardens is devoid of windows entirely, which reinforces the prison-like appearance of the building at the rear. The front elevation clearly demonstrates the overbearing mass / height of the building compared to Kings Gardens and 93 West End Lane. The size and scale of the windows is not in keeping with it's neighbours. The proposed front parapet is a whole storey taller than Kings Gardens and 2 storeys higher than the mansard elements of Kings Gardens and the parapet of 93 West End Lane. The 7th floor whilst set back, still oversails everything else around and is out of place in design terms to the surrounding tiled mansard roofs to the sides and rear of the building.

**Close to adjoining properties & overlooking**

Development is too close and overbearing to Smyrna Mansions and 93 West End Lane. Overlooking is surely an issue here with all windows having juliet style balconies.

**Loss of light and privacy**

Particularly with regards to the rear elevation facing Smyrna Mansions.

**Daylighting and Overshadowing**

With the proposed building now taller and bulkier, there will be significant overshadowing problems with 93 West End Lane and Smyrna Mansions. We would question the validity of the sunlight study for proposed residents. The entire south elevation has no windows at all so how is it possible for the lower units to get any sunlight with Smyrna Mansions immediately in front.

**Outlook**

The outlook on the proposed south elevation for residents of Kings Gardens is particularly grim ! No one can

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claim this sheer unarticulated brick wall is an improvement or is higher quality from what is there presently.

Development too high

The proposed building is too high and bulky compared to it's neighbours. Particularly Smyrna Mansions, Kings Gardens and 93 West End Lane.

Information missing from plans

It is not clear how many people are likely to occupy the building. In a normal residential planning application the number of habitable rooms per hectare is shown plus the precise number of single / double beds (occupancy) are shown but not in this one. Section 5.01 of the Design & Access statement is misleading and suggests that there will be 88 bed spaces or 88 residents ? Is this correct ? The nice picture of the typical student room clearly shows a double bed for 2 people. There looks to be an opportunity to double up the occupancy on many of these rooms / apartments which will put further pressure on the limited facilities provided. For example how many occupants are meant to live in a 3 bed apartment and how many people, including staff, are likely to occupy the building overall ?

Inadequate access

Only 1 small lift for 88 people (or more) on a 7-storey building is totally inadequate coupled with the fact that all the residential amenity is in the basement. It will be impossible to move everyone via the lift at peak times. Also the vast majority of accessible larger studios are on the upper floors which will add to the strain on the lift and limit it's use. We appreciate the students are young but no-one wants to climb 7 floors to get home. In Kings Gardens we have 4 lifts for 88 flats on only 5 levels.

Strain on existing community facilities

Increased number of building occupants will put a strain on the local community facilities including parks, schools, local surgeries, refuse collections, public transportation, visitor parking etc

Increase of pollution

Dust caused by demolition and construction activities on a single aspect site accessed via a main road. Increased pollution caused by traffic congestion, loading and waiting vehicles on West End Lane during traffic calming measures related to utility connections, sewer improvements, deliveries etc

Loss of parking / Traffic / Highways

Local visitor parking, which is already very limited, will be put under strain by the increased number of residents, deliveries and staff of the building. There are not enough dedicated cycle lanes along West End Lane to provide a safe transportation route for the increased number of student residents likely to cycle to their college.

Strain on existing services and utilities

Increased occupancy will put further strain on the water supply, other utilities and sewerage in the area.

Sustainability

With the current building having undergone numerous recent developments and improvements with regards to it's building fabric and presumably meeting relatively recent Building Codes, surely demolishing a predominantly brick building with double glazed windows is not sustainable when being replaced with much

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the same (albeit larger). The demolition will require more waste going to landfill and more traffic on the roads.  
What provisions have been made for retaining and re-using materials on site ?

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| 2020/0928/P     | Fiona McBride    | 04/04/2020 18:03:09 | OBJ      | <p>Fiona McBride<br/>Garden Flat<br/>97 West End Lane<br/>London NW6 4SY</p> <p>Patrick Marfleet<br/>Planning Officer Camden Council Planning</p> <p>Re Planning Application 2020/0928/P Francis Gardner Apartments</p> |

To Whom it may concern

I am the owner of the above flat and writing to you in relation to planning application 2020/0928/P regarding the knock down and rebuild of Francis Gardner apartments and would like to have my objection of the knockdown and rebuild registered and considered.

