

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2015/5847/P	B Jones	Flat 6 62 Fitzjohns Avenue London NW3 5LT	05/02/2016 10:49:28	COMMEM AIL	We live in the adjacent property (semidetached immediately in front of the proposed development) and are shared freeholders of no 62. The proposed basement will adversely impact upon the foundations of no 62 and alter the drainage causing damp to no 62 and damage the roots of the lovely trees that are so important to the character of the area as well as being important for the drainage. In addition the noise of excavating a basement in such a confined space will be intolerable for residents. A basement development is disproportionate in this very confined area. The additional storey on an old established building will impact on this quiet conservation area and interfere with the light to the building.

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2015/5847/P	Martin Kingsley	K&M Group Ltd The Studio 63 Darlands Drive Barnet Herts EN5 2DE	11/02/2016 21:38:20	OBJ	K&M Group Ltd The Studio, 63 Darlands Drive Barnet, Herts EN5 2DE To London Borough of Camden Development Management Camden Town Hall Judd Street WC1H 9JE 31 January 2016 Reference 66 Fitzjohn's Avenue Planning Application 2015/5847/P

I am writing in my capacity as Manager of 64 Fitzjohn's Avenue, appointed by the Leasehold Valuation Tribunal to undertake the responsibilities normally held by the Freeholder. My role is to ensure that an approved programme of works to repair, refurbish and maintain 64 Fitzjohn's Avenue is completed within the time frame set out by the Tribunal and to further ensure that the building is kept in good repair for the benefit of its residents. My principal obligation is to protect this building and ensure that the value of leases is not degraded

64 Fitzjohn's Avenue is one of the buildings most affected by what I would regard as the proposed over-development of this small and enclosed site and, therefore, I wish to lodge my objection.

Firstly, the Application makes some inaccurate statements:

It is claimed that the area to the side of the access drive will be retained to provide waste and recycling facilities. This cannot be the case since this area is part of the freehold of 64, constructed prior to the development of 66 and funded by the lessees. Its refurbishment to allow for the removal of green bins from the front garden is included on the schedule of works to be undertaken at 64.

It is also claimed that the building cannot be seen from the public highway. Again, this is not the case. The building can be seen from Fitzjohn's Avenue to the front and Akenside Road to the rear.

Secondly, it seems to me that the proposal ignores Camden's planning guidance as set out in CPG4, Basements and Light Wells. The depth of the basement proposed is more than would be appropriate for a single storey. It extends not just below the footprint of the existing building, but outside it under the entire courtyard area and up to within a few feet of 64. The CPG4 defines this as over development.

Thirdly, the document raises points of specific concern to me in my role as manager of 64. These refer to site stability and potential damage to neighbouring buildings and the natural environment. The proposed development impacts significantly in terms of its size, design, visibility from the public highway and its very close proximity to neighbouring buildings; most particularly 64. All this has

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negative impact on the amenity of residents within the conservation area and devalues their leases as a consequence.

There are risks involved during construction which it is unreasonable to ask residents of adjoining properties to bear. Even under Burland category 2, "slight" risk may include the need to repoint, fill cracks, redecorate and unstick windows and doors. This would involve residents in considerable inconvenience and expense.

I would note that the Applicant has made no contact with me to discuss any such potential issues, or to offer a bond of insurance, or a party wall agreement. I would further note that there would appear to be no provision to separate the drains of this new building from those of 64. Given the high water table in this area and the fact that in the past we have had to deal with problems of overloaded drains and sewage overflow affecting the lower ground floor flat at 64, the likely impact of this basement development seems fraught with potential problems. Even if the CMP attempts to mitigate such risks, I would argue that it is unreasonable to ask residents to bear them for the sake of developing an already over-developed back land site.

Fourthly, the height of the proposed new building impacts significantly upon neighbouring buildings. An additional storey represents a degradation of amenity for neighbours in such close proximity, reducing light and sunlight to the lower apartments of 64 Fitzjohn's Avenue. The design is visually oppressive in the context of such a tiny back land site. The proposed windows, contributing to the impression of being overlooked, and the inevitable light pollution at night, are a further degradation of amenity for the residents of 64.

Since the height of the proposed new development, and its attempts to mitigate the effect of that height on immediate neighbours, is dependent on the extended depth of the basement, the entire project appears to be flawed.

Please refuse planning permission.

