



Subject: Application 2013/6674/P Swains Lane

Dear Ms Peck,

I write as a member of the Swains Lane Committee to underscore Rob Shoenbeck's letter on behalf of us all.

As Rob says, Lord Listowel's team have engaged in ongoing dialogue about the massing and appearance of their design but there remain many areas of deep concern, evidenced by the number of objections from members of our community. Collectively we have invested enormous amounts of energy, time and goodwill in an attempt to ensure that any development of this important site is at least as rich, as humane and as embedded in its context as the current buildings. In my view this is not yet the case, despite tangible improvements over some of the earlier proposals. A site of this subtlety and delicacy demands architecture of exceptional quality, so I hope you will feel empowered to judge the current proposals by the highest standards.

Yours

Steve Tompkins RIBA FRSA

Sent from my mobile



Dear Sir/Madam

I would be obliged if you would acknowledge receipt of my email copied below and attached submission in relation to the above-referenced planning application.

Also, with reference to paragraph 2.4 of the Servicing Management Plan submitted in support of The Earl of Listowel's application, and paragraph 6.1 of my submission attached, when The Earl of Listowel's consultants say, "[i]n the unlikely event both loading bays are occupied at the same time, there are a number of potential areas where vehicles can wait until the loading bay is vacated", the attached image taken today shows the reality.

You can see from the attached image that vehicular access to and from the homes, garages and parking spaces at Church Walk (and the rear entrance to the furniture warehouse at Hillway Garage) is wholly blocked during a delivery to one of The Earl of Listowel's tenants.

You can also see from other images contained within my attached submission, and contained within my original submission in response to The Earl of Listowel's original application, that an absence of available loading bays in the vicinity of the proposed development site is not an "unlikely event" as submitted by The Earl of Listowel's consultants; rather, it is already a regular occurrence.

I believe this again demonstrates the misleading nature of various statements made to Camden Council in support of The Earl of Listowel's application.

Moreover, should The Earl of Listowel's proposed development proceed, clearly it will bring more vehicles to the neighbourhood (with a net reduction of off-street parking). Clearly this would be contrary to DP19, and the resulting loss of amenity suffered by The Earl's neighbours would be contrary to DP26.

With kind regards

Andrew Gray



Dear Sir/Madam,

Please find attached my written objections to the above-referenced planning application.

I would be obliged if you would acknowledge receipt.

With kind regards

Andrew Gray

Submission in response to The Earl of Listowel's
revised planning application number: 2013/6674/P

1-11A Swains Lane &
109-110 Highgate West Hill London N6 6QX

TABLE OF CONTENTS

Section	Page
1. Introduction.....	1
2. Lack of Consultation.....	1
3. Comment on Swain's Lane Elevation.....	2
4. Comment on References to Church Walk.....	3
5. Document titleD "Proposed Section E-E".....	4
6. Comments on the Servicing Management Plan.....	5
7. Concluding Remarks.....	11

1. INTRODUCTION

1.1 **Personal Details:** my personal details are as follows:

Andrew Gray
4 Church Walk
London N6 6QY
andrew.gray012@gmail.com
telephone: 0788 423 1506

1.2 **Objection to the revised proposed development:** My family lives on Church Walk, immediately adjacent to the proposed development site. **I object to the revised proposed development.**

1.3 **Camden's Development Policies:** Reference is made to the Camden Local Development Framework, including without limitation to the documents titled "Camden Core Strategy 2010-2024 Adopted version 2010" (hereinafter referred to as the "**Core Strategy**") as well as the documents titled "Camden Development Policies 2010-2025" (hereinafter referred to as the "**Camden's Development Policies**").

1.4 **Reference to original submission:** Reference is also made to my original submission made in response to The Earl of Listowel's original application. It is submitted that The Earl of Listowel's revised application does not adequately address (indeed, it barely addresses at all) the many inconsistencies highlighted in my original submission between The Earl of Listowel's application and the requirements of Camden's Development Policies.