#### INCREASED POLLUTION LEVELS

I am very concerned by the threat of pollution and dust that will ensue with the knockdown of the existing structure. The planned knockdown will be in the summer which will mean that I will be unable to open windows or enjoy the quiet peace of my garden. I am also very concerned by the level of pollution that will occur with the existing traffic extra onsite vehicles coming and going during the knockdown and rebuild, especially if there will be traffic lights /some kind of control for one way traffic in the vicinity of the site. With all this static traffic waiting either side and engines idling I am really worried about how much increase there will be to pollution levels from vehicles and in summer when the air is usually still and hot, this can only increase further.

At present there are works being carried out right outside Francis Gardner apartments with traffic lights to control single lane one-way traffic in either direction. Considering we are in a lockdown environment and the levels of traffic are dramatically reduced, the traffic is queuing considerably in both directions and in Gascony Avenue, so how this will work during knockdown and construction, I cannot understand. There have also been several car accidents as a result of pulling out of Gascony Avenue – at the time of writing from 30 March to 3 April there have already been 4 accidents. Again, these are very quiet times with traffic dramatically reduced due to the Corona lockdown, so I am very worried about the congestion this will cause in West End Lane and again my concern about idling engines as traffic queues in West End Lane and in Gascony Avenue right outside my flat. I am also worried about my safety both as a driver and pedestrian.

The application provides little detail on traffic management and increased pollution levels. I have not seen a plan and do not know if TfL have been consulted. You only have to put on replacement bus services when the tube or train lines are down to see how traffic comes to a standstill on West End Lane and as a consequence, it highly impacts traffic on the main arteries north and south on Kilburn High Road and Finchley Road, often bringing traffic to a standstill on both of those routes as well, again increasing levels of pollution in the area with all that static traffic. This will impact all the bus routes in the area too, not only increasing journey times considerably and pollution. The application does not give any details about temporary parking bays being reserved for site workers. There is very little parking available in the area and it's not clear if parking permits will be made available or applied for by the site workers.

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LACK OF INFORMATION AND CONSULTATION

- I could not find any details about the investigation/survey that decided the current infrastructure could not be modified and that a new build would be required. On what basis was the decision to demolish and new build made?
- I was not aware of any previous public consultations about the project and neither was I made aware of the public exhibition in the Kingsgate Centre and the only consultation I was party to, was a meeting with the PR/agent company Keeble Brown early in 2020 who misrepresented my comments in the Statement of Community Involvement so naturally I am very concerned about the accuracy of the information contained in the Statement of Community Involvement. I have also asked Keeble Brown to explain how these comments were misrepresented. Copies of this correspondence are available on request.

Yours faithfully

Fiona McBride, Freeholder and Owner

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| 2020/0928/P     | Andrew Rothgiesser/Dunja Noack | 05/04/2020 14:53:01 | OBJ      | PLEASE NOTE: THIS OBJECTION IS ALSO BEING SUBMITTED BY EMAIL WITH ACCOMPANYING PHOTOS AND ILLUSTRATIONS WHICH CANNOT BE SUBMITTED HERE ONLINE |

RE PLANNING APPLICATION 2020/0928/P  
Here: OBJECTION  
04/04/2020

Dear Sirs

As residents and freeholders of Smyrna Mansions, Smyrna Rd we write to you in relation to the planning application 2020/0928/P.

Having studied the vast number of documents submitted by the applicant, we would like to point out, that there are no drawings which allow comparisons between the existing building and the proposed new build. This means that the adjoining neighbours are unable to evaluate the changes which are proposed in terms of proximity or expanse of the new building. We believe that this has been done intentionally.

We have reviewed the application and are OBJECTING to the application for the reasons stated below.

Separation between buildings

CAMDEN PLANNING GUIDELINES AMENITY 2018:

2.4 To ensure privacy, it is good practice to provide a minimum distance of 18 metres between the windows of habitable rooms in existing properties directly facing the proposed development, assuming a level topography.

The distance between Smyrna Mansions and the party wall is presently 3.60 metres. The distance between the party wall and the recessed bay windows of the exiting Francis Gardner Apartments is approx. 4 metres. This means the separation between the windows of habitable rooms of the two buildings is just 7.60 metres. This is 10.4 metres short of the required distance of 18 metres as per Camden guidelines. The existing distance between the two properties is already compromised by an inadequate separation between them.

