

6 THE HEXAGON
FITZROY PARK
HIGHGATE
LONDON. N6 6HR

22 November, 2016

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**4 The Hexagon, Fitzroy Park, London. N6 6HU
Planning Application ref: 2016/3252/P**

OBJECTIONS TO APPLICATION (AS AMENDED)

Dear Kate Phillips,

I write in response to the additional information provided on behalf of applicants by SOUP in their letter to you of 18.10.2016, registered on your website and distributed on 24.10.2016. I reiterate my objection to the proposed redevelopment of No.4, despite the (minor) amendments and assurances given in the letter from SOUP referred to above.

I am aware that in the next few days you will receive a letter from Bernard Carnell of No.1 The Hexagon. Mr Carnell has kindly acted as a co-ordinator and compiler of the views expressed by all the residents of No.s 1, 2, 3, 5 and 6 The Hexagon. I support fully and unequivocally the opinions and comments made in Mr Carnell's letter. In this letter I address three specific topics that impact me particularly.

A disappointing lack of flexibility

I am aware that the strength and scale of objection to this project expressed in Mr Carnell's letter (referred to above) are significantly more strident than my own, earlier, thoughts as set out in my original letter to you of 24 July 2016. This is deliberate, and it reflects my disappointment with the lack of flexibility and conciliation on the part of the applicants.

In my letter to you of July, I tried to adopt a constructive tone. Whilst I objected to the proposed redevelopment of No.4 in its current form, I suggested that I was not against the redevelopment of the site *per se*, nor to the demolition of the existing building and the construction of a new one. My purpose was to try to avoid blanket objection, instead hoping that a more positive approach would in turn lead to a more considered attitude from the applicants and their architects.

The minimal changes to the proposal reflected in the amended application and the attempts by SOUP to refute and undermine the legitimate concerns expressed by myself and my neighbours in recent months has served to show me the folly of my earlier hopes. That so many expert opinions have been questioned and so many details of this project remain outstanding or unaddressed only emphasises this realisation. This is why I am now fully supportive of the more wide-ranging set of objections as detailed by Mr Carnell in his letter.

1. Scale of proposed project and visual coherence of The Hexagon

I refer to all of the points made on this topic in my letter of July 2016.

I would add one additional point, prompted by item 1.5 in Mr Carnell's letter. In my own dealings with your department in 2006 I was advised that in order for the planned extension of No.6 The Hexagon to be approved by Camden Planning, the extension to the right hand side of the property (as you look at it from the front) should be recessed. This request was justified by your department by the desire to keep the front of No.6 unaltered, to ensure it remained visually cohesive with the rest of the Hexagon (particularly No.5). It would be inconsistent (to say the least) for your department to require the amendment of a minor extension to ensure 'visual coherence' of The Hexagon but to then permit the wholesale demolition and redevelopment of the building next door.

2. Impact on the access to my home

The issue of parking outside No.4 The Hexagon, and how this will potentially impact vehicular access to my home, continues to be a primary area of concern for me. I wrote extensively about this in my letter of July 2016, and reiterate all those issues. Since July 2016 two facts have changed:

1. After a brave fight with illness for several years, Etta Pollard of No.5 The Hexagon has died. Given that she has no relatives living in London, it is reasonable to suspect that No.5 The Hexagon will be sold in the near future. As such, the concerns I raised in my letter of July have become more urgent and realistic: were the applicants at No.4 be allowed to park on the communal area shared by No.s 4-6 The Hexagon, it raises the prospect of new owners at No.5 seeking to do the same. Were that to be the case, access to my house by car would be all but impossible.

The issue of parking in the area between No.s 4-6 The Hexagon needs to be resolved now. Failure to do so will only be storing up a problem if and when No.5 is sold and new owners, probably owning two cars, move in. There is no way Camden can regulate parking on this private land via the imposition of a condition in the planning consent – it would be impossible to monitor and enforce.

