

Mr P Marfleet  
Planning Department  
London Borough of Camden  
5 Pancras Square  
London  
N1C 4AG

**By email only**

31st January 2021

Dear Patrick,

**PLANNING APPLICATION REF: 2020/5647/P  
7A,B,C Bayham Street, London NW1 0EY**

Having reviewed application 2020/5647/P we are writing to you with our comments as the immediate neighbours to the North of the development at 2 & 4 King's Terrace and 9 Bayham Street.

We feel the Section 73 application lacks sufficient supporting evidence to demonstrate that the consequences of the proposed changes to the design have been fully considered in terms of their effect on our neighbouring properties. No justification as to why this supporting evidence has not been submitted as part of the application is provided. Although we welcome the further information supplied by the architect in his email of the 29th January 2021 (into which you were copied), the information remains insufficient in a number of areas.

We also feel that as a result of the Section 73 changes proposed (which we note go above and beyond a change or removal of planning conditions), the remaining conditions attached to the consented scheme 2018/3647/P become insufficient to ensure continued enjoyment of our properties and existing amenity levels. We request that these are thoroughly and fully reviewed.

Our concerns relate to five key areas of the updated proposals:

- Daylight, sunlight and overlooking
- Noise and vibration
- Air quality
- Generator and substation location
- Strength of existing conditions and approval of details

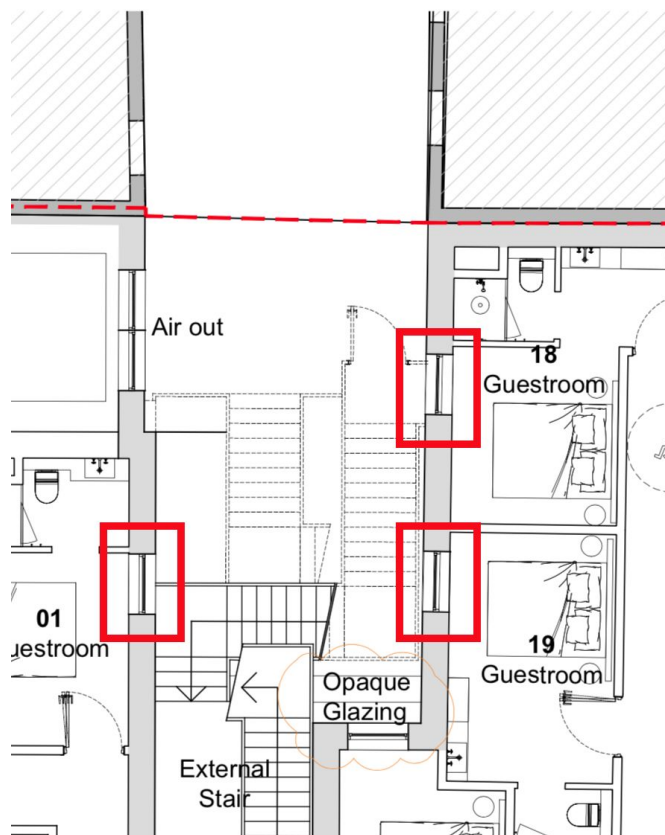
**Daylight And Sunlight**

I attach a letter from our appointed daylight and sunlight specialists GIA which clearly states our position. In addition to the variation and removal of conditions, the height of the building has increased. As such our daylight and sunlight will be negatively affected.

## Overlooking

### 1st, 2nd and 3rd Floor Windows

- We note that the applicant's architect provided updated drawings on 29th January 2021 that clarify their position in terms of opaque glazing for windows overlooking properties to the North of the development. We are grateful for that, but we question why the applicant has chosen to omit opaque glazing at 1st floor level for rooms 01, 18 and 19 when these windows will have clear views into 2 King's Terrace and 9 Bayham Street and over the shared courtyard.



- Whilst condition 8 does not directly reference obscure glazing on the East and West elevation, we note from the minutes of the planning committee on 19th July 2019 at which planning consent was granted that:
  - *On outlook, the Planning Officer outlined that the setting back of the top floor, use of angled back windows **and obscure glazing, including in the atrium,** would prevent overlooking on to properties in King's Terrace.*
- We respectfully request that the wording of condition 8 is updated to reflect the planning officer's interpretation of the original scheme at committee to ensure that all overlooking windows at the North of the property (including East and West elevations) are obscure glazed to prevent overlooking.

## **Noise And Vibration**

I attach a letter from our appointed noise and vibration specialists Vanguardia. In summary they conclude that

- Sufficient detail and evidence of a detailed assessment of the proposed plant changes in terms of noise and vibration is not provided.
- The effect of the proposed new plant and its adjacent location to our properties is certain to be detrimental.
- We are insufficiently protected by condition 21 within the existing planning consent.

We request that

- Camden refuse this application until the applicant carries out a full and formal assessment of their proposals in terms of plant noise and vibration.
- The wording of Condition 21 is updated to take into account Vanguardia's comments and concerns in relation to this existing condition - specifically to limit air-borne noise, structure-borne noise and structure-borne vibration.

