

Dear George

Thank you for your email and response to my initial Comments.

Unfortunately, you have been unable to answer fully the queries I previously sent to you but I comment as follows to your response:

TRAFFIC

It is welcome that there will be legal restrictions placed on parking.

I note that you propose: -

3 on-site parking bays for the three houses on 39a site

No on-site parking for the apartments

You agree that no Residential Parking Permits will be available to Residents of the new flats at 39 and 39A Fitzjohn's Avenue.

You do not propose change to current car parking and coach residential on-street parking arrangement.

From the information you provide, I understand you propose there will be a total of 68 dwellings on the site of 39 and 39A. It seems optimistic that only 4 (4in/4 out) return traffic movements per day will be generated in Nutley/Maresfield Gardens where access to the site will be mostly from the rear (Maresfield Gardens). This is 1 per 17 dwellings each day. Less than 1 car movement per dwelling per fortnight. Even if we only refer to the 30 dwellings in the proposed new block, this is still 1 per week. Has this been directly addressed by and agreed with Camden Traffic Engineers as it seems extremely optimistic?

In addition, the high density of development you propose will undoubtedly result in a significant increase in traffic and parking during out of restricted hours – evening, night-time, early morning, weekend.

I believe this development will undoubtedly generate a significantly greater increase in traffic above that you suggest. This is unsatisfactory particularly as the Council designate this Neighbourhood a Healthy School Streets Zone.

DESIGN

The information I requested has not been fully provided to satisfactorily describe the proposals.

The information does not show sections. It shows only lower ground, upper ground, and typical 1st/ 2nd floors. Not other floors. The top floors are important elements and, from your presentation, unknowns. Is there roof plant extending above the top floor? Not shown. There are no axonometric drawings given illustrating the bulk of the building. No elevations are shown apart from indicative part elevation and schematic Maresfield Gardens elevation referring to datums.

Your response optimistically suggests the building will be screened from the road. Recent experience in our neighbourhood illustrates that once developments are approved and started, further applications to fell trees are found to be necessary. Will you support all mature trees to be protected by TPOs? You do not describe how retained trees are to be pruned. There are examples of recent drastic pruning in the Neighbourhood leaving bare trunks and no branches. In some cases trees have subsequently died. You propose to fell a significant number of trees. You do not fully address that the current trees where retained would still need to be severely cut back to allow sufficient light into the dwellings and prevent damage to the new buildings. A plan with tree spread indicated would have clearly identified the need to fell and prune.

Despite you suggesting otherwise, the large size of this development and felling and pruning of trees will mean it will be highly visible from surrounding properties and streets and will seriously diminish the green character at the heart of the Neighbourhood.

This overall site of 39 and 39A will incorporate 35 dwellings in current approval plus 3 new houses in 39A and 30 new dwellings in the new block. A TOTAL OF 68. You do not provide a schedule. Your floor plans do not make sense set against the number of apartments you say are to be applied for. Your two ground floor plans and the typical 1st and 2nd floor plan show in total 19 units. Where are the remaining 11 units? How many more stories are required? How do you intend to create the remaining 11 dwellings on the floors above where you suggest the facades will be set back resulting in a smaller footprint? Without your plans to review, this suggests the need for 2 or possibly 3 more floors above. At least 6 stories but your typical elevation only shows 5. Your presentation does not explain.

The number of apartments you list does not tally with the limited plans you show.

You are unable to give information on density. Surely this is important in discussions with Camden. The planning permission previously given for the buildings on Fitzjohn's Avenue left no green open space (Lungs) suggesting that the current garden would provide this. The extent of this proposed development will result in the loss of a significant area of green open space.

The building appears to be bigger than suggested by the information given to me or shown to the public. As shown your proposals are significant over development, but even then, you appear not to be showing in your consultation the true extent of the development.

You don't give the development's density to compare it to the Neighbourhood density. 68 dwellings on the overall site are significant and result in an unacceptable high density in this Green Conservation Area.

