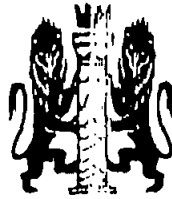


Tel - 1/16 message  
OT 27/5 -  
unacceptable as it stands  
- need revision

Identical design at N° 35.  
brick piers + wall not  
changed but gates replaced  
to match railings -



**MICHAEL MILLER  
ASSOCIATES**

CHARTERED ARCHITECTS & CONSULTANT  
DESIGNERS



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TO MR. CHARLES THURRELL / CAMDEN PLANNING  
FROM MICHAEL MILLER  
DATE 25.05.99 NO OF PAGES 2  
YOUR FAX NO. 0171 314 1975

If you have any problems or questions regarding this transmission,  
please call (44) 0181 530 4167.

re: 40 - 42 FITZJOHNS AVE. NW3.

CAN YOU PLEASE ADVISE AS A  
MATTER OF URGENCY - THIS APPLICATION!

?  
o.

MICHAEL B. MILLER (UK) INCORPORATED  
69 MULBERRY WAY - SOUTH WOODFORD  
LONDON E18 1EE

TEL: 0181 530 4167 FAX: 0181 530 4167

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SURVEYOR TO THE PARTY WALL ACT 1996

PLANNING SUPERVISOR  
CONSTRUCTION  
(DESIGN & MANAGEMENT)  
REGULATIONS  
1994

ARCHD. 45127



REGISTERED

RIBA 00087



**Development Control  
Planning Services**  
London Borough of Camden  
Town Hall  
Argyle Street  
London WC1H 8ND  
Tel 0171 278 4444  
Fax 0171 314 1975

Michael Miller Associates  
69 Mulberry Way  
South Woodford  
London  
E18 1EE

Application No: PWS902135  
Related application No:  
Case File:G7/4/D

24th February 1999

ACKNOWLEDGEMENT OF APPLICATION

Dear Sir/Madam,

Type of Application : Full Planning Application  
40-42 Fitzjohns Avenue London NW3

Your application dated 9th February 1999, together with the required fee of £95.00 (if applicable), has been received by the Council.

The application was checked and formally registered on 12/02/1999 and is being dealt with by Charles Thuairc on 0171 860 5867. Due to the type of application the anticipated decision route is Delegated.

The Council has a statutory obligation to deal with applications within eight weeks of formal registration.

You should therefore receive a decision on your application by 9th April 1999.

If you do not receive a decision by 9th April 1999, you may appeal to the Planning Inspectorate within six months. The appeal form is only available from the Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ. If you decide to appeal, the Secretary of State takes over responsibility for determining your application. This is in accordance with Section 78 of the Town and Country Planning Act 1990.

If a fee is paid by cheque which is subsequently returned by the bank, the application will be treated as invalid, and will not be dealt with until the fee has been paid.

Director of Environment Department

ACK1 letter

Attn: Charles Thuairé  
London Borough of Camden  
Environment Department  
Development Control, Planning Services  
Town Hall, Argyle Street  
LONDON WC1H 8ND

Chas DPZ

By fax to: 314-1975

12 April 1999

Dear Sirs,

Re: Your letter dated 10 March 1999  
Application No: PW9902135 Case File: G7/4/D  
Proposed Development at 40-42 Fitzjohn's Avenue, NW3

Your response to my letter of 8 March 1999 about the above application does not refer to the question of covenants which I raised.

I have now checked the title deeds to our property. The restrictive covenants in favour of Sir Spencer Maryon Maryon Wilson and his heirs and assigns dated 26 September 1879 include the following text:

The assigns ..... will forever hereafter maintain the boundary fence to the whole extent of the frontage of Fitzjohn's Avenue ..... as the same is now standing ..... and shall and will take care that such fence be in the same manner as it now is throughout the whole length uniform with itself ..... and also with the front fences to the other property respectively lying along the said avenue to the north and south of the said piece of land ..... so far as the character of the houses erected on the said piece of land ..... and on such other property respectively will permit.

You say that the council will now make a decision on this matter. Am I to understand that the Council has the power to over-rule such covenants?

Yours faithfully,

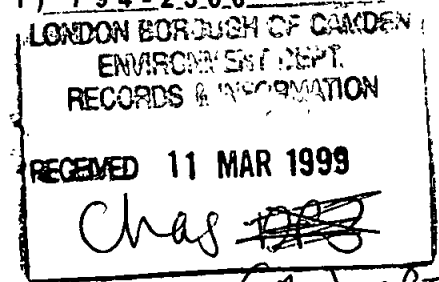
Q. Buckland

\*\*\*END\*\*\*

**38 Fitzjohn's Avenue  
London NW3 5NB**

Tel: (0171) 435-7982 - Fax (0171) 794-2506

London Borough of Camden  
Environment Department  
Development Control, Planning Services  
Attn: Charles Thuaire  
Town Hall, Argyle Street  
LONDON WC1H 8ND



Copy by fax to: 3144975

8 March 1999

Dear Sirs,

Re: Your letter dated 24 February 1999  
Application No: PW9902135 Case File: G7/4/D  
Proposed Development at 40-42 Fitzjohn's Avenue, NW3

I am writing on behalf of the freeholder and all the occupants at 38 Fitzjohn's Avenue - which is next door to 40-42 Fitzjohn's Avenue.

There is presumably no disputing the fact that 40-42 has recently re-built their front boundary wall in a new style and has added new iron railings.

We understand that the covenants given in the title deeds to 38 Fitzjohn's Avenue require us to erect and maintain a front boundary wall in a style alike to the boundary walls to the North and South of our property. We expect that similar covenants will have been given in respect of 40-42.