The only means to secure a lasting solution to this problem is for Camden to require the applicants of No.4 to provide for parking within the borders of their 'private land', i.e. outside of the communal area shared by the three houses. As I highlighted in my letter of July, all of the other houses in The Hexagon has access to at least one (5 The Hexagon) or usually two (No.s 1, 2, 3, 6) parking spaces within the limits of their private land. It is not unreasonable to expect the same from No.4

2. The second set of changes seen since July has been the amendments made to the proposals for No.4 The Hexagon as well as a set of rebuttals contained within the letter from SOUP to Camden dated 18 October 2016.
 - 1) In plan 292_110_PL02.pdf of the amended submission, I note that the applicants have revised their plans such that they propose only parking one car outside No.4 The Hexagon. I recognise this and am grateful, but I do not believe it represents a permanent solution to this issue (as per above). I also have to consider the observation that it is very easy to change a planning diagram: if the applicants wanted two parking spaces before, it is likely that they still do. I note also that this plan makes no provision for guests arriving by car, etc.
 - 2) In its letter to Camden, SOUP made reference to Land Registry entries, suggesting that the right to 'use' the communal area in front of No.4 implies that they have a right to park. Mr Carnell has already pointed out that this inference does not follow, and that it runs counter to the original 1959 planning consent that created The Hexagon in the first place. I would only add that I have sought legal advice on this topic from lawyers Pemberton Greenish LLP of Cadogan Gardens; there are certainly strong grounds to challenge legally the interpretation of the word 'use' as presented by SOUP.

It is my view that the applicants need to rethink their plans of parking before permission is granted, accepting the need to park at least one (ideally two) car(s) within the area considered 'private' to No.4. All other houses in The Hexagon have accepted this compromise.

3. Risk of damage to sewers/lack of contact with Thames Water

I have seen a copy of the Report prepared by Alan Baxter Assocs in October 2016 on behalf of FPRA, stating that (with respect to the sewer running through the plot of No.4)...

"The existing building on the site avoids this while the new building will be built over this. Also, in order to address the proposed change in levels a backdrop manhole is proposed. Thames Water normally resist building over an adopted sewer and do not favour backdrop manholes. This may impact on the proposals. The designer should discuss the proposals with Thames Water."

I am concerned that these proposals to build over a public sewer and subsequent reliance on a backdrop manhole will potentially impact the waste water egress from my property (and that of No.5 The Hexagon, which is part of the same system). The risk of blockage during works should the sewer be damaged is obvious, but resolving any subsequent issues once the redevelopment is finished is a long term concern.

I am also concerned that in the report from Elliott Wood this matter is dismissed thus (para 5.4):

It is proposed to upsize and lower the Thames Water sewer in the proposed courtyard area. This allows the sewer to pass below the proposed foundations from the building extension and reconnect to the Thames Water manhole in the south-west of the site. Details will need to be confirmed with Thames Water through a build-over agreement.

I have been in contact with Thames Water and have also read their guide 'Building over or close to a public sewer' (here):

(http://www.thameswater.co.uk/tw/common/downloads/Guide_to_building_over_or_close_to_a_public_sewer_.pdf)

My concerns are:

- This proposal clearly involves the planned replacement of the existing sewer, which will no doubt impact the waste water flow from No.s 5 and 6 The Hexagon. No one has informed me/us of this proposal or of the likelihood that we will not be able to flush water for a period.
- As yet my understanding is that no attempt has been made to contact Thames Water about this proposal, yet Thames Water's guide suggests: "*We will not permit building over on a new detached development – a sewer diversion will be required and must be funded by the developer.*" This is clearly a new development (it is a complete new building and it proposes to build over a public sewer).

My understanding (from my contact with Thames Water) is that it is Camden Planning's responsibility to inform Thames Water of this project and to ensure that the developers seek permission for a sewer 'build over' before the project can go ahead. Please can you contact me to offer me reassurance that this matter is in hand and that my access to a public sewer will be protected throughout the development period and thereafter.

I will end as I ended my letter in July. Such a large construction project so close to my home inevitably causes uncertainty, disruption and thus a lot of emotion. I hope you will forgive me if my emotions have at times been too evident in this letter.

Kind regards,

Charles Winston

