

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2015/5847/P	Susan Oldroyd	Flat D 64 Fitzjohn's Avenue London NW3 5LT	02/02/2016 12:12:49	OBJLETTE R	<p>PLANNING APPLICATION 2015/5847/P 66 FITZJOHN'S AVENUE</p> <p>APPENDIX TO LETTER OF OBJECTION SUSAN OLDROYD 64 D Fitzjohn's Avenue London NW3 5LT</p> <p>29th January, 2016</p> <p>PREAMBLE My letter of objection appeared on the Camden Planning website on 26th January.</p> <p>Following advice from CRASH, I am presenting here the appendix of references that support the comments in the letter. Please consider the letter and its appendix together. I hope this will be helpful.</p> <p>My letter references Camden Planning Guidance 4, Basements and Light Wells (CPG4), a document which supports Camden's policy DP27, Local Development Framework Policy (LDF), and is consistent with Core Strategy (CS). Of particular relevance in the Core Strategy are CS5, managing the impact of growth and development and CS18, dealing with waste and recycling.</p> <p>I also reference Camden Planning Guidance 1, Design (CPG1). My letter is also supported by reference to The Party Wall Act of 1996</p> <p>The letter in general makes objection to the Planning Application on two grounds:</p> <ol style="list-style-type: none"> <li>1. The over development of a very small back land site in close proximity to neighbours and,</li> <li>2. The negative effects of the proposal both in terms of risk and in terms of loss of amenity to neighbours and to the character of the conservation area.</li> </ol> <p>APPENDIX OF REFERENCES IN SUPPORT OF REFUSING PLANNING PERMISSION CPG4 states that while basements can help make use of limited land, they can cause harm to the amenity of neighbours, affect the stability of buildings, cause drainage and flooding problems, damage the character of areas and the environment.</p> <p>Key Messages includes the statement that basement development will only be permitted if it does not cause harm to the built and natural environment and local amenity, result in flooding, or lead to ground instability.</p> <p>Factors defining the over-development of basements (2.5) are stated as:</p> <ol style="list-style-type: none"> <li>1. Larger developments such as those of more than one storey in depth or which extend outside the footprint of the building.</li> </ol>

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2. Developments involving more extensive excavation, therefore longer construction periods and more vehicle movements to remove spoil.
3. Developments with significant impact on adjacent buildings through disturbance and noise, vibration, dust, traffic issues.
4. Developments that impact on the water environment, reducing area for run off and soak away and reduce the ability for the area to support trees and other vegetation, thus making for poor environment and loss of amenity.

The Council's Preferred Approach (2.6) states that basement development should not extend beyond the footprint of the building and no deeper than one storey (approximately 3 metres). It further notes that: The internal environment (of the basement) should be fit for purpose.

For a building to be fit for purpose adequate attention must be given to the quality of lighting and ventilation; the stability of the building; any potential water/damp and flooding problems and appropriateness of access.

My letter refers to the proposed basement extending beyond the footprint of the building and to a lower depth to ameliorate the height of an additional storey. It suggests that the site's inability to accommodate, realistically, waste and recycling, provide adequate lighting of basement rooms, while at the same time including space for parking, is a problem. It further refers to ground floor entry to this new build requiring downward sloping ramps. I note that another filed objection to the proposal refers to the lack of clarity over how the proposed basement would be ventilated.

The Council's Preferred Approach goes on to state that there should be no impact on any trees on or adjoining the site, or to the water environment or land stability. The developer will be expected to provide appropriate evidence to demonstrate to the council's satisfaction that the development does not harm the built and natural environment, or local amenity.

My letter refers to problems with the Construction Management Plan (CMP) to protect convincingly the eco environment of trees and vegetation. It further notes that the impact of the project extends into potential future negative consequences.

Section 3 of CPG4 considers the three stages of a Basement Impact Assessment (BIA). It notes that during the Scoping stage (2), the Applicant should enter pre-consultation or set up a working group with local residents and amenity groups.

This expectation has not been met. For information, I include reference to The Party Wall Act of 1996 at the end of this appendix.

