From: Patrick Marfleet
Sent: 26 November 2021 10:31
To: Planning Planning
Subject: FW: Tybalds Estate Regeneration Planning application ref: 2021/3580/P. Ref Block D
Attachments: 21-10-22_Draft Planning Response Letter rL2.pdf

Please upload the attached to the above

Patrick Marfleet
Senior Planning Officer
[redacted]

The majority of Council staff are continuing to work at home through remote, secure access to our systems. Where possible please communicate with us by telephone or email.

From: ben paul [redacted]
Sent: 26 November 2021 08:04
To: Patrick Marfleet [redacted] Planning Planning
[redacted]
Subject: Tybalds Estate Regeneration Planning application ref: 2021/3580/P. Ref Block D

Dear Patrick

Please find attached letter regarding the above application from Falcon residents.

There is a bullet summary of the issues raised below, but please do take the time to fully read the letter and understand the material concerns raised by the residents. These are many of the concerns that were raised during the consultation process.

Please could you acknowledge receipt.

Kind Regards

Ben

[redacted]

Summary of issues raised:

Block D will have significant negative impact on the daylight and sunlight to some flats

up to 62% reduction in daylight to some windows

up to 50% overall reduction in daylight to some flats

It will block sky views

The old planning permission (no longer valid) is being used to support the proposals

The reports provided to support this application (and the previous 2013 application) are misleading and contain errors or omissions.

Block D will create a denser more built up environment

It will sit further forward than Richbell so having greater impact in its neighbours than previous proposals.

There has been no consideration for Falcon resident's quality of life, given the existing conditions are already poor.

Richbell and Falcon Courtyards will lose daylight.

Falcon Residents will lose 50 square metres of shared courtyard space for private gardens when 14 existing falcon flats don't have a balcony.

There will be bin storage in the courtyard.

Falcon residents will lose all their shed storage.

In place of sheds there will be a **temporary** TRA hall which will only be used while the new bigger Tybalds TRA hall is built. This will present a security risk and significant costs that could be better spent elsewhere. (there are many local alternatives for the duration).

There seems to be very little benefit from the regeneration project for Falcon residents but significant impacts.

We have not seen any detailed proposals for the courtyard.

There is no assessment of the health impact of the new proposal on Falcon and Richbell Residents.

There is a lack of additional cycle parking or improvements to the entrances or bin area.

The proposals for improving the Falcon courtyard look to be just a few planters.

Development Management
London Borough of Camden
2nd Floor
5 Pancras Square
London
N1C 4AG

21 Nov. 21

Dear Mr Marfleet

Re: Tybalds Estate Regeneration Planning application ref: 2021/3580/P. Ref Block D

We object to the current Block D proposals for the following key reasons (expanded further below):
A. Major Daylight and Sunlight impact to existing residents resulting in unacceptable harm.
B. Impact on Amenity within flats and to shared courtyard spaces.
C. A Reduction in the already poor living conditions of the existing flats in Falcon and Richbell.
D. Lack of benefit to existing Falcon residents from the Regeneration project.
E. Loss of shared courtyard space and loss of **all** shed storage spaces.

Background
We wrote to the Regeneration Team (letter Dated 25/06/2020) regarding the proposals for block D and its significant negative impact on neighbouring properties, particularly the daylight to residential flats of Falcon and Richbell.

Minor amendments to the scheme were made during the consultation process, but little has been done to address the fundamental issues raised. We followed up this with a further letter dated 09/10/2020, highlighting the outstanding matters (which forms the basis of what is contained here).

We can provide this correspondence, but ultimately we need to comment on this scheme as submitted (2021/3580/P).

These concerns have been raised by Falcon residents, many of whom feel disenfranchised by the process and powerless to comment ("they will do whatever they want" and "what's the point, it will change nothing") Those that support this letter are added at the end.

