The Fitzroy Park Residents' Association

please reply to: Karen Beare
zbkarli@btinternet.com
07900 606031

28th July 2016

Ms Kate Phillips
Planning Officer LB Camden
5 Pancras Road
LONDON
N1C 4AG

Dear Ms Phillips

RE: APPLICATION NO: 2016/3252/P – 4 THE HEXAGON, FITZROY PARK, N6

I am writing to register a formal objection to the above planning application on behalf of the Fitzroy Park Residents Association ("FPRA"), an organisation set up to oversee the maintenance of the road on behalf of all residents and, where appropriate, comment on any matter affecting the local environment. This objection is based on the reasons as set out below.

In considering the details of this case, FPRA commissioned the following expert reports and these form individual attachments to this letter:

i) Alan Baxter Associates: Overview of the BIA with specific focus on construction issues;
ii) Soil Consultants: CBR testing of concrete cul-de-sac known as the Hexagon, and junction of the Hexagon with Fitzroy Park;
iii) WSP|Parson Brinkerhoff: Technical Review of draft CTMP together with relevant swept path analyses; and
iv) Landscape Planning Ltd: Arboricultural Impact Assessment of 12 mature trees along the Hexagon.

As referenced by the Applicant, FPRA engaged in extensive pre-consultation discussions and I can confirm that all the issues that remain outstanding were detailed by FPRA at that time. For example:

- FPRA specifically asked that all the trees adjacent to the Hexagon were surveyed. Inexplicably Motion Transport asserted this was not necessary pre-planning and Crown consultants surveyed only 3 of the 12 trees, omitting the RPAs of 2 Category A trees, 2 Category B tree and 5 Category C trees. Crown consequently failed to consider construction impacts of the considerable 4,500T HGV traffic loading on these omitted RPAs;
- FPRA were told T1 Yew would be retained but were not told of the range and extent of development pressures that still puts it at significant risk of failure;

- FPRA requested that a comprehensive topographical survey was provided to ensure HGV SWAs were based on accurate data and could consequently be relied upon. Inexplicably the topographical survey provided did not include the curtilage of the development site so entry/exit to the site relies on Ordinance Survey data with +/-0.5m error. This is significant on this site where site access is measured in centimetres;
- FPRA requested that SWAs were completed showing HGVs reversing down a steep slope into the Hexagon and uphill out of site, turning at the junction with Fitzroy Park and Bowling Club Lane to demonstrate these manoeuvres are reasonable and safe. Inexplicably SWAs showing movements along the Hexagon were not provided and were consequently commissioned independently by FPRA showing encroachment on private property;
- FPRA was told that a handful of parking bays would need to be suspended at Bowling Club Lane and opposite the entrance of the Hexagon. At no time was FPRA told that the intention was to suspend 19 parking spaces, equating to 100m of the road, along almost the entire length of the allotments;
- FPRA flagged that a comprehensive BIA would be needed and this should include ground water monitoring and permeability tests. These have not been completed and only very limited ground movement analysis of the Grade II listed curtilage wall for 10 Fitzroy Park has been considered.

As part of these discussions FPRA explained to the Applicant that there was no precedent for the intensification of construction use of the Hexagon as was being proposed in terms of demolition, basement excavations and a doubling in size. In recent years, a number of Hexagon owners had undertaken more modest extensions and renovations, in keeping with the existing enclave of 6 properties and extreme site access constraints: projects where a mere handful of HGVs were required and the impact on the 12 mature tree RPAs was not therefore an issue.

Over the past 4 years FPRA has supported 26,000 sq ft of development over 3 re-development projects along the southern stretch of Fitzroy Park. These have all included single storey basements/lower ground floors. The total number of HGV movements for all 3 projects was 1,284 – an average of 428 movements per project or 20 HGV movements/1000 ft2 of redevelopment. The proposals here are for 1000 movements which is more than double the local average and it is a key reason for refusal that the unacceptable construction impacts, caused directly by this intensification of use of the Hexagon in particular, is contrary to various LB Camden LDF Core Strategies and LDF Policies.

I would be grateful if you could please acknowledge safe receipt of this letter and attachments. If you have any queries please do not hesitate to contact me.

Kind regards

Karen Beare
Chair FPRA

Reason for Refusal 1:
It is considered that, on the basis of the CBR data (4%) taken from the concrete cul-de-sac known as the Hexagon (off Fitzory Park) the proposed intensive use and weight loading of 4500T on this very narrow access route for a minimum of 1000 construction vehicle movements would cause physical damage to the Hexagon's surface and would harm the long-term survival of the 12 adjoining trees along the cul-de-sac that include 2 Category A trees and 4 Category B trees.

