

Printed on: 09/01/2023 09:10:06

Application No:	Consultees Name:	Received:	Comment:	Response:
2022/4450/P	Melanie McGovern	07/01/2023 23:03:06	OBJ	<p>I object to this development for the following reasons. 4</p> <ol style="list-style-type: none">1. The plans indicate there will be significant negative impact on the [REDACTED] toward the back of the buildings of 264-272 Belsize Road. A number of buildings/flats will be impacted by being directly overlooked by the windows and terraces of the new developments of 264.2. Litter and recycling outside of property at 264 Belsize Road will be impacted by the entrance of the building being via 264 Belsize Road rather than at the rear entrance of Kilburn Lane. There is no waste storage facility meaning larger volumes of rubbish and recycling will accumulate at the bus stop which is an already congested section of the road and pavement. 43. No communication has been issued from Roxburg Overseas Ltd (who have submitted the planning application) to neighbours, tenants or leaseholders who reside in the potentially affected properties.

Application No: 2022/4450/P
Consultees Name: Anke Lueddecke
Received: 07/01/2023 23:01:43
Comment: OBJ

Response:

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I am objecting to Planning Application 2022/4450/P for the reasons listed below.

Planning application details

I would like the Council to verify whether the extension in the proposal is actually part of no.264 Belsize Rd. Camden's own planning portal map, <https://ssa.camden.gov.uk>, displays the extension covered in the proposal as part of no.258 Belsize Rd (Title 27809). Previous planning applications such as 2016/6703/P have maps and site drawings that likewise show the extension as part of no.258 Belsize Rd. Moreover, Land Registry register plan LN145784 shows that no.264 Belsize Rd does not contain the extension.

Although the planning application is for a change of use only, it actually involves the construction of a new building, preserving only a small amount of existing walls. It should be considered as a development in its own right, as stated in the Energy Statement: 'This development is not considered a major development according to the London Plan 2021 (FLA of 580m² <10002) but it is regarded as medium development.'

Overlooking / Loss of privacy

In order to (presumably) maximise light for the proposed flats, the [REDACTED] of existing residents in nos.264, 266, 268, 270 and 272 Belsize Rd. is being ignored and negatively impacted. There would be significant [REDACTED] from the proposed flats into existing flats, with direct, up to 180-degree sight lines into habitable rooms - especially affecting the existing first and second floor flats. For example, in my flat, residents in the proposed flats would be [REDACTED] which is open-plan into the living room.

Conversely, the existing flats - first, second, and converted attic floors - would overlook the patios and terraces planned for the proposed build.

So far as I can tell from the application, the minimum distance of 18m is not being met by the proposed development. The first-floor windows appear to be 12 or 13 metres away from the existing properties: nos.264, 266, 268, 270 and 272 Belsize Rd.

There are no mitigation measures in place to prevent [REDACTED]. The existing flats above the shops at nos.264, 266, 268, 270 and 272 Belsize Rd have no enjoyment of privacy from their front windows, due to them facing Belsize Rd, where they look out over busy bus stops, the Kilburn High Rd Overground station, and The Bell pub's noisy beer garden. The windows at the rear of our flats are currently the only way of getting some fresh air without noise and traffic pollution into our flats.

Loss of light

The proposed development would be blocking a significant amount of daylight reaching the backs of the existing properties at nos.264, 266, 268, 270 and 272 Belsize Rd.

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The existing height of the extension is about 42m, whereas the proposed height is nearly 44m. This difference in height would affect the gap between 26 Kilburn Pl and 50-52 Kilburn High Rd extension in particular. The gap, which allows light from Kilburn Place to reach the rear of existing properties facing Belsize Rd, would be decreased significantly. The residents of nos. 264 and 268 Belsize Rd would likely lose most daylight due to this increase in height.

There is no indication of whether the 25 degree or 45 degree BRE tests have been carried out to assess the impact of the new development on existing properties.

Light spillage and pollution

The orientation of the windows, patios, walkways, and terraces of the proposed flats would cause light spillage and light pollution for the existing properties. The orientation of the proposed flats directly opposite the existing flats would aggravate this effect.

The orientation of the proposed development's windows is likely to prevent direct sunlight reaching the proposed units. Due to the lack of direct sunlight, the residents of the proposed flats would therefore likely use artificial light in their properties, including in the patio areas, not just after nightfall but during the day as well. Please see the application's Sustainability Statement, p.21, for an illustration of how low the natural lighting levels will be.

This fact will worsen the light spillage and light pollution for the existing properties [REDACTED] and being overlooked by, the new development.

The Sustainability Statement also states that there would be 24-hour lighting in communal areas of the proposed development, further aggravating the potential for light pollution for neighbours.

In addition, there would likely be glare from the proposed solar panels into the habitable rooms of the existing properties: nos.264, 266, 268, 270 and 272 Belsize Rd.