Residents issues with the proposed scheme.
We object to Block D of the above scheme in its current form for the following reasons:

Daylight

1. Block D will have **significant** negative impact on the daylight and sunlight to Falcon and Richbell Residents (up to 62% reduction in VSC to habitable Falcon windows), both within their homes and to the shared courtyard amenity spaces. **See figure 1 & 2 below**. These blocks already suffer from poor living conditions.*
2. The current proposal is presented as sitting within an extant permission 2013/1014/P – (Daylight Sunlight page 2 para 1.1.6 and page 15 *Para 4.5.2*). We would like to point out that this consent has expired and is no longer extant. (See also point 4 below).
3. The new proposal (**2021/3580/P**) presents an increased reduction in the VSC to falcon windows compared to the previous consent (**2013/1014/P).** The current scheme MUST be examined under its own parameters and not on those of a contestable consent (see 4 below).
4. The daylight and sunlight report for the previous approved scheme omitted data on a significant number of important windows to Falcon (21 habitable room windows). This brings into question the validity and scope of the original report, and in turn the planning

approval (2013/1014/P) under which the current scheme is being justified in the documents submitted.

5. The new Block D is taller and considerable further forward (closer to the street) than the previously approved scheme 2013/1014/P and so results in a greater impact (daylight, outlook, amenity and sense of enclosure) on the neighbouring blocks of, Richbell and Falcon. It does not follow the existing building line on the street.
6. The Design and Access statement states about Block D that the "proximity to the boundary line both on the East and South façades means these two façades are sculpted in such a way as to have very few windows, to allow for possible future development of the adjacent site to the south." By appeasing the neighbouring MediaCom building to the south, it opens the opportunity for development in the slim space left between, which will result in further incremental reduction of daylight to the Falcon flats in future.
7. We have found some errors and inconsistencies in the current report (extant permission being one). We request that the Daylight and Sunlight report is formerly cross examined by a suitably qualified member of the planning team and the impacts on the actual habitable rooms of the neighbouring properties fully understood.
8. We do not believe the Daylight Distribution figures presented are accurate and insist that the plans and diagrams are presented for review. We know from our own calculations that the sky will not be visible (@850mm AFFL) from almost the entirety of the upper ground floor flats once the development is completed. A loss greater than that indicated in the report. We request that this is further examined and diagrams provided prior to determination of the application.
9. The Daylight report is misleading, figures in the report are presented as 'percentage point' reductions not actual percentage reductions, and the colour coding (using **green** to highlight windows that **fail**) presents the findings disingenuously.
10. In the current report the 'VSC before' levels do not correspond to the report prepared for the 2013/1014/P application. This further puts in to doubt the quality of the report given there have been no new buildings built nearby since that original report.
11. The internal design arrangement of the Flats in Richbell and Falcon must be taken into consideration when assessing the impact of the new development (this was not done so in the original application 2013/1014/P (nor have they been included in the current report). It is fundamental that the arrangement and conditions of the existing residential stock are understood (plans are available) and included in any assessment of the impact on these properties by Block D. They are not theoretical or hypothetical homes; they are real family homes. See Figure 3 to see that the main aspect of Falcon faces Block D. The flats are ostensibly single aspect facing towards Block D with 3 out of the 4 habitable room windows in each flat facing the direction of Block D and so heavily impacted by it.
12. Similarly the arrangement of the buildings themselves and the shared amenity spaces they create must be better understood. The courtyards to Falcon and particularly the Richbell, Springwater, Boswell internal court will be severely impacted with a permanent gloom and little other benefit from the development as shown in the drawings.
13. Residents are not familiar with the daylight and sunlight reports which makes it difficult to fully understand, and it has not been properly explained to them. It has been a trial to fully understand the documents hence the time taken to present this letter.
14. Knowing that there are significant failings in the real world tests the Daylight report goes on to present 'alterative vertical sky component' tests. These are 'sensitivity' (or hypothetical) tests based on there being no balconies (Para 4.2.5). Which is not the real world, where the existing balconies exist and have an impact. The report then describes that under these tests the failing windows fail only 'marginally'. But the figures suggest otherwise. We do not agree that an up to 62% reduction a window's VSC is marginal.