It is also considered that any temporary pavement protection measures (such as the use of ground guards) may limit the degradation of the surface of the cul-de-sac but these will not adequately prevent the compression of those trees roots at depth and protect the existing trees from permanent damage. In order for this to happen the entire length of the cul-de-sac will need to re-engineered to a depth of 300-400mm, which in itself will damage the tree roots causing these high amenity trees to fail.

Furthermore, given the limited width of the Hexagon – only 2.8m at the narrowest pinch point – any pruning or removal of the vegetation to widen the cul-de-sac to facilitate access for HGVs some 2.5m wide - will be harmful to the rural landscaped character of this part of the Highgate Conservation Area.

This is contrary to:
LB Camden LDF Core Strategies:
CS11 (Promoting sustainable and efficient travel)
CS14 (Promoting high quality places and conserving our heritage)
CS15 (Promoting and improving our parks and open spaces and encouraging biodiversity)
&
LB Camden LDF Policies:
DP20 (Movement of goods and materials)
DP21 (Development connecting to the highway network)
DP25 (Conserving Camden's heritage)

Reason for Refusal 2:
It is considered that, in the absence of sufficient evidence in the arboricultural report to demonstrate adequately that the impact of a range of development pressures on the retained Yew tree (T1), cumulatively to include the loss of rooting area, loss of canopy mass, new surfacing within the RPA, with no indication of how or where the additional 20% RPA caused by the stated loss due to foundation encroachment is to be found elsewhere *"contiguous with its RPA",* would not harm the long-term survival of the tree which has a high amenity value. Its loss would consequently be detrimental to the character and appearance of this part of the Highgate Conservation Area.

This is contrary to:
LB Camden LDF Core Strategies:
CS15 (Promoting and improving our parks and open spaces and encouraging biodiversity)
&
LB Camden LDF Policies:
DP25 (Conserving Camden's heritage)

Reason for Refusal 3:
It is considered that the proposed access by construction vehicles along the concrete cul-de-sac known as the Hexagon, will cause harm to the adjoining 12 trees and managed understorey of mixed shrubs and thus cause harm the positive landscaped character and appearance of this part of the Highgate Conservation Area. In so doing these construction impacts will cause unacceptable damage to the vegetative screening and privacy of Highfields Grove to the north.

This is contrary to:
LB Camden LDF Core Strategies:
CS5 (Managing the impact of growth and development)
CS11 (Promoting sustainable and efficient travel)
CS15 (Promoting and improving our parks and open spaces and encouraging biodiversity)
&
LB Camden LDF Policies:
DP20 (Movement of goods and materials)
DP21 (Development connecting to the highway network)
DP25 (Conserving Camden's heritage)
DP26 (Managing the impact of development on occupiers and neighbours)

In addition, it is considered that further grounds for refusal include:

BIA ISSUES:

4. Unacceptable impacts on the environment with regard to the local groundwater regime caused by basement footprint at northern corner with 5 The Hexagon and along part of the boundary with 6 The Hexagon contrary to LB Camden LDF Policy: DP27 (Basements and Lightwells).
Mitigation would require an alternative method of construction and a reduction in the size/footprint of the basement floor.

5. Failure to provide an adequate BIA. No ground water monitoring results have been provided despite ground water strikes at the interface between made ground/claygate beds and glacial head deposits. In addition, permeability of development site sub strata has not been tested so effectiveness of proposal to re-infiltrate ground water diverted around the new subterranean structure, has not been proven.

FURTHER TREE ISSUES:

6. Failure of Crown Tree Consultants to comply with BS5837.2012 which requires *"the position of trees with an estimated diameter of 75mm or more that overhang the site or are located beyond the site boundaries within a distance of up to 12 times their estimated stem diameter"* must be surveyed.
Furthermore Crown Consultants have provided no justification for why they have deviated from what is recommend in this British Standard and randomly survey only 3 of the 12 relevant trees. A basic minimum to fulfil what is recommended by this standard requires all these trees to be shown on the Applicants AIA. They are not.

7. The fundamental issue of site access has not been addressed as a pre-requisite of engaging the immediate community of the Hexagon and the impact on the sustainable retention of those trees owned by Highfields Grove Management Company, located in the verge to the north of the Hexagon, has been completely omitted from this Applicant's submission.

