

1st December 2018,



Michael Blamires
Department of the Built Environment
City of London
Guildhall
PO Box 270
London
EC2P 2EJ

Dear Mr Blamires

**PLANNING APPLICATION 18/00033/FUL – amendments 14 November 2018
8,9 AND 13 WELL COURT, LONDON EC4M 9DN**

Thank you for your re-consultation on the above application.

I still object to the proposals as the latest amendments do not address my concerns and the fundamental issues of the proposed development have not been addressed. Mere moderation of an overbearing development fails to remove the critical issues of putting brick walls meters away from bedrooms and habitable rooms. The current residential amenity will be heavily compromised through adverse sunlight, daylight and general impacts which conflict with **City of London Local Plan (CoLLP)** policies. Many of the grounds of my previous objection still stand and should be taken into account.

To have to navigate another revision for the 5th time clearly demonstrates that this is not a straightforward, simple or positive plan. There are so many barriers to this development, and although some have been eased, the main issues remain critical and fundamentally contradict various CoLLP policies. Despite the 5th revision the development is still overbearing and it is becoming increasingly obvious that this is not a suitable development location.

Unfortunately, **once again**, the applicant has failed to consult with residents. Only reaching out after submitting new plans, rendering the consultation process meaningless. Material changes and concessions on this proposal once again fail to address the core issues.

The applicant continues to ignore my objections and those of other residents of 12 Well Court and still has blatant disregard for our levels of amenity. The changes to the latest scheme, reflect their desires to seemingly meet the Sunlight and Daylight standards rather than respect our amenity and engage in a meaningful compromise.

The BRE report seems to take a very cavaliering approach to residential amenity in terms of the quality of sunlight/daylight. It is surprising to see the proposed development as having a 'minor adverse' impact for sun and daylight considering the major reduction of light/skylight

to the majority of the building. This is a residential block and the resident's quality of life is being negated in terms of deteriorating sunlight and daylight for commercial units.

In any event, an adverse impact means it fails to fully meet the BRE guidelines and therefore conflicts with the development plan.

The CoLLP is supposed to protect and support residents to preserve this amenity. The first three floors all fail the sunlight guidelines year round, the fourth floor fails to meet the winter guidelines at a time when light is of great importance. This does not seem to be a 'minor adverse' impact when it affects over 62% of the building. There is a similar pattern with regards to daylight via a clear loss of daylight to multiple habitable rooms throughout the building. Again there has not been any clarification, or acknowledgment, as to whether the report takes into account the Eastern lighting loss. This is a major issue considering southern mirroring assessments of the building neglect any morning light from the East. If the current lighting was at a good level, then a deterioration could be palatable; however the lighting is already challenged and any further reductions in light will make the situation drastic and critical.

The applicant cannot demonstrate that Sunlight and Daylight standards are met, the proposal is still overbearing in the outlook's context with a new building structure being erected metres away from habitable rooms and windows. Should this be in any other council outside of the City this scheme would never be considered.

It is helpful that the fourth and fifth floor balconies have been removed and that new windows are to be fixed shut. There is still a roof terrace proposed so still potential for overlooking, noise and disturbance.

I still consider that as our residences are already in existence, the proposal has to plan to accommodate us, yet the applicant still gives very little recognition that we exist or provides any assessment of how their proposals impact residential amenity.

I have again taken advice from Stansgate Planning Consultants on the amended plans and further documents on the web site. Based on their advice, I still object to the proposals on the following grounds:

- The proposals conflict with the National Planning Policy Framework as they are not sustainable development;
- The proposals conflict with the development plan and there are no material considerations to indicate a decision should be made other than in accordance with the development plan;
- Loss of amenity due to the overbearing building structure only metres away from habitable rooms;
- Loss of sunlight and daylight to below the accepted standard in the BRE guidelines;
- Disturbance caused by noise from a roof terrace, general activity and light pollution.

Conflict with the National Planning Policy Framework

A new National Planning Policy Framework was published July 2018 that supersedes that of 2012. It continues a presumption in favour of sustainable development and paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable

development – summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The proposals are not considered sustainable development as they fail to meet the overarching social and environmental objectives which are mutually supportive of an economic objective.

A social objective – it fails to bring about a well-designed built environment and support communities' health and social well-being as:

- it fails to respect residential amenity by the introduction of an overbearing structure within metres (as extreme as sub 4m) of the only habitable room windows of residential flats at 12 Well Court;
- it decreases the sunlight and daylight in the flats and at street level in Well Court, with the result of adverse impact on residents' health and well-being and the need for additional use of electric lighting and a resultant increase in carbon footprint.

An environmental objective – it fails to protect and enhance our built and historic environment, adding to pollution with greater use of electric lighting which fails in the objective of moving towards a low carbon economy. Environmentally sustainable development seeks to increase sunlight and daylight into dwellings so as to reduce the use of scarce resources and reduce our carbon footprint.

Conflict with the development plan

Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004 and Section 70(2) T&CP Act 1990). The Development plan in this case comprises the **adopted London Plan (LP)** and the **City of London Local Plan (CoLLP)**. The emerging plans are not advanced enough to carry significant weight in decision making. There are a number of relevant policies with which the proposals conflict as set out in each objection below and there are no material considerations that would indicate a decision should be made otherwise than in accordance with the development plan.

