

23 RAVENSHAW STREET,
LONDON NW6 1NP

LONDON BOROUGH OF CAMDEN

APPLICATION FOR REDVELOPMENT OF SEVEN FLATS

No. PP-08706682 - 02/07/2020

- 1) INTRODUCTION. This proposal to redevelop these two sites has an extensive history, culminating in an unsuccessful appeal to the Planning Inspectorate in 2019 on the grounds that the previous application was not determined in the appropriate time by the Planning Authority. That application was preceded by; an initial application in 2007 (2007/0967/P) which was withdrawn at the time. Some years later in Jan. 2015 a detailed pre-application was submitted which prompted an encouraging officer's report Feb. 2015 (2014/7373/PRE). On the basis of the advice in that report the applicant submitted the previous application to this one in Feb. 2017 (2017/0911/P). After eight months scrutiny and a successful BIA audit the case officer wrote up his committee report recommending approval, ready for the Members Briefing Panel. However, on Oct. 11th 2017 the application was referred instead to a Design Review Panel which made new, and negative comments. The applicant was subsequently pressed to withdraw. A further revised proposal was put forward, but the application remained undetermined beyond the time limit, and was appealed on those grounds. An appeal followed, which was dismissed.
- 2) The appeal to the Inspectorate was for a development of eight flats on this composite site. However, in addressing the inspector's criticisms of the previous design proposal a wholesale re-design of the rear façade has been undertaken; these changes in turn required numerous small amendments to the internal layout. As a consequence of this, although much of the building is internally identical to the previous design, the number of new units has had to be reduced to seven.

3) PROPOSED SCHEDULE OF ACCOMODATION

Total Site Area					484.10
Extant Flats	Bedrooms	Bed Spaces	GIA m²	Amenity m²	
Flat A	2	3	69.70	58.00	
Flat B	3	4	94.70	88.00	
Total	5	7	164.40		
Car Park Area					205.00
Proposed Flats	Bedrooms	Bed Spaces	GIA m²	Amenity m²	
Flat A	3	5	98.20	24.43	
				<i>Front lightwell</i>	8.95
Flat B	3	6	106.30	29.50	
				<i>Front lightwell</i>	8.60
Flat C	2	4	77.70	21.13	
Flat D	2	3	71.80	6.10	
Flat E	3	4	76.70	9.80	
Flat F	2	3	75.30	7.30	
Flat G	3	4	87.40	8.20	
Rear Communal Garden					63.95
Front Recycling / Bike Store					19.00
Total	18	29	593.30	206.96	

- 4) The application site consists of an extant end terrace house containing two flats and an adjoining vacant plot. The proposal is to redevelop the two site and construct seven new flats. Full details are contained in the Design and Access Statement. Ravenshaw Street consists in the main of Victorian terraced houses, with one notable exception, at No.22, on the opposite side of the street where redevelopment has resulted in a modern façade differing in some respects to its neighbouring properties.
- 5) The scheme/design for No. 23 which was the subject of the appeal was in broad terms similar to the present application, but with important differences; not the least of which has been the reduction from eight to seven in the number of new flats. The differences reflect, and are in response to, the findings of the appeal Inspector. These differences have been the subject of a further discussion with officers and further substantive work by the applicant. The result is this application, which is intended to meet the objections of the Inspector and, as far as can be ascertained, the

views of current officers, as well as being in conformity with the Camden Local Plan, CPG, The London Plan, NPPF and the Neighbourhood Plan.

- 6) THE INSPECTOR'S FINDINGS. The Inspector did not raise any objection to the principle of development and redevelopment of this composite site. He raised no objection to the density of the development, and he raised no in principle objection to the development of a basement and a light-well at the front of the building.
- 7) THE INSPECTOR'S REASONS FOR REFUSAL. The Inspector's report is appended to this statement for ease of reference. There were three elements of the proposal with which he found fault: a) the design and size of the lightwell and the treatment of the front basement area, b) the rear appearance of the proposed building, and c) the possibility of overlooking and intrusion into neighbouring properties.
- 8) THE LIGHTWELL AND ITS TREATMENT. The Inspector did not object to the principle of lightwells to illuminate basements at the front of dwellings, but he did object to its proposed treatment. He acknowledged that the Borough has a policy which allows basements and lightwells if the design and appearance is acceptable in the light of the design standards set out in the policy. His objection was to the size and extent of the lightwell and its appearance to passers-by: *'the effect of the basement over the full width of the building and given the size and depth of open lightwells extending over most of the frontage area would be to significantly increase the apparent scale and mass of the frontage. This would result in a development entirely out of character in a street which is not characterised by basements and their lightwells.'* (para.8)
- 9) Whilst it is true that there are no light-wells or basements in Ravenshaw Street at present there is no policy that prevents their introduction to this street, providing that in doing so they do not harm the environment of the street or its appearance.

