

Application No:	Consultees Name:	Consultees Addr:	Received:	Comment:	Response:
2016/5105/P	Michael da Costa & Dr Michelle Kohn	2 The Old Court House North End Way London NW3 &ER	14/10/2016 00:24:53	OBJ	<p>Ms Phillips</p> <p>The Old Court House, North End Way, London NW3 7ES (“the Property”)</p> <p>Proposal: Erection of single storey timber outbuilding (“the Development”) -2015/6993/P</p> <p>We are the owners and occupier of 2, The Old Court House, North End Way, a Grade II listed property situated in the Hampstead Heath Conservation Area. Our rear garden directly adjoins the proposed Development, which is within The Old Court House Estate and which this application refers to.</p> <p>We are writing once again to object to the above planning application in the strongest possible terms, citing more personal reasons, such as the peaceful use and occupancy of our property, as envisaged when we first purchased it from Albany Homes and Barry Angel, with their assurances that such a development would never be considered.</p> <p>We are equally incredulous that having been instructed to remove a similar shed from this exact same spot only last year, they are attempting to again.</p> <p>This time, and even more worryingly for us, they are applying on behalf of their tenant at House 8, Jack Straw’s Castle, so in effect intending to combine this part of an historic estate with an adjoining, but unrelated listed building. We know for a fact from comments made that this is the first step of a grander plan to create a precedent in order to replace, what is in effect a temporary structure in the form of a shed, with a more substantial dwelling in time and to remove the ‘ancient’ wall dividing the two properties.</p> <p>This application again begs the question as to why such a shed needs to be situated on an adjoining property when it could easily fit within the long, deep empty, garden of house No 8 itself?</p> <p>The Old Court House lies within the Hampstead Heath Conservation Area and is regarded as a historical landmark, alongside Jack Straw’s Castle and The Spaniard’s Inn, for this reason the integrity of each property needs to be maintained, especially in relationship to the unique woodlands that surround them. So there are surely sufficient reasons on heritage grounds alone for the Council to refuse this application?</p> <p>From previous discussions recounting the history of this rear piece of land, since we purchased our houses in December 2006, has been contentious with Barry Angel, the developer, and his company, Albany properties disregarding the initial planning consent conditions, which was accompanied by a Landscape Statement that contained an indicative planting schedule and confirmed that the application site was to be retained as communal open space. This states clearly that “the landscape proposals will provide for a comfortable transition from private to communal open space and will respect the existing historical importance and character of the site”.</p> <p>This never happened, and if you have visited the site, you will see an area of unkept grass and foliage, which is a breeding ground for Water Rats from Whitestone Pond. Indeed we retain Rentokil to lay poison to rid the area of some sizeable rodents, but again owing to the introduction of an illegal fence they can only cover to the perimeter of our land, allowing free roaming for these animals to breed and live in seclusion!</p> <p>All along impressive and detailed planting plans have been submitted, the current being no exception. Sadly Albany never install these ‘indicative’ schemes, just leaving long grass and wild scrubland till we threaten to call in your Council and then a gardener comes with a Flymo and crudely cuts the grass!</p>

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To repeat the correspondence at the time of the original planning application:

“The current proposals are the result of negotiations with the applicants to provide a satisfactory layout and planting of the surrounding gardens which is appropriate to the setting of the listed building and the relationship to the site to Hampstead Heath. The principle concern was the division of the lawn area closest to the rear of the house into three separate compartments. Earlier proposals failed to maintain the integrity of this space and its role in proving the setting of the building. It is considered that the current proposals provide a satisfactory means of maintaining the integrity of the space and its relation to the building. The detailed planting design is also considered to be satisfactory in terms of its relation to the building and its relationship to the Heath by providing a defined and appropriate degree of structure within the gardens and additional screening to views from the Heath. The planting is also considered to be a reasonable proportion of planting which will enhance the biodiversity of the site...”

There is no possible explanation, use or need for the proposed structure and since the applicant has a track record of carrying out developments without planning permission, flouting the conditions of previous consents and circumventing planning policy evidenced by the garden gate, which he installed without planning permission in early 2008 for which he then applied for retrospective permission, even though we collectively objected to it!

In the circumstances, it is our view that the application should be refused on so many levels and we intend to take all action necessary to ensure that no building on this land or demolition of the Ancient wall dividing our properties will take place. We look to Camden Council Planning Authority to uphold what has previously been acknowledged of considerable importance to the integrity of this space and the heritage of this corner of Hampstead.

Michael da Costa & Dr Michelle Kohn