Loss of Amenity

The proposals conflict with the following policies:

LP Policy 7.6 states that buildings and structures should not *“cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.”*

CoLLP Policy CS.10 Design, seeks for proposals to have *a positive relationship to neighbouring buildings.*

Policy DM 21.3 Residential Environment Point 3 – says *all development proposals should be designed to avoid overlooking and seek to protect the privacy, day light and sun light to adjacent residential accommodation.*

Policy DM 10.3 Roof gardens and terraces seeks to *encourage high quality roof gardens and terraces where they do not:*

- *immediately overlook residential premises;*

CoLLP Core Strategic Policy (CS21): To protect the existing housing of the ‘only 9,000’

residents of the city. and the failure to meet the CoLLP Policy DM 21.3.1: where by the applicant is unable to comply with the policy due to the nature and proximity of the development as they are unable to demonstrate adequate mitigation measures to address detrimental impact on residential environment.

CoLLP Policy 3.21.10: Says- the presence of housing can also inhibit the development of neighbouring sites and commercial activities due to the need to protect residents amenities.

Notwithstanding that the fourth and fifth floors are now proposed stepped back away from 12 Well Court, they are still mere meters away respectively. The proposals conflict with these development plan policies for the reasons as below.

- The new fifth floor office is still sub 7 meters away from the windows of 12 Well Court ; whilst the 4th floor is only 5.5m away from 12 Well Court which presents an overbearing structure in close proximity to bedrooms causing an oppressive environment and loss of outlook;
- The very existence of the proposed building puts a solid structure only a matter of a few metres from no.12. The proposal still breaches the existing envelope of the site and changes from an existing passive environment to an active environment are detrimental to residential amenity;
- It closes the gap between buildings significantly, presenting an overbearing feature that dominates any outlook and the dominance of the structure is evidenced by the loss of sunlight and daylight.

Overall, it causes unacceptable harm to the amenity of a residential building in conflict with LP Policy 7.6, CoLLP Policy CS.10 and DM 21.3 and 10.3. It overshadows no.12 and has a negative relationship and fails to protect privacy.

Previously, Flat 7 objected to the new fire escape ladder that was relocated to go up the proposed building and which gave access onto the roof terrace of Flat 7 causing an obstruction and unsightly highly prominent feature. The amended plans show this relocated to be within a setback on the proposed building. Whilst it therefore no longer causes an obstruction, it is still a prominent and unsightly feature rising up the wall and highly visible from a modest size roof terrace. It still causes loss of visual amenity.

Loss of sunlight and daylight

CoLLP Policy DM 10.7 seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings taking account of Building Research Establishments (BRE) Guidelines. Given the close proximity of the buildings and the fact that the proposals are south of 12 Well Court, an increase in the size and height as proposed will noticeably reduce the sunlight and daylight.

BRE on behalf of the Corporation, has reviewed the applicant's further calculations and finds an adverse impact, whilst stated as 'minor adverse' it is still adverse and the proposals still fail to meet the guidelines.

The proposals do not accord with the development plan. They conflict with **CoLLP Policy DM 10.7** which seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings. It also conflicts with **CoLLP Policy DM21.3** as above.

Looking ahead, a new standard for natural light within buildings will be implemented later this year and once adopted applications will need to abide by it. It raises the bar for targets and assessment methods, aiming to support sustainable development and occupants' health and wellbeing. It will supersede the current British Standard on which the BRE guidelines are based.

Disturbance caused by noise and light pollution

CoLLP Policy DM15.7 says development should not adversely affect noise or light sensitive uses such as housing.

The applicant proposes noise from plant and machinery along with light pollution, is conditioned on a planning permission. This might be a suitable way to control fixed noise from plant and machinery but it is not possible to control the general noise and disturbance created by coming and going and general movement or light pollution. As there remains a roof terrace, there will be outdoor noise affecting Well Court residents.

There will inevitably be loss of amenity through noise, disturbance and light pollution that cannot be controlled. As such the proposals conflict with CoLLP Policy DM15.7.

Decision Making

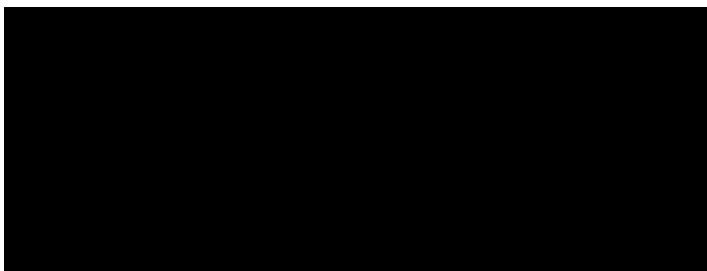
The planning system is plan led. Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Should this decision go to a planning committee, I would ask that the committee visits 12 Well Court to regard the scope and critical effects of the proposed development.

Overall, the proposals are not sustainable development. They conflict with the development plan and as there are no other material considerations that find in favour, it is respectfully requested that planning permission is refused. Furthermore, there does not appear to be any way in which these concerns could be addressed as the loss of amenity and conflict with the development plan derives from all parts of the proposals. Each on their own may appear minor but cumulatively, the impact is major and critical.

Yours sincerely,

Grant Winton



Appendix:

Please note all images are taken from Flat 7; the applicants proposals will have a critical impact on both Flat 7 and Flat 8, which will progressively worsen as you move further down the building to the passageway of Well Court.



Figure 1: Flat 7 from the master bedroom. The Proposed development boundary wall and balcony/windows to East and South of 12 Well Court. The proposal would still develop brick walls right up against the bedroom. The Additional Eastern and Southern height would cripple the day and sunlight.



Figure 2: From the master bedroom. Southern Aspect of 12 Well Court. Again the office space would directly impact the amount of light from the south.



Figure 3: Eastern view from 12 Well Court's Terrace. There is a clear loss of amenity alongside fire escape issues prevailing from the proposed development.



Figure 4: The close proximity of the proposed development as seen from the terrace.



Figure 5: The current Southern view and terrace, which will be blocked and overlooked by the proposed development's proximity and overbearing structure.



Figure 6: The current Southern outlook from 12 Well Court. The proposed development will impact the amenity of the living room from the South and East.



