

Chenies St Chambers Leaseholders Association

Flat 2 Chenies St Chambers

9 Chenies St

London WC1E 7ET

Planning Application 2021/3704/P

Chenies St Chambers (also known as 9 Chenies St) is a block of 36 flats with a communal garden, originally Victorian which overlooks the above application, and which is the nearest residential block to the proposed development. The Leaseholders Association represents 13 flats in the block, but our comments equally apply to the tenanted flats.

As we set out more fully below, we oppose the application principally on the grounds that the proposed extension would dramatically alter buildings of architectural importance in 'Alfred Place Character Area' within Bloomsbury Conservation Area. The resulting building would be overbearing and intrusive, harming a number of amenities currently enjoyed by our residents. This would adversely affect the quality of life both within our dwellings and in the communal garden. The adverse effects include but are not limited to, loss of light, loss of privacy, loss of visual amenity, and increased noise and vibration from rooftop plant and fans resulting from the increased roof level to the back of the Telephone Exchange, the workshop building, on Alfred Mews. We do not agree in principle to the demolition and reconfiguration of this building of architectural merit. There are other aspects about which we are also concerned, and which are not clear from the application such as relative elevations of existing and proposed buildings – not least because the focus has been on the North Crescent Elevation and where our concerns relate to aspects which do not relate to road facing aspects.

We make the following points:

1. The applications and their consultants, Kanda claim to have undertaken a wide public consultation. We do not believe that the consultation reached local residents. The publication of the consultation speaks to the North Crescent elevation and does not relate to the hidden impacts at the back of the development. Better engagement should have been expected to understand the impacts on residents. Many of the residents in the block are elderly and may not have internet access. It is telling that the first engagement with three of our residents came via a site visit on October 15, 2021 prompted by a member of this association! We note that there had been precisely six responses to this 'engagement' and did not include comments made by all residents. Had there been an effort properly to engage better observations would have been made. We also note that the Daylight/Sunlight Study was not available on the consultation website despite Chenies Chambers having been the main subject of the study that was completed at the time of the so-called consultation.
2. In a similar vein, we note there have been three pre-planning discussions with LBC and also with BCAAC – yet none with residents directly impacted. Had there been some, we would have been able to engage and hopefully impact the design in the way that has clearly been achieved. We believe that there needs to be better engagement with attendant delays which the applicant and their consultants could have avoided.
3. The rear of the development overlooks directly onto the rear of 9 Chenies St and its garden, planted with mature trees and shrubs. 18 (half) of our 36 flats have windows directly facing

the rear and 12 of those, (1/3 of all flats), are single aspect some comprised of 2 habitable rooms. We note that the applicant's consultant, Avison Young ('AY') has presented a detailed Daylight/Sunlight report. Yet their report raises many questions both as to methodology and also as to a selective presentation of its findings. We propose that this report needs to be reviewed significantly and revised, not least by physical investigation rather than relying on a computer model. We make the following points:

