


Development Control Planning Services  
London Borough of Camden  
Town Hall, Argyle Street  
London WC1H 8ND

8 Heath Villas  
Vale of Health  
London  
NW3 1AW



By email to: [planning@camden.gov.uk](mailto:planning@camden.gov.uk)

Monday 3<sup>rd</sup> March 2014

Dear Mr Thuairé,

**Re: Certificate of Lawfulness Application 2014/1059/P**

I wish to object to application 2014/1059/P for development of The Garden House, Vale of Health, London NW3 1AN, which is located a few metres from my home in the Vale of Health and metres from the Vale of Health Pond and Hampstead Heath.

This planning application follows two previously granted Permitted Development (PD) applications for substantial basement excavation and extensions at the property. This work has not yet been carried out. This is the fourteenth planning or PD application on the site since 2004.

My specific objections to this application are as follows:

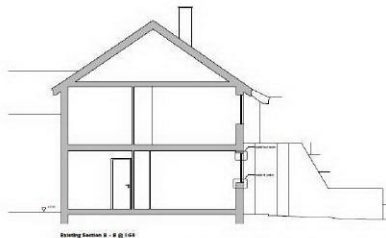
**1. Multiple Applications to Subvert Rules on Development**

This application is part of a much wider scheme, permissions for which have been obtained piecemeal through a long series of planning and PD applications. None of the work has been carried out and the applicants' clear intention is to gain as many development permissions as possible to maximise their financial gain from the sale of the property. Permission for the full scheme would not and could not have been granted in a single, transparent planning application, and the situation whereby the applications are granted piecemeal makes a mockery of the rules on development on Metropolitan Open Land (MOL) and fails to protect residents and the community against rapacious developers.

The full scheme includes a basement excavation is almost 7m deep in places due to the unusual design of the house whereby part of what is currently described by the applicants as the ground floor is submerged below ground.

A previous decision by Camden to grant planning permission to replace the property with a larger one was overturned at Judicial Review on the grounds that no significant increase in size is permitted on MOL; the application in question was 10% larger than the existing house, which was deemed significant by the High Court. This series of applications is clearly intended to circumvent the rules and 'bank' as many development permissions as possible on the property. The property is obviously enlarged by the basement and extensions well beyond 10%, though of course the applicants do not give clear figures for the size of the existing and planned house in the application.

**Fig a) Existing house:**



**Fig b) Proposed House (taken from previous application documents – the current application proposes even larger extensions):**



## **2. Construction Management Issues**

The numerous issues surrounding the actual construction on a site with severely restricted access and in a sensitive location at the edge of Hampstead Heath remain. These have been extensively rehearsed in previous applications and I will not restate them here since I know they will not be considered for Permitted Development, but widespread concern remains in the community, particularly in the light of the failure to protect residents close to damaging developments such as Romney's House, Holly Bush Hill, and the clear evidence that Section 106 agreements are not enforced by Camden, as in the case of Athlone House.

### **Conclusion**

Once again, I urge the Development Control Committee to reject this application and draw a line under a decade of planning battles that have been stressful, expensive and harmful to the community, and to recognise that permissions for development that would not have been granted had they been made together in a single planning or Permitted Development application should not be granted by being broken up into multiple applications.

Yours sincerely,

Alice Adams