Figure 7: The current Southern/Eastern outlook from 12 Well Court's living room/kitchen. The proposed development again adversely and negatively impact the living room and kitchen from the South and East and block out light from both directions.

Comments for Planning Application 18/00033/FULL

Application Summary

Application Number: 18/00033/FULL

Address: 8, 9 & 13 Well Court London EC4M 9DN

Proposal: Extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level and installation of plant and plant enclosures at sixth floor roof level. (436sq.m GIA).

Case Officer: Michael Blamires

Customer Details

Name: Mr Mark Braithwaite

Address: Flat 6 Flat 6, 12 Well Court London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Other
- Residential Amenity

Comment: I have again taken advice from Stansgate Planning Consultants on the amended plans and further documents on the web site. Based on their advice, I still object to the proposals on the following grounds:

The proposals conflict with the National Planning Policy Framework as they are not sustainable development;

The proposals conflict with the development plan and there are no material considerations to indicate a decision should be made other than in accordance with the development plan;

Loss of amenity due to the overbearing building structure only metres away from habitable rooms;

Loss of sunlight and daylight to below the accepted standard in the BRE guidelines;

Disturbance caused by noise from a roof terrace, general activity and light pollution.

Pointcrest Limited
Foxhill
Forde Hall lane
Ullenhall, Henley in Arden
B95 5PJ



Michael Blamires
Department of the Built Environment
City of London, Guildhall
PO Box 270,
London, EC2P 2EJ

3rd December 2018

Dear Mr Blamires

PLANNING APPLICATION 18/00033/FUL - amended plans 13 September 2018
8,9 AND 13 WELL COURT, LONDON EC4M 9DN

Pointcrest Limited is the Freeholder of 12 Well Court, and object to this application as fundamental problems remain. It fails to address previous voiced concerns. Many of the grounds of previous objections still remain.

From a procedural perspective, it's inappropriate for the council to allow a 5th revision. Each revision requires the proposal to be reconsidered which is costly to residents & the Freeholder, and overbearing on our time. No doubt the planning department has real empathy on this last point?

The latest revision makes no attempt to reduce the overbearing bulk as the walls haven't moved (so far as I can see). Modest changes to windows & balconies have occurred but this raises the question as to why it has taken 5 attempts, as the primary objection was made by residents at the start. Despite the 5th revision the development is still overbearing and it is increasingly obvious this is not a suitable development location.

The applicant continues to ignore my objections as Freeholder and those of other residents of 12 Well Court. The fourth floor is still only 5.5m away; the fifth floor is only 7 m from the windows of the top floor flat of 12 Well Court. It's overbearing in the context of the outlook with a new building a matter of only metres away from habitable room windows. Allowing new overbearing commercial space to be developed so close to existing residential space is unacceptable. It feels as though the developer makes modest modification with the tactic that eventually the local authority will accept it as though they are mitigating the neighbour's objections. The design is less aggressive than previous applications, but is still fundamentally unacceptable. The impact from within the existing flats on higher floors will be dramatic, both in terms of overlooking and overbearing new structure being built so close. I have previously voiced concerns relating to the impact on the public at street level, as Well Court is already challenged in respect of light, and this proposal must make matters worse.

The proposal fails to recognise that several hours of sunlight coming from the east will be entirely lost due to the proposed construction blocking the sun. The developer is aware of all of the above, yet fail to consult with any neighbours or freeholders.

They certainly must believe the City of London planners will relent with their continual applications, if only to draw a line under the matter allowing scarce public resource to be

more meaningfully applied elsewhere. I sense that the City of London Planners may soon propose this scheme for acceptance, on the grounds that it has been scaled back, but this loses sight of the fundamental shocking inappropriateness of developing adjacent to residents' bedrooms, kitchens, lounges and outside amenity space.

It makes total sense to promote zoned residential development in the City, reducing congestion as a result of City workers not having to commute. However, protection of the rights of those residential zones seem to be under threat here, with a sense that commercial development generating new jobs trumps their rights which would certainly be protected in neighbouring boroughs. I still consider that as our residences are already in existence, the proposals have to plan to accommodate us, yet they still give very little recognition that we exist or provide any assessment of how their proposals impact on residential amenity.

I have again taken advice from Stansgate Planning Consultants on the amended plans and further documents on the web site. Based on their advice, I still object to the proposals on the following grounds:

- The proposals conflict with the National Planning Policy Framework as they are not sustainable development;
- The proposals conflict with the development plan and there are no material considerations to indicate a decision should be made other than in accordance with the development plan;
- Loss of amenity due to the overbearing building structure only metres away;
- Loss of sunlight and daylight
- Disturbance caused by noise and light pollution.

Conflict with the National Planning Policy Framework

A new National Planning Policy Framework was published July 2018 that supersedes that of 2012. It continues a presumption in favour of sustainable development and paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development – summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The proposals are not considered sustainable development as they fail to meet the overarching social and environmental objectives which are mutually supportive of an economic objective.

A social objective – it fails to bring about a well-designed built environment and support communities' health and social well-being as:

- it fails to respect residential amenity by the introduction of an overbearing structure within metres of the only habitable room windows of residential flats at 12 Well Court;
- it introduces noise, light pollution and disturbance by incorporating additional offices which will be cleaned at night. Notwithstanding that it will be at 90 degrees to the windows and roof terrace of the flats at 12 Well Court;
- it decreases the sunlight and daylight in the flats and at street level in Well Court, with the result of adverse impact on residents' health and well-being and the need for additional use of electric lighting and a resultant increase in carbon footprint.

An environmental objective – it fails to protect and enhance our built and historic environment, adding to pollution with greater use of electric lighting which fails in the objective of moving towards a low carbon economy. Environmentally sustainable development seeks to increase sunlight and daylight into dwellings so as to reduce the use of scarce resources and reduce our carbon footprint.

