

From: Bernard Carnell [REDACTED]
Sent: 08 August 2016 12:40
To: Phillips, Kate; Planning
Cc: 'Roger H Pollard'
Subject: 4 The Hexagon, Fitzroy Park, Highgate, London N6 6HR - Planning Application Ref : 2016/3252/P [REDACTED]

Dear Kate Phillips,

I write at the request of Etta Pollard of 5 The Hexagon, Fitzroy Park and having also spoken with Roger Pollard , who lives in Cambridge.

Etta Pollard's health prevents her from writing to you and she does not have access to a computer . She therefore asked for assistance in the preparation of a typed letter she wished to prepare in response to the 2 additional plans that have appeared on your website. After a conversation between Mr Pollard and myself it was felt that the quickest means for Etta Pollard to communicate with you would be via me.

I therefore attach , on her behalf, and to be added to the letter of objection of 8 July 2016 you have already received from Mr Pollard on her behalf :-

- 1 her signed letter of 8 August 2016
- 2 the 2 documents referred to in the letter , namely copies of the Planning Permission of 10 September 1959 and subsequent letter of 20 May 1960 from the Council's architect

I would be grateful if you would kindly acknowledge receipt.

Yours sincerely

Bernard Carnell
[REDACTED]



London County Council
ARCHITECT'S DEPARTMENT

T.P.9/R No.

TOWN AND COUNTRY PLANNING ACT, 1947, SECTION 14 (5)

Telephone:
WATERLOO 5000
Extension

7366

REGISTER OF APPLICATIONS

18 SEP 1959

Permission Granted
on an
Outline Application

Date of Council's decision*

10 SEP 1959

CASE No.
TP/83392/TH
Reference No.

Particulars of an outline application under the Town and Country Planning Acts, 1947 to 1954, and the Town and Country Planning General Development Order, 1950.

Particulars of any direction under the above-named Acts and Order in respect of this application:
None Issued.

Council's decision.* Permission granted on an outline application for the development referred to in the undermentioned schedule, as shown on the plans submitted, subject to the conditions referred to.

SCHEDULE

Date of application:

Plans submitted: 23 June 1959

Development: 6868 (Your Nos. 634/F59/1)

The sub-division of the site of "Hillside", Fitzroy Park, St. Pancras, into six separate building plots and for the erection of one dwellinghouse on each plot, and for the formation of a new access to the highway.

Conditions:

(1) The submission to and approval by the Council before any work is commenced of a detailed layout plan showing the precise size and position of each plot.

(2) The building shall not be erected otherwise than in accordance with detailed plans, sections and elevations, including full particulars of the facing materials proposed, which shall have been approved by the Council before any work on the site is commenced.

(3) The houses not exceeding two storeys in height.

(4) Garage space for at least one car being provided for each house.

Certified that this document contains
a true record of a decision of the
Council.

(5) The Council's standards as regards the daylighting of buildings being complied with.

(6) As many trees as possible being preserved.

Reasons for the imposition of conditions:

(1), (2), (3), (5) and (6) In order that the Council may be satisfied as to the details of the proposal.

(4) In order to obviate possible obstruction by vehicles standing on the highway.

I have to inform you that sanction will be necessary under Part II of the London Building Act, 1930, to the formation of the service road and invite attention to the necessity of submitting an application in this respect. A turning circle will be required. Further, I would invite you to consult the District Surveyor in respect of space at rear, Section 44 of the London Building Act, 1930.

Carried over
2/12/35

**Etta Pollard
5 The Hexagon
Fitzroy Park
Highgate
London N6 6HR**

8th August 2016

Kate Phillips
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London WC1H 9JE

Dear Kate Phillips

**4 The Hexagon, Fitzroy Park, London N6 6HR
Planning Application Ref : 2016/3252/P
OBJECTIONS TO APPLICATION**

You have already received a letter (dated 8 July 2016) submitted on my behalf by Roger Pollard.

In the last few days I have seen the 2 additional plans recently registered as further Application Documents on the planning website on 3rd August 2016. One of those plans, Plan 292_113_PL00, is titled "Proposed Ground Floor Plan – Hard Standing Comparison" and shows a proposed reduction of the Hard Standing Area from 117.5 sq. metres to 115 sq. metres.

Although the reduction of 2.5 sq. metres appears to be in respect of what is currently the path and steps to the existing front door, it is not entirely clear whether it also includes a small part of the area at the front of the house, namely of the area hatched and coloured yellow of the title plan of 4 The Hexagon and which is identical to the title plans for 2,3,4,5, and 6 The Hexagon. The areas hatched and coloured on the title plans are the access road and paved areas over which the owners of 2,3,4,5 and 6 The Hexagon have mutual rights of way. If, therefore, the current planning application, as described in the new proposed drawing 292-113-PL00, purports to extend the building beyond its current position and into the Hard Standing /Paved Area at the front of the house it would be in breach of the restrictions and obligations of the owners' title, and I would object to any such extension.

