Gideon Whittingham
Planning Officer
East Area Team
London Borough of Camden
6th Floor, Town Hall Extension (Development Management)
Argyle Street
London WC1H 8EQ

Andrew Silvey
13 St Paul's Mews
London NW1 9TZ

2 February 2015

BY EMAIL AND BY POST
planning@camden.gov.uk;
Gideon.whittingham@camden.gov.uk

Dear Mr Whittingham

Re: Planning Application 2014/7710/P
St Paul's Mews NW1 9TZ

1. I wish to make you aware of a number of strong objections that I have with regard to the proposed development of the erection of a new house at St Paul's Mews (land to the rear of 128 Agar Grove London NW1 9TY) application number referenced above. I have reviewed the plans and know the site well as I have lived at St Paul's Mews (the "**Mews**") for a number of years.

Clarification of certain statements in the planning application

2. Before I set out my objections I note what I believe to be a number of factual inaccuracies in the planning application document prepared by S Chapman acting as Agent dated 9 December 2014. These are set out in paragraphs 3 to 8 below.

3. **The applicant is not the owner of the land.** Document Ref 04: 6060 dated 9 December 2014 in Section1 claims that Bondminster Limited is the applicant and then in Section 25 a certification is made that "*The applicant certifies that on the day 21 days before the date of the application nobody except....the applicant was the owner of any part of the land to which the application relates*". The owner of the land to the rear of Agar Grove, which recently formed part of the Mews, is St Paul's Mews (Islington) Limited as identified in documents from the Land Registry title numbers NGL935130, 368669 and 368668. I note this is the same company to which the Basement Impact Assessment is addressed.

4. However, the above mentioned parcels of land were owned by St Paul's Mews Limited which is a company that is owned by both St Paul's Mews (Islington) Limited and a number of the other freeholders whose properties are also in St Paul's Mews. They are unaware of the transfer of this land until this planning

application was made and based on my enquiries they do not consent to it. Bondminster Limited is in fact a company controlled by Graham Hedger who is also a Statutory Director of St Paul's Mews (Islington) Limited and this is now the subject of a legal dispute.

5. **Use of the land.** Document Ref 04: 6060 dated 9 December 2014 further indicates the land as having "Nil use". The land is used for parking and has been ever since the development was completed in circa 1987. The same document also claims the land has had no use since 1 December 2000 which is simply untrue. A number of people at the Mews have been resident from earlier than this date and always recall it being used for parking. I further note that the Basement Assessment Report on page 4 states "the site is current being used as a carpark" as indeed does the Arboricultural Assessment on page 2. These reports therefore contradict Document Ref 04 as having "Nil use".

6. This land has always been used as a car park since the development was completed and St Paul's Mews Square was listed as an asset of community value by Janette John of the London Borough of Camden in January 2014. As an asset of community value this has been used for recreational events in the Mews such as a summer barbeque and Guy Fawkes parties, the profits from which were donated to the Maiden Lane estate which is next the Mews.

7. The piece of land currently being proposed for the development (the "**Car Park**") was recently dug up deliberately on instruction of St Paul's Mews (Islington) Limited without any benefit to the residents of the Mews (despite most of the owners being promised control of the road) or any of the other existing owners. In hindsight the only reason I can think that St Paul's Mews (Islington) Limited may have done this did this is for the purpose of securing a successful planning application.

8. **Vehicle Parking.** Based on the comments above, the information provided in the application is wrong and misleading. There is in fact a loss of six official car parking spaces as in the original plans for the road although the space comfortably takes eight cars. This is a substantial reduction in the number of parking spaces in the Mews which has now become considerably crowded since the Car Park was dug up.

St Paul's Mews Background

9. The Mews is a small residential street situated behind Agar Grove in the east of Camden Town. It comprises 28 terraced town houses, the frontage of which are kept in a consistent manner, and 2 semi-detached town houses. It was designed by Piers Gough CBE who is famous for designing a number of buildings such as The Cascades Tower on the Isle of Dogs and Janet Street-Porter's House in Central London.

10. No material alterations have been made to the road since its original construction with exception to the deliberate destruction of the Car Park by St Paul's Mews (Islington) Limited. St Paul's Mews falls within the **Camden Square Conservation Area** where the road and the adjoining properties hosts

numerous types of trees, shrubbery and various types of urban wildlife which will be lost as part of this development.