Conflict with the development plan

Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004 and Section 70(2) T&CP Act 1990). The Development plan in this case comprises the **adopted London Plan (LP)** and the **City of London Local Plan (CoLLP)**. The emerging plans are not advanced enough to carry significant weight in decision making. There are a number of relevant policies with which the proposals conflict as set out in each objection below and there are no material considerations that would indicate a decision should be made otherwise than in accordance with the development plan.

Loss of Amenity

The proposals conflict with the following policies:

LP Policy 7.6 states that buildings and structures should not *"cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate."*

CoLLP Policy CS.10 Design, seeks for proposals to have a *positive relationship to neighbouring buildings*.

Policy DM 21.3 Residential Environment Point 3 – says *all development proposals should be designed to avoid overlooking and seek to protect the privacy, day light and sun light to adjacent residential accommodation*.

Policy DM 10.3 Roof gardens and terraces seeks to *encourage high quality roof gardens and terraces*.

Notwithstanding that the fourth and fifth floors are now proposed stepped back away from 12 Well Court, they are still only 5.5m and 7m away respectively. The proposals conflict with these development plan policies for the reasons as below.

- there is still a loss of privacy and loss of amenity due to increased noise from the new fourth floor at a distance of just 5.5m away;
- The new fifth floor office is still at a distance of only 7m from the windows of 12 Well Court which presents an overbearing structure in close proximity causing an oppressive environment and loss of outlook;
- The very existence of the proposed building puts a solid structure only a matter of a few metres from no.12. It is acknowledged there is a mansard roof on the fourth floor existing but the proposal still breaches the existing envelope of this and changes an existing passive environment to an active environment detrimental to residential amenity;
- It closes the gap between buildings significantly, presenting an overbearing feature that dominates any outlook and the dominance of the structure is evidenced by the loss of sunlight and daylight.

Overall, it causes unacceptable harm to the amenity of a residential building in conflict with LP Policy 7.6, CoLLP Policy CS.10 and DM 21.3 and 10.3. It overshadows no.12, has a negative relationship, and fails to protect privacy.

Previously, Flat 7 objected to the new fire escape ladder that was relocated to go up the proposed building and which gave access onto the roof terrace of Flat 7 causing an

obstruction and unsightly highly prominent feature. The plans show this to be within a setback on the proposed building. This is still a prominent and unsightly feature rising up the wall and highly visible from a modest size roof terrace. It still causes loss of visual amenity.

Loss of sunlight and daylight

CoLLP Policy DM 10.7 seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings taking account of Building Research Establishments (BRE) Guidelines. Given the close proximity of the buildings and the fact that the proposals are south of 12 Well Court, an increase in the size and height as proposed will noticeably reduce the sunlight and daylight.

BRE on behalf of the Corporation, has reviewed the applicant's further calculations and finds an adverse impact, whilst stated as 'minor adverse' it is still adverse and the proposals still fail to meet the guidelines. I would ask each member of the planning department/committee to consider what their honest personal feeling would be if they lived in the existing higher floor flats in respect of impact on daily living environment?

The proposals do not accord with the development plan. They conflict with **CoLLP Policy DM 10.7** which seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings. It also conflicts with **CoLLP Policy DM21.3** as above.

Looking ahead, a new standard for natural light within buildings will be implemented later this year and once adopted applications will need to abide by it. It raises the bar for targets and assessment methods, aiming to support sustainable development and occupants' health and wellbeing. It will supersede the current British Standard on which the BRE guidelines are based.

Disturbance caused by noise and light pollution

CoLLP Policy DM15.7 says development should not adversely affect noise or light sensitive uses such as housing.

The applicant proposes noise from plant and machinery along with light pollution, is conditioned on a planning permission. This might be a suitable way to control fixed noise from plant and machinery but it is not possible to control the general noise and disturbance created by coming and going and general movement or light pollution.

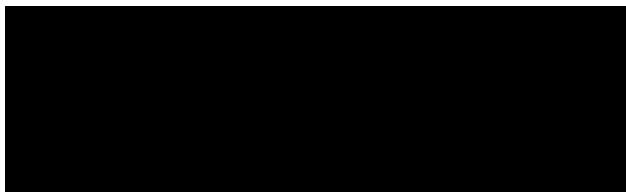
There will inevitably be loss of amenity through noise, disturbance and light pollution that cannot be controlled. As such the proposals conflict with **CoLLP Policy DM15.7**.

Decision Making

The planning system is plan led. Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Overall, the proposals are not sustainable development. They conflict with the development plan and as there are no other material considerations that find in favour, it is respectfully requested that planning permission is refused. Furthermore, there does not appear to be any way in which these concerns could be addressed as the loss of amenity and conflict with the development plan derives from all parts of the proposals.

