



Our ref: HC05441B

Mr Patrick Marfleet  
Planning Solutions Team  
Planning and Regeneration  
London Borough of Camden  
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31 March 2022

Dear Mr Marfleet,

**Letter of objection to applications ref. 2021/4408/P and 2022/4408/L  
30 Percy Street, London, W1T 2DB**

We have been appointed by [REDACTED] to submit objections on his behalf to the two applications above, which seek to obtain planning permission and listed building consent for the extension of the previously approved rear terrace.

We submit that both applications should be refused because the proposed lateral extension of the terrace will bring noisy activities close to the boundary shared with [REDACTED] to the detriment of the residential amenity of its occupiers.

The original planning and listed building consent application for the creation of a terrace at the rear of 30 Percy Street (ref. 2019/4241/P and 2019/4517/L) was granted only because the proposed terrace would have occupied only the north-western corner of the plot, with a glazed balustrade and a non-walkable set of rooflights separating the terrace from the party wall shared [REDACTED]

Through the submission of "minor" amendments, the applicant of 30 Percy Street is now effectively proposing a terrace that directly adjoins the shared boundary. This is an attempt to circumvent the planning policy requirements that allowed the approval of the 2019 by a significant expansion of the terrace towards the east, and the removal of the physical barriers between the future users of the terrace [REDACTED]. This attempt should be stopped, and the applications refused.

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**Background**

Planning permission ref. 2019/4241/P, and the associated listed building consent ref. 2019/4517/L were approved on the basis that the proposed first floor rear terrace would have maintained a significant separation from the boundary shared with [REDACTED]. Together with the installation of a privacy screen and a balustrade that would have separated the usable terrace from the rest of the terrace, it was considered that the amenity of the residents [REDACTED] would have been preserved.

The image below, extracted from your delegated report of the 2019 applications, shows the extent of the proposed - and approved - rear terrace. The hexagonal pattern to the right would have been glazed and accessible for maintenance purposes only. [REDACTED] to the right of the glazed area.

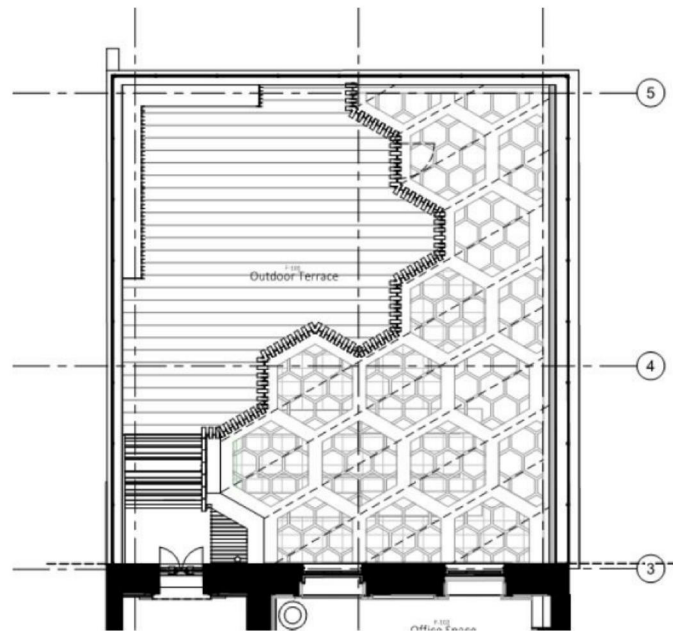


Figure 1 - Extract from proposed plan of rear first-floor terrace approved in 2019 – Walkable outdoor terrace on the upper left-hand corner, glazed surface to the right. [REDACTED] Percy Street is further right.

It is evident that the design was predicated on the need to clearly separate the new terrace, both physically and in terms of usage, from the boundary shared with [REDACTED] Percy Street. The combined effect of the glazed “gap” between the terrace and the adjoining property, the balustrade and privacy screen, and the boundary treatment along the party wall, would have prevented overlooking, and mitigated noise impacts.

The current proposal is significantly different from the one approved in 2019, and for the worse.

As shown in the extract below, the terrace now pursued is almost double in size than the one approved in 2019, it occupies the full width of the plot in the vicinity of the building, will not have any separation from 29 Percy Street for a length of 3.5 metres along the boundary. Effectively, all the mechanisms to prevent negative impacts on the amenity of 29 Percy Street have been removed, without any sound planning reason to do so.