10) The Design and Access statement demonstrates in detail how the Inspector's objections have been addressed, and it is believed, overcome. In brief outline, the width of the lightwell has been greatly reduced so that it now takes up only 50% of the front garden area. Viewed from street level, the area is split into into three separate areas, designed to read as a central pathway with 'gardens' to either side each with its own lightwell grille in a design typical of the area, thus eliminating any perception of a long lightwell extending over the whole length of the building. Arguably, the design goes further, in that, from the point of view of passers-by it eliminates much of the perception of a lightwell being there at all.

The central pathway adjoins the sloping pavement with a two-way ramped threshold stone, avoiding the need for a step. This gives way to a tiled Victorian path which in turn gives way to reinforced walk-on glass. The glass will be sandblasted with a matching tile pattern to distract the eye by visually tying in with the ceramic tile that precedes it. Sandblasting will also provide the required slip resistance and obscure views into/from the light-well below. Bespoke tile colours will be used to aid the effect of the area being nothing more than a continuous tiled path to the doors.

The two areas either side of the path are now designed to read as gravel covered front gardens with planting to the front, and black metal lightwell grilles, numerous examples of which can be found in nearby streets. The gardens are then fronted by low brick walls abutting the street, topped by a metal railing, a typical feature in the adjacent houses and the wider area. The area directly behind the wall will be planted and then irrigated plant pots will be installed behind. The treatment is described and illustrated in detail in the Design and Access Statement, shown clearly on the plans and illustrated in accompany CGI's.

11) The Inspector quoted Camden Basement Policy: *"9. I have been referred to the fact that the Camden Planning Guidance – Basements 2018 (CPGB) does not in principle restrict basement lightwells in areas where they are not characteristic of the area. Whilst this is true, it does require that their design is discreet and their size*

appropriate. At Paragraph 2.16 it states that “in plots where the front garden is quite shallow, a lightwell is likely to consume much, or all, of the garden area. This is likely to be unacceptable in streets where lightwells are not part of the established character”. Moreover the CPGB also requires that the windows are proportionate and subservient to the main windows above. Neither of these design objectives would be met by the proposal.”

The policy being quoted presupposes that the light-well windows in question would be visible. However, unlike the original light-well, which was fully open and twice as large, the windows, and even the appearance of a lightwell and basement below have been effectively concealed from all but the most inquisitive of passers-by. Under normal circumstances he/she would have to bend over the wall or enter onto the property to perceive that a lightwell was there at all. For the most part, only by viewing at very close quarters would the onlooker discover the fact that the tiles were in reality reinforced glass, through which sufficient light penetrates. To the ordinary viewer passing by, not an expert in such materials or technology, he/she would see just another very small front garden, with a conventional lightwell grille, along with decoration and planting much in keeping with its neighbours. The applicant maintains that this treatment meets the Inspector’s objection in respect of the original proposal.

Drawings and CGI illustrations in the Design and Access Statement show graphically the perception and effect of this treatment and how its appearance would, for all practical purposes, be largely indistinguishable from that of neighbouring properties.

- 12) THE REAR APPEARANCE OF THE PROPOSED BUILDING. The Inspector’s objection in this respect is stated at para 10 of his decision letter: *‘Regarding the proposed rear elevation to the property, the scale, mass, and overall width and depth of the block would be excessive and significantly at odds with the surrounding pattern of development which is comprised of smaller rear terrace*

forms.'