Yours sincerely



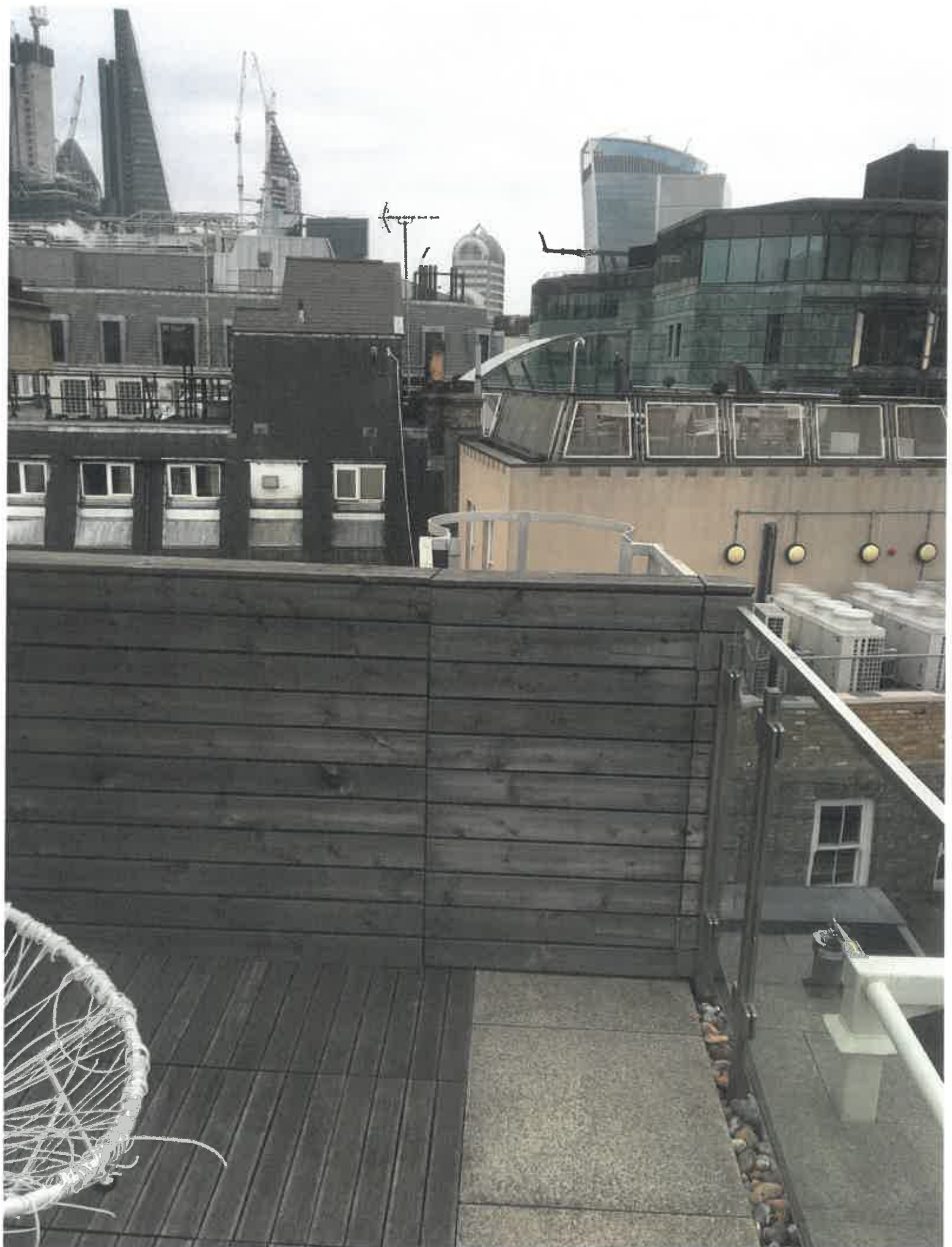
Photographs from 12 Well Court



















Comments for Planning Application 18/00033/FULL

Application Summary

Application Number: 18/00033/FULL

Address: 8, 9 & 13 Well Court London EC4M 9DN

Proposal: Extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level and installation of plant and plant enclosures at sixth floor roof level. (436sq.m GIA).

Case Officer: Michael Blamires

Customer Details

Name: Ms Martha Powley

Address: Fraser & Co. Unit 12 West End Quay 1 South Wharf Road London

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other

Comment: 23rd November 2018,

[NAME],

Flat [number],

12 Well Court,

London,

EC4M 9DN

Michael Blamires

Department of the Built Environment

City of London

Guildhall

PO Box 270

London

EC2P 2EJ

Dear Mr Blamires

PLANNING APPLICATION 18/00033/FUL - amendments 14 November 2018

8,9 AND 13 WELL COURT, LONDON EC4M 9DN

Thank you for your re-consultation on the above application.

I still object to the proposals as the latest amendments do not address my concerns and the fundamental issues of the proposed development have not been addressed. Mere moderation of an overbearing development fails to remove the critical issues of putting brick walls meters away from bedrooms and habitable rooms. The current residential amenity will be heavily compromised through adverse sunlight, daylight and general impacts which conflict with City of London Local Plan (CoLLP) policies. Many of the grounds of my previous objection still stand and should be taken into account.

To have to navigate another revision for the 5th time clearly demonstrates that this is not a straightforward, simple or positive plan. There are so many barriers to this development, and although some have been eased, the main issues remain critical and fundamentally contradict various CoLLP policies. Despite the 5th revision the development is still overbearing and it is becoming increasingly obvious that this is not a suitable development location.

Unfortunately, once again, the applicant has failed to consult with residents. Only reaching out after submitting new plans, rendering the consultation process meaningless. Material changes and concessions on this proposal once again fail to address the core issues.

The applicant continues to ignore my objections and those of other residents of 12 Well Court and still has blatant disregard for our levels of amenity. The changes to the latest scheme, reflect their desires to seemingly meet the Sunlight and Daylight standards rather than respect our amenity and engage in a meaningful compromise.

The BRE report seems to take a very cavaliering approach to residential amenity in terms of the quality of sunlight/daylight. It is surprising to see the proposed development as having a 'minor adverse' impact for sun and daylight considering the major reduction of light/skylight to the majority of the building. This is a residential block and the resident's quality of life is being negated in terms of deteriorating sunlight and daylight for commercial units.

In any event, an adverse impact means it fails to meet the BRE guidelines and therefore conflicts with the development plan.