Yours Faithfully
Martin Kingsley
Martin Kingsley MIRPM Director

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2015/5847/P	Professor and Mrs.Green	64E Fitzjohns Avenue London NW3 5LT	12/02/2016 11:48:22	OBJLETTE R	<p>Application No: 2015/5847/P</p> <p>We are long-term leaseholders and full time occupants of 64E Fitzjohns Avenue, originally a Victorian house which dates from the late 1870's, now divided into flats. On the land at the rear of no. 64, visible from the street, two mews houses, now numbered 66, were constructed in the early 1990's from a single building that housed Victorian stables/garages. The conversion extended the original building height to permit two storeys. The environment of the mews houses presents a pleasant outlook, with a cobbled garden for recreation, planting that provides seasonal colour and some privacy to the occupants of the upper ground floor of no.64 and a mature birch tree. Demolition of these two mews houses and two new buildings of three storeys each with a large basement are now proposed. We urge the Council to reject this Application outright as it fails to comply with Camden Council's Development Policies, Camden Planning Guidance and the Fitzjohns Netherall Conservation area statement. We detail our objections below:</p> <p>1a. The Fitzjohns/Netherall Conservation area statement describes Fitzjohns Avenue as "the most prominent street in the area..... built predominately over a ten year period, from the late 1870's to the late 1880's..... the gabled, tiled roofs step down the hill punctuating the skyline. ... Gaps between the properties give glimpse views". No. 64, approximately halfway down on the east side, is noted as making a positive contribution to the conservation area. Camden Development Policy requires that any development ".....preserves or enhances the character or appearance of the area"[DP25] It notes that "Past alterations.....should not be regarded as a precedent for subsequent proposals [DP24.12] and that "Development will not be permitted that causes the loss of trees and/ or garden spaces where this is important to the character and appearance of the conservation area"[25.5]. In addition, Camden Planning Guidance states that "Good design should positively enhance the character, history, archaeology and nature of the existing buildings and other buildings immediately adjacentthis is particularly important in conservation areas" [CDP2.9] Glimpse views between houses on Fitzjohns Avenue are part of the character of the area. This proposed back land development threatens the magnificent plane tree in the garden of 15 Akenside Road, adjacent to no. 66, clearly visible from Fitzjohns Avenue. Together with the proposed felling of the lovely, mature birch tree in the garden of 66 Fitzjohns Avenue, damage to these trees would destroy rather than enhance the area"s character.</p> <p>1b. The proposed development , ignores sustainability [DP 22] and is inappropriate to the context [DP 24]. The adding of an extra storey represents overdevelopment and impacts negatively on glimpse views from the street and vistas locally. Contrary to Camden's Planning Guidance key message [10]"All developments should incorporate green and brown roofs", the development proposes a zinc roof for the upper storey, that would, if permitted, blight the visual landscape seen from nearby properties.</p> <p>2. The proposed development incorporates a large basement, where none currently exists, occupying the full site. Camden Planning Guidance on Basements and Light wells ([CPG4 2.6] states that there should be "no impact on any trees on (...the site) or adjoining the site, or to the water environment or land stability" and that the preference is that basement development should "not extend beyond the footprint of the original building". This Application clearly ignores current guidelines and includes the explicit felling of one tree in order to extend the basement way beyond the footprint of the original buildings. In terms of the water environment and land stability, we have read the documents submitted with Application. We find their assessment of the likely impact on no.64 and to the environment</p>

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					<p>locally, unconvincing e.g. the map submitted shows watercourses, possibly tributaries close to the source of the river Tyburn, running underneath no 64 Fitzjohns Avenue and these do not attract comment. As non-experts, we trust that the Council ,as custodians of the area"s heritage, will audit the information supplied most rigorously and order additional audits to be supplied, should they not be fully satisfied.</p> <p>3a. The amount of construction work envisaged, even under the optimistic assumptions of the construction plan, will increase noise, vibration and air pollution in an area that already carries substantial vehicle traffic. Negative impact on human health locally, particularly on the very young, older people and those with existing heart and lung conditions cannot be discounted [CS 16.14].</p> <p>3b. We are most concerned about the safety of local residents during construction, particularly small children, who throng the pavements of Fitzjohns Avenue, many on scooters, at certain times. Large lorries will be required to exit many times, over months, from a narrow driveway, into Fitzjohns Avenue, in order to remove earth and demolition debris. The exit is adjacent to a bus stop and bus shelter. Sight lines may well be further obscured by the proposed site office suspended above the pavement. Our concerns are not groundless. In the past, the brick entrance post (belonging to no.64 at the right), has proved vulnerable to vehicles exiting from no.66. Damage from one such incident was the subject of a Dangerous Structure Notice (21.06.2011 Enforcement No. 11/DS/0028).</p> <p>3c. If this development is granted permission, post-construction [DP 26; CP2.27] the additional windows in the proposed second storey will overlook 64 Fitzjohns Avenue . Light pollution will increase for the surrounding residents from new skylights in the extended basement and upper windows. Camden Development Policy states that “Lighting should only illuminate the intended area and not affect or impact on its surroundings” [DP24 26.4]. Inevitably perhaps, there will also be an increase in noise from ventilation and extraction systems and, additionally from a pump designed to mitigate the effects of increased water flow.</p> <p>3d. Camden Planning Guidance states that developments should accommodate adequate space for the storage of recyclables and waste, accommodate recycling and refuse collection for any waste contractor, have designated storage areas, be sensitively designed/located, especially in Conservation Areas and minimise nuisance to occupiers and neighbours, e.g., noise, obstruction, odours, pests. [CDP 10]The proposed development fails to comply as it omits any provision for the storage of waste and recycling.</p> <p>Please keep us informed.</p>