It is impossible to ascertain from the drawings where the proposed rear elevation wall will be in comparison with the existing rear elevation. Therefore, it is impossible for us to gauge what the new proposed distance between the two buildings and the two rear elevations will be.

The façade of the proposed development lacks any of the recesses which the current building has, and which make the existing close proximity of the two buildings just about bearable for us (Photo 1 view from bedroom Flat 4 Smyrna Mansions). It would be unacceptable if the distance the planners envisaged would remain at 7.6 metres.

Since the applicant proposes to demolish the historic property and rebuild it, we consider this planning application a proposal not just for a mere conversion BUT for a new build, and therefore an application for a new construction.

As a new build it must comply with the current building regulations and should therefore adhere to the current guidelines. Therefore, should planning permission indeed be granted we would consider this construction as a

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new build, which must comply with the current planning guidelines of 18 metres distance between the existing property and the proposed new construction.

Any deterioration of the separation between Smyrna Mansions and Francis Gardner Apartments is unacceptable as it prejudices current and future occupants of Smyrna Mansions.

#### Unsubstantiated Reasons for Demolition

We have found no hard evidence in the application documentation why the existing building must be demolished and can't be refurbished to address issues like accessibility.

Under 6. Explanation of Proposed Demolition Work of the application form the applicant states: "The building does not make a positive contribution to the character of the conservation area and the demolition and redevelopment has been accepted in principle during pre-application discussions with the council (subject to a suitable replacement building being proposed)."

We find this statement extremely worrying, as it seems to imply that the demolition is a fait accompli between council and developer without having consulted the neighbouring properties and residents in any meaningful way.

We were never invited to put forward our own ideas or to take an active part in developing the proposal and other options – as the applicant alleges in their 'Statement of Community Involvement'. During the 'public exhibition event' at Kingsgate Community Centre we were presented with some mock-up visuals and a small model of the development.

We would argue that the need to demolish the existing building is still totally unsubstantiated. Until we are shown material and independent evidence that Francis Gardner Apartments is indeed beyond modernization or refurbishment, we strongly object to this act of wanton vandalism.

Much is being made by the developers about the solar panelling on the roof and the energy-efficiency of the new build. We question whether the benefit of these improvements really outweigh the negative environmental impact of the demolition (with zero recycling of building materials) and the negative environmental impact of the construction work which will increase air pollution in an already highly polluted neighbourhood which was classified by Camden as "with high pollutant concentrations".

No mention is made in any of the application documents about the potential asbestos risk. It is to be expected in a building of this age that there will be considerable amounts of asbestos. Removal of this asbestos will extend the demolition and construction phases and will therefore be placing even more pollutants and serious health risks onto the neighbouring community.

#### Overlooking & Loss of Privacy

CAMDEN PLANNING GUIDELINES AMENITY 2018:

2.2 Interior and exterior spaces that are overlooked lack privacy, which can affect the quality of life of occupants. The Council therefore expects developments to be designed to protect the privacy of the

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occupants of both new and existing dwellings to a reasonable degree. ... roof terraces, balconies and the location of the new windows should be carefully designed to avoid overlooking.

The planning guidelines state that the places most sensitive to overlooking are rooms and gardens particularly to the rear of buildings. See for example photo 2 garden of Flat 1 Smyrna Mansions.

Currently, we are being overlooked by a total of 31 windows in the rear. If the proposed development should go ahead, this will be a total of 60 windows overlooking us.

This is an unacceptable invasion of our privacy which will detrimentally affect our quality of life, especially, since the people behind these windows are students on short-term letting arrangements. The occupants of Smyrna Mansions will not only be overlooked by more people, but these people will also regularly change due to the short-term lets, multiplying the invasion of our privacy.

The proposed new building increases the floors from currently 6 (including basement) to 8 floors. This means that most of the rear windows will have a higher and much more direct line of sight into our habitations. This will infringe our privacy further.

It is unclear from the drawings how these proposed windows will open. As they all have small Juliet balcony style balustrades, we have to assume that these windows open fully into the inside of the student apartments. This may mean that not only will our privacy be severely compromised but so will the privacy of the students. (Photo 3 students at window)

Currently, the bedrooms in Francis Gardner Apartments are evenly distributed throughout the building. The designers' decision to move all the bedrooms to the rear overlooking our property impacts detrimentally on our privacy.