The CoLLP is supposed to protect and support residents to preserve this amenity. The first three floors all fail the sunlight guidelines year round, the fourth floor fails to meet the winter guidelines at a time when light is of great importance. This does not seem to be a 'minor adverse' impact when it affects over 62% of the building. There is a similar pattern with regards to daylight via a clear loss of daylight to multiple habitable rooms throughout the building. Again there has not been any clarification, or acknowledgment, as to whether the report takes into account the Eastern lighting loss. This is a major issue considering southern mirroring assessments of the building neglect any morning light from the East. If the current lighting was at a good level, then a

deterioration could be palatable; however the lighting is already challenged and any further reductions in light will make the situation drastic and critical.

The applicant cannot demonstrate that Sunlight and Daylight standards are met, the proposal is still overbearing in the outlook's context with a new building structure being erected metres away from habitable rooms and windows. Should this be in any other council outside of the City this scheme would never be considered.

It is helpful that the fourth and fifth floor balconies have been removed and that new windows are to be fixed shut. There is still a roof terrace proposed so still potential for overlooking, noise and disturbance.

I still consider that as our residences are already in existence, the proposal has to plan to accommodate us, yet the applicant still gives very little recognition that we exist or provides any assessment of how their proposals impact residential amenity.

I have again taken advice from Stansgate Planning Consultants on the amended plans and further documents on the web site. Based on their advice, I still object to the proposals on the following grounds:

The proposals conflict with the National Planning Policy Framework as they are not sustainable development;

The proposals conflict with the development plan and there are no material considerations to indicate a decision should be made other than in accordance with the development plan;

Loss of amenity due to the overbearing building structure only metres away from habitable rooms;

Loss of sunlight and daylight to below the accepted standard in the BRE guidelines;

Disturbance caused by noise from a roof terrace, general activity and light pollution.

Conflict with the National Planning Policy Framework

A new National Planning Policy Framework was published July 2018 that supersedes that of 2012. It continues a presumption in favour of sustainable development and paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development - summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The proposals are not considered sustainable development as they fail to meet the overarching social and environmental objectives which are mutually supportive of an economic objective.

A social objective - it fails to bring about a well-designed built environment and support communities' health and social well-being as:

it fails to respect residential amenity by the introduction of an overbearing structure within metres (as extreme as sub 4m) of the only habitable room windows of residential flats at 12 Well Court; it decrease the sunlight and daylight in the flats and at street level in Well Court, with the result of adverse impact on residents health and well-being and the need for additional use of electric lighting and a resultant increase in carbon footprint.

An environmental objective - it fails to protect and enhance our built and historic environment, adding to pollution with greater use of electric lighting which fails in the objective of moving towards a low carbon economy. Environmentally sustainable development seeks to increase sunlight and daylight into dwellings so as to reduce the use of scarce resources and reduce our carbon footprint.

Conflict with the development plan

Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004 and Section 70(2) T&CP Act 1990). The Development plan in this case comprises the adopted London Plan (LP) and the City of London Local Plan (CoLLP). The emerging plans are not advanced enough to carry significant weight in decision making. There are a number of relevant policies with which the proposals conflict as set out in each objection below and there are no material considerations that would indicate a decision should be made otherwise than in accordance with the development plan.

Loss of Amenity

The proposals conflict with the following policies:

LP Policy 7.6 states that buildings and structures should not "cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate."

CoLLP Policy CS.10 Design, seeks for proposals to have a positive relationship to neighbouring buildings.

Policy DM 21.3 Residential Environment Point 3 - says all development proposals should be designed to avoid overlooking and seek to protect the privacy, day light and sun light to adjacent residential accommodation.

Policy DM 10.3 Roof gardens and terraces seeks to encourage high quality roof gardens and terraces where they do not:
immediately overlook residential premises;

CoLLP Core Strategic Policy (CS21): To protect the existing housing of the 'only 9,000' residents of the city. and the failure to meet the CoLLP Policy DM 21.3.1: where by the applicant is unable to comply with the policy due to the nature and proximity of the development as they are unable to demonstrate adequate mitigation measures to address detrimental impact on residential environment.

CoLLP Policy 3.21.10: Says- the presence of housing can also inhibit the development of neighbouring sites and commercial activities due to the need to protect residents amenities.

Notwithstanding that the fourth and fifth floors are now proposed stepped back away from 12 Well Court, they are still mere meters away respectively. The proposals conflict with these development plan policies for the reasons as below.

The new fifth floor office is still sub 7 meters away from the windows of 12 Well Court ; whilst the 4th floor is only 5.5m away from 12 Well Court which presents an overbearing structure in close proximity to bedrooms causing an oppressive environment and loss of outlook;

The very existence of the proposed building puts a solid structure only a matter of a few metres from no.12. The proposal still breaches the existing envelope of the site and changes from an existing passive environment to an active environment are detrimental to residential amenity;

It closes the gap between buildings significantly, presenting an overbearing feature that dominates any outlook and the dominance of the structure is evidenced by the loss of sunlight and daylight.

Overall, it causes unacceptable harm to the amenity of a residential building in conflict with LP Policy 7.6, CoLLP Policy CS.10 and DM 21.3 and 10.3. It overshadows no.12 and has a negative relationship and fails to protect privacy.

Loss of sunlight and daylight

CoLLP Policy DM 10.7 seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings taking account of Building Research Establishments (BRE) Guidelines. Given the close proximity of the buildings and the fact that the proposals are south of 12 Well Court, an increase in the size and height as proposed will noticeably reduce the sunlight and daylight.

BRE on behalf of the Corporation, has reviewed the applicant's further calculations and finds an adverse impact, whilst stated as 'minor adverse' it is still adverse and the proposals still fail to meet the guidelines.

The proposals do not accord with the development plan. They conflict with CoLLP Policy DM 10.7

which seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings. It also conflicts with CoLLP Policy DM21.3 as above.