1.5 **Repeated objections:** Accordingly, the objections to The Earl of Listowel's original application set out in my original submission are repeated (by reference) in this submission in relation to The Earl of Listowel's revised application. **It is requested that all of my original submission be treated as applying equally to The Earl of Listowel's revised application.**

2. LACK OF CONSULTATION

2.1 I believe that the residents of Church Walk will be very materially and adversely affected should The Earl of Listowel's revised development go ahead. Indeed, I believe we are easily identifiable as the group of The Earl of Listowel's neighbours who will be the most adversely affected should his proposed development go ahead.

2.2 The Earl of Listowel's consultants have had my contact details for the best part of a year now, and they were made available again to The Earl of Listowel with my original submission.

2.3 Various residents at Church Walk have discussed between themselves various proposals which would, if implemented, resolve some (and in some instances all) of the inconsistencies between The Earl of Listowel's revised application and the requirements of Camden's Development Policies, while still expecting to retain a handsome profit for The Earl of Listowel.

2.4 Accordingly, I find it deeply regrettable that neither The Earl of Listowel nor his consultants have made any attempt whatsoever to contact me (or various of my neighbours) to discuss specific issues which affect Church Walk and how they may be addressed in a manner which is consistent with Camden's Development Policies.

- 2.5 If I were restricted to one comment to The Earl of Listowel, it would be, "**why on earth did you not come and talk to us?**" (i.e., why did you not consult specifically and directly with The Earl of Listowel's closest neighbours who will be most materially and adversely affected by this proposed development should it proceed?)

3. COMMENT ON SWAIN'S LANE ELEVATION

- 3.1 **Reference:** Reference is made to the following documents which were submitted as part of The Earl of Listowel's revised application:

- (a) the illustration captioned "Swain's Lane Elevation" which depicts a view of the proposed development from the south (drawing number SWL/DAS/15.7 dated April 2013) (referred to below as "**Swain's Lane Elevation 1**"); and
- (b) the diagram captioned "Proposed Swains Lane Elevation & Context" which again depicts a view of the proposed development from the south (drawing number SWL-PL-14.2 dated January 2014) (referred to below as "**Proposed Swain's Lane Elevation & Context**").

- 3.2 **Background:** I believe it is relevant to the discussion below that the prospect of The Earl of Listowel's proposed development blocking views of the St Anne's Church spire (and indeed negating the sense of space and openness currently provided by the single storey buildings on The Earl of Listowel's property) has been raised many times in the local community's objections to The Earl of Listowel's proposed development. In the context of Camden's Development Policies, this view and sense of space and openness provide a considerable degree of amenity to The Earl of Listowel's neighbours, and via Development Policy 26 the Council is committed to protecting that amenity.

- 3.3 **Window:** An initial comment is that Swain's Lane Elevation 1 depicts a window in the St Anne's Church spire as facing south towards Swain's Lane; whereas in fact that window faces west towards Highgate West Hill. I.e., immediately it is apparent that the illustration is an inaccurate representation of St Anne's Church.

- 3.4 **Illustration 1:** The image captioned "**Illustration 1**" in the attachment to this submission is taken from the pavement on the south side of Swain's Lane, positioned as closely as possible to the viewpoint depicted in the Swain's Lane Elevation 1 and Proposed Swain's Lane Elevation & Context documents.

- 3.5 **View of St Anne's Church Spire:** It is evident from Illustration 1 that, from behind the single storey buildings currently standing on The Earl of Listowel's property, only the top section of the St Anne's Church spire is visible from the pavement on the south side of Swain's Lane. However, in both:

- (a) Swain's Lane Elevation 1; and
- (b) Proposed Swain's Lane Elevation & Context;

not only the whole of the spire but also most of the Church's south facing roof are depicted as being visible from behind The Earl of Listowel's proposed three storey building.

- 3.6 I.e., The Earl of Listowel's documentation depicts considerably more of St Anne's Church as

being visible from behind three storeys than is currently visible from behind one storey.