You suggest the gardens for 39A and 39 are ripe for development. This is not a Brownfield site. This is a Green Space of ecological importance at the heart of Fitzjohn's and Netherhall Conservation Area significantly contributing to the Character of the Neighbourhood, which will be seriously compromised, if not destroyed if a development of this size and mass is permitted. Your reference to 46 Maresfield Gardens is revealing as this is a modest two storey single occupancy dwelling whereas your proposals are to sit a tall block of 30 dwellings next to it, dwarfing it in scale.

You concede there will be a reduction in the overall un-built green open space. However, you state optimistically without evidence that there will be an improvement "...and delivery of 10% biodiversity net gain." You do not provide a report to support your statement.

There is no evidence that the green space will be safeguarded and biodiversity sustained.

Your appear to suggest that the "Conservation Area Character Appraisal and Management Plan" gives a licence to create "...a highly individualistic and expressionist new addition to the CA." Modern design is welcome if of high quality and carefully developed in a sympathetic manner. The proposals must be respectful to the scale and character of the area. Your proposals are out of scale with its neighbours and is of such a stark, brutal character devoid of detail references, showing utilitarian metal railings to balconies and windows totally out of keeping and not seen elsewhere in the Conservation Area. The little that can be seen behind the renderings of greenery is very disappointing and indicates a low-quality development out of keeping with this well-loved part of Hampstead. The constant subliminal suggestion made by the presentation that it will be mostly hidden from view by dense trees is misleading. Even if it was true, which I fear it is not, we have winter in Hampstead and the trees on site are mostly deciduous.

This large scheme is of poor quality and in overall size, scale and detail, out of keeping with the Neighbourhood and will have a severely detrimental effect on the character of the conservation area.

You describe the site to be well contained by the surrounding, coarse grain development comprising large houses. I don't recognise this. To the north extending up Maresfield Gardens right up to Netherhall Gardens, ALL buildings are either two storey or have eaves at 1st floor with sloping roofs (46 to 70 Maresfield Gardens). The Edwardian buildings on the corner of Maresfield Gardens/ Nutley Terrace on the south side of Nutley Terrace (32 and 41) again have eaves at 1st floor level. Your proposals show a far bigger mass and, from the information given, are much taller, at 6 stories high. It will dwarf its neighbours on its north side, which includes a Listed dwelling.

The proposed building is out of scale with its neighbours in Nutley Terrace and Maresfield Gardens.

To justify the height of the proposed building, reference is inappropriately made to ridge lines of no 50 and 52 Maresfield Gardens. These buildings are not the immediate neighbours to the site, and it is incorrect to refer to them as they are a considerable distance to the north and will not be seen in conjunction to the new building. Indeed, it is more relevant to reference eaves lines to establish building height as it is recognised that these are more relevant in visually establishing building heights as perceived from the public highway and pavements. The immediate neighbours are 46 and 48. Both these buildings are modest single occupancy two storey residential buildings, 48 being a fine Listed building. You don't provide sufficient information to demonstrate the height and massing of the new building next to these buildings. The proposed new building will tower above them and will be disrespectful.

The proposed building is completely out of scale with the whole length of Maresfield Gardens on its eastern side from Nutley Terrace up to Netherhall Gardens.

Reference to the height of 39 Fitzjohn's Avenue is inappropriate as this building will be seen in relation to its neighbours in Maresfield Gardens and Nutley Terrace. It should be noted that the house directly facing the proposed site of the new building on the south side of Nutley Terrace is a two-storey residential property. It is a coach house, as is also seen in the house mirroring it in Nutley Terrace between Maresfield Gardens and Netherhall Gardens. Buildings mid-way between the significant Edwardian residential roads running north/south are typically small, low height coach houses. The proposed new building is totally out of scale with a coach house.

The location of the building and scale is inappropriate to the historic arrangement along Nutley Terrace.

You point out that the building will never be nearer than 18 metres from adjacent properties. You do not recognise that the balconies will be up to 6 stories high or perhaps even higher creating serious overlooking of neighbours' gardens and the reduction of their amenity. Eye level will be at least 16 to 17 m above ground level on the upper floors which will create overlooking from the large balconies of all surrounding and nearby gardens in Maresfield Gardens, Nutley Terrace, and Fitzjohn's Avenue. This is even more of an issue when it is considered that the houses to the south are lower down the slope and even more vulnerable to overlooking.