Looking ahead, a new standard for natural light within buildings will be implemented later this year and once adopted applications will need to abide by it. It raises the bar for targets and assessment methods, aiming to support sustainable development and occupants' health and wellbeing. It will supersede the current British Standard on which the BRE guidelines are based.

Disturbance caused by noise and light pollution

CoLLP Policy DM15.7 says development should not adversely affect noise or light sensitive uses such as housing.

The applicant proposes noise from plant and machinery along with light pollution, is conditioned on a planning permission. This might be a suitable way to control fixed noise from plant and machinery but it is not possible to control the general noise and disturbance created by coming and going and general movement or light pollution. As there remains a roof terrace, there will be outdoor noise affecting Well Court residents.

There will inevitably be loss of amenity through noise, disturbance and light pollution that cannot be controlled. As such the proposals conflict with CoLLP Policy DM15.7.

Decision Making

The planning system is plan led. Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Should this decision go to a planning committee, I would ask that the committee visits 12 Well Court to regard the scope and critical effects of the proposed development.

Overall, the proposals are not sustainable development. They conflict with the development plan and as there are no other material considerations that find in favour, it is respectfully requested that planning permission is refused. Furthermore, there does not appear to be any way in which these concerns could be addressed as the loss of amenity and conflict with the development plan derives from all parts of the proposals. Each on their own may appear minor but cumulatively, the impact is major and critical.

Yours sincerely,

Martha Powley, Property Manager on behalf of Puay Koon, landlord of Flat 4

Comments for Planning Application 18/00033/FULL

Application Summary

Application Number: 18/00033/FULL

Address: 8, 9 & 13 Well Court London EC4M 9DN

Proposal: Extension of the existing building to provide a proposed fourth, fifth and sixth floor of office (Class B1) floorspace plus removal of existing plant at fourth floor level and installation of plant and plant enclosures at sixth floor roof level. (436sq.m GIA).

Case Officer: Michael Blamires

Customer Details

Name: Ms Martha Powley

Address: Fraser & Co. Unit 12 West End Q 1 South Wharf Road London

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

- Noise
- Other

Comment: Thank you for your re-consultation on the above application.

I still object to the proposals as the latest amendments do not address my concerns and the fundamental issues of the proposed development have not been addressed. Mere moderation of an overbearing development fails to remove the critical issues of putting brick walls meters away from bedrooms and habitable rooms. The current residential amenity will be heavily compromised through adverse sunlight, daylight and general impacts which conflict with City of London Local Plan (CoLLP) policies. Many of the grounds of my previous objection still stand and should be taken into account.

To have to navigate another revision for the 5th time clearly demonstrates that this is not a straightforward, simple or positive plan. There are so many barriers to this development, and although some have been eased, the main issues remain critical and fundamentally contradict various CoLLP policies. Despite the 5th revision the development is still overbearing and it is becoming increasingly obvious that this is not a suitable development location.

Unfortunately, once again, the applicant has failed to consult with residents. Only reaching out after submitting new plans, rendering the consultation process meaningless. Material changes and concessions on this proposal once again fail to address the core issues.

The applicant continues to ignore my objections and those of other residents of 12 Well Court and

still has blatant disregard for our levels of amenity. The changes to the latest scheme, reflect their desires to seemingly meet the Sunlight and Daylight standards rather than respect our amenity and engage in a meaningful compromise.

The BRE report seems to take a very cavaliering approach to residential amenity in terms of the quality of sunlight/daylight. It is surprising to see the proposed development as having a 'minor adverse' impact for sun and daylight considering the major reduction of light/skylight to the majority of the building. This is a residential block and the resident's quality of life is being negated in terms of deteriorating sunlight and daylight for commercial units.

In any event, an adverse impact means it fails to meet the BRE guidelines and therefore conflicts with the development plan.

The CoLLP is supposed to protect and support residents to preserve this amenity. The first three floors all fail the sunlight guidelines year round, the fourth floor fails to meet the winter guidelines at a time when light is of great importance. This does not seem to be a 'minor adverse' impact when it affects over 62% of the building. There is a similar pattern with regards to daylight via a clear loss of daylight to multiple habitable rooms throughout the building. Again there has not been any clarification, or acknowledgment, as to whether the report takes into account the Eastern lighting loss. This is a major issue considering southern mirroring assessments of the building neglect any morning light from the East. If the current lighting was at a good level, then a deterioration could be palatable; however the lighting is already challenged and any further reductions in light will make the situation drastic and critical.

The applicant cannot demonstrate that Sunlight and Daylight standards are met, the proposal is still overbearing in the outlook's context with a new building structure being erected metres away from habitable rooms and windows. Should this be in any other council outside of the City this scheme would never be considered.

It is helpful that the fourth and fifth floor balconies have been removed and that new windows are to be fixed shut. There is still a roof terrace proposed so still potential for overlooking, noise and disturbance.

I still consider that as our residences are already in existence, the proposal has to plan to accommodate us, yet the applicant still gives very little recognition that we exist or provides any assessment of how their proposals impact residential amenity.

I have again taken advice from Stansgate Planning Consultants on the amended plans and further documents on the web site. Based on their advice, I still object to the proposals on the following grounds:

The proposals conflict with the National Planning Policy Framework as they are not sustainable

development;

The proposals conflict with the development plan and there are no material considerations to indicate a decision should be made other than in accordance with the development plan;

Loss of amenity due to the overbearing building structure only metres away from habitable rooms;

Loss of sunlight and daylight to below the accepted standard in the BRE guidelines;

Disturbance caused by noise from a roof terrace, general activity and light pollution.