- 3.7 It is simply not possible for a member of the public to access the point of view from which the scene in Swain's Lane Elevation 1 and Proposed Swain's Lane Elevation & Context is depicted. In order to see a scene similar to that depicted in those documents, my best guess is that one would have to be at least on the roof of one of the buildings on the south side of Swain's Lane; whereas, in particular the Proposed Swain's Lane Elevation & Context document appears very clearly to depict a street level view.
- 3.8 **Put another way, the local community would (and do) reasonably expect the illustrations and diagrams submitted on behalf of The Earl of Listowel to accurately represent what the neighbourhood will look like should the proposed development go ahead. Clearly this is not the case.**
- 3.9 **Inaccurate and Misleading Information:** In any event, with respect to Swain's Lane Elevation 1 and Swain's Lane Elevation & Context, it is submitted that the information provided on behalf of The Earl of Listowel to Camden Council in support of his planning application is both inaccurate and materially misleading.
- 3.10 **Comment:** This is not the first or only instance of inaccurate and/or misleading information being submitted on behalf of The Earl of Listowel to Camden Council in support of his planning application. It is submitted that the entirety of The Earl of Listowel's application must be viewed through this prism, and accordingly treated with a high degree of scepticism, and indeed it is submitted that it should be rejected in its entirety on this basis.
- 3.11 **Swain's Lane Elevation 2.** Reference is made to the illustration captioned, "Swain's Lane Elevation" which depicts a view of the proposed development from the north (drawing number SWL/DAS/15.8 dated April 2014) ("**Swain's Lane Elevation 2**").
- 3.12 As with Swain's Lane Elevation 1, I believe it is not possible for a member of the public to view the proposed development site from the point of view of Swain's Lane Elevation 2. Possibly the viewpoint is from an upper storey (or again possibly from the roof) of one of the homes on the south side of St Anne's Close? For example, most of a large tree on Swain's Lane is shown as visible from through the gap between the proposed east and west building; and yet it can be seen from illustration submitted on behalf of The Earl of Listowel titled, "View from No. 4 Church Walk (Second Floor Terrace)" that it is not possible to see through that same gap from the viewpoint of that image.

4. COMMENT ON REFERENCES TO CHURCH WALK

- 4.1 "**View from No. 4 Church Walk (Second Floor Terrace)**": Reference is made to the illustration submitted on behalf of The Earl of Listowel captioned, "View from No. 4 Church Walk (Second Floor Terrace)" (drawing number SWL/DAS/15.9 dated April 2014) (the "**4 Church Walk Terrace View**").
- 4.2 It should be noted that:
- (a) the 4 Church Walk Terrace View is **not** taken from 4 Church Walk. (It happens to be taken from a neighbour's terrace a couple of doors away.) This is mentioned as it is an example of what might be described as 'carelessness' and 'inaccurate' information

submitted to Camden Council on behalf of The Earl of Listowel in support of his planning application; and

- (b) the upstairs terrace is both the least used part of our home and the least affected part of the southern facing aspect of our home. It is telling, I believe, that The Earl of Listowel's consultants chooses to depict this aspect instead of choosing to depict the effect on our master bedroom and/or living room which will suffer a much worse effect.

4.3 References to 1-5 Church Walk: It is noted that in:

- (a) document titled "Proposed Site & Context Plan" (drawing number SWL/PL/10.0 dated September 2013);
- (b) document titled "Proposed Site Plan" (drawing number SWL/PL/10.1 dated September 2013); and
- (c) "Proposed Section B-B" (drawing number SWL/PL/13.2 dated September 2013),

1-5 Church Walk is referred to as "1-5 St Anne's Close". For the reasons set out in my original submission, it is submitted again that depicting the homes at Church Walk as being at St Anne's Close is grossly misleading.

4.4 References to 4 Church Walk: It is noted that in:

- (a) document titled "Proposed Section D-D" (drawing number SWL/PL/13.4 dated February 2014);
- (b) document titled "Proposed Section E-E" (drawing number SWL/PL/13.5 dated February 2014); and
- (c) (for completeness, and as mentioned above) the illustration captioned, "View from No. 4 Church Walk (Second Floor Terrace)" (drawing number SWL/DAS/15.9 dated April 2014);

Number 4 Church Walk is depicted as being in the location of Number 2 Church Walk. The distance between our home and 2 Church Walk, and the difference in the angle on which our home and 2 Church Walk sit (due to curvature in the Church Walk Development) means that whatever inferences may be drawn in respect of our home from the above-referenced documents will at best be inaccurate. (See also paragraph 5 (*Document Titled "Proposed Section E-E"*) below.)