Noise

The new development faces the existing flats of numbers 264, 266, 268, 270, and also 272 Belsize Road. The extension is surrounded by taller buildings on 4 sides, creating a sort of amphitheatre which will reflect and amplify not only the sounds of construction – which will be considerable – but also the noise made by the residents of the proposed flats.

All the windows of the new development will be openable, as stated in the Energy Statement. This means that there is significant potential for noise pollution, especially during spring, summer and autumn, when windows are also likely to be opened for ventilation.

An example of this already happening is when the paying guests of Sanctum Apartments whose windows overlook the current extension play music or chat with their windows open. The noise is reflected around the adjacent buildings and amplified by them. Five additional units with 2-5 residents in each one, with open-air

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patios and openable windows, would add a lot of potential noise. The existing properties already are affected by major noise from Belsize Road traffic, the Overground and National Rail tracks, and the beer garden of the Bell pub which holds regular sporting and other events audible from the existing flats. Additional noise pollution from the rear of our properties would be hugely detrimental to the enjoyment of our properties.

The fact that the 'accessible entrance' is from Belsize Rd rather than Kilburn Place further demonstrates a lack of concern for the existing residents at no.264 Belsize Rd. During the construction that took place between June to December 2022 in the extension, as well as in the ground-floor shop at no.264A, the noise pollution and vibration caused by the building work hugely impacted my enjoyment of my property. In fact, the repeated vibration caused furniture to topple. Both the construction phase of the proposed development, and the usage of the entrance at no.264A by up to 25 future residents would create significant noise and vibration, considering the age and construction method of the existing property (a Victorian brick building).

Road access / Highway Safety

The Sustainability Statement confirms that there would not be any waste storage. Thus, the only way in which residents of the proposed development would be able to get rid of their rubbish would be via Kilburn High Road, placing their rubbish bags outside no.264A, as per Camden Council policy. The amount of waste produced by five new units would create a nuisance and a safety issue for both passers-by and for the passengers waiting for/ getting on and off the 31 bus outside no.264 Belsize Rd.

The proposed development would see residents of the new development entering and exiting the building through number 264A, which is in close proximity to the 31 bus stop, creating conflict with both passers-by and for the passengers waiting for/ getting on and off the 31 bus outside no.264 Belsize Rd. The proposed cycle parking would mean that residents of the proposed flats would need to enter and exit with their bikes, creating additional potential for conflict with pedestrians.

The development is on a site with poor / limited access through number 264A or Kilburn Place. Construction materials would need to be delivered via one of these routes, impacting the surrounding road network, possibly clashing with the Abbey Road phase 3 construction.

Safety / Disabled persons' access

The fire exit from this building is via stairs only. How is the wheelchair user for whose benefit there is a stairlift for access into their property going to get away in case of fire, if the fire is blocking the stairlift? Overall, the removal of the existing access via Kilburn Place is creating a potential fire trap, in spite of possible exit routes through no.264A and (presumably) one of the buildings facing Kilburn High Rd.

Overdevelopment / density of building

The application is for '5 no. two- bedroom duplexes'. However, the energy statement describes '5 dwelling

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units (4 no. two-bedroom duplexes and 1 no. three-bedroom duplex) The drawings show that each unit is designed with 3 bathrooms as well as a toilet, meaning that all five units may be sold or let as three-bedroom units. This suggests that up to 30 people could be living in the proposed development. It also suggests that the unit will end up being used as short-term lets by the adjacent Sanctum Apartments (which has the same ownership as no.264 Belsize Rd).

The impact of five new dwellings would place significant demand on utilities. The projected electricity demand in the Utilities Assessment seems to be based on the five proposed units usage only, not the existing and proposed flats combined (which would make it eight units drawing on a single power supply, rather than five). The foul water strategy seems inadequate.

The proposed development would cause a loss of active shop frontage.

Additional points

The planning documents and application have given no consideration to the impact of the proposal on its neighbours, and no information was shared with leaseholders or neighbours, despite repeated questions to the freeholders regarding planned works.

Due to cross-ownership, the Council should consider this application in conjunction with 2022/3717/P, 2011/4408/INVALID, and 2016/6703/P - the last of which is an enforcement notice against no.258 Belsize Rd operating as short-term lets, and the failure to deliver bicycle parking.

The developer has a track record of creating upmarket temporary accommodation rather than long-term residential accommodation for Camden residents.

The freeholders of no.264 Belsize Rd, who would benefit financially from the proposed development, have been asked for the past five years to take action to address significant issues of damp in shared areas, as well as to put in order and maintain the existing buildings fabric. No action has been taken to remedy the cause of damp or to provide basic maintenance of the exterior brickwork.

Conclusion

The cumulative effect of the new development would be detrimental to the enjoyment of neighbouring existing properties, constitute an overdevelopment, and have a negative impact on passers-by and transport users at the 31 bus stop.