Conflict with the National Planning Policy Framework

A new National Planning Policy Framework was published July 2018 that supersedes that of 2012. It continues a presumption in favour of sustainable development and paragraph 7 states the purpose of the planning system is to contribute to the achievement of sustainable development - summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The proposals are not considered sustainable development as they fail to meet the overarching social and environmental objectives which are mutually supportive of an economic objective.

A social objective - it fails to bring about a well-designed built environment and support communities' health and social well-being as:

it fails to respect residential amenity by the introduction of an overbearing structure within metres (as extreme as sub 4m) of the only habitable room windows of residential flats at 12 Well Court;

it decreases the sunlight and daylight in the flats and at street level in Well Court, with the result of adverse impact on residents' health and well-being and the need for additional use of electric lighting and a resultant increase in carbon footprint.

An environmental objective - it fails to protect and enhance our built and historic environment, adding to pollution with greater use of electric lighting which fails in the objective of moving towards a low carbon economy. Environmentally sustainable development seeks to increase sunlight and daylight into dwellings so as to reduce the use of scarce resources and reduce our carbon footprint.

Conflict with the development plan

Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) Planning and Compulsory Purchase Act 2004 and Section 70(2) T&CP Act 1990). The Development plan in this case comprises the adopted London Plan (LP) and the City of London Local Plan (CoLLP). The emerging plans are not advanced enough to carry significant weight in decision making. There are a number of relevant policies with which the proposals conflict as set out in each objection below and there are no material considerations that would indicate a decision should be made otherwise than in

accordance with the development plan.

Loss of Amenity

The proposals conflict with the following policies:

LP Policy 7.6 states that buildings and structures should not "cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate."

CoLLP Policy CS.10 Design, seeks for proposals to have a positive relationship to neighbouring buildings.

Policy DM 21.3 Residential Environment Point 3 - says all development proposals should be designed to avoid overlooking and seek to protect the privacy, day light and sun light to adjacent residential accommodation.

Policy DM 10.3 Roof gardens and terraces seeks to encourage high quality roof gardens and terraces where they do not:
immediately overlook residential premises;

CoLLP Core Strategic Policy (CS21): To protect the existing housing of the 'only 9,000' residents of the city. and the failure to meet the CoLLP Policy DM 21.3.1: where by the applicant is unable to comply with the policy due to the nature and proximity of the development as they are unable to demonstrate adequate mitigation measures to address detrimental impact on residential environment.

CoLLP Policy 3.21.10: Says- the presence of housing can also inhibit the development of neighbouring sites and commercial activities due to the need to protect residents amenities.

Notwithstanding that the fourth and fifth floors are now proposed stepped back away from 12 Well Court, they are still mere meters away respectively. The proposals conflict with these development plan policies for the reasons as below.

The new fifth floor office is still sub 7 meters away from the windows of 12 Well Court ; whilst the 4th floor is only 5.5m away from 12 Well Court which presents an overbearing structure in close proximity to bedrooms causing an oppressive environment and loss of outlook;

The very existence of the proposed building puts a solid structure only a matter of a few metres from no.12. The proposal still breaches the existing envelope of the site and changes from an existing passive environment to an active environment are detrimental to residential amenity;
It closes the gap between buildings significantly, presenting an overbearing feature that

dominates any outlook and the dominance of the structure is evidenced by the loss of sunlight and daylight.

Overall, it causes unacceptable harm to the amenity of a residential building in conflict with LP Policy 7.6, CoLLP Policy CS.10 and DM 21.3 and 10.3. It overshadows no.12 and has a negative relationship and fails to protect privacy.

Loss of sunlight and daylight

CoLLP Policy DM 10.7 seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings taking account of Building Research Establishments (BRE) Guidelines. Given the close proximity of the buildings and the fact that the proposals are south of 12 Well Court, an increase in the size and height as proposed will noticeably reduce the sunlight and daylight.

BRE on behalf of the Corporation, has reviewed the applicant's further calculations and finds an adverse impact, whilst stated as 'minor adverse' it is still adverse and the proposals still fail to meet the guidelines.

The proposals do not accord with the development plan. They conflict with CoLLP Policy DM 10.7 which seeks to resist development which would reduce noticeably the daylight and sunlight available to nearby dwellings. It also conflicts with CoLLP Policy DM21.3 as above.

Looking ahead, a new standard for natural light within buildings will be implemented later this year and once adopted applications will need to abide by it. It raises the bar for targets and assessment methods, aiming to support sustainable development and occupants' health and wellbeing. It will supersede the current British Standard on which the BRE guidelines are based.

Disturbance caused by noise and light pollution

CoLLP Policy DM15.7 says development should not adversely affect noise or light sensitive uses such as housing.

The applicant proposes noise from plant and machinery along with light pollution, is conditioned on a planning permission. This might be a suitable way to control fixed noise from plant and machinery but it is not possible to control the general noise and disturbance created by coming and going and general movement or light pollution. As there remains a roof terrace, there will be outdoor noise affecting Well Court residents.

There will inevitably be loss of amenity through noise, disturbance and light pollution that cannot be controlled. As such the proposals conflict with CoLLP Policy DM15.7.

Decision Making

The planning system is plan led. Planning law requires decisions are made in accordance with the development plan unless material considerations indicate otherwise.

Should this decision go to a planning committee, I would ask that the committee visits 12 Well Court to regard the scope and critical effects of the proposed development.

Overall, the proposals are not sustainable development. They conflict with the development plan and as there are no other material considerations that find in favour, it is respectfully requested that planning permission is refused. Furthermore, there does not appear to be any way in which these concerns could be addressed as the loss of amenity and conflict with the development plan derives from all parts of the proposals. Each on their own may appear minor but cumulatively, the impact is major and critical.

Yours sincerely,

Martha Powley, Property Manager signing on behalf of Tse Ting, landlord of Flat 1 Well Court