5. DOCUMENT TITLED "PROPOSED SECTION E-E"

5.1 Reference: Reference is made to document titled "Proposed Section E-E" (drawing number SWL/PL/13.5 dated February 2014) ("**Document E-E**").

5.2 Reference to Photos: Document E-E refers to photos numbered 1-5 and appears to suggest that these are from 4 Church Walk. Please note that no such photos from 4 Church Walk have been provided to The Earl of Listowel or his consultants.

5.3 Visible Extent of Buildings: Document E-E refers in two places to, "Visible extent of building

from No.4 Church Walk shaded". I believe this proves the point made in paragraph 6 of my original submission. I.e.:

- (a) from our master bedroom window (and indeed from the bedroom above it), we currently enjoy an outlook through large picture windows which is in part to the other side of Swain's Lane (e.g. we see the entrance to the Carob Tree), in part to Bistro Laz and the bus stop etc. on the west side of Highgate West Hill, and beyond that we see to the far side of the tennis courts in Hampstead Heath;
- (b) the outlook from these rooms is one of the main features of our home; considerable amenity is provided by both the extent of the outlook, and by the pleasing visual effect of its varied nature; and
- (c) if the proposed development goes ahead, it can be seen from Document E-E that instead of a varied outlook which reaches as far as tennis courts 200+ metres away in Hampstead Heath, we will have a uniform outlook; namely looking squarely at and into other people's homes approximately 25 metres away. In turn, the occupiers of the proposed new flats will look at and directly into our bedrooms.

5.4 Without prejudice to the general submission made in paragraph 1.5 above, paragraph 6 of my original submission continues to apply to The Earl of Listowel's revised application. I.e.:

- (a) should it proceed, The Earl of Listowel's proposed development would materially harm the amenity provided to my family by our home;
- (b) the same statement is true for each of the five homes at Church Walk (and quite likely for the homes on the south side of St Anne's Close as well); and
- (c) Camden Council is committed via Development Policy 26 to protecting our quality of life by only granting permission for development that does not cause such harm to amenity.

5.5 While I believe The Earl of Listowel's revised proposed development is materially inconsistent with Camden's Development Policies in a number of other respects, it submitted (not least in light of Core Strategy paragraph 5.2) that **by itself, the inconsistency with Development Policy 26 referred to above requires The Earl of Listowel's revised proposed development to be rejected.**

6. COMMENTS ON THE SERVICING MANAGEMENT PLAN

General Comment

6.1 The tone and content of the Vectos report simply do not reflect reality. For example, the Vectos report states at paragraph 2.4, "[i]n the unlikely event both loading bays are occupied at the same time, there are a number of potential areas where vehicles can wait until the loading bay is vacated".

6.2 The above-mentioned quote taken from the Vectos report sounds very reassuring; however, the Vectos report omits to say that the "potential areas" where delivery lorries already wait in practice (and indeed often unload from) are:

- (a) the bus bay in front of the bus stop on Swain's Lane;

- (b) double-parked on Swain's Lane;
- (c) across the intersection of two roads (Swain's Lane and Church Walk); and
- (d) on a private road (Church Walk) without permission.

All of this is unlawful.

- 6.3 If The Earl of Listowel's proposed development proceeds, it is self-evident that his development will cause an increase in this existing unlawful behaviour (which is already both a nuisance and often dangerous). Rather than glossing over the existing reality, the Vectos report may have asked instead, **whether the Council condones the increase in unlawful behaviour which would inevitably be caused by The Earl of Listowel's proposed development?**

Retail Use

- 6.4 It is common ground that The Earl of Listowel has allowed his property on Swain's Lane to run down, and indeed a large unit within The Earl of Listowel's property has been closed for some time now.
- 6.5 One consequence of this is that traffic from both delivery vehicles and customers attending the shops and restaurants on Swain's Lane is currently suppressed.
- 6.6 Under the current suppressed conditions, the existing situation is that delivery vehicles and customers attending the shops and restaurants on Swain's Lane already routinely (and repeatedly throughout the day) park unlawfully on Swain's Lane and Church Walk. This is both a nuisance and in many instances dangerous.
- 6.7 As an example, the Council's notice of The Earl of Listowel's amended proposal arrived at my home on a Saturday. I happened to go out to Swain's Lane on three occasions that day.
- 6.7.1 On the first occasion:

- (a) a Transit van (or similar) was double-parked on the south side of Swain's Lane adjacent to the proposed development site while delivering to a local retail unit;
- (b) at the same time a private car – presumably a customer of one of the local shops - was also double-parked on Swain's Lane; and
- (c) a third vehicle was parked unlawfully on Church Walk immediately adjacent to (and ignoring) the "no parking" sign erected by Church Walk Limited;

(see the images captioned "**Illustration 1**", "**Illustration 2a**" and "**Illustration 2b**" in the attachment to this submission).