- 13) The applicant has accepted this criticism and in the new design of the rear has produced a façade that is to all intents and purposes indistinguishable from those of the neighbouring properties. There is no longer the perception or reality of bulk and mass, but a grouping of elements that gives the appearance of having been developed over a period of time in keeping with the neighbouring properties. The design now blends seamlessly into the existing built environment. To achieve this the entire form of the rear elevation has been assembled from the shapes, angles, proportions, massing, details and material pallet of the surrounding buildings; even inter-building gaps have also been used wherever possible.
- 14) The Inspector acknowledged that full views of the rear would only be enjoyed by those on trains passing along the tracks at the rear, by the inhabitants of the flats in Ellerton Tower on Mill Lane and from the rear windows of maisonettes on the Brassey Road estate to the west of the railway, which are overwhelming bathroom and hallway windows. He also acknowledged that these are 'private' views, silently acknowledging that in planning law and practice there is no private right to a view.
- 15) Be that as it may, the view that anyone will have of this revised proposal will be of a continuous row of properties, all of the same external appearance. For the most part it would now be very difficult for anyone looking from any of these viewpoints to be able to distinguish this new proposal from its neighbours. As such, it could not be claimed that the proposal causes harm to any part of the surrounding environment, or, indeed, that it would inflict irritation to anyone viewing the development from near or far.
- 16) Taken together, these two new approaches to the design and external appearance of the proposed new building would, in the applicant's view, now meet the requirements of Camden's Policy D1 which requires development to respect local

context and character.

17) OVERLOOKING AND INTRUSION INTO ADJOINING PROPERTIES.

With regard to No 21, the Inspector noted that *“Assessed from the rear garden boundary between Nos 21 and 23 the development would also be overbearing on the garden at No 21.”* The inspector was concerned with the detrimental visual impression he believed the development would have made on occupants of the garden. Regarding daylight/sunlight matters a full sunlight daylight assessment was submitted with the application and accepted by officers as showing adequate levels of light to the main view of 21A and de-minims detrimental impact on the garden. With regard to overlooking the inspector concluded: *“18. It is clear from my site inspection and the appellant’s Design and Access Statement that there would also be the potential for overlooking of these two neighbouring gardens from the proposed balconies of the properties. However given the potential for overlooking that already exists from upper windows in the terrace these garden areas do not have a high level of privacy and, provided obscure glazed privacy screens were in place, I am satisfied that the level of overlooking would not be substantially different to what currently exists.”*

In light of these comments the current application’s rear elevation has been re-imagined. The new design presents occupants with very much the same forms and building lines as any other Victorian house, with slate sided dormers and rear outriggers in a vernacular brick, followed by a glancing view of what looks to be a white rendered two story extension further away. After that, the building is almost completely out of sight of No.21’s garden, beyond the corner. The applicant believes that this comprehensive reworking of the rear façade overcomes the Inspectors objection in this matter.

18) With regard to No 25B’s bedroom dormer, the Inspector commented: *17. Regarding No 25, the upper flat has a rear facing dormer window assumed to light a bedroom. The proximity of the second floor of the proposed building would be both*

overshadowing on this window when the sun is in the west and overbearing on it.

Overshadowing: has not hitherto been an issue. However, the model shows that there would have been some overshadowing of the dormer particularly in summer in the late afternoon. Although this model is not a formal report nevertheless it is now possible to compare the previous application with the current one. These are the results.

25A Dormer over-shadowing			First Application:	This application:	Sunset:
			<i>Overshadowing Starts</i>	<i>Overshadowming Starts</i>	
Summer Solstice	20-Jun-20	BST	17:24	18:10	21:22 BST
Autumn Equinox	22-Sep-20	BST	16:48	18:50	18:57 BST
Winter Solstice	21-Dec-20	GMT	After Sunset	After Sunset	16:01 GMT
Spring Equinox	20-Mar-20	GMT	16:04	17:57	18:14 GMT
			<i>Overshadowing Duration: Hours/mins</i>	<i>Overshadowming Duration: Hours/mins</i>	
Summer Solstice	20-Jun-20	BST	03:58	03:12	
Autumn Equinox	22-Sep-20	BST	02:09	00:07	
Winter Solstice	21-Dec-20	GMT	00:00	00:00	
Spring Equinox	20-Mar-20	GMT	02:10	00:17	

Here is the amount of time from when over-shadowing begins to appear on the dormer until sunset.

With regards to the first application, the new mansard roof would have caused some minor overshadowing in late afternoon. These times include the hour or so that it takes the shadow to fully envelope the dormer face. It is worth noting too that this is just about when the sun starts to drop below the rear tree line. This study suggests that actual physical overshadowing would have had only very minor impact on this bedroom window. In spite of this, the Inspector’s comment has been acted upon. The second column shows that, with the new scheme with the dormer now having been stepped back, overshadowing from the second floor dormer is now even further reduced and that at all other times has been reduced effectively to zero.