DRAFT CTMP ISSUES:

8. Failure to comply with LB Camden Planning Guidance: CPG6 that requires "accurate scaled drawings of any highway works necessary to enable construction to take place". In this regard the Applicant has provided a full topographical survey of the access route to and from site, but NOT of the development site curtilage itself. This failure means that swept path analyses cannot determine reliably if construction vehicles can reasonably, and safely, enter and exit the site. Reliance on Ordinance Survey data has an error of +/-0.5m that is unacceptable for such a constrained development site curtilage where HGV clearances are in the region of 20cm only.

9. Independent reviews of 6.5m long and 7.2m long SWAs have been commissioned by FPRA from WSP|PB and found to encroach unacceptably onto neighbouring private property, particularly at No2 The Hexagon and along the allotment verge opposite the entrance to the Hexagon.

10. The Applicant has failed to provide a Swept Path Analysis showing any of the 1000 HGV movements reversing downhill along the length of Hexagon past a 2.8m wide pinch-point adjacent to a Category A Sweet Chestnut (T21) where it should be noted there will be less than 20cm clearance on each side of the HGV, or exiting uphill along the Hexagon past this pinch point towards Fitzroy Park. It should also be noted that each HGV movement will impact tree foliage along the length of the Hexagon.

11. To mitigate the extremely constrained access issues the CTMP states that no construction vehicles longer than 6.5m will be employed on this project and no provision has been made by the Applicant for any larger or exceptional deliveries such as a piling rig, fenestration, construction steel etc. FPRA does not consider this a realistic commitment as in practical terms, longer (7.2m) box-type vehicles are more commonly used by construction fleets to make deliveries, with clients being given little or no choice on what size HGV a delivery can be made.

12. Failure to comply with LB Camden Planning Guidance: CPG6 in regard to no attempt having been made to assess the cumulative impact of this CTMP with various other developments within Fitzroy Park. WSP|PB has assessed that a construction vehicle travelling at 4mph from Merton Lane junction a distance of approximately 475m to site will take at least 4 minutes to travel one way. The impact on residents of up to 8 HGV deliveries per day, from multiple development sites travelling up and down Fitzroy Park, could cause serious – and unacceptable - disruption to the 70 households, patrons of the North London Bowling Club and 100 allotment holders, all served by the southern section of Fitzroy Park.

13. Despite the Applicant having no legal rights to suspend parking in Fitzroy Park, the draft CTMP requires no fewer than 19 parking spaces to be suspended along the allotments in order to facilitate construction vehicles accessing the site safely. This equates to almost 100m – or the entire length of the allotments. FPRA "A" Allotment Parking Permits entitle 100 allotment holders to park along the allotment verge only and approximately 100 have been issued. They

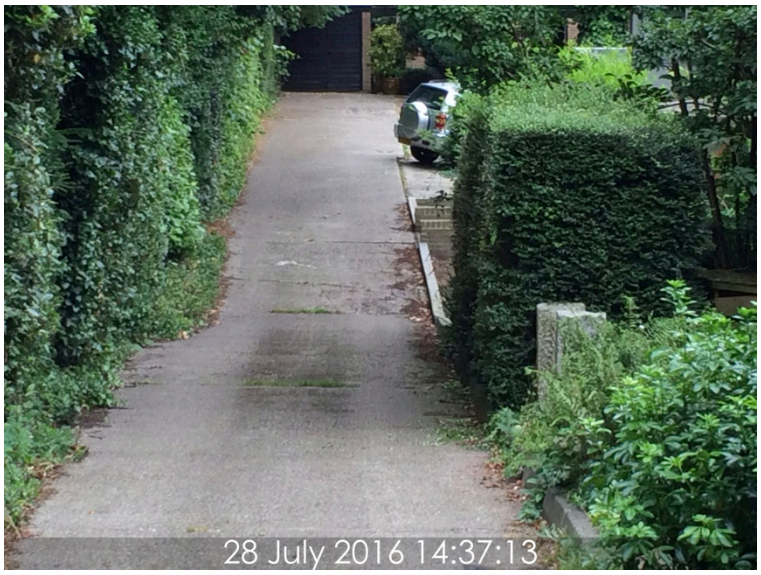
are not entitled to park lawfully elsewhere in Fitzroy Park. The Applicant has provided no explanation where all these people will park during the 12-18 months this project has been estimated to last. This is totally unacceptable.

14. It is unclear how the allowance of on-site parking for one car during the deliveries will be accommodated given the site constraints. No provision has been made for contractors' parking during the project. The Applicant has no rights to authorise contractors to park in Fitzroy Park and there is obviously no room to park in the Hexagon.