15. The proposals do not comply with the Mayor of London's SPG – Housing Design and quality standards: C5.3 Daylight, sunlight and overshadowing. With respect to existing properties where "consideration of the retained target VSC should be the principal consideration"
16. Please can the Local Authority daylight expert respond to these points?
17. Many more people are now working from home. This means that time outdoors and time in working environments with legislated lighting levels are at a minimum. Our natural light in the home has never been more vital.
18. The health impact study undertaken references the importance of natural daylight when considering the design of the proposed new buildings but, there is no mention of the damage caused to existing homes.

General

19. To date, overall regeneration plans show little significant benefit to the residents of Falcon (bar just 3 planters in what will be a darker smaller shared courtyard) and Richbell, but significant negative impacts. Landscaping to the Falcon courtyard appears to have had little thought or design detail. What guarantee is there that the 3 planters will even be put in place? We would like to see much improved shared amenity space for the 150 plus residents of Falcon, not just the addition of a new gate and ramp over and above the already existing access ramp.
20. The proposed developments to the Falcon block will also remove the storage sheds that residents depend on given the limited space within their flats and overcrowding on the estate. These have become all the more important during the pandemic with changes to working practices and the need for storage.
21. The area is already very noisy exacerbated by the hard, flat surfaces of the surrounding buildings, noise travels far and reverberates off the buildings. Additional buildings with no planting will further increase noise reverberation.
22. Residents would appreciate greening the area next to Richbell given the lack of accessible green space in the area and the importance of such spaces. Providing Biodiversity and pollution absorption (air & noise).
23. The Temporary TRA Hall under Falcon. We are not convinced that spending a substantial amount of money on a '**temporary'** TRA hall is a good use of scarce resources when locally we have facilities such as the HCA Millman Street & Bedford House, St Georges Church, Holborn Library and even Conway Hall, all very close by and all useable for TRA events in the interim. Omitting this from the scheme will avoid the loss of the valuable few remaining storage sheds and allow funds to be channelled to more permanent positive features on the estate.
24. The TRA hall will also increase security risks to the block, where burglaries have been a problem. Unlike the Blemundsbury hall the Falcon hall requires access through the main entrance doors to the block, thus compromising security for residents.
25. The TRA hall must meet very **strict** acoustic separation requirements, given the noise transmission experienced in the building due to the concrete frame and lack of any acoustic measures. This does not mean just a suspended acoustic ceiling. It will require acoustic floor and wall linings to prevent sound transmission.
26. There appears to be no increase in (or details of) the Secure cycle parking proposed to the Falcon courtyard despite the addition of extra units and the current shortage of safe cycling storage. This should be in the parking area rather than the recreation area.
27. The Design & Access statement talks about creating a "Cohesive neighbourhood" But the Landscaping is focussed entirely on the central Tybalds square, rarely used by Falcon or

Richbell Residents. This western side of the Estate seems to be an afterthought and much less well developed in that respect.

28. The Health impact assessment makes no comment on the impact of Block D on the amenity, daylight & sunlight to its neighbouring existing residents. Why is this the case when the impact is profound and clinically recognised to be detrimental to wellbing.
29. The western under builds to the main Falcon block will suffer from Piccadilly line tube noise. Upper ground floor flats on both the Eastern & western side experience Tube noise. The new flats will be lower and nearer to the tube lines. Suitable acoustic insulation will be required.
30. The development of the underbuilds and temporary TRA halls will remove all the existing shed storage that Falcon residents rely on. There are no plans shown to replace this storage or provide alternatives. Given the small size of the existing home, the shed storage is critical.
31. The communal courtyard will lose 600sqft to new private gardens and another 50sqm to a second ramp access that splits the courtyard in half, of which few design details are presented. New handrails and balustrades may further divide the space.
32. We are concerned with the lack of detail provided for the landscaped
33. The proposed Bins for the under builds are located in the shared courtyard space. Given the current issues with refuse management at Falcon, there are concerns about the mess these will create, how will these be managed and why are they not included in the private gardens for those units rather than in the shared space. Experience tell us that these will be subject to abuse and likely management issues.
34. There is a lack of detail for the courtyard proposals compared to the much more comprehensive 2013 application. Materials, finishes and planter details are all lacking. Which leads us to suspect little importance has been given to this key area for Falcon residents and that what little is shown will be rolled back in future.
35. A site visit by the Local Authority planning team is essential to fully assess this application. We are available to show you round and highlight the key concerns for you to properly assess the impacts described above.
36. Regeneration should not mean that existing (already poor quality*) accommodation is further negatively impacted because of the development.

