

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

18 July 2016

Dear Sir/Madam,

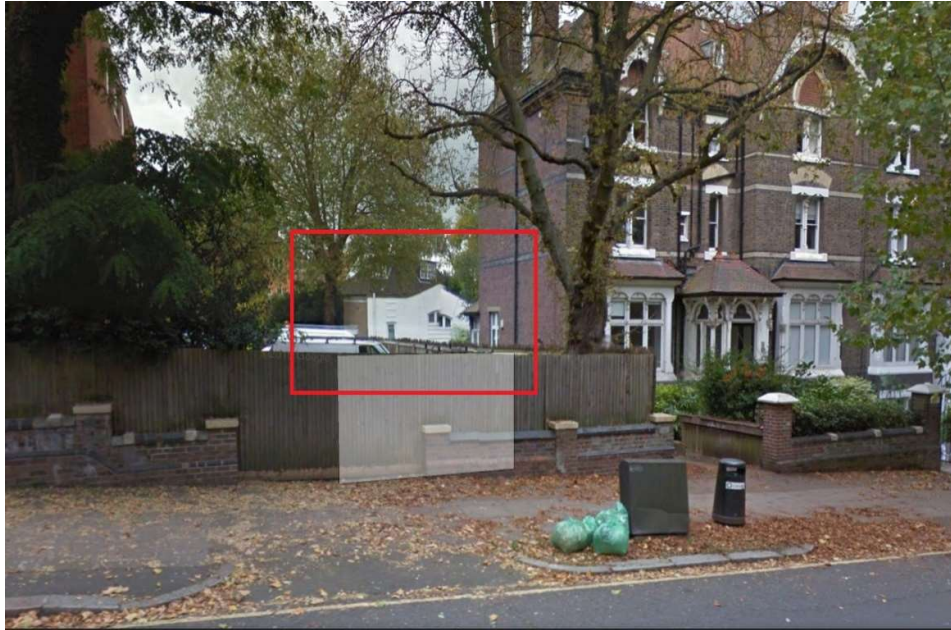
RE: Revised Planning Application # 2015/5847/P
Address: 66 Fitzjohns Avenue, London NW3 5LT

I wish to lodge our objection to the proposed revised application.

Firstly, I am a little confused at the submission of revised plans on the same application number with no further notification provided to neighbours. I was not aware of the planning policy to allow such revisions mid application. However, it is unhelpful to have not received notification of the revisions. It is also a shame the design and access statement has not been updated.

It is encouraging to note that the previous ill-conceived application that sought to raise the height of the existing building by a full storey has been withdrawn. I would however note that in our view there still needs to be further revisions in order to make the application acceptable in planning terms.

- 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. In our opinion **the proposal to raise the roof height by almost 1m remains unacceptable. The new construction should fit within the existing elevation profile.** The existing building roof height is generally 24.34m (to datum) with a parapet height of 24.58m. The proposed roof height (although not specifically put on the drawing (unfortunately as this is important information) would appear from scaling to be 25.35m (1m higher) with the parapet taking it to 25.45m. I can understand the argument being presented which is the parapet height is the same as the pointed front elevation façade elements. However, these should not be taken as the overall height of the existing building. Raising the whole front elevation to this level will undoubtedly have the effect of making the building appear blockier and bulky. The pitched front elevation parapets add to the charm of the existing building and also serves to soften the impact on the rear of 64 Fitzjohns which is in very close proximity. Changing the front elevation to a flat roof at the increased height across the whole frontage will also have a **detrimental effect on the Conservation Area.** As this building is clearly visible from the road.



View of existing building from Fitzjohns Avenue

Why did the Architect not provide a proposed elevation with the existing building dotted and overlaid which is usual practice and would allow the easy evaluation of the proposal?

- 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 revised proposal still does not take this into consideration at all. The revised 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. The Architect has attempted to justify this quantity of basement construction on drawing 1169.01.12 (C) by claiming the basement (70sqm) takes up only 39% of the existing garden. He notes "Total garden up to pavement 180sqm". I am unsure when the existing garden space included asphalted drive ways. It is ill conceived to assume the existing garden includes the access road, as such **the current basement plan actually still takes up in excess of 95% of the existing garden. Clearly this must be unacceptable!**
- 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 revised elevations do not state the external materials to be used and as such I cannot comment on these but do not understand how the visual impact can be assessed without this information. Clearly a more natural & visually soft material (I.e wood/brick) rather than the previously designed grey zinc cladding would be necessary to reduce the impact of the building on the surrounding flats.
- 5) 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. I cannot see the addition of the previous 2 bicycle stands.
- 6) 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. I cannot see on the ground floor plan any indication of parking spaces? Have they been removed?
- 7) **Light pollution from the 1st floor large glazed openings** will be hugely intrusive during the evening hours and is ill conceived. **The amount of glazing is significantly more than existing**. Although sensibly the largest sections of glazing are obscure to ensure no additional overlooking issue into the flats of #64 Fitzjohns the mere size of the glazing panels is unacceptable.
- 8) I can see **no daylight/sunlight report** on the council's website and as such the proposed increase in height cannot be assessed. Has a daylight and sunlight report been submitted and if so may I please get a copy as soon as possible?
- 9) Michael Chester & Partners BIA response ref 15094 dated July 2016 still fails to understand the current road build up and clearly shows a lack of any proper site inspection. Desk top studies have their use but site inspections cannot be overlooked. Designing a temporary road base may well add the additional dead loads that create more problems. They should not be designing for soft spots but had they visited site they would clearly have seen the grill laid into the asphalt road which indicates the existence of a tunnel. Had they looked down through the grille this would have been obvious. **So for the removal of doubt, I can confirm there is a tunnel**. The structure of which bears on the

walls of #64 and rather than waiting for the contractor to inspect, provision should be made during the design stages for this. I note also from the CMP that this is the exact location designated for high level material storage. Again clearly this is not advisable.

I have highlighted below the location of the venting grille that vents the tunnel (red) and also the approximate location of the larger connecting tunnel (in yellow).



- 10) 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. There are no landscaping details highlighting how they propose to replace the screening between #64 if the silver birch was removed.
- 11) **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**. Also I note the mention of the use of sump pumps with French drains to mitigate

this potential problem. Please confirm how a failure of both the primary and secondary pump (assuming there is one) will be dealt with in the event the owner is vacant for a substantial period of time? **A basement design that warrants this sort of provision to protect surrounding properties is clearly not sensible and should be resisted.**

- 12) 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. This tree should be protected and a TPO placed on it.

I trust the above points clearly demonstrate why this application should be rejected or revised further 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 revised proposals and will not have been given the opportunity to comment.

Yours Faithfully

Salprime Ltd