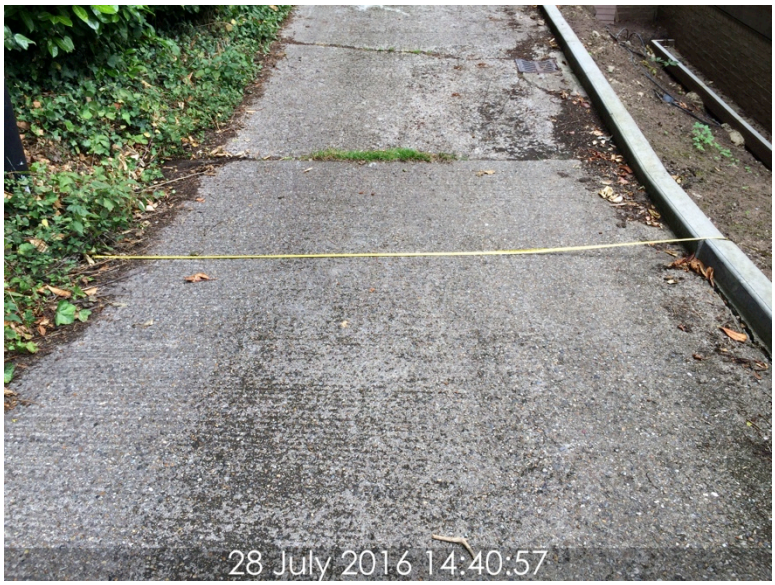
15. The Application is contrary to LB Camden LDF Policies: DP25 (Conserving Camden's heritage) and FPRA echoes the concerns of the Highgate Society as set out in their letter of objection dated 27/7/16 by Dr T Blackshaw.

SUPPORTING PHOTOGRAPHS:

Slope down from Fitzroy Park to the development site to the rear right.

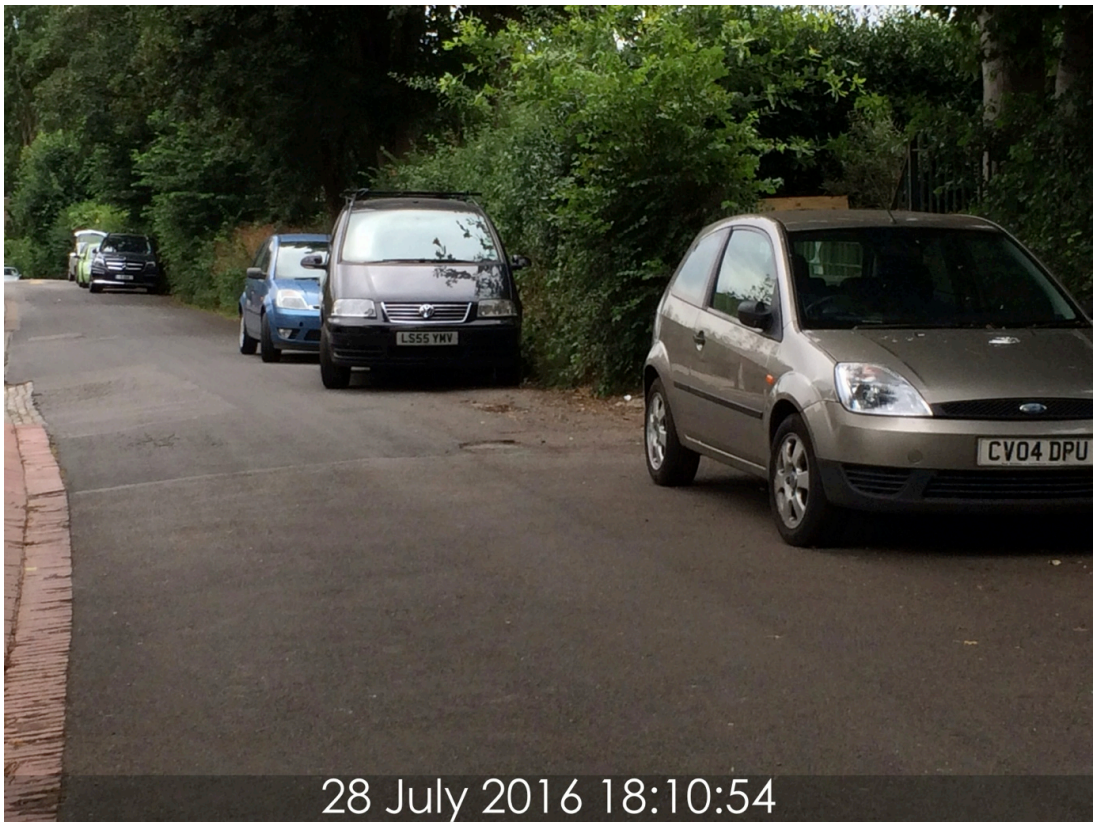


2.8m wide pinch point



Encroachment of verges and hedges limiting further accessible width of the Hexagon