    * ***Key living condition issues of the residents are****: Overcrowding, Noise transmission through the building, Poor refuse storage & management & significant noise caused during collection, lack of maintenance, Lifts that rarely work, Lift noise, widespread internal mould in habitable rooms due to cold bridging, Leaking Roof, poor daylighting (as existing), below min. standard ceiling heights and high levels of noise and air pollution as measured by residents, lack of private amenity space (no accessible outdoor balconies to Flacon Extension), Lack of access to decent green space.*

Diagram showing the pecentage (VSC) loss of daylight to each Falcon window as a result of new building opposite (on Richbell car park)

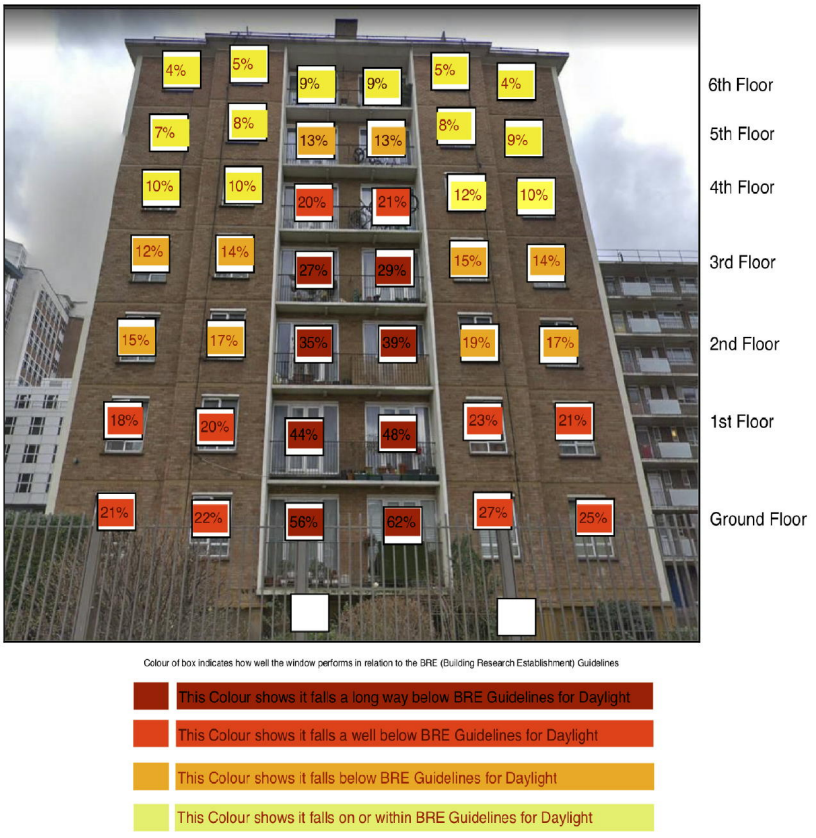
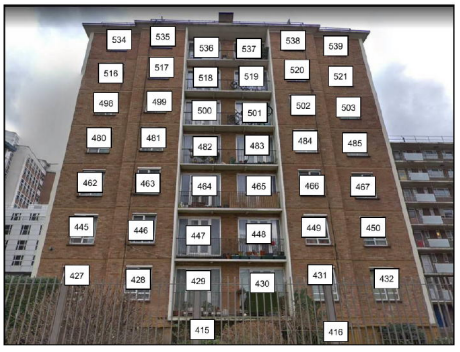


Figure 1: Diagram Showing percentage loss of VSC to Falcon flats.