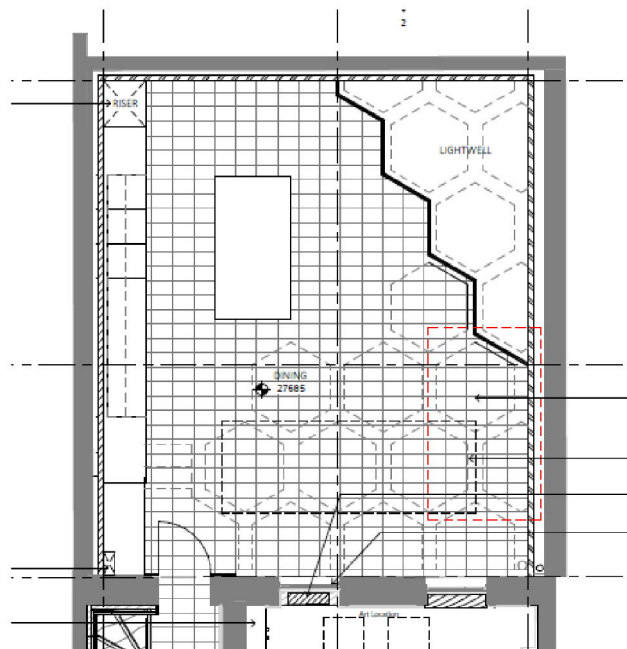


Figure 2 - Current proposal

### **Planning policy**

The development plan for Camden includes the London Plan 2021 (LP), and the Camden Local Plan 2017 (CLP). The National Planning Policy Framework 2021 (NPPF), Camden's Design CPG 2021 and Amenity CPG 2021 are also material planning considerations for the assessment of development proposals in Camden.

It is essential to note that the Camden Local Plan 2017, and its policies on design and protection of residential amenity, was already in force in 2019 when the original application was determined. The Camden Local Plan is still the adopted development plan for the site. In other words, the very same policies that were applied to the assessment of the 2019 proposal are to be applied to the current proposals.

Policy A1 of the CLP states that the Council will not grant permission if it causes unacceptable harm to amenity. Among the parameters that need to be addressed to guarantee the protection of residential amenity is visual privacy and outlook, and noise.

Paragraph 5.16 of the Council's Design CPG 2021 states that "*balconies and roof terraces can provide valuable amenity space for workers who would otherwise have little or no exterior space. However, they can also cause nuisance to neighbours. Potential problems include overlooking, overshadowing, noise, light spillage and security*".

Paragraph 5.17 of the Design CPG states that, in the design of balconies and terraces, consideration should be given to the possible use of setbacks to minimise overlooking ("a roof terrace need not necessarily cover the entire available roof space"), and the possible use of screening to prevent overlooking of habitable rooms in residential properties or nearby gardens.

### **Grounds of objection**

Paragraph 2.4.6 of your delegated report for applications ref. 2019/4241/P 2019/4517/L clearly explains why the design, size and location of the terrace shown in Figure 1 above would have been acceptable from a residential amenity point of view. The paragraph states (our emphasis):

*"The proposed roof terrace area would occupy approximately half of the roof of the proposed extension and has been purposely located towards the north-western corner, away from the windows of the adjoining residential properties at nos.29 and 28, to alleviate concerns relating to loss of privacy. The proposals also include the installation of a privacy screen and a balustrade that would mark the boundary of the proposed terrace and clearly separate it from the remainder of the roof, which is to be glazed and would only be accessible for maintenance purposes."*

At a single stroke, the design proposed by the current application has almost doubled the size of the terrace, removed the separation from the windows of [REDACTED], and made the eastern area usable and walkable.

In short, all the design features and precautions included in the 2019 project to avoid negative amenity impacts on neighbours are no longer there.

The proposed terrace is very large and will be able to host crowded events in connection with the business use of 30 Percy Street. The terrace will create unneighbourly impacts on the adjoining properties, and [REDACTED] Percy Street in particular. There will be an increase sense of overlooking, noise in close proximity to the boundary, and an increased security risk.

For these reasons, the design of the terrace will be contrary to the requirements set out in the Design CPG and Policy A1 of the Camden Local Plan 2017, and the applications should be refused on this basis.

### **Conclusions**

There are no reasons to extend the terrace further west, and even if there were some, the proposed design would directly contravene the local plan policies and guidance of Camden.

The original design was carefully balanced to prevent at the source negative impacts on the amenity of [REDACTED], and the original applications were approved only because a large gap between the new terrace and the shared boundary was retained.



The gap has been removed, so the proposal will automatically go against Policy A1 of the Camden Local Plan. We therefore invite you to refuse the applications.

Kind regards

Yours faithfully  
For and on behalf of Mr Simon Bishop

*L.P.*

Lorenzo Pandolfi



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And if a continuation sheet is required this is how it would look with the type finishing in the same position as page 1, ie before the blue line, and the logo in the top right hand corner

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