



Application Ref: 2011/4390/P
Associated Ref: 2011/4392/C
The Water House, Millfield Lane N6 6HQ

Dear Mr Thuire,

We wish to register our objections to the proposal to develop the Water House site.

Our objections relate to:-

1. The CMP which has been posted on line by the developers.
2. The proposal to demolish the existing house and redevelop the site.

1. The CMP

- a. Consultation. In their submission the developers name us as having been consulted during its preparation. We did have a meeting with the architect together with our immediate neighbours [REDACTED]. At the meeting we expressed our horror at their proposal to use the footpath (Millfield Lane) as a route for construction vehicles and our concerns about the damage this might cause to our properties, as well as the unavoidable degradation of the natural environment which would occur. We subsequently sent a written account of our concerns to the architect. This meeting took place in 2011 at the time of the original application. We have received no further communication from the developers. Their 'revised' CMP seems essentially the same as the previous one and shows no evidence of having taken heed of our concerns. In their submission the developers do not mention the unsatisfactory outcome of their consultations with us, only that they occurred, implying that we no longer had concerns.
- b. Concerns for Apex Lodge. We have lived in [REDACTED] since 1983. When we bought the property there was serious subsidence, worst on the Millfield Lane (West) side of the house. On this side the ground slopes down to Millfield Lane and the land then continues to slope steeply down to the Highgate Ponds. A sewer runs beneath the path and from our deeds it would appear to have been dug out next to the house around 1927-30. Our architects felt that this, together with the general instability of the clay which is affected by ground water running off Highgate Hill, may have been a factor in the subsidence. The house was completely underpinned and the foundations extended to form a retaining terrace and wall at the edge of Millfield Lane. In the subsequent 28 years there has been no sign of subsidence in the house or retaining wall. There has been considerable subsidence over the same period in the garden where there is no retaining wall.

The CMP envisages daily passage of construction vehicles over a two year period passing along the footpath within a couple of feet of the foundations of our house. The vehicles would weigh up to 24 tonnes which is twice the weight of a double decker bus. The path is unsurfaced and has no foundations, with a downward slope towards the Heath. It seems to us that structural damage to the path is inevitable and that the disturbance and vibration caused by the passage of such loads may well damage the foundations of our house. We cannot obtain subsidence insurance cover given the history of previous subsidence and the nature of the ground.

We informed the developers of all this at and after our single meeting. We have had no response.

- c. Concerns for the Environment. From the junction of Merton Lane going towards Kenwood house, Millfield Lane is part of Hampstead Heath maintained by the Corporation of London and regulated by the Heath constabulary and Heath staff. It is protected by Act of Parliament from damage or degradation. The developers mention cutting back branches and levelling verges to facilitate their access; these would need the permission of the Corporation of London or the owners of the land involved. Also, passage of heavy vehicles is likely to damage the roots of mature trees – consulting an arboriculturist would not prevent this.

The Lane is at present a quiet rural footpath. The developer's plans would destroy this. Also the Lane is unsurfaced and without foundations and would be damaged by heavy traffic. It becomes muddy in places in wet weather and construction traffic would further churn up the surface.

- d. Concerns for safe passage of Heath users. This part of Millfield Lane is the primary footpath leading from Highgate Ponds and Parliament Hill to Kenwood House and Hampstead Lane. It is the main route for swimmers visiting the Ladies Pond. It is used regularly by pedestrians of all ages, cyclists, dog walkers and prams. Very few motor vehicles pass – either Heath vehicles or residents of the two houses that have vehicular access onto the Lane – rarely more than 4 or 5 times a day in all, while the number on foot or on bicycle is many times this every hour. The width of the path varies but much of it (40% according to the figures given) is less than 5 metres. The vehicles proposed are 2.5 metres wide giving room to squeeze past of 1.25 metres on either side to include vegetation and possibly a pram or wheelchair. It is stated that banks men will ensure that the vehicles give priority to pedestrians. Given the normal usage of the path and the frequency of builders vehicles forecast, the trucks would spend most of their time stationary with path users scrambling past. Mixing pedestrians and big trucks on a narrow path is unsafe and unacceptable. Even the developers have not suggested closing the path to pedestrians which would be the safe option they would like. Recently, following an incident in the Ladies Swimming Pond, a 2.5 meter wide police vehicle attempted access, but abandoned the manoeuvre. We attach a photograph of this, demonstrating the unsuitability of this path for heavy vehicles.

2. Redevelopment of the site

The existing Water House is a large but unobtrusive dwelling which is only about 30 years' old. Architecturally it has been praised and is structurally sound. It fits well in its site. There is no practical reason for its replacement. It was bought by the present owner with the knowledge that access was limited. He was also aware that Camden Council had rejected a CMP some years ago relating to redevelopment of Fitzroy Farm. That plan was much the same as the present proposal and the grounds for rejection were the same as our objections to the present plan. The decision was upheld by the planning inspector on appeal. We feel that the proposed redevelopment is overdevelopment of the site, which would have an adverse effect upon the Heath and the environment. We do not list the objections to the building here since we believe the objections to the CMP, the same objections that Camden previously upheld when it rejected the re-development of Fitzroy Farm, are the most relevant to this issue.

Yours sincerely,

Dr Colin Cooper MB BS, DPH, DMRD, FRCR

Professor Christine Hall MD, MB BS, DMRD, FRCR