- 6.7.2 On the second occasion, a different vehicle was parked unlawfully on Church Walk, again ignoring the "no parking" sign erected by Church Walk Limited, and on this occasion obstructing the dropped kerb with tactile pavement for the visually impaired. (See the image captioned "**Illustration 3**" in the attachment to this submission.) It should be noted that, apart from the hazard to the visually impaired, I can say from repeated experience that cars parked in this manner are a material nuisance for parents pushing children in buggies. Also, please

note that the vehicle is parked on Church Walk Limited's property without permission and while ignoring the no parking sign.

- 6.8 On the third occasion, a large 'LDV Maxus' van, presumably delivering to one of the local retail units, was parked in the bus bay adjacent to the bus stop on Swain's Lane. (See the image captioned "**Illustration 4**" in the attachment to this submission.)
- 6.9 It is submitted that the above is fairly indicative of a normal Saturday when the weather is not particularly warm. In warm weather, the situation is materially worse.

Residential Use

- 6.10 With reference to paragraph 2.13 of The Earl of Listowel's "Servicing Management Plan":
- (a) it is noted that less "residential" in the vicinity of the proposed development site already currently generates many more deliveries than the expectation claimed in the above-referenced paragraph;
 - (b) most of the above-mentioned deliveries already involve a delivery vehicle parking unlawfully;
 - (c) apart from the 9.5 metre extra on-street parking referred to above (in relation to which, see the comment at paragraph 6.11 above) there is no provision for parking of delivery vehicles attending the proposed additional residential units; and
 - (d) there is also no provision for the parking of trades-people, friends and family, etc. visiting the proposed new flats (a topic on which the Servicing Management Plan is notably silent).

Effect of Closing Swain's Lane Entrance

- 6.11 It is noted that The Earl of Listowel's proposed development includes the addition of 9.5 metres of on-street parking; however, The Earl of Listowel's proposed development also includes closing the adjacent drive which currently exists between the buildings on The Earl of Listowel's property. It is submitted that the proposed additional on-street parking will be insufficient in practice to offset the loss of 'informal' parking which currently takes place on The Earl of Listowel's property.
- 6.12 Regardless of the above, it is wholly inconceivable that the addition of just 9.5 metres of on-street parking will be sufficient to cope with the additional parking demand which may be reasonably expected from a revitalised high street trade and twelve residential units (with just five off-street parking spaces between them).
- 6.13 Moreover, the proposed closure of the existing drive between the existing buildings on The Earl of Listowel's property is expected in practice to push unlawful parking onto to Church Walk and/or onto Swain's Lane across the entrance to Church Walk. **This is wholly unfair to the residents of Church Walk who, after all, merely want in this respect unobstructed vehicular access to and from their homes, and the ability to turn safely into and out of Church Walk.**

Net Reduction of Off-Street Parking

- 6.14 The Earl of Listowel's proposed development includes, among other things, the removal of five off-street garages and the removal of the five off-street parking places in front of those garages (i.e., the removal of ten off-street parking places). None of those garages or off-street parking spaces currently services residential dwellings on The Earl of Listowel's property. In turn, The Earl of Listowel proposes to add just five new off-street parking spaces to service an additional twelve residential units.
- 6.15 I.e., The Earl of Listowel's proposed development includes a net reduction of five off-street parking spaces (please also take into account footnote 1 below), with an addition of twelve residential units.
- 6.16 When the available on-street parking in the vicinity of the proposed development site is full, in practice The Earl of Listowel's tenants and delivery drivers and customers visiting his tenants choose one of five options, namely they either:
- (a) unlawfully double-park on Swain's Lane;
 - (b) unlawfully park in the bus bay adjacent to the bust stop on Swain's Lane;
 - (c) unlawfully park across the intersection of two roads (Swain's Lane and Church Walk);
 - (d) unlawfully park without permission on Church Walk; or
 - (e) get a car wash on The Earl of Listowel's property as a means of obtaining parking¹.

