



For the attention of Charles Thuaire

Re: 2011/4390/P The Water House, Millfield Lane

Dear Mr Thuaire

As you know, the Heath & Hampstead Society maintains and re-states its objection to this offensive planning application.

#### 1. BIA

There is a need for a 4th BIA audit; the most recent basement drainage changes are most material, and therefore the 3rd audit cannot be lawfully relied upon as it relates to different proposals.

The removal of the proposed gravel drain in response to the City's refusal to grant a new easement will continue to cause uncontrolled surface water flooding across the Lane into the Bird Sanctuary Pond. In addition, it is also likely to discharge ground water unlawfully on that part of the Lane owned by No. 55 downstream. The situation will not be an improvement of previous proposals. It will be worse as two landowners will potentially be affected.

The developer's engineers have stated that any surcharge of ground water for the proposed soak away will drain into an existing gravel drain that runs parallel with Millfield Lane. Photographic evidence which has already been provided to you shows no such drain exists. This is a fundamental flaw in the scheme.

No scheme should be approved which risks adverse effects on Millfield Lane and the Heath in terms of water flow of any kind.

#### 2. CMP

What should be noted is information deliberately omitted from the BIA, such as the swept path analyses for HGVs; these were only shown reversing into site, not leaving site. The storage of 500m<sup>3</sup> of spoil in the back garden, that has been in all previous iterations is no longer mentioned, but HGV numbers have not been updated by 30% to take account of this spoil now being taken off site etc.

The WSP Parsons Brinkerhoff independent swept path analyses for HGV manoeuvres on and off site outside the ladies pond entrance show that HGVs cannot reverse into site without the lane being physically widened by removal of railings on City land. HGVs cannot thereafter leave site without widening the lane or widening the entrance to the Water House by removing all the trees along the boundary to facilitate access. Each manoeuvre will take approximately 4 minutes to complete. On each occasion the HGV has to traverse at least 60 metres back and forth in order to turn around. Smaller HGVs also need physical works to facilitate access to the entrance and to widen the lane.

The Applicant states, in the 5.2 Proposed mitigation measures, they intend to "dress back verges, remove

mud, prune vegetation and improve drainage at pedestrian passing points (to be constructed on private land) along Millfield Lane. This cannot be resolved post planning consent as part of a s.106 agreement. CPG6 requires that weight be given to what was a reasonable use of the road based on previous construction projects (for 53FP the numbers are four times previous construction projects) or impact on amenity of local community blocking the road for 2 hrs per day.

LBC Transport officer Zoe Trower states that "construction impacts are actually a civil matter as permission will still need to be secured from the residents and COL - which I know we both doubt is every likely to be given. My only question is therefore, does Camden as the LPA need to be aware that approval will be withheld on a civil matter and permission (if granted) could never be realised.?" Camden should not grant permission knowing the project is not realisable because of a flawed CMP.

### 3. Build/plot ratios

You have agreed a figure of 27% as acceptable and in keeping with Camden policy.

The critical issue remains the omission of the gym basement footprint that the architects insist is a simple bund and therefore should not be included. At 82m<sup>2</sup> it increases the plot build ratio to 34% on a plot size of 1251m<sup>2</sup>. This is exactly double the local average for Fitzroy Private Open Space adjacent to the Heath. Your argument for not including the gym footprint is based on two photo montages that are grossly misleading in that they show a fence that is twice the height of the existing that gives the impression of the gym being much lower than it is.

RIBA best practice would require the gym footprint to be included in the calculations.

### 4. Trees

There has been what appears to be an entire re-write of the arbo report. But despite this there remain a whole host of issues: impacts on trees along the Lane from HGV vehicles; the COL CBR data contradicts that provided by the Applicant; the ratios are very low indeed demonstrating the impacts will be extremely significant on RPAs of the trees; the issue of widening the entrance and the new requirement to remove trees along the boundary to facilitate access.

### 5. Hampstead Heath

The western half of Millfield Lane is part of Hampstead Heath. The primary charitable object of our Society is to protect the Heath as an unenclosed open space as required by the 1871 Hampstead Heath Act. We cannot accept the proposed restriction on public access to Millfield Lane, let alone to the degree and for the period proposed by the Applicant. The Society supports the City of London's objection to the application.

Your sincerely

Marc Hutchinson  
Chair  
The Heath and Hampstead Society

Sent from my iPad

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February 1, 2016

Dear Mr Thuairc

**Planning application 2011/4390/P: The Water House, Millfield Lane**

As local residents and frequent walkers on Hampstead Heath, we write to object to the above application and request that it is refused on grounds of safety, environmental impact and overdevelopment on a sensitive site on designated Private Open Land.

Our primary concern is with the CMP, in which

- The stated HGV traffic on Millfield Lane is grossly excessive, hazardous and destructive – and the stated traffic is a clear underestimate
- The HGV traffic routing is not feasible and access to and from the site cannot be carried out as stated (or at all, given the size of vehicles planned)
- The width and strength of the lane are both exaggerated in a clear and grossly misleading attempt to make the plan appear possible
- The plan would therefore result in a major interference with the current use of the lane, would present a significant safety issue to users of the lane, and would seriously damage the lane and the surrounding trees
- The plan depends on consents from the owners of the lane which, it has been made clear, will not be granted
- These are not issues to be resolved after consent – they bear directly on the feasibility of the entire development.

Other significant concerns are:

- The BIA is seriously flawed: we have seen the assessment by Alan Baxter Associates which raises major issues on water discharge and pollution of ponds including the Bird Sanctuary pond on the Heath – issues which the applicant fails to address
- The environmental impact of the proposal is much larger than the application suggests, particularly on open land adjoining the Hampstead Heath MOL (eg the build footprint is about double the existing building) and on its impact on mature trees, both within and adjoining the site, which is misleadingly presented.

Yours sincerely

Harley Atkinson and Roberta W Hill