7 cars are parked in this photograph. The proposal is to suspend 19 parking spaces along the entire length of the allotment verge.



4 The Hexagon, Fitzroy Park

Report to FPRA

1.0 Brief

Alan Baxter Ltd have been appointed by the Fitzroy Park Residents Association (FPRA) to review the engineering, geotechnical and hydrogeological issues associated with the new development at 4 The Hexagon, Fitzroy Park.

Details of the proposal which have been submitted for planning have been considered.

We have also been asked to review the construction logistics in relation to material delivered to and removed from the site.

2.0 Overview

The proposals are relatively modest in that the proposed lower ground floor level is only approximately 0.5m lower than the existing level. However the proposed lower ground floor now extends over the full footprint of the house, which will require retaining structure on two sides of the "lower ground floor".

A contiguous bored pile wall is proposed on the northern boundary and reinforced concrete underpins are proposed on the south-easterly side.

The ground conditions are Claygate Beds which are overlain by downwash or Head Deposits with variable depths of made ground over them. Three boreholes were constructed with standpipe installed in two of them. No groundwater monitoring results have been provided but it was noted that some groundwater was found at the interface between the made ground and the downwash material. Both the downwash material and Claygate Beds were noted to be sandy clays and no sand lens are noted in the borehole logs.

3.0 Comments on the Proposals

3.1 Hydrology

We do not envisage that the enlarged lower ground floor will have a significant impact on the overall hydrology of the area.

3.2 Groundwater

As the lower ground floor now extends to the site boundary on two sides of the site, it could locally impact on any flow of groundwater at the junction of the made ground and the downwash (noted in one of the boreholes). A land drain is proposed on the northern boundary which should address this adjacent to No. 3 The Hexagon. However, the retaining structure could locally impact on the groundwater at the corner of No. 5 and along part of the boundary with No. 6 The Hexagon. Ideally a drain should be provided in this area, but this would require an alternative method of construction and a reduction in the size of the lower ground floor.

The groundwater is proposed to be put back into the ground using land drains in the garden. The effectiveness of this will depend on the local permeability of the ground. No tests have been carried out in relation to this, so there is a small risk that this could lead to groundwater appearing in the garden.

3.3 Ground Movement Analysis

A simplified ground movement analysis has been carried out using CIRIA Report C580, which relates to piled walls. This is appropriate for the contiguous piled wall, but has been used for both this section and for the underpinned wall. While strictly speaking, this analysis does not apply for this, it is commonly used.

Provided that the retaining walls are propped as noted in the engineering report, then ground movement should be small and unlikely to be of a concern.

At a later date, the contractor should provide more details of the proposed temporary works.

3.4 Construction Issues

As requested, we have briefly reviewed some of the volumes of materials, both on and off site, which will result in a reasonable number of vehicle movements. The two most obvious ones are:

The approximate volume of soil to be removed from site is 400-450m^3. This will probably require 80 to 90 relatively small skip size lorries or 160 to 180 vehicle movements.

The approximate volume of concrete required to form the lower ground floor including the piles and underpinning is 130m^3. It is noted that all concrete will be site mixed, but it will still require 25-30 lorries to deliver the materials or 50-60 vehicle movements.

We have not carried out a detailed assessment of all vehicle movements, but our estimate generally appears to be in line with the Anticipated HGV deliveries stated within the document provided.

We have also been asked to make an approximate estimate of the total weight of the material brought to or removed from site. The weight of soil and concrete noted above is in the region of 1150 Tonnes (T). The weight of other materials, assuming an average load carried for each lorry of 5T will be in the region of 1075T. It is reasonable to assume that the lorries/vans will be lighter during the fit out stage. If an average weight of 4T is assumed for the fit out phase, this will weigh in the region of 400T.

In summary, and as an approximate estimate, the total weight of materials taken from or delivered to site is in the region of 2625T. If the self-weight of the HGV's used is added, the total weight will be in the region of 4500T.