The images attached to this revised submission, and the images contained within my original submission, depict numerous instances of (a) to (d) above already incurring in practice.

- 6.17 Reference is made to the image captions "**Illustration 5**" in the attachment to this submission. The image was taken recently when:
- (a) the available on-street parking in the vicinity of the proposed development site and indeed for a long way up Swain's Lane was 100% full; and
 - (b) Mayfair Gallery was **lawfully** using its own section of Church Walk to receive a furniture delivery to the Hillway Garage site; however, a customer of one of the retail units on Swain's Lane was parked **unlawfully** on Church Walk Limited's section of Church Walk, and as a result **vehicular access to and from the five homes at Church Walk (and the associated six garages and four off-street parking bays) was entirely blocked**. (To add matters worse, then a delivery lorry also parked unlawfully on Church Walk, but we were already blocked in by the unlawfully parked car and the lawfully parked lorry at the back. See the image captioned "**Illustration 6**" in the attachment to this submission.)
- 6.18 If The Earl of Listowel's proposed development goes ahead, where will the five vehicles shown in Illustration 5 park? Where will any of the vehicles parked in the five garages shown

¹ The car wash operators are usually relaxed about their customers returning some time after the car wash is complete. So at busy times, the number of off-street parking spaces currently used on The Earl of Listowel's property is actually more than just the five garages and five spaces in front of those garages on Highgate West Hill. I.e., should it proceed, in practice this proposed development should be thought of as removing at least say, twelve off-street parking spaces (a net reduction of seven).

in Illustration 5 park?

- 6.19 It is submitted that the above-referenced vehicles will have no alternative other than to compete for on-street parking spaces; however, the image captioned Illustration 5 was taken at a time when:
- (a) on-street parking in the vicinity was already 100% full; and
 - (b) the resulting unlawful parking (shown in Illustration 6) was already blocking vehicular access to and from the five homes at Church Walk and their associated garages and off-street parking spaces.

Application of Camden's Development Policies

- 6.20 **Development Policy 19:** DP 19 states:

"We will resist development that would: a) harm highway safety or hinder pedestrian movement; b) provide inadequate sightlines for vehicles leaving the site; c) add to on-street parking demand where on-street parking spaces cannot meet existing demand, or otherwise harm existing on-street parking conditions."

- 6.21 **Highway Safety and Sightlines.** I can say from experience that having to turn out of Church Walk around large solid-sided lorries parked in the bus bay opposite the bus stop on Swain's Lane, or indeed in the other direction around vehicles parked across the entrance to Church Walk or double parked on Swain's Lane, is not safe. And yet, should The Earl of Listowel's proposed development go ahead, it is self-evident that the instances of this unlawful parking on Swain's Lane will increase.
- 6.21.1 **Hindering Pedestrian Movement.** I can say again from experience that manoeuvring a baby buggy around vehicles obstructing the dropped kerb with tactile pavement for the visually impaired onto and from the cobblestoned area of Church Walk is a nightmare. And yet, should The Earl of Listowel's proposed development go ahead, again it is self-evident that instances of vehicles unlawfully parking in this manner will increase.
- 6.21.2 (It is noted that The Earl of Listowel's proposal includes paving over part of the cobblestoned part of Church Walk which forms part of the freehold titles owned respectively by Mr. Mati Sinai and Church Walk Limited. I cannot speak for Mr. Sinai; however, I am a director of Church Walk Limited and would reiterate that consent to pave over Church Walk Limited's property in this manner will not be forthcoming.)
- 6.21.3 **Adding to on-street parking demand where on-street parking spaces cannot meet existing demand:**
- (a) The images included in this submission, as well as the images submitted with my original submission, show, among other things, numerous instances of The Earl of Listowel's existing tenants, and customers and suppliers of The Earl of Listowel's existing tenants, parking unlawfully on Swain's Lane and Church Walk.
 - (b) It is evident from the above-referenced images that on-street parking spaces in the vicinity of the proposed development cannot meet existing demand.
 - (c) It is also self-evident that removing five off-street garages, as well as removing the

five off-street parking spaces in front of those garages, and removing the 'informal' parking which already takes place on The Earl of Listowel's property (not least, the practice of getting a car wash as a means of obtaining parking), and replacing this with only five off-street parking spaces (a net reduction of at least five off-street parking places, but an effective reduction of more like seven off-street parking spaces), while adding twelve residential units, will inevitable add to on-street parking demand.