We would like to remind the Council that the planned development will not only invade the privacy of the current occupants – but will prejudice the privacy of all future tenants of Smyrna Mansions.

#### Loss of Outlook

CAMDEN PLANNING GUIDELINES AMENITY 2018:

2.13 Outlook is a visual amenity enjoyed by occupants when looking out of their windows. ... Particular care should be taken if the proposed development adjoins properties with a single aspect.

The current rear elevation is a pleasant recessed Edwardian façade with bay windows and a cast iron fire escape which is a perfect example of an organically grown inner-city streetscape. The rear elevation consists of two different styles, the left elevation has simple Edwardian sash-windows, the right-hand side more elaborate bay sash-windows. (See Illustration 1 and Photo 4).

While not a view of heritage splendour, it is well in keeping with all the other rear elevations along West End Lane, and hence forms a vital part of the general composition of the historic architecture. Under no circumstances should this rear elevation be demolished but should be preserved as part of the heritage of the neighbourhood.

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The proposed rear elevation however is a flat façade without any architectural detailing, with uninspiring brickwork, and prison cell-style windows. There are no redeeming architectural features to this façade. The proposed facade does not fit “seamlessly into the existing surroundings of the community” – as the planners allege in their Design Statement - but will stick out like a sore thumb. (Illustration 2)

The proposed monotone rear elevation – without any recesses or architectural features of interest – signifies a real loss in outlook for all residents living in the rear of Francis Gardner Apartments.

The bland façade will increase the overbearing sense of enclosure. The mass of the flat brick wall will enhance the sense of proximity and increase the sense of lack of separation between the two buildings of Smyrna Mansions and Francis Gardner Apartments.

Overshadowing

CAMDEN PLANNING GUIDELINES AMENITY 2018:

7.19 You should consider the design of your proposal carefully so that it does not block sunlight and overshadow windows or open spaces and gardens. It will be particularly important in Central London and other densely developed part of the Borough to prevent overshadowing ... given the limited amount of open spaces and the existing amount of overshadowing

The topography between the two sites is not level. There is a natural slope from West End Lane down to Smyrna Road.

The proposed new building will be adding two more floors to the existing building and will be wider. The new construction will incorporate the space which is now the fire escape to the right-hand side (seen from Smyrna Mansions) and by doing so will extend the mass of the building to the boundary with Kings Gardens. (Photo 5)

Higher topography, additional floors and extension to the right-hand side boundary have the cumulative effect of creating a much more overshadowing and overbearing structure for the adjoining properties in the rear.

It falls outside our expertise to evaluate the accuracy and veracity of the Sun and Daylight report the developers have commissioned. Looking at the geo-survey levels, it is however clear that the proposed building will sit considerably higher than the existing building. To fully establish what effect that higher envelope will have on the windows on the ground-floor and first floor level, where light is already compromised by the existing building due to its close proximity, requires further independent investigation. As an example, for this already compromised light situation in the rear bedrooms, please see photo 6 of the bedroom Flat 4 on the 1st Floor of Smyrna Mansions.

The close proximity, the increased size (width and height), and the cumulative effects of loss of outlook and overshadowing by the proposed rear elevation will have an overbearing and dominating effect that will be detrimental to the enjoyment of our home – and we would go as far as to say – for all the adjoining occupants to the rear of the proposed development, i.e. 12 Smyrna Road, Gascony Avenue, Smyrna Mansions, and Kings Gardens.

If the proposed development went ahead, all future residents of Smyrna Mansions would suffer from this overshadowing and deprivation of light.

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**Increased Noise Levels**

We have been living in Smyrna Mansions for over 25 years. We know from past experience that student bedrooms are never just bedrooms used for 'quiet' study. Students spend most of their days and evenings in them, they invite friends and flat mates over, they listen to music and they make music. They smoke at the open windows. (Photo 3)

When the bars and pubs in West Hampstead Village close, the party often continues in the student accommodation.

Student lifestyle is quite different from the quieter lifestyle of the families living in this predominantly residential and family-orientated neighbourhood of West Hampstead.

The developers plan to introduce seven small gardens to the rear off the seven basement rooms plus a roof terrace. These new social outside spaces will exponentially increase the level of noise at the rear elevation. The sound will reverberate between the two brick facades which are in close proximity.