Summary of Vertical Sky component imapcts on Falcon Extension.

Reference	Use Class	EXISTING Vertical Sky Before	PROPOSED Vertical Sky After	Component Loss	Ratio	LOSS % Percentage loss	Flat Number	Floor
Window 427	Domestic	22.4%	17.8%	4.6%	0.79	21%	42	Ground
Window 428	Domestic	22.7%	17.6%	5.1%	0.78	22%	42	Ground
Window 429	Domestic	9.5%	4.2%	5.3%	0.44	56%	42	Ground
Window 430	Domestic	9.4%	3.6%	5.8%	0.38	62%	41	Ground
Window 431	Domestic	23.1%	16.9%	6.2%	0.7	27%	41	Ground
Window 432	Domestic	22.9%	17.2%	5.7%	0.75	25%	41	Ground
Window 445	Domestic	24.3%	20.0%	4.3%	0.82	18%	40	First
Window 446	Domestic	24.6%	19.7%	4.9%	0.80	20%	40	First
Window 447	Domestic	11.6%	6.5%	5.1%	0.56	44%	40	First
Window 448	Domestic	11.5%	6.0%	5.5%	0.52	48%	39	First
Window 449	Domestic	25.0%	19.2%	5.8%	0.77	23%	39	First
Window 450	Domestic	24.8%	19.5%	5.3%	0.79	21%	39	First
Window 462	Domestic	26.3%	22.3%	4.0%	0.85	15%	38	Second
Window 463	Domestic	26.6%	22.1%	4.5%	0.83	17%	38	Second
Window 464	Domestic	13.0%	8.4%	4.6%	0.65	35%	38	Second
Window 465	Domestic	12.9%	7.9%	5.0%	0.61	39%	37	Second
Window 466	Domestic	27.0%	21.8%	5.2%	0.81	19%	37	Second
Window 467	Domestic	26.9%	22.2%	4.7%	0.83	17%	37	Second
Window 480	Domestic	28.4%	24.9%	3.5%	0.88	12%	36	Third
Window 481	Domestic	28.6%	24.6%	4.0%	0.86	14%	36	Third
Window 482	Domestic	14.9%	10.9%	4.0%	0.73	27%	36	Third
Window 483	Domestic	14.8%	10.5%	4.3%	0.71	29%	35	Third
Window 484	Domestic	29.1%	24.6%	4.5%	0.85	15%	35	Third
Window 485	Domestic	29.0%	25.0%	4.0%	0.86	14%	35	Third
Window 498	Domestic	30.4%	27.5%	2.9%	0.90	10%	34	Fourth
Window 499	Domestic	30.6%	27.4%	3.2%	0.90	10%	34	Fourth
Window 500	Domestic	16.6%	13.3%	3.3%	0.80	20%	34	Fourth
Window 501	Domestic	16.4%	13.0%	3.4%	0.8	21%	33	Fourth
Window 502	Domestic	31.2%	27.6%	3.6%	0.88	12%	33	Fourth
Window 503	Domestic	31.1%	28.0%	3.1%	0.90	10%	33	Fourth
Window 516	Domestic	32.1%	30.0%	2.1%	0.93	7%	32	Fifth
Window 517	Domestic	32.4%	29.9%	2.5%	0.92	8%	32	Fifth
Window 518	Domestic	18.4%	16.1%	2.3%	0.88	13%	32	Fifth
Window 519	Domestic	18.3%	15.9%	2.4%	0.87	13%	31	Fifth
Window 520	Domestic	33.0%	30.5%	2.5%	0.92	8%	31	Fifth
Window 521	Domestic	32.9%	30.7%	2.2%	0.93	7%	31	Fifth
Window 534	Domestic	29.4%	28.2%	1.2%	0.96	4%	30	Sixth
Window 535	Domestic	29.9%	28.5%	1.4%	1.0	5%	30	Sixth
Window 536	Domestic	14.8%	13.5%	1.3%	0.9	9%	30	Sixth
Window 537	Domestic	14.9%	13.5%	1.4%	0.91	9%	29	Sixth
Window 538	Domestic	30.6%	29.2%	1.4%	0.95	5%	29	Sixth
Window 539	Domestic	30.0%	28.9%	1.1%	0.96	4%	29	Sixth