Plan 292_113_PL00 shows the position of 2 cars parked alongside the front of the house. The other new plan, Plan 292_111_PL01, shows the position of 1 car parked alongside the front of the house. Whether one or two cars, the title deeds of 4 The Hexagon - just as the title deeds of 2,3,5 and 6 The Hexagon - do not allow any right to park on the areas hatched and coloured on the title plans: namely areas over which there are mutual rights of way. In recent years the previous owner of 4 The Hexagon, Mr Frederick

Crawley, parked his car outside the front of 4 The Hexagon . I did not prevent him from doing so because it did not, at the time, cause me any particular inconvenience. But that did not give him a legal right to do so. Mr Crawley was aware that he had no such legal right . I say that because a few years ago he came here to my house with a document which he asked me to sign , namely an agreement between us to alter the obligations and rights within our title deeds and to give him a legal and exclusive right to park his car outside his house , and with the intention of registering our agreement with the Land Registry. I refused.

I have been looking, once more, at copy papers I have concerning The Hexagon. I attach copies of :-

- 1 The original planning permission , granted on 10 September 1959, by London County Council , for the building of the 6 houses
- 2 A letter dated 20 May 1960 from the Council's Architect to L.J.Michaels , ARIBA.

I draw your attention to Condition No.4 of the original planning permission, namely that "Garage Space for at least one car being provided for each house" , the reason for the imposition of that condition being " in order to obviate possible obstruction by vehicles standing on the highway" . I also draw attention to the letter dated 20 May 1960 which includes the passage " A turning circle will be required" – this being the hatched, coloured areas in front of 4 and 5 The Hexagon.

The new plan 292_113_PL00 includes 2 photographs . One is of a car parked at 90 degrees outside 3 The Hexagon.. The other is of a car parked at 90 degrees outside 4 The Hexagon. I would point out that whereas the car parked outside 3 The Hexagon is within the title of 3 The Hexagon and that is not hatched and coloured on all the title plans, the car parked outside 4 The Hexagon is parked on land which is hatched and coloured on all the title plans.

The previous owners of 4 The Hexagon have been the only owners of 2,3,4,5 or 6 The Hexagon who have left themselves either without a garage or without parking space within their title over which they have exclusive rights. Whether it be one car or more than one car, if the owners of 4 The Hexagon wish to park cars near to their house then they need to create a garage or open parking space within the part of their title which is exclusive to them and not on an area which would cause them to be in breach of their title obligations and restrictions and at the expense of the owners of the other houses within The Hexagon or of those owners' own rights.

Yours sincerely



Etta Pollard

encls:

- 1 copy L.C.C Planning Permission granted 10 September 1959*
- 2 copy letter – LCC Architect to L.J.Michaels dated 20 May 1960*

Statutory Declaration
 I hereby declare that the above is a true and correct copy of the original as shown to me.
 Signed *W. H. H. H.*
 18 MAY 1960
 U.S. No. 14 257

7366

AR/TP.83392/NW

20 MAY 1960

Dear Sir,

Town and Country Planning Act, 1947-1959
Site of "Hillside" Fitzroy Park, St. Pancras

With reference to your letter dated 2 February 1960 concerning the above-mentioned premises, I have to inform you that the Council has decided to approve the detailed drawings Regd. No. 24112 (Your Nos. 564/P.59/4A, 5A, 6-10 and 15), submitted in accordance with conditions Nos. 1-6 attached to the planning permission conveyed by letter dated 18 September 1959, granting permission for the subdivision of the site of "Hillside" Fitzroy Park, St. Pancras, into six building plots and for the erection of one dwelling-house on each plot, and for the formation of a new access to the highway.

Further I have to inform you that sanction will be necessary under Part II of the London Building Act, 1930, to the formation of the service road, and invite your attention to the necessity of submitting an application in this respect. A turning circle will be required. Further, I would invite you to consult the District Surveyor in respect of Section 44 of the London Building Act, 1930 (space at rear), and also as to compliance otherwise with the London Building Acts, 1930 and 1939, and the by-laws in force thereunder.

Yours faithfully,

★
 Architect to the Council

L. J. Michaels, Esq., A.P.I.B.A.
 130 Hadley Road
 Barnet
 Hertfordshire

agreed at C.P.D.

9/10/60