Specific objections

Objection 1 – The development is not in keeping with the Mews

11. **Core Strategy CS14: Promoting high quality places and conserving our heritage**. The strategy sets out that the Council will ensure that the development "respects the local context and character" and should take account of "preserving and enhancing Camden's rich and diverse heritage assets and their settings including conservation areas".

12. The Mews was developed to have some of the features of a traditional Mews. The existing properties are currently three story town houses constructed of brick. The road is cobbled with granite blocks to ensure to give it an older feel. The proposed development is only one story at street level and has a substantial basement. No other building in the Mews has a basement. Many of the materials noted in the plans are not consistent with the current material used in the buildings in the Mews which is inconsistent with **CPG1: Design section 2.12.** I also note the lack of garden space in the proposed development compared to the existing properties in the Mews.

13. I note that in CGL's report dated November 2014 they claim that the nearest building is approximately 10 meters from the basement. The nearest building to the Mews is only 7.8 meters away from the basement. The much older buildings in Agar Grove are clearly nearer and a basement of this size must cause issues with the foundations and structural integrity of the surrounding buildings.

14. As noted in Camden Square Conservation and Appraisal Strategy, the Mews was added to the conservation area in November 2002. Piers Gough was given his CBE for services to architecture and the Mews now forms part of the heritage of Camden. This proposed development will fundamentally change the style of the Mews and is at odds with preserving Camden's heritage which is not in line with **DP25 Conserving Camden's heritage**. In fact the houses in the street have a covenant placed on them to ensure that the character and feel of the street is not altered.

15. **CPG1: Design, Section 3** states that Camden's key message is that "*we will only permit development within conservation areas that preserves and enhances the character and appearance of the area*" and **DP24 Securing high quality design requires developments** requires a development to respect the local character.

16. This development will fundamentally change the street as the design is not in keeping with nature and character of the existing houses in the mews.

Objection 2 – The development has an adverse environmental impact

17. **Core Strategy CS15: Protecting and improving our parks and open spaces and encouraging biodiversity**. In this strategy the Council states that it "will protect and improve Camden's parks and open spaces" and will engage in "protecting trees".

18. The Mews contains houses which are designed for families and many of its residents have children. The area where the proposed development is situated is used as a car park but this is normally only full during the evenings. During the day it was (until it was recently dug up) used by the children in the street to play. There is very limited community space in Camden and even less within Cantelowes ward. The children in the Mews have now lost an area which was relatively free from passing traffic and was in a safe and secure location near their homes. This would also therefore seem to be at odds with **CS17 Making Camden a safer place** and for the children of the Mews their amenity and safety have now been significantly impaired by this proposed development.

19. Article 8 of the Human Rights Act states that a person has the substantive right to respect for their private and family life. In the case of Britton versus SOS it was concluded the private and family life encompasses not only the home but also the surroundings. This area where the proposed development is situated forms part of the surrounding for the residents of the Mews which is why it was designated a community asset.

20. I note that the Arboricultural Assessment conducted by ACS Consulting states in section 1.3 "*I have been appointed by the site owners as a competent and qualified arboricultural consultant to provide this report and supervise any works that may have the potential to affect the trees*". This statement shows a serious conflict of interest by ACS who now has a very clear and obvious interest in ensuring this application is approved as they have been committed to receiving further work in relation to this project. I feel this report cannot be relied upon which is disappointing given the number of issues there are with trees in this proposal.

21. Over a number of years, the number of trees in Agar Grove seems to have diminished. Firstly, this proposal will lead to the loss of one tree and will risk three others. Many of the trees are right next to the walls where the proposed development is situated. The Arboricultural Assessment points identifies that St Pauls Mews (Islington) can legally remove parts of the trees which over hang the land at the rear of Agar Grove can be chopped down. If these trees are chopped down to the extent described, then there is a risk that they will eventually die. In fact if the trees hang to this extent then this means that the roots also reach into the ground in the proposed development. If a key root is cut then a tree will die.

22. The wall surrounding the site of the proposed development is covered in ivy which currently hosts birds and other urban wildlife. The development will clearly destroy their habitat.

23. I note that there is actually no contaminated land report and the cover letter of the report states that a final report will be available in January 2015. The application does not contain an adequate report to meet the needs of CPG8 Planning Obligations Sections 3.16 to 3.20.

24. The Mews has contaminated land and in fact the developers have taken out contaminated land insurance covering houses 3/9 and 11/29 at the Mews for a period of 12 years from 18th March 2011 in respect of any enforcement action by the local authority or the environment agency in respect of any contamination on the site.