Colour Key					
	Above BRE guidelines	Pass	Loss of 5%		
	Below 27%	**Fail**			
	Below 20%	**Fail**			
	Below 10%	**Fail**			
			Loss of 50%+		

Figure 2: VSC impact on Falcon Existing and Proposed - Alternative presentation. (Green = BRE pass)

Expansion on points raised above.

Size of Block D in relation to previously approved planning application 2013/1014/P
The proposed block attached to Richbell sits further forward than the previous scheme (2013/1014/P) by approx. 5 metres. The combination of both proximity and height result in a greater impact on the skyline and thus outlook and daylight to the Falcon Extension. The previous scheme was flush with the Richbell frontage with a top floor set back 2.5m.
The block will obscure almost all remaining sky views from at least the lower 2 floors of the Falcon extension. (4 No flats).

Significant omissions in the Daylight and Sunlight Report prepared for the previous application 2013/1014/P.
6 No flats were entirely omitted as were a 6 No French windows to 6 further flats** see Fig 1. This brings into question the validity of the report and suggests using the existing consent (2013/1014/P) as precedent for the new proposal is not justifiable.

Fig 1. Windows labelled included in original report.
*** Report 'SD10 Sunlight and Daylight Assessment prepared by Rights of Light Surveyors (Feb 2013)' - omitted any Vertical Sky Component (VSC)readings for 28 habitable room windows.*
Flats 30 ,32 ,34 ,36 ,38, 40 & 42 were not reported at all, nor were the Juliet balcony windows to flats 29, 31, 33, 35, 37, 39 & 41 covered in the report.

We believe that the report 'SD10 Sunlight and Daylight Assessment prepared by Rights of Light Surveyors (Feb 2013)' fell short of an adequate analysis of the impact of the previous expired consent and so the full impact of the development 2013/1014/P was not adequately assessed at that time.

On that basis, the planning granted was based on inadequate information and should not give credence to the acceptability of the current proposals.