In stage (3), the Site Investigation Study, reference is made to the Burland Scale rating levels of damage that can occur during construction. Burland states that the objective is to keep risk to category 2, 'slight'. It is noted that on aesthetic matters even category 2 risk can involve re-pointing, filling cracks, redecoration, the un-sticking of windows and doors and considerable expense and

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inconvenience to neighbours.

My letter refers to the unacceptable risks that neighbours will be asked to bear for the sake of over-developing this tiny site.

The Geological and Hydro-geological surveys of the area note that there is risk from surface flow flooding when heavy rainfall puts pressure on the sewer system. It is further noted that developments affecting the upper aquifer (ie river terrace deposits, Bagshot Formation, clay gate member) are of most concern.

My letter refers to the ‘raft of clays’ on which 64 Fitzjohn’s Avenue is built. It also refers to the high water table in this area and the proximity of underground watercourses. It notes that the drains of 64 are already under pressure from carrying water and sewage from the existing two houses that form 66 Fitzjohn’s Avenue, and refers to problems we have had in the past.

Camden Planning Guidance 1 refers to Design.

Key Messages state that the council will only permit development within conservation areas that preserve and enhance the character and appearance of the area. Conservation areas are defined as “heritage assets”.

The context of this document states that good design should positively enhance the character, history, archaeology and nature of existing buildings immediately adjacent and in the surrounding area (ref 2.1). It should consider the extent to which the development may overlook the windows or private garden area of another dwelling and consider the degree of openness of an area and of open spaces, including views in and out of these spaces (ref 2.10). Materials “should relate to the character and appearance of the area, particularly in conservation areas (ref 2.12).

Section 5 of CPG1 refers to extensions, but makes points relevant to this Application. It states that a roof alteration or addition is likely to be unacceptable where there is likely be an adverse affect on the skyline or the surrounding street scene (ref 5.8).

It further states that for some contemporary buildings proposals should still have regard for the following general principles:

1. Visual prominence, scale and bulk of the extension
2. The use of high quality materials and details
3. Sympathetic design and relationship to the main building
4. The impact on adjoining properties both in terms of build and design and amenity of neighbours, including loss of light due to additional height (5.20)

My letter refers to the inappropriate intrusiveness and overbearing aspects of the proposed design in the context of a small back land site, both in relation to degradation of amenity for immediate neighbours and degradation to the character of the conservation area. It also notes an inaccurate statement in the

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Application which claims that the site cannot be seen from the public highway.

Section 10.5 of CPG1 refers to Waste and Recycling. It refers to all new build development and includes information on where bins should be sited in relation to windows. There is a requirement that internal and external storage areas are designed into each unit (ref 10.8)

My letter notes that the application does not do this and includes an inaccurate statement. Further, my letter also questions how lighting the basement and providing parking as well as accommodating waste and recycling bins could be effectively achieved.

In Camden Urban Development (UDP) Section 3 - Built Environment it states that development should respect its site and setting (B1a) and seek to improve the attractiveness of an area and not harm its appearance or amenity (B1f).

It goes on to state that in assessing how the design of a development has taken these principles into account, the Council will consider:

1. Building lines and plot sizes in the surrounding area (B1g)
2. The height bulk and scale of neighbouring buildings (B1i)
3. Existing natural features, such as topography and trees (B1j)
4. The design of neighbouring buildings (B1k)
5. The quality and appropriateness of detailing and materials used (B1l)
6. The impact on views and skylines (B1n).

My letter makes reference to the negative impacts of visually inappropriate over development of a small back land site in a conservation area, particularly in relation to height, scale and impact on trees and views.

In The Party Wall Act of 1996, Section 26 refers to what is required of a developer seeking to excavate within 3 or 6 metres of a neighbouring building. It states that if you plan to excavate, or excavate and construct foundations for a new building or structure within 3 metres of a neighbouring owner's building or structure where you will go deeper than the neighbour's foundations; or excavate, or excavate for and construct foundations for a new building or structure, within 6 metres of a neighbouring owner's building or structure where that work will cut a line drawn downwards at 45 degrees from the bottom of the neighbour's foundations you must inform the Adjoining Owner or Owners by serving a notice.

The proposed basement plans are to excavate lower than the foundations of 64 and in very close proximity to this building. Other than publishing the proposed plans on Camden's website, no attempt has been made to inform Adjoining Owners of the basement plan.