Clearly Development Policy 19 commits the Council to resisting the proposed development on this basis.

6.22 Development Policy 18: DP 18 commences:

"The Council will seek to ensure that developments provide the minimum necessary car parking provision."

- 6.23 Clearly The Earl of Listowel's revised application does not provide "the minimum necessary car parking provision". It is equally clear that, should The Earl of Listowel's proposed development go ahead, in practice The Earl of Listowel's neighbours at Church Walk will suffer materially as a result from additional unlawful parking which may be expected to spill over onto, and around the entrance to, Church Walk.

In this respect, The Earl of Listowel's proposed development does not accord with Development Policy 18.

6.24 Development Policy 26: DP 26 states that:

"The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity."

- 6.25 The Earl of Listowel's neighbours at Church Walk gain an enormous amount of amenity from the simple ability to access our homes (and off-street parking spaces and garages) by car. We also gain considerable amenity when we are able to drive from our off-street parking spaces and garages onto the public highway unimpeded (and without having to do so in an unsafe manner due to unlawfully parked vehicles). Clearly a significant amount of this amenity will be lost if The Earl of Listowel's proposed development goes ahead. In simple terms, we already have issues of unlawfully parked vehicles blocking or otherwise obstructing access to our homes; those issues will be made significantly worse if The Earl of Listowel's proposal goes ahead.

In this respect, The Earl of Listowel's proposed development does not accord with Development Policy 26.

- 6.26 **Refuse Collections:** Camden Council has assured Church Walk Limited that it will not use Church Walk Limited's property for the purpose of collecting rubbish from Kalendar Café (opposite the proposed development site). The image captioned "**Illustration 7**" (taken recently) in the attachment to this submission shows the Council renege on that assurance, with the consequence on the occasion shown that vehicular access to and from the five homes at Church Walk was wholly blocked while Church Walk (i.e. a private road which serves effectively as our driveway) was used without consent for the purpose of collecting our

neighbour's refuse.

- 6.27 The Earl of Listowel's "Servicing Management Plan" does nothing to suggest that adding twelve residential units in front of our homes will not, in practice, lead to further obstruction of access to our homes. The document is abjectly silent on practical question such as, where exactly is the "suitable location on the highway" to which it refers (where the bins for the new residential units will be left), or "where will the refuse collection vehicle stop when it is collecting the additional rubbish"?

7. CONCLUDING REMARKS

Inaccurate and Misleading Information

- 7.1 In this revised submission, as well as in my original submission, several instances are shown where the information provided on behalf of The Earl of Listowel to Camden Council in support of his planning application is inaccurate and/or misleading. For example, we have:
- (a) **St Anne's Church**, which will apparently rise up into the sky upon completion of The Earl of Listowel's proposed development²;
 - (b) **the sun**, which simply cannot shine from its customary position in the sky for the figures given in The Earl of Listowel's Daylight, Sunlight and Overshadowing Assessment to be accurate³;
 - (c) **the homes at Church Walk**, which are described in numerous places in both The Earl of Listowel's original and revised submissions as being at St Anne's Close⁴;
 - (d) **my family's home (4 Church Walk)**, an image said to be taken from my family's home simply is not taken from my family's home; also, the position of my family's home is inaccurately described in a number of places;
 - (e) **illegal parking**, places where vehicles park illegally are euphemistically described as, "a number of potential areas where vehicles can wait";

and so on.

It is submitted that the degree of inaccurate and/or misleading information submitted on behalf of The Earl of Listowel to Camden Council in support of his planning application is sufficient of itself to merit the rejection of The Earl of Listowel's planning application.