The design arrangement of the Flats in the Falcon Extension
See Figure 3 below

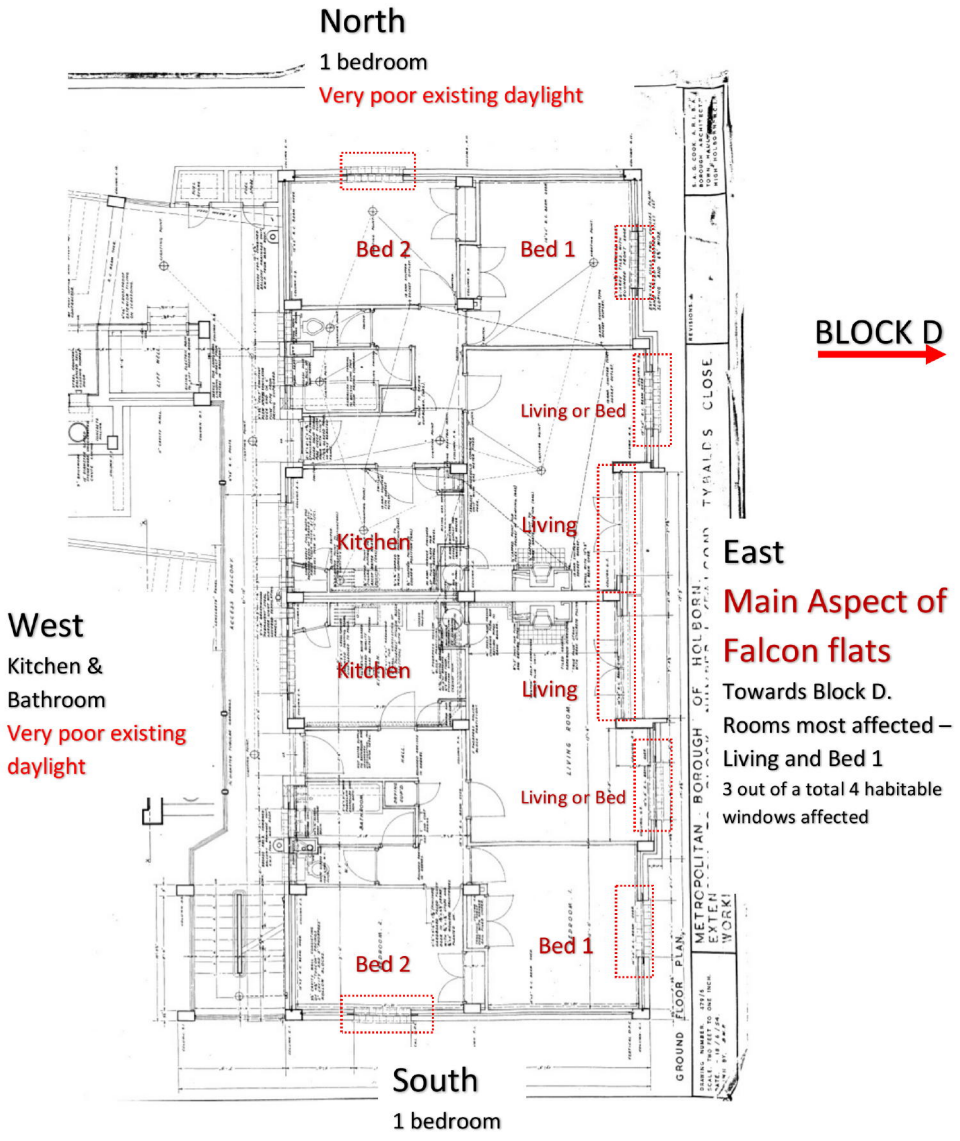


Fig 3. Falcon Extension configuration and flat layouts. Showing how 6 of 8 habitable room windows face East.

The external configuration of Falcon and internal flat layouts should be taken into consideration when assessing the impact of the new development.

Existing Daylight to Falcon Extension Flats
The Falcon scenario is not one where 1 or 2 existing windows experience an 'acceptable' loss of light while other windows (already receiving acceptable levels of daylight) are unaffected.

The falcon extension is ostensibly East facing (see Fig 3), with each 2 bed flat having **2 of 3** habitable rooms (living room and 1 bedroom) facing east and in some cases 2 bedrooms facing east depending on adaptations within the flats. 3 out of 4 habitable room windows face Block D

The northern flats (Nos. 29, 31, 33, 35, 37, 39 & 41) have 1 north facing bedroom. So are severely limited to sunlight and daylight.

Only the southern flats Nos. 30 ,32 ,34 ,36 ,38, 40 & 42 have 1 south facing bedroom overlooking the Unite Union building.

While all the flats are affected considerably. Those flats to the north are affected more, relatively, because they do not have a southern facing bedroom and Block D's position impacts their east facing windows more.

The western aspects of Falcon are unaffected by the new development. But, it should be noted that the external configuration is such that light levels are particularly poor on this side. The access walkways are deep, with lower floor to floor heights and have solid balustrades, (compared to the main building). This results in the very poor levels of daylight entering the flats from the west, as picked up by the previous daylight and sunlight report. It cannot be argued that this aspect counters losses to the eastern side.

Artificial lighting must be employed in the lower flats to supplement daylight at most times of the day and year for the flats to function properly with adequate lighting.