There will be significant overlooking of nearby properties and their gardens.

LOSS OF GREEN OPEN SPACE

You refer to Policy G1. Whilst seeking to deliver growth in the Borough, it does state that account should be made of its surroundings and heritage and other considerations relevant to the site. This is a Conservation Area, which is recognised to have a strong character of open green spaces and strong Late Victorian and Edwardian heritage. It is also of ecological importance.

Placing such a large highly individualistic and expressionist new addition with no references and in a highly visible location at its heart will have a serious detrimental effect on the character and nature of the Conservation Area. This has not been recognised.

You state that the development is in accordance with Local Plan Policy A2 Open Space. However, this land will be restricted to residents in the development and will not provide amenity to the general residents in the Neighbourhood. It is proposed to erect a brick wall around the site so it will be obscured from view from the surrounding public areas. It is not made clear whether all pedestrian and vehicular access to the site will be locked and secure preventing access other than to residents of the properties as is the typical case in all such similar developments in this area of Camden.

Your proposals will not provide any green open space amenity to the neighbourhood.

You do not give information on ratio of the current and new areas of built areas and green spaces but recognise that there will be a reduction in Green Open Space.

It is reassuring that you have appointed an Arborologist and discussions have been held with the Council's Trees and Landscaping Officer. However, these discussions seem to be at a preliminary stage and to quote "not exhaustive". Furthermore, the scheme reviewed by Camden appears not to be that now being proposed.

Thank you for your offer to show me the garden. I did not receive documentation and plans identifying and describing the trees to be felled nor the Arborologist report which would help understand your proposals better. When an Arboricultural Report is released, it can be reviewed. Unfortunately, until this information is received, we must rely on your general assurances. I would be happy to accompany representatives of the NNA when you arrange a visit with them.

I would value further, more detailed information why over 30 trees are considered lacking merit and require felling. I would like to understand why you consider the Chestnut T9 should be felled.

You propose an Ecological Appraisal will be submitted to Camden. Sight of this would help understand your proposals.

I recognise that you wish to present a positive approach regarding the green open space but supporting reports will need to be seen and assessed by those with expertise in these matters.

PROXIMITY OF TREES

You have not fully answered my query about the proximity of trees to the new building describing the extent of pruning of branches and roots. You advise that it will be addressed by your Arboricultural Report and during construction.

It is very important to understand at this stage before approval, the need and extent of pruning required for trees. I suspect this will be extensive to achieve the proposed development.

A tree plan showing position, type, height and spread of trees would be instructive particularly if placed on a site plan with the site of your proposed building.

I confess that at present I do not understand the extent and nature of the felling and pruning of trees on site and the planting of new trees you propose without further information from you.

GROUND CONDITIONS

You advise that you know the problems and have the guidelines from Network Rail but I understand from your response that you have not entered into discussion with Network Rail nor undertaken assessments. You will therefore not have in place necessary agreements with Network Rail.

I fear that at this stage the impact of the two tunnels upon your designs is not fully understood and there is a danger that they will cause major changes to the works after any approval. Will you be in a position to give Camden assurances that your proposals can be built before they are submitted for approval in order to avoid post approval applications to amend to your scheme?

Thank you for confirming that you have carried out on site bore holes and investigations on site condition. This area of Hampstead has unusual and difficult ground conditions. There is a complex underlying network of natural watercourses running down our slopes from the top of Hampstead towards the Thames which require understanding and provision in designs to prevent disturbance of flows and subsequent difficulties. Similarly, in addition to there being shrinkable clay, pockets of strata on the slopes are subject to slippage. Assessment of this should be included in any Ground Condition Report submitted to Camden with your application.

An impact assessment of ground slippage and water courses should accompany any application particularly where it is proposed to erect such a large building close to two major transport tunnels.

DEMAND

This development will be aimed at high end purchasers. We have seen this can mean foreign investors. You tacitly recognise this by saying you will not offer affordable housing. It will not provide much needed accommodation for the general public who work in the borough and who are being priced out of the area. Over the past 40 years we have seen the mix in the neighbourhood being lost and the area gentrified excluding unskilled and skilled working-class people. There are two huge developments relatively nearby, which will provide a substantial increase in housing in the Area at both Avenue Road in adjoining Swiss Cottage, where planning permission has been granted, and the adjoining O2 Centre, where there is proposed to be a massive new housing development.