The developers are proposing no noise mitigating measures in their application. It shows their total lack of concern for the increased noise levels which will be emanating from the new building due to their design choices. The increased noise pollution from the new build will have a detrimental effect on the quality of life for all the current occupants in Smyrna Mansions. This loss of quality of life and quiet enjoyment of one's property will perpetuate to all the future residents in this neighbourhood.

**Disproportionality of Application**

The application proposes to increase the current 70 student bedrooms.

Having studied all the application documents, we are confused how many beds are actually being created: The Energy and Sustainability Report mentions 88 beds; the Construction Management Report mentions 81; the planning application form mentions 86 beds. Maybe the planners can clarify how many beds are actually created.

We fail to understand how a small increase in student accommodations (11/16/18 beds) can be enough of a reason to warrant the complete demolition of a perfectly workable historic building which sits harmoniously in the streetscape of a conservation area, and to subject a neighbourhood of over 1500 residents to nearly two and a half years of construction and traffic upheaval.

The site of Francis Gardner Apartments is not an obvious choice for demolition and construction. The existing building is completely built-in by neighbouring properties. It shares several party walls, and/or closely adjoining buildings; it is located on a single-line traffic road which has 4 bus routes, there is no off-street parking, and has a high volume of road traffic throughout the day.

The developers allege that there are no student accommodations in our neighbourhood. This is not the case. Besides the Francis Gardener Apartments with 70 beds, there is the Nido Student complex in Blackburn Road with 347 student accommodations, a few hundred metres away.

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We believe that the additional beds proposed for the Francis Gardner student accommodations might well exceed the 25% quota limit of student accommodations for this ward.

Ground stability/drainage concerns

Smyrna Mansions has experienced severe structural damage when the neighbouring Taxi garage was demolished, and a small modern complex of flats was erected on this site. In comparison to the demolition works and construction of the proposed development, 12 Smyrna Road was a rather smaller construction project.

However, the sinking of deep foundations created severe subsidence to our block – which is the oldest remaining property in close vicinity to Francis Gardner Apartments. Smyrna Mansions was built in 1899 and thus suffers disproportionately to the other properties from ground instability.

Our building is still settling from the subsidence – with new cracks appearing on the opposite side of the block, which is adjoining New Priory Court.

There are a number of trees surrounding Smyrna Mansions in the rear and trees towards the rear elevation of Kings Gardens. It is unclear what the developers have planned for these trees. Any felling of these trees and their adjoining root network will cause further instability.

Smyrna Mansions is situated on a lower level from Francis Gardner Apartments. This means that slope instability and surface flow are all directed towards us.

We fear that the extensive vibration, the sinking of deep foundations within 4 metres of our property – in conjunction with the general topography and geology underneath and around Smyrna Mansions will put an unacceptable risk to our foundations and we might suffer irreparable damage from the proposed demolition and development.

It will endanger the homes of all residents in Smyrna Mansions, and might lead to ongoing complications for the structure of the block, with potentially very costly repairs needed to the foundations of the block and for repairs inside the flats.

From past experience with construction work at Francis Gardner Apartments we also have drainage concerns. During the refurbishment of Francis Gardner Apartments in 2004/2005, when our party garden wall was demolished in order to fit their new conservatory, we experienced water penetration and have suffered from bad drainage ever since.

In summary:

The upheaval and disadvantages which the application creates for the immediate neighbours is in total disproportion to the amount of additional student bedrooms it proposes to create.

The reasons for demolishing this building are so far unsubstantiated.

Should the current building indeed be demolished, we consider the new building as a new build which must comply with current planning guidelines regarding separation of buildings, i.e. 18 metres between the windows

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of habitable rooms in existing properties directly facing the proposed development.

The proposed development will create a new building that is overbearing and overshadowing its immediate neighbours in the rear.

The proposed 60 windows on the rear elevation overlooking Smyrna Mansions will result in an unacceptable loss of privacy.

The proposed outside social spaces (7 gardens, 2 roof terraces) will multiply existing high noise levels between the two buildings.

The proposed bland rear elevation façade will detrimentally impact on the outlook all flats in Smyrna Mansions currently enjoy and increase the sense of enclosure.

The scale of the demolition and construction work pose serious risks to the stability and drainage of the adjoining buildings, in particular Smyrna Mansions.