Camden's Development Policies

- 7.2 In its covering letter dated 23 April 2014, Nathaniel Lichfield & Partners claims that, "the scheme complies with Core Strategy Policy CS14 and Development Policy DP24". For the reasons set out in this submission and in my original submission (which are equally applicable to the revised proposal), it is submitted here that the scheme **fails to comply with**:

² See paragraph 3 (*Comments on Swain's Lane Elevation*) above.

³ See paragraphs 3.11 to 3.17 of my original submission.

⁴ If our homes were in fact at St Anne's Close, many of my objections to The Earl of Listowel's proposal would not be made.

- (a) **CPG1** (Camden is committed to excellence in design);
- (b) **CS4** (Expectation of "smaller scale development and more incremental change");
- (c) **CS5** (The Council will manage the impact of growth and development in Camden ... with particular consideration given to ... providing the infrastructure and facilities needed to support Camden's population...);
- (d) **CS11** (The Council will ... reduce the environmental impact of travel, and relieve the pressure on the borough's transport network);
- (e) **CS16** (The Council will seek to improve health and well-being in Camden);
- (f) **CS17** (The Council will aim to make Camden a safer place);
- (g) **DP10** (The Council will encourage the occupation of shops by independent businesses and the provision of affordable premises);
- (h) **DP18** (The Council will seek to ensure that developments provide the minimum level of car parking provision);
- (i) **DP19** (We will resist development that would: a) harm highway safety or hinder pedestrian movement; b) provide inadequate sightlines for vehicles leaving the site; c) add to on-street parking demand where on-street parking spaces cannot meet existing demand, or otherwise harm existing on-street parking conditions); and
- (j) **last but by no means least, DP26 (The Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity).**

7.3 Not least in light of paragraph 5.2 of the Core Strategy (which requires that all development to be in accordance with all relevant policies), **it is submitted that The Earl of Listowel's planning application should be rejected as a result of its failure to accord in numerous material respects with Camden's Development Policies.**

Precedent

7.4 Finally, it is noted again that The Earl of Listowel's planning application made in 2003 was rejected by Camden Council on the grounds of, "***unacceptable height and massing of the proposed development, which would represent and overdevelopment of the site and would be out of scale and character with the surrounding area***". It is submitted that the present revised application is extremely close in height and massing to the 2003 proposal, and accordingly **The Earl of Listowel's planning application should be rejected for the same reasons as given in 2003.**

[Attachment follows overleaf.]

All images taken at or around the time of receipt of the revised planning application.



Illustration 1

Existing view of the St Anne's Church spire. (Unlawfully parked vehicle on Church Walk Ltd's property ignoring the no parking sign the vehicle is parked adjacent to.)



Illustration 2a

Customer vehicle and delivery vehicle unlawfully double-parked on Swain's Lane adjacent to the proposed development site.



Illustration 2b
As above.



Illustration 3

Customer unlawfully parked on Church Walk Ltd's property without permission; obstructing dropped kerb with tactile pavement for visually impaired.



Illustration 4

Delivery vehicle parked in bus stop.



Illustration 5

Existing off street parking and garages on The Earl of Listowel's property which will be lost.



Illustration 6

The lorry parked at the back is parked lawfully, the green car then blocked vehicular access to Church Walk, then a second lorry arrived.

All available on-street parking, and all off-street parking on The Earl's property, was full at the time. How much worse will this be if there is a net reduction of 5 off-street spaces and an addition of 12 flats?



Illustration 7

This shows the Council renegeing on its promise not to use Church Walk Ltd's property for the purpose of collecting refuse from the cafes. Access to the five homes at Church Walk and our off street parking and garages is blocked as a result.



Illustration 8

Delivery vehicle to local shops unlawfully parking across the entrance to a roadway.



Illustration 9

Two vehicles (one customer, one delivery van) unlawfully parked across the entrance to a roadway.



Illustration 10

Unlawful customer parking on Church Walk Ltd's property (effectively our driveway) without permission.;



Illustration 11



Illustration 12

Customer totally blocking the dropped kerb with tactile pavement for the visually impaired. Also unlawfully parked on Church Walk Ltd's property without permission - ignoring the no parking sign.



Illustration 13

Unlawful parking on Church Walk - mix of deliveries and tradespeople - access to the five homes at Church Walk and our garages and off street parking hopelessly blocked.

