


# The Fitzroy Park Residents' Association

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Dear Gideon

## **53 Fitzroy Park – application 2015/0441/P and related applications**

Many thanks for organising the meeting last Friday to discuss our concerns with the latest version of the CTMP, rev 04, dated 10 July 2015. We agreed to document our concerns following the meeting.

### **1 Clarifications**

*Private Roads:* it was clarified that the Council has duty of care towards all constituents when considering an Applicant's CTMP, whether or not the development site is accessed via a private road or the public highway, and has considerable powers to enforce, manage or restrict vehicle movements.

*2012 Planning Consent:* the Applicant seeks to use the CMP submitted with the 2011 application as an "approved" precedent for the current one: in fact it has yet to be discharged as one of a number of S106 clauses, including drainage and cumulative development impacts. It was confirmed at the JR hearing that Camden would consult FPRA in the course of discharging these obligations. The statement on p4 of the CTMP is incorrect.

*FPRA position on development:* during the meeting it was suggested that we are "anti development". In fact, as detailed in section 5 below, we have actively supported several significant developments, including complete demolitions and replacement builds, and we continue to support reasonable development in the road.

*Emerging policy on basements:* it was clarified that the current consultation on limiting basement development does represent emerging policy and can be taken into consideration in evaluating this application.

### **2 Safety of road users**

In addition to the vehicle and cycle traffic noted in the CTMP, the road carries a considerable volume of pedestrian traffic, not only residents and visitors but recreational walkers (with and without dogs and children) for whom the road is a valued link between the Heath and Highgate Village. The road is the sole access route for some 100 or so Council allotment holders, and the members of the North London Bowling Club, and the main access for the residents of 70 properties, visitors and deliveries.

The relevant part of the road (about 160m from the Merton Lane junction) varies in width from 3.5m to 4.8m, and apart from a very short stretch has no refuge for pedestrians; segregation is impossible. It is essential that an HGV is halted to allow pedestrians to pass safely, and it should be noted that in the narrower parts even this will not be feasible. The swept path analyses make no allowance for safety zones around vehicles (the norm is 1m front and rear), so that even pedestrians will be prevented from passing while manoeuvres to and from the site take place.

These factors of course will impact the traffic flow, as noted below.

### **3 Traffic flow**

Transit along the road at walking pace should take 2-3 minutes per movement, extending to at least 5 by stopping for pedestrians; the complex manoeuvres shown in the swept path diagrams could take a further 5 minutes. During all this time no other vehicle can pass – the road is effectively closed. Over a working day, this closure (based on the HGV traffic on p17 of the CTMP) could total 3 hours on a ‘maximum’ day, or about 1.5 hours on an ‘average’ day during phase 2 (35 weeks). This is clearly unacceptable over such a period, but the CTMP does not contain any allowance for pedestrian traffic.

There will clearly be at least two exceptionally disruptive movements – the arrival and removal of the 14 ton excavator described on p16 of the CTMP – whose impact is not quantified.

It was suggested by John Duffy at our meeting that in practice the swept path analyses exaggerated the complexity of the manoeuvres. Our professional advice is that this is not so – in fact, when allowing for a reasonable safety zone around each vehicle, the opposite is the case. For example, drawing VSP-KB-CAM-FITZROY PARK PHASE 3 shows substantial encroachment by the vehicle overhang, even without a safety margin, and drawing 1042.85 shows clash with kerbs, the pedestrian safety island and the property of Apex Lodge.

### **4 Reduction in HGV traffic from rev 03**

In rev 04, HGV traffic is reduced by about 5%, primarily by assuming that a further 144m<sup>3</sup> of spoil can be retained on site. This would clearly (as has been demonstrated in earlier work) have a significant impact on the local hydrology, including on the pond in the garden of no 55 which drains to the Bird Sanctuary pond on the Heath. This impact is not reflected in the BIA, and it must be.

### **5 Scale of the development**

FPRA has actively supported substantial development along Fitzroy Park including, in the last 5 years, 51 Fitzroy Park, Fitzroy Farm and The Lodge where each site involved a full demolition and up to a 50% increase in size of the original dwelling including a single storey basement.

CMP delivery movements for these developments number:

51 Fitzroy Park – 6,000 sq ft: 218 HGV movements

Fitzroy Farm – 13,000 sq ft: 592 HGV movements

The Lodge – 7,000 sq ft: 474 HGV movements

Total of these three: 26,000 sq ft: 1,284 HGV movements

The current application for 53 Fitzroy Park, in contrast, is for a single dwelling of approx. 10,000 sq ft but requires 2,016 HGV movements.

The 30% increase in quantum over and above the 50% increase in quantum in the 2012 consent is a material consideration in these figures.

## 6 Parking

On p20 of the CTMP it is stated that no parking will be allowed on the site, and in correspondence with the Applicant's representative it has been stated that no site operative (contractor or subcontractor) will park on Fitzroy Park. FPRA operates a permit system for parking in the road; we depend on the owner, main contractor and subcontractors on the site to support its enforcement.

This restriction applies to HGVs, LGVs, private cars and skips.

We would welcome an assurance from the Applicant that such control can be exercised in practice, given the large number of trades which would be required during the fit-out phase.

Residents do enjoy parking rights on the road and we will not withdraw these in order to facilitate this project – indeed we do not have the powers to do so. Some parking of resident or visitor vehicles may be expected along the access route from time to time, and this has to be taken into account in managing traffic. We have canvassed the immediate neighbours on this question and we quote below from a typical response:

*“...In addition, the Annexe to no. 55 has no off road parking so that when my parents are there with their car, there is nowhere else to park. At 90 years old, they have limited mobility and use a Blue Badge. Neither of them is in a position to walk up the road to park in Merton Lane... a complete ban on all parking for 2 years is not acceptable.”*

## 7 Protection of the road and repair of damage

The road is an old carriage drive and until the 1970/80s had no tarmac surface – the current surface is a thin coating over what is essentially a gravel path. Services, including sewers, are at a relatively shallow depth, and the road is clearly unable to carry a high volume of HGV traffic.

On p5 of the CTMP it is proposed to strengthen the road at the site, but no details of this work are included; it will require the consent of the frontage owners opposite, and any disruption to traffic flow will have to be agreed with FPRA and properly managed.

Subject to such agreement, the Applicant's engineer should certify to FPRA that all of the road used is capable of taking the proposed loading over the duration of the project.

On p22 are proposals for repairing any damage to the road, road furniture and services. An agreement, preferably secured by condition of any consent, will be required to ensure that any damage is promptly repaired, that a bond against repairs is deposited with our legal advisers, and that the contractor can demonstrate adequate insurance against damage to property.

## 8 Conclusion

Our key concerns are about safety and loss of amenity, including the significant disruption to users of the road throughout what could well extend to a three-year project. Loss of amenity, as reflected in Camden's emerging basement policy, aims to limit the time neighbours' lives are impacted by the variety of construction impacts such as noise (including high-pitched reverse alerts on HGVs), vibration, dust, dwell times when contractors double park to off-load, and damage to the road.

In these respects, we contend that the current CTMP represents a project that is excessive in scale and will have an unacceptable impact on its neighbours and on all the many users of Fitzroy Park, whether as residents, visitors, allotment holders, bowlers or members of the public who enjoy walking around Highgate and the Heath – all in order to build one house.

Yours sincerely

Karen Bearc / Harley Atkinson

For Fitzroy Park Residents' Association