There is already a huge increase of housing in our local area of Hampstead and there is no need or demand for a development of a further 30 dwellings in this area of Hampstead. Demand is being well met from nearby developments. Furthermore, your development will not offer housing of the type needed in our neighbourhood.

Offering to provide affordable housing in another area of Camden does not benefit the Neighbourhood and is unacceptable.

It is unacceptable that no affordable housing will be provided on this site for the benefit of the area.

You refer to Policy H1. The loss of this green space in a Conservation Area will be an environmental constraint.

There is no justification for such a large increase in housing where it is not required and will have such a considerable harmful environmental and social effect.

PLANNING GAIN

The provision of Financial Levy's for the benefit of the Community would be welcome. However, this should be linked by Camden to the direct benefit of the Neighbourhood and not dispersed to other areas of Camden. This development will have a major impact on the area both immediately from the disruption arising from major building works at one of only two access points into the neighbourhood and also long term, which any such major development will have on the Conservation Area. This should be established with Camden Council before any approval is considered.

Should Camden wish to award approval, we would look to Camden Council to earmark any financial community gain to be assigned directly for the benefit of the neighbourhood.

CONSTRUCTION WORKS

You have not addressed the issues of Disruption on the Neighbourhood of such a large development on the Community at such a central location in the Neighbourhood on one of only two important vehicular access points to residents' homes. Nutley Terrace and the northern end of Netherhall Gardens are the only two access points to the Neighbourhood. Netherhall Gardens frequently becomes congested at peak periods resulting in Nutley Terrace often becoming the only viable entry point into the Neighbourhood. It becomes congested during the peak periods such as school morning drop off and late afternoon pick up periods. Any constriction or restriction to foot and vehicle access for residents, schoolchildren and parents would seriously affect them as well as essential access for emergency vehicles. It should be noted that Nutley Terrace is a gathering place for schoolchildren with several School Coach Parking bays. This is a Healthy School Streets Neighbourhood. Any site traffic and site works' arrangements must recognise these vulnerabilities.

In addition, Fitzjohn's Avenue is a major TFL North/South route which encounters heavy peak period traffic. We have seen major disruption occur recently to traffic resulting in disruption spreading over a wide area due to building site operations, such as at 79 Fitzjohn's Avenue.

You should address these issues to ensure that your operations at no time cause obstruction and a danger.

There should be no obstruction to Nutley Terrace, Maresfield Gardens and Fitzjohn's Avenue, both in terms of construction establishment and road/footpath closures. It is important that a Construction Management Plan, which directly addresses these issues and ensures minimal disruption to Nutley Terrace and Maresfield Gardens, is prepared, and complied with. The site should employ a Contractor who is part of the "Considerate Constructors Scheme".

SUMMARY

The proposed development in the Gardens of 39/39A Fitzjohn's Avenue is far too large and too high. Though beautifully presented, I am not convinced the design has been developed sufficiently in quality and is not in keeping and sympathetic to the Conservation Area. You provide minimal information. You do not show all the plans, elevations or sections. The basic description of number of dwellings does not tally with the plans shown by you. The presentation for the Public Consultation whilst beautifully presented does not provide sufficient information to allow the Public and Residents to reach an understanding of the impact of your proposals on the Neighbourhood. I am not convinced that the effect of the development on trees and green space will be beneficial to the Conservation Area. I believe the design may not be fully developed to address local ground conditions and the two railway tunnels.

It will have a major detrimental impact on the Conservation Area being in a prominent position at the heart of the neighbourhood.

I am also concerned for the need for Camden Council, if minded to approve a development, seeking any financial benefit to be earmarked specifically to improving the Neighbourhood. I am also concerned that during the Construction Period, a development of this size in this prominent location would cause significant disruption to the Neighbourhood.

Yours Sincerely

Stephen Williams

Little House A
16A Maresfield Gardens
London NW3 5SU