- a. There is an error in the labelling of stories showing Chenies Chambers without a basement level but starting at ground level rising to the 5th floor. This is incorrect as our building is from basement level to 4th floor identical to next door Mayne house, the other residential building in the study. This raises the question as to whether or not the correct elevation has been used to plot the results. Needless to say, such errors do not give us, who will have to live with the consequences, confidence.
- b. The floor plans shown are incorrect with numerous inaccuracies.
- c. Many of the rooms identified as 'unknown' are living space
- d. Some of the rooms identified as 'bedrooms' are living space as the layout of the flats allows for inter-changeability. In any case, bedrooms and kitchens are habitable rooms according to both Camden policy and BRE guidelines. It goes without saying that this is especially true when these are the only two rooms in a flat.
- e. AY appears to have used/included an ADF methodology despite by its own acknowledgement and BRE guidelines, ADF methodology should only be used for newbuilds and not recommended to be used for existing buildings.
- f. Our own observations from the 3rd floor show the sun disappearing at the proposed height of the Alfred Mews development. The impacts on lower floors will be more extreme and on the lowest floor will remove light completely
- g. Page 12 (5.5) of AY report refers to a 'one story vertical extension' whereas Alfred Mews is a three story vertical extension plus rooftop plant. This is either a fundamental error or a deliberate mis-representation.
- h. There is no discussion of the impact of light on the garden
- i. Para 6.125 of the Planning Statement says:
 - i. "Local planning authorities should refuse applications which they consider fail to make efficient use of land, taking into account the policies in this Framework. In this context, when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)".
 - ii. This is not an application for housing but one for offices which is reducing the amenity of existing housing.
- j. Para 6.126 of the Planning Statement points out:
 - i. Policy D6 of the London Plan, Housing Quality and Standards, states that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximizing the usability of amenity space.
 - ii. As far as we can see overshadowing is not minimised, there is insufficient daylight and sunlight and the usability of the amenity space (garden) is not maximised

iii. Para 6.130 of the Planning Statement states:

1. The daylight and sunlight impact to No.9 Chenies Street is also limited. Where there are isolated impacts that fall below the baseline BRE target criteria, they are minor in nature in Avison Youngs opinion, with the majority of windows and rooms meeting the BRE's target criteria.
2. We note that this in the 'opinion' of a consultant paid by the applicant. We also submit that the impacts are not isolated nor have the nature of windows been properly considered. That said, AY's report still shows that all residents' windows at the rear would be losing both daylight and sunlight.

4. Camden's own Amenity Planning Guidance makes the following observations which are relevant:

a. Section 3.16 states:

- i. In order to provide the Council with greater certainty over the expected daylight and sunlight levels stated within a daylight and sunlight report, the Council may commission an independent verification of the report, which will be funded by the applicant. Independent verification is likely to be required in instances where there is possible dispute regarding the measurements cited or new techniques/technology is used to create daylight and sunlight measurements.

b. Given all the above , we submit that Camden (not least because LBC is the freeholder of 9 Chenies St) should commission a fresh report and base it on actual windows at the expense of the applicant

c. Sections 3.17 and 3.18 refer to the Right to Light. It is clear that the current limited light will be severely impaired by the development.

5. We understand from the site visit that the visual aspects of the rear of the proposed development will result in a blank wall in close proximity to our windows extending above the adjoined office block, Fitzroy House, plus plant, with a terrace at the third floor facing Alfred mews. We believe that a full independent Residential Visual Amenity Assessment (RVAA) should be undertaken We are also concerned both about a lack of privacy and the risk of noise. The inevitable noise from an office terrace will impact on what is a quiet domestic setting for many residents.
6. We remain concerned about the roof top plant. Our recent experience with Fitzroy House led to baffling higher than that the original planning permission allowed for, and which already reduced light eventually leading to what has been a long standing noise complaint known to Camden planners. This has been frustrated by ineffective mechanisms for enforcing planning conditions retrospectively. The current Acoustic Study offers little reassurance as much is based on assumptions without confirmation of actual equipment or attenuation measures. In addition the report notes that existing plant may have been running at the time measurements were made to determine background noise levels..
7. It is premature to consider construction periods, given that planning is still underway. But we wish to make it clear that early morning and weekend working is an issue in a domestic setting.

In summary we object to the proposed development for all the reasons stated above. The removal of substantially all the extra floors above the telephone exchange workshop building at Alfred Mews should address this issue. We further submit that whilst the focus of planners and the applicant has been to the visual impact on North Crescent and other matters, insufficient attention has been made to the impact on 9 Chenies Street. Such considerations as there are have been dismissed as immaterial or isolated. This is not how it appears to our residents who will lose both daylight and sunlight, and suffer significant detriment to their quality of life should the proposed demolition and extension proceed in its current form.

Lance Moir

Secretary

Chenies St Chambers Leaseholders Association