Overbearing: The view out of 25B’s dormer, whilst not obstructing the view directly out of the window, the new mansard would have been evident to the right. The Inspector believed that this amounted to overbearing on the dormer window. To address this the roof form has been redesigned, it is now further away, and encroaches on the view far less and is now more vernacular in its design and materials. To avoid an unacceptable feeling of enclosure, closest to 25B’s dormer and set back almost out of view is a small dormer form in bronze coloured standing seam

metal; this is followed by, to the right, 7m away and 61° from the perpendicular, what is intended to read as the dormer of another property finished in slate at some remove. Both of these forms are a very common features of this type of roofscape.

19) With regard to No 25A's garden, the Inspector noted that '*...although its windows would not be affected, there would be a detrimental impact on living conditions as a result of the proximity, scale and mass of the new building which would be overbearing on the occupant's small garden and sitting out area...*' The garden at No. 25 has recently been encroached upon by the occupant, building a single story extension onto it in late 2019 (2018/1132/P). This was done to create a two bedroom flat from a one bedroom flat, reducing the area of its garden to the point where it is now considerably smaller than adjoining gardens. Be that as it may, the applicant has accepted the criticism and the inspector's concerns have been addressed with an entire re-imaging of the rear façade.

Much attention has been paid to the visual and physical impact that this new development would have on the amenity of 25A. A mirror of No 25's outrigger is now the first thing that occupants of the garden would see. A bricked up blind window provides visual balance with the bathroom window of No. 25. The balcony of Flat D has been moved away from the boundary to the other side of the outrigger form and below the wall level so that views from Flat D's balcony into the garden of 25A are not possible. Following that, a set back red brick infill with a single window creates a gap between the new 'outrigger' and what reads as a separate two story white render extension at some remove, which houses the balcony of Flat F which is modelled on the rear of No.17 along the street. There has been concern about the second floor dormer. This has been pushed back so far that it cannot be seen at all from the garden of 25A without standing with back to the rear wall; even then, only a partial view of the roof is visible, as shown here. Views from other gardens are also partial.



20) This part of the Borough is characterised by streets of attractive Victorian dwelling houses in continuous rows. At the rear, there is always unavoidable overlooking of neighbouring gardens from adjoining properties; anyone purchasing one of these houses does so in the knowledge that there will be no privacy in rear gardens such as would exist if these were free standing properties in very substantial grounds. That is not the inner-urban living environment of such areas as this. The resulting living conditions in the rear gardens have to be seen in this light, and if occupants wish to reduce the extent of their gardens by extending the building out at the rear, then they must accept that their ‘living conditions’ in this respect may be expected to be reduced. The proposed development will produce no worse an environment in the gardens in the adjoining properties than that existing in other gardens along the length of Ravenshaw Street. This is demonstrated by acknowledged and universally accepted sunlight and daylight tests and not, with due respect to the Inspector’s finding, by simple observation using a plan of a proposal.

21) SECTION 106. The Section 106 was fully agreed and signed by all the parties at the time of the last appeal. It requires only simple and minor changes: the application date and application number, replacement of the schedule of application documents, the removal of the reference to the appeal Inspector at 3.8 and the updating of the affordable housing contribution. No more is required.

22) REPORTS Daylighting: A new daylight report accompanies the application showing that the front basement bedroom windows of the proposed Flats 23A and

23B satisfy all of the requirements set out in the BRE guide 'Site Layout Planning for Daylight and Sunlight'. We also include a letter confirming that changes shown on the revised drawings will not materially affect the findings of the previous report into the window of 21A and that it has not been necessary to re-do these calculations as this new scheme will perform better than the previous design.

Tree, Arboricultural and Noise and Vibration reports: Nothing has changed in terms of the reports on the site since the previous application. Officers informed us that these reports could be conditioned if updates were required.

BIA: The previous BIA and Final BIA Audit accompany this reapplication. A one page drawing called 'BIA-23RAV- BIA Structural Wall Comparison.pdf' is also included showing that the structure of the basement in this application is identical to the previous scheme and that only the most minor of changes to internal walls has been required; all other changes are to partition walls and fenestration. These are cosmetic changes that would not alter the outcome of the BIA Audit.

23) **CONCLUSION** This proposal represents significant changes to the original proposal that was rejected by the appeal Inspector. It is believed that all his objections have been addressed and satisfactory solutions now incorporated.

24) It is therefore respectfully requested that planning permission be given to this proposal.

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Consultant to the Applicant.