

64 Fitzjohns Avenue
London NW3 5LT

Planning Department
London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall
Judd Street
London WC1H 9JE

Dear Sir/Madam,

RE: Planning Application # 2015/5847/P
Address: 66 Fitzjohns Avenue, London NW3 5LT

I wish to lodge our objection to the proposed application.

In general I am extremely surprised by the poor quality of the submission which clearly overlooks key policies and importantly emerging policies relating to basements in the borough of Camden.

Firstly, I would confirm in general I am normally pro development including back land development, however there are some critical flaws with this application that cannot be ignored and can only lead to a rejection by the planning department. I summarise the key issues below.

- 1) **The site is within the Hampstead Conservation Area and is a back land site** having been originally part of the garden belonging to 64 Fitzjohns Avenue. The original out houses were extended and converted to residential use at a time when planning policy was more relaxed. In our opinion the proposal is a significant overdevelopment of the land and will have a **significant detrimental effect on the Conservation Area. The size and bulk is wholly out of proportion with the size of the site.** I would also note that although the central section of the additional storey on the front elevation has been set back a minimal amount the **ends have not been set back** and hence there is no way this addition will not be noticed. **Nor can it be argued that the 2nd floor will be subordinate to the lower floors due to this detail.** The building is in close proximity to the rear elevation of #64 Fitzjohns Ave.
- 2) **Emerging policy regarding basements** is reasonably clear regarding the amount of garden space that can be consumed by a basement and of course the current proposal does not take this into consideration at all. The proposal constructs a basement under the whole front area which currently forms amenity space (a table and chairs is visible in one of the architect's photos). **To allow the construction of accommodation under effectively the whole site cannot be acceptable to the planning department** and indeed shows a lack of understanding by the design team of the Boroughs policies. Current guidance indicates no more than 50% of garden space should be built under.

- 3) **The quality of the subterranean space is significantly below that which is acceptable with regards the daylight and sunlight** requirement of the policy guidelines for habitable rooms. I recognise this area forms part of a larger dwelling but the **basement area appears to be approximately 50% of the total area** and surely this is an unacceptable level. Although acceptable to the current owner future owners or tenants will live in substandard dark accommodation.
- 4) **The planning application has an error and is misleading. Point 25 on the application is incorrect as the site is visible from the main road. The application states it is not.** I would also note the architects own design and access statement photo on page 7 shows a picture from the main road also showing the existing building clearly visible from the road. An additional storey will have a material negative impact on the Conservation Area. I would Also note the works description on the application states “Erection of new houses on same footprint plus basement level plus second floor storey” again this is hugely misleading as the proposed footprint is not the same, indeed it is almost double.



View of existing building from Fitzjohns Avenue

- 5) I note **the proposed plans conveniently do not place a datum height on the top of the proposed new roof ridge** and so it is difficult to assess the absolute impact. However, it is clear the **proposed building height is significantly higher than the existing building**. The proposed ridge is higher than the third storey of #64 Fitzjohns Ave. This must be considered **too high for such a back land site, especially considering the close proximity of the subject site to #64 Fitzjohns Ave**. The only statement the architect uses to try and justify the height of the proposed building is “The height of the front projecting bays is equal to the existing gable walls of the front façade”. It would be worth noting that the existing front elevation in its gable form is only

high at two points, hence comparing the new structure to this high point would be misleading. The existing roof and main building line are much lower. Also the architect only mentions the bays of the new building matching this height, however the bays are a full storey lower than the proposed building height. I cannot see the relevance of this statement apart from trying to mask the fact the building is a storey higher. Clearly an argument cannot be made to support the proposed additional storey and hence it has simply been ignored.

- 6) The **poor design uses roofing materials that will be unsympathetic** when viewed from the upper flats in the surrounding buildings. Contemporary design that is sustainable and considers the conservation area almost always utilises green roofs. Whilst the architect tries to justify the use of grey zinc cladding in the design it is clearly a poor choice. I cannot think of anything worse to look out onto, rather like an industrial shed I would imagine.
- 7) I can see **no attempt being made to significantly improve the sustainability of the building** and again this is not progressive and moving in the direction that current policy is attempting to take the new housing stock within the borough. The only sustainability feature I can see is the addition of 2 bicycle stands which seems a pretty poor attempt for the proposed size of dwelling.
- 8) The architect confirms the tight nature of the site for parking. In fact the forecourt is being reduced and so **there is no way the cars will be able to turn around on site and exit in a safe manner**. Please note the number of schools on Fitzjohns Avenue and **having to reverse out of the site is ill conceived and a clear safety risk to pedestrians and the children. This point alone should be enough to reject this application**. I appreciate cars may currently do this despite there being enough space to turn around on site however if a full redevelopment is proposed then surely this fundamental highways problem should be addressed. **The site is in close proximity of Hampstead tube station and on main Bus routes, as such the PTAL rating must be high and if a suitable car access and egress scheme cannot be conceived then the council should propose a car free development**. Increasing the total habitable rooms on such a site will certainly lead to additional parking which would exacerbate the problem.
- 9) **Light pollution from the 2nd floor large openings** (sited by the architect as adding to the contemporary design) will be hugely intrusive during the evening hours and is ill conceived. **The amount of glazing is significantly more than existing**.
- 10) I note **not all 2nd floor front facing windows are obscure** and hence **the rear patio and rear windows belonging to #64 Fitzjohns Ave will be more overlooked** than before and this is unacceptable.
- 11) I can see **no daylight/sunlight report** on the council's website and as such the proposed increase in height cannot be assessed. However, it does appear that there will be a **significant impact on the daylight and sunlight of the lower floors of #64 Fitzjohns Avenue**. Has a daylight and sunlight report been submitted and if so may I please get a copy as soon as possible?