The Daylight report states. "Daylight may be adversely affected if, after the development, the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value." This is the case in several flats, according to our calculations.

The Daylight report states in para 2.2.1 "The daylight distribution test has been applied based on the following room layout information:" but does not list or show the Falcon plans used nor are we convinced from our own workings that these figures are accurate.

Existing Amenity
The Falcon Extension flats have a lower quality of design and level of amenity than the main block or other blocks on the estate. They have smaller windows; lower floor to ceiling heights (2.4m vs 2.6m) reducing daylight penetration; they don't have useable balconies; the flats are adjacent to the main bin chutes and bin storage with associated noise and smells; they suffer from considerable lift noise sufficient to make some of the second bedrooms unusable for sleeping.

Given the lower levels of overall amenity and then the poor daylight to the other aspects of each flat, the Eastern aspect holds considerably more weight when considering a proposal in a location such as Block D. A development to the East results in a much greater overall impact on the daylight than if the flats had adequate daylighting from alternate aspects.

To further impact the amenity of these flats should not be considered without significant thought and detailed discussions. Emphasis should be placed on enhancing the existing buildings as part of this regeneration project, to bring them closer to the current standards.

Conclusion
We conclude that the proposal in it's current form has major implications for existing residents as follows:
A. Very significant Daylight and Sunlight impact on existing residents homes
B. Resulting in major negative effects on Amenity within flats and to shared courtyard spaces.
C. A Reduction in the already poor living conditions of the existing flats in Falcon and Richbell.
D. Loss of valuable storage space and shared amenity space to private gardens and additional ramps.

Residents already have limited access good quality, well lit, outdoor green space, families of up to 6 members live in 2 bedroom flats which suffer from poor living conditions (mould, noise, poor daylighting etc). The limited greenery (a clinically proven way of diminishing of mental health issues) provided and overall daylight impacts will have manifold effects on residents.

New buildings by law are required to meet stringent planning and building regulations (daylight, acoustics, amenity etc.). The same should be applied to the existing neglected buildings and accommodation. We should not accept that existing properties built under older less stringent standards are ok to have their conditions & amenity further impacted just because they don't meet the current standards.

Amenity, daylight and wellbeing have all been brought into stark focus during the pandemic lockdowns. During which daylight and outdoor space became more important than ever as Residents spent more time indoors (over 90%) and working from home, highlighting the importance of the right to good internal daylight, amenity, noise reduction, outlook and outdoor green spaces to help with fitness, mental health and general wellbeing, particularly for vulnerable residents.

We would reiterate that we fundamentally question the validity and scope of the submitted reports and their historic precedent. We find it disingenuous that the colour green is used to highlight failing windows, that important information has been ignored in the reports and significant errors are present. Similarly the Statement of community involvement makes no mention of the Falcon residents concerns in relation to block D previously raised, and the loss of courtyard and shed storage. Stating only in para 4.8 "-Block D – Richbell residents: concerns about block height, possible loss of light and privacy." Similarly, the health impact study makes no mention of the health impacts to Falcon & Richbell residents.

Were Block D a stand-alone application we believe it would be well scrutinised and unlikely to obtain consent as it stands. A question that should be asked of the development is "would block D receive consent on its own merits?"

We request our representatives in planning and the council ensure the assessments are accurate and true, the designs are comprehensive (with landscape details) and thoroughly interrogated by the council officers.

We emphasise the offer of a meeting onsite so that you can examine these real issues for yourselves. We look forward to working through these with you.

King Regards

Ben Paul
Falcon TRA Representative
On behalf of Falcon Residents and Specifically Flats 29 to 42

Flat No.	Surname	Signature
42	SAN PEDRO	
40	Ronald	LS Ronald
39	MOZID	
37	TUMBRIDGE	
38	Khanom	MRS F. Khanom
35	KNOX	
33	CHALKRIGHT	
31	Cheref	
32	WEYMAN	P. Weyman
29	T. ALCORNEO	
34	F N ASSRADDINE	
30	M. ISAKU	

End.