

Application No:	Consultees Name:	Received:	Comment:	Response:
2020/2674/P	James Kennedy	13/08/2020 21:38:11	OBJ	I am writing to object to this planning application.

My objection is based on eight grounds. These are outlined below. Anticipating a word/field limit for this on-line form I am limiting this on-line submission to the numbered paragraphs below. However, I will also shortly email to the relevant planning officer a further copy of this email, plus further comments in relation to point 6 below (Noise) together with an acoustic report which has been commissioned by local residents.

1. Wrong factual premise of application. The stated factual premise of the application is wrong. This fatally undermines both the suggested advantages in terms of residential amenity (as to both outlook and noise) and in respect of the Conservation Area. The cover letter to the application states: "The consolidation of the existing dispersed and unsightly plant is considered to represent a benefit in terms of minimising the visual impact and placing the proposed units in the least conspicuous location. It is considered this would result in an enhancement to the Conservation Area. A number of the existing units to be removed and replaced are positioned close to noise sensitive boundaries such that their removal will benefit their direct neighbours in terms of mitigating the noise impacts. The proposed location for the new units is both inconspicuous and positioned to be located at the furthest possible distance from neighbours." (My emphasis). By my estimation 7 of the existing 10 units (which are in any event much, much smaller than the proposed ones) are currently located at a greater distance to houses than the new units will be. In essence, the proposal is to move all of the units from a marginally more distant (and dispersed) position to a central position which is in fact closer to a smaller number of properties (where they most certainly will not be inconspicuous – as to which see further below).

2. Residential amenity. In any event, even if the developer is correct in asserting this factual premise (which is not accepted), it is unfair and disproportionate in terms of residential amenity to concentrate both the visual intrusion and noise arising from the development into a single location. This is particularly so in circumstances where: (i) there has been no prior consultation with surrounding residents; (ii) in fact the situation is the opposite: residents have had to alert the LPA to this development commenced without planning permission; and (iii) there is no evidence provided with the application to suggest that the developer has considered any alternatives to the proposed development (including, for example (a) maintaining the existing dispersed arrangements for this plant and equipment or (b) alternative locations within Utopia Village for a concentrated plant room if that is necessary (which has not been evidenced, much less demonstrated)).

3. Outlook. Quite apart from the above, even considered on a stand-alone basis the proposed development (in particular the proposed enclosure for the plant and equipment – which is to be a massive 11 metres long and 3.7 metres high) will greatly detract from the residential amenity of the surrounding area and the outlook of the numerous residences which back onto this part of Utopia Village. This is particularly in the context of the Conservation Area and the heritage nature of the Utopia Village site (as to which see further below). At present, in terms of residential amenity/outlook, the Utopia Village site is essentially an urban office space housed within a 19th century light industrial brick building which is entirely in keeping with the character and appearance of the Conservation Area. The proposed development would fundamentally alter (and detract from) that residential amenity by placing what is in effect an outsized and incongruous plant and equipment cabin on top of the roof of one of the heritage buildings, both dwarfing and entirely obscuring one area (and one large balcony) of the building. This damaging impact on outlook is highly material given the number of residences (and individual outlooks) affected - from multiple windows of what is a long run of five-storey buildings opposite the development from which it will be highly visible.

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4. Design/density/scale/massing of development. The design, density, scale and massing of the proposed development would also be entirely inconsistent with the existing site – again due to the size of the enclosure which is proposed for the plant and equipment. Although, as above, the Utopia Village site is an urban office space, its 19th century heritage means that its design, scale and density (and the massing of its existing building units) is an entirely human one: the buildings, balconies, walkways, distinctive heritage rooflights, windows and existing fittings are industrial but all very human in their scale. The proposed development would be the opposite in terms of design, density, scale and massing: it would be like a unit from a much larger-scale development has been dropped from the sky.

5. Effect on the conservation area. The development is in the Primrose Hill Conservation Area. I will leave it to the PHCAAC to make their own submissions on this subject, however, for the reasons set out in paragraphs 2, 3 and 4 above the development is plainly not consistent with the character and appearance of the Conservation Area.

6. Noise. The developer has submitted with its planning application a Noise Impact Assessment prepared by Noico Limited (the Noico Report) . In response to this a number of local residents (including myself) have commissioned an independent review of the Noico Report by an acoustics expert from Max Fordham Limited. For the reasons set out in that review (the Max Fordham Review) I consider there are serious questions to be answered about the Noico Report, such that it cannot presently be relied upon by the LPA. These points will be set out in a separate objection submission which will be sent to the LPA/Camden together with a copy of the Max Fordham Review.

7. Smells and fumes. The developer has provided no information about what the new plant and equipment will be connected to (or indeed why such an apparent increase in air-conditioning capacity is required); and in particular whether it will provide venting for exhaust fumes from what is understood to be an industrial kitchen that has been installed in a nearby building. Upon asking, I have been informed by workman on the site that the new ducting and air intakes now fitted into the flat roof directly opposite my house (already installed without planning permission) are part of what is now a kitchen (in what used to be, as I understand it, a yoga studio). I have no idea whether planning permission is required for this change of use but, in any event quite apart from that, if it is correct that this is now an industrial kitchen, then there is a question about whether the large air-conditioning and venting units to be installed will emit smells and fumes from this kitchen. See attached photo which shows (i) the new ducts/air intakes in the flat roof (covered in plastic sheeting) and (ii) the size of the new pipework (seen through the frosted windows) that has been installed.

8. Additional factor. The developer has gone about this process in a manner which is self-evidently cynical - if not worse than that. It has admitted in correspondence with residents (after the fact) that it took (in its own words) a “calculated risk” in proceeding without planning permission (see attached letter, undated but circulated to residents around 1 July 2020). To be clear, however, the developer claims in this letter (wrongly – or at least misleadingly) that development was commenced “before the planning application was approved” – when in truth it was commenced before planning permission was even sought. The letter also suggests that this development was in some way trailed in an earlier letter to residents from the project managers, when this is clearly not the case. I would suggest that the LPA examines this earlier letter dated 22 May 2020 – also enclosed – for itself. It clearly makes no reference to a development of this scale, let alone something requiring a fresh planning application. It is therefore not clear to me whether planning permission would have

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				<p>been sought at all had residents not raised the alarm once development was commenced without planning permission. Although I appreciate that this behaviour cannot be a material planning consideration in and of itself and so should not weigh in the balance as part of your decision making, I would urge the LPA to ensure that, given the abundance of evidence for turning down this application, the LPA should be vigilant in this case not to allow the developer to profit from its admitted "calculated risk" as it was clearly expecting to.</p>
2020/2674/P	Steven Joseph	16/08/2020 13:23:55	OBJNOT	<p>In addition to my earlier comments and following a communication distributed by the Applicant to local residents on Friday, I would like to make an additional point.</p> <p>The communication seems to suggest that the proposed location and size of the new plant room is the only alternative that can be considered appropriate for the intended future use of the building. If that is indeed the case, then it is perhaps necessary to consider whether the intended use of the building is indeed appropriate?</p>