- 12) Although not a planning issue we do believe **the rights of light to the lower ground floor will be impeded** and as such the development will be in breach and would be challenged.
- 13) I would highlight the construction plan also shows a lack of appreciation for the neighbours of #64 Fitzjohns Avenue. The hoarding being placed directly on the boundary will greatly reduce the light into the lower ground floor flat and will provide a depressive environment during the works. The main access road into the property has a tunnel under and would be unsuitable for lorries and large vehicles without significant strengthening works, there has been no mention of this. I would also note the tunnel structure bears onto the walls of #64 Fitzjohns Avenue and would be considered a party structure. Surcharge loads on the existing structure would be an issue during any construction works none of which has been considered fully in the construction plan.
- 14) **The access Road to the site abuts and is supported by the wall of #64 Fitzjohns Ave** and as such the **vibration and noise caused by lorries** travelling along this road will be considerable and again no consideration has been given to this.
- 15) The proposal to remove **the substantial 10m high silver birch** which forms a screen between #64 Fitzjohns Avenue and the proposed site would significantly harm the outlook from # 64. This tree does make a **positive contribution to the Conservation Area and should be retained**. To allow the removal of this tree to allow sub-optimal subterranean accommodation seems ill-conceived.
- 16) The BIA report does not fully consider the short term impact of the dewatering that would be required during the construction works. The proximity of the proposed basement to the rear of #64 and the process of the basement construction will inevitably have a detrimental effect on the stability of the clays and hence the foundations of the property. **The BIA assumes vertical movement of 3.8mm but this does not fully consider the effects of the dewatering. The water table level is very high (unusually likely due to the close proximity of a substantial underground water course) and is at the foundation level of #64. Therefore, small reductions in the ground water levels could have larger than normal effects on the foundations of #64.**
- 17) The **Hydrology report clearly identifies the proposed basement will be below the ground water level as determined in the Summer**. They rightly highlighted that this will likely rise considerably during winter months. As such the **impact on the surrounding buildings and in particular #64 from the diversion of significant amounts of ground water is likely to be significant**.
- 18) **The proposed basement is too close to suspected watercourses** and cannot be acceptable.

19) **The hydrology report highlights significant risk to #64 due to the potential rise in ground water levels.** The proposed ground drains are highlighted to minimise the effects on #64. Any rise in ground water levels will be wholly unacceptable whether minimised or not due to the existing very high ground water levels. **This basement is unsuitable for this location.**

20) **A basement excavation of 4.8m below ground level seems deep especially considering the emerging basement policies. This is clearly more than a single storey excavation.**

21) **Appendix A of the Design and Access Statement states:**

"07 Wheelchair accessibility: Wheelchair accessibility is maximised by providing open plan kitchen and dining". I am bemused by this claim as of course the kitchen and dining is in the basement down a flight of stairs with no future provision allowance for a lift. How is accessibility maximised? It appears we are simply ticking boxes here. **This is not sustainable development.**

22) **The tree report seems somewhat light in its assessment of the potential harmful effects to the extremely prominent and significant T10 plane tree.** This tree is the largest in the locality, provides a significant positive contribution to the Conservation Area and is visible from the road. The Contiguous piled construction method ensures total removal of any root systems that have propagated under the existing house. Such **considerable construction within the 5m root protection zone** and under the canopy of the tree can but only put stress on the tree and the risks seem high in relation to the benefits. **The lowest branches are also directly affected by the inappropriate height of the proposed construction.** This tree should be protected and a TPO placed on it.

I trust the above points clearly demonstrate why this application should be rejected and trust the planning department will concur.

I would confirm that **we have not received any notice from the applicant with regards this proposal nor has any attempt been made by them to discuss the proposals with their closest neighbours.** This is unfortunate. I would request that notices be sent to all immediate neighbours as clearly many will be unaware of the proposals and will not have been given the opportunity to comment.

Please note **the objection currently already uploaded on the Camden Planning web site has not been properly redacted** and as such the telephone numbers of the individual objecting has been left visible at the bottom. I trust this will be rectified and this letter will be redacted correctly.