We therefore OBJECT to this planning application and respectfully request that you reject this application.

In addition to our planning objections, we also believe that this application infringes our Common Law legal entitlement to Right of Light. We will defend this in order to preserve our legal entitlement, even if planning application should be granted.

Yours faithfully

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|-----------------|------------------|---------------------|----------|---|
| 2020/0928/P     | CRASH            | 05/04/2020 22:15:34 | OBJ      | <p>Planning application 2020/0928/P Francis Gardner House, 89-91 West End Lane falls within the South Hampstead Conservation Area, accordingly CRASH (the Combined Residents Association of South Hampstead) would like to submit an objection and the following comments on the planning application. It appears from one of the planners documents that CRASH was invited to attend a consultation event but we are not aware where this was sent. It is unfortunate that no further attempt to contact CRASH was made prior to formal submission of the planning application as we would have been able to contact the members of the association and they could have been more actively involved in the consultation and planning proposal.</p> |

The construction impact on neighbours and local residents will be substantial and last for a number of years. It appears disproportionate to demolish a building, waste a lot of materials in the process and provide only 16 more units and increased communal areas and amended layout. It is worth noting a substantial amount of new student accommodation has already been built in the area – on Blackburn Road off West End Lane

There will be substantial impact on local residents including through increased air pollution (which will also be felt by the primary schools likely to be on access routes) during construction as the number of HGVs and works vehicles will be considerable. These vehicles will cause constant traffic jams on West End Lane – particularly if traffic measures are introduced such as reducing it to one lane flow. Camden's local plan also notes that "Major developments dependent upon large goods vehicles will also be resisted in predominately residential areas." This building is very clearly located in a purely residential conservation area. West End Lane contains several bus routes and there is no cycle route – cycle safety will be further compromised by the traffic management required and heavy vehicles. It is not clear where the vehicles required to remove and deliver materials to the site will stop. Will the pavement be out of access to pedestrians for two years? Will alternative temporary crossings be put in place otherwise there is considerable risk to pedestrians on this blind bend.

By virtue of its increased bulk and protrusion to the front and height it will impinge on neighbouring properties more than currently. This is against the guidance in Camden local policy which seeks to protect neighbours outlook. In addition the increased bulk will completely change the visual line of that stretch of West End Lane,

The noise impact from increasing student accommodation including with new roof terraces, increased communal areas (including new external areas) and terraces and new balconies on neighbouring residential properties will be increased including during anti-social hours in what is primarily a family residential area.

While it is recognised that the existing building is not original to the area the proposed development will not enhance the conservation area and therefore should be resisted. The completely blank featureless wall to the south side of Kings Gardens does not enhance the conservation area or residents' enjoyment of it. There appears to be no tree planting plan apart from inclusion of some shrubs and plants despite the requirement to fell a number of trees during demolition and construction.

The noise and vibration impact during construction is likely to be substantial on the neighbouring properties (side and rear) including through shared party walls. It is material that there have been a number of smaller developments in the wider Conservation Area that have caused damage (cracking, movement) to neighbouring properties despite the Basement impact assessments saying there would be no damage. The

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scale of this development in such a confined space to both sides and rear means that it is highly likely that damage will be caused to neighbouring properties – and potentially the arterial road - despite what the BIA states.

Other comments submitted appear to indicate that drawings misrepresent the proximity and dimensions of neighbouring properties – this means that issues such as overlook and rights of light cannot be relied on in the application. This is particularly the case for resident's in the conservation period block Kings Gardens and Smyrna Mansions – the proximity of which seems to have been ignored in the application. A new building squeezed into a site between three conservation area age properties should not reduce other properties' amenities in this way.

The location of the external bike stand should be reconsidered due to the proximity to a flat in Kings Gardens. There needs to be some screening provided for neighbours at the front especially given the removal of trees

The use of aluminium double glazed windows (off white and grey) should be rejected. Wood sash windows are what is required of properties in the conservation area for replacements and should be for new builds. In addition zinc metal cladding, steel balustrades in front of windows and metal louvered doors are all out of keeping with the conservation area and should all be rejected in favour of materials originally used in the conservation area. Metal garage doors have been rejected by Camden at other properties in favour of wood. The white porcelain brick soldier course band attempts to pick up a design feature of neighbouring properties but in the visuals provided looks bulky, synthetic and not sympathetic to the area.

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