## **Air Quality**

- Despite extensive changes to the plant proposed within the development, an updated air quality report is not provided. No justification for the omission of an update to this document is provided.
- The intake vent and exhaust for the proposed diesel generator is immediately adjacent to our properties and outdoor amenity spaces.

## **UKPN Substation - Specific Concerns**

Given that the proposed substation shares a boundary with both 2 King's Terrace and 2A King's Terrace we feel this is an incredibly insensitive and potentially dangerous location to situate the substation.

We have had a specialist electrical installation designer review the applicant's proposals and I attach their report (this will be amended in light of the additional information supplied by the architect via email into which you were copied on 29th January 2021).

The location of the power substation **less than 1 metre** from the living and home-working spaces of 2, 2a, and 4 Kings Terrace is a serious problem on a number of grounds, which, given the viable alternative locations and solutions could be solved at a stroke without impeding the viability or progress of the development in any way. These alternatives may even make the scheme more efficient. As mentioned above, we will be submitting further evidence to support the points below in the coming days and weeks. This is in response to the additional information supplied by the architect on 29th January.

**In the currently proposed location, the substation constitutes the following risks:-**

- The EMF radiation constitutes a potentially catastrophic risk to the health of our families with small children living here. The proximity of **less than 1 metre from the source**, and the fact that it will be constantly radiating into our bedrooms and living spaces, multiplies the coefficient of the potential health risks to the maximum extent. We will be living with these levels of constant radiation, night and day, in perpetuity. Although the science is still developing, the *prima facie* evidence of the potential harmful effects of these levels, at this proximity, for constant duration, are sufficiently compelling for them to be recognised as a significant risk, especially to children, by UKPN, SAGE, as well as numerous other international and supranational Health Protection agencies such as the WHO. UKPN and SAGE explicitly recognise this risk within their official documentation.
  - It is for this reason that the “SAGE Second Interim Assessment 2010” states that developers “***should site plant rooms away from occupied rooms***”

In this case, the developer is proposing to site the plant rooms **as close as possible to the permanently occupied rooms** of 2 and 2a Kings terrace. As such, it is surely unacceptable to expose us and our children to this risk, especially when there are viable alternatives, as the developer has noted in their email of 29th January. (The letter, attached to this response, from our Electrical Engineering advisor, Rupert Van Der Post, also sets out additional alternative options).

- It would jeopardise and potentially eliminate the ability of the residents of 4 Kings Terrace to undertake the EMF sensitive work that constitutes their livelihood. In the current era, the ability to work from home is essential, and this will be taken away if the substation is located here.
- Regarding noise and vibration, it will not be possible to obviate the loss of amenity that the proposed substation will incur. The measures proposed to mitigate this loss are insufficient. And given that the proposal intends to use equipment provided by UKPN, these measures **cannot** be sufficient because they require direct ventilation via the “*functional, stark pair of doors*” less than 1 metre from the GF courtyard of 2 Kings terrace, and appx. 2-4 metres from the bedroom windows of 4 Kings Terrace and 9 Bayham St. Again this noise will be constant, and in perpetuity. In addition, no assessment has been provided regarding the structural transmission of noise and vibration, which would only exacerbate the loss of amenity. As the assessment from our noise and vibration specialists, Vanguardia, states:

*“This condition, as written, seeks to mitigate the impact of air-borne noise from building services plant/equipment at the external facade of the nearby noise sensitive properties. It does not however include provision for the limiting air-borne noise, structure-borne noise, or structure-borne vibration being radiated into the properties adjoining the respective proposed plant rooms through the various shared structural elements.”*

### **The viable alternative locations and options for the substation on the site:-**

As stated above, the major problems with the currently proposed location would be solved at a stroke by either of these options.

- **Like-for-like equipment situated at an alternative location**

In the email of 29th January, (into which you were copied), the architect implied that there is an alternative location for a like-for-like UKPN substation on the site, namely nearby the street-frontage, possibly at the southern 'service' end of the scheme. But that they have chosen not to propose this because they are responding to "... *the Council Policies to provide active street frontage and a pleasant elevation from a townscape perspective*".

Given the grounds for objection to its current proposed location set out above, and contained in our Electrical Engineers Assessment, and in the supporting evidence to come, we respectfully ask that the Council considers flexibility on these street frontage policies when balancing those requirements against the health and safety, and loss of amenity standards that would be violated by situating the substation less than 1 metre from our living spaces.

- **Alternative equipment**

As the assessment by our Electrical Engineer suggests, there are a wide range of alternative transformers available if the developer chooses to acquire their own transformer, not owned and operated by UKPN. The benefits to fire risk and the efficiency of the scheme which would be opened up by this course of action are all set out in that assessment. It would also preserve the 'street-frontage' policies referred to by the architect in his email of 29th January.

These alternative solutions would not impede the viability or progress of the development in any way.

### **Approval Of Details And Discharge Of Conditions**

Given the likely impact of this development on our properties, we request that we are consulted by the local authority in respect of any application made for discharge of conditions relating to approval of details in respect of plant and materials.

Yours sincerely,

Dan Goldschmied  
Sarah Goldschmied  
Charlotte Goldschmied (aged 2)  
Thomas Bailey  
Emma Bailey