Objection 3 –The development results in the loss of car parking

25. **CPG7: Transport**. Section 5 requires car free and car capped development. Section 5.5 states that "*Car-free or car-capped housing may be sought wherever development involves the creation of one or more additional dwellings – whether newly built.....*"

26. This development results in the practical loss of eight parking spaces which were in use until the cobbles were deliberately dug up by St Paul's Mews (Islington) Limited in 2014. Given there are 30 houses in the mews this directly impacts one quarter of the properties in the street who were using this for parking previously. This is therefore not a car capped development.

27. The loss of a substantial number of off-street parking spaces is not consistent with the Camden's objectives in **DP19 Managing the impact of parking** due to the loss of substantial off-street private car parking.

Other minor objections

28. I am deeply concerned that the application does not contain a simple and normally understood visualisation of how the new property would look. The proposal contains architects drawings which are not readily understood by the average person. There seem to be numerous inconsistencies between the drawings and I fail to see how they can be accepted as being credible.

29. **CPG7: Creation of unacceptable parking pressure or add to exiting parking problems.** The Mews is already crowded with vehicles and the number of vans, deliveries and parking for construction staff will create unacceptable parking pressure. A development of this nature, particularly with such a substantial basement, will require extensive amounts of equipment for months which will simply blight the Mews and destroy residents' amenity.

30. **CPG6: Amenity. Camden expects all buildings to receive adequate daylight and sunlight.** As mentioned previously I have lived in the Mews for a number of years. The ground floor of our property receives very limited amounts of sunshine at the rear and none at the front. As this development is only one storey at ground level with walls and a gate surrounding it and is opposite a three story building I fail to see how this design allows its occupants adequate sunlight. Furthermore, it is surrounded by trees that are significantly bigger than those set out in the drawings in the application. These will further result in the loss of sunlight to the property. I don't believe that a 25 degree line from the lowest window will meet the requirements of section 6.7 of CPG6.

31. My understanding of the designs is that the roof is accessible as a terrace. This means that all the properties at the rear of Agar Grove and houses 15 to 19 in the Mews will be overlooked.

32. The drawings show that the proposed development will actually be gated which will be to the detriment of community cohesion in both the Mews and Cantelowes Ward.

Conclusions

33. In conclusion I believe that this development should be rejected on four grounds:

34. Firstly the development does not respect the local context and character of the Mews and will fundamentally change its look and feel. Given its design heritage the Mews needs to be preserved and this development is out of keeping with the design and character of the Mews. The proposal is at odds with the Camden Square Conservation and Appraisal Strategy, Core Strategy CS14, CPG1 and both DP24 and DP25.

35. Secondly, whilst noting that the primary use of the land has always being used for parking until St Paul's Mews (Islington) dug up the Car Park in 2014 it has been designated a community asset and was used by the children as a play area and for other community activities. The loss of this open community space is not consistent with Core Strategies CS15 and CS17. This is also a breach of Article 8 of the Human Rights Act. The proposed development will have an adverse effect on the amenity of the residents of the Mews.

36. Thirdly, there will be an extremely negative impact on the bio diversity of the Mews and other environmental risks. This development will give rise to an uncomfortable relationship between protected trees and the proposed development in which there will be loss of trees either directly or through excessive of pruning. This is in direct conflict with Core Strategy CS15. Furthermore, the risks around contaminated land are not properly understood and need to meet the requirements of CPG8. Should this proposed development go ahead there should be a clear expectation that trees and other biodiversity will be at extreme risk.

37. Finally, the development results in a material loss of parking in the Mews. I believe the eight parking spaces will be lost. This is the direct opposite of what the Council is trying to achieve in DP19 and CPG7. The proposed development will result in an unacceptable loss of off street parking places.

Next Steps

38. I formally request to speak at the local planning authority committee meeting at which the application may be decided and if notice is required please consider this letter to be notice.

39. If this application is to be decided by councillors, please take this as notice that I would like to speak at the meeting of the committee at which this application is expected to be decided. Please let me know as soon as possible the date of the meeting.

40. I would like to request that, should the application be approved, that the London Borough of Camden using its powers to enforce controlled hours of operation and other restrictions that might make the duration of the works more bearable. The proposed site development is very small and contained, only contains residential properties, so I would ask that consideration be made about how, where and when construction vehicles and staff would gain access to the site for unloading and parking without causing hazard and inconvenience to the residents of St Paul's Mews.

Yours sincerely

[redacted]

Andrew Silvey
13 St Paul's Mews