We therefore have to object to 40-42 changing the style of their boundary wall, otherwise how can we be sure that we or our successors in title would not find ourselves liable in future either to also change the style of our boundary wall or to become involved in a costly legal process to prove that it is they and not us who are in breach of our covenants.

We trust that Camden will take note of the intent of the covenants, as well as the fact that this is a conservation area where the conformity of style is intended to be preserved. However attractive the new wall may be considered, it is certainly not in keeping with the original character and style of the boundary walls in this block.

We would appreciate your response to the points we have raised.

Yours faithfully,

Q. Buckland



**MICHAEL MILLER  
ASSOCIATES**

CHARTERED ARCHITECTS & CONSULTANT  
DESIGNERS

London Borough of Camden  
Development Control &  
Planning Services  
Town Hall  
Argyle Street  
London WC1H 8ND.

Our ref; 1441/MFM/99.  
Your ref; EN981328  
Mr Gary Bakall

29 January 1999

Dear Sirs

re: **Town & Country Planning Act 1990.**  
**40 - 42 Fitzjohns Avenue NW3. Front railings & Piers.**

We act on behalf of K.F. Properties the owners of the above property who have passed on relevant correspondence received from yourselves with regards to the Front Wall treatment your letter 22 Dec 1998, and subsequent letter 8 Jan 1999.

Following our conversation with your office today we confirm that neither the brick piers nor the height of the front wall has been altered but the gates were replaced to match the existing railings thus deemed to be within permitted development.

However my clients are well aware that concern may be expressed by neighbours not fully informed of the activity going on and my clients are anxious that any queries are regularised immediately. With this in mind we would like to attend your offices to go through your queries in detail and look forward to your response.

In the meantime would you please direct any further queries direct to the writer and please accept our apologies for the delay in writing to you earlier.

Yours faithfully  
For Michael Miller Associates

**Michael F Miller RIBA.**



MICHAEL F. MILLER RIBA, DIP. ARCH. HONS. (1970)  
69 MULBERRY WAY SOUTH WOODFORD  
LONDON E18 1BE

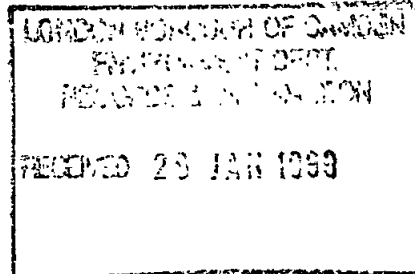
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**38 Fitzjohn's Avenue London NW3 5NB**  
**Tel: 0171 435 7982 Fax: 0171 794 2506**

Mr Gary Bakall  
Development Control Team  
6th Floor - Camden Council  
Town Hall Extension - Argyle Street  
LONDON WC1H 8ND



23 January 1999

Dear Mr Bakall

**Re: extended height of front boundary wall at 40-42 Fitzjohn's Ave**

Further to my letter of 20 January I enclose another photograph of 40-42 Fitzjohn's Avenue, taken in 1994, showing clearly that there were no railings on the front boundary wall and showing that the height of the wall was the same as that of the surrounding houses - no more than one metre high.

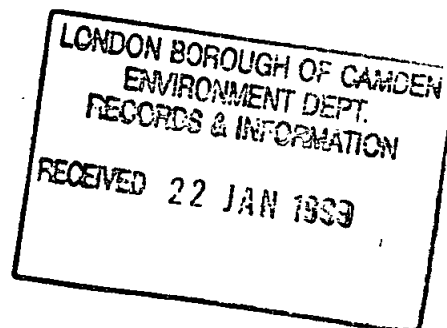
Yours sincerely

S. Buckland

**38 Fitzjohn's Avenue London NW3 5NB**

**Tel: 0171 435 7982 Fax: 017 794 2506**

Gary Bakall  
Development Control Team  
6th Floor  
London Borough of Camden  
Town Hall Extension - Argyle Street  
LONDON WC1H 8ND



20 January 1999

Dear Mr Bakall

**Re: Raised height of front wall of 40-42 Fitzjohn's Avenue**

Following our telephone conversation of this afternoon, I enclose a photograph of both No. 38 (on right) and No. 40-42 (on left) Fitzjohn's Avenue. The photo was taken in the early 1990s.

As you will see, the front boundary wall of 40-42 is in exactly the same style as the front boundary wall of 38. There are no railings on 40-42 and the pillars at the gates where the two houses meet are of the same height.

The new developer has now heightened the pillars of No 40-42 where the two houses meet, so that those pillars are no longer aligned with the pillars at No 38. He has also raised the wall at 40-42 and placed railings all along, considerably increasing the height of the front boundary.

My complaint is that the conformity of the architectural style of the avenue is not being maintained. No 40-42 is the only house on this side of the road in Fitzjohn's Avenue with a wall well over a metre high and with railings. It does not conform to the walls of the other houses around it. Is Fitzjohn's Avenue no longer part of a conservation area?

Yours sincerely

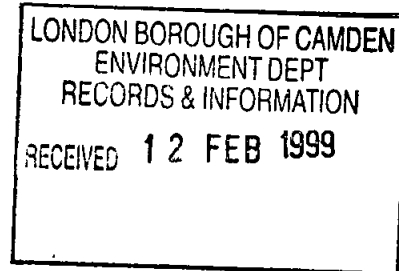
S. Buckland (Mrs)



**MICHAEL MILLER  
ASSOCIATES**

CHARTERED ARCHITECTS & CONSULTANT  
DESIGNERS

London Borough of Camden  
Development Control &  
Planning Services  
Town Hall  
Argyle Street  
London WC1H 8ND



Our ref; 1441/MFM/99.  
Your ref; EN981328  
**Mr Gary Bakall**

9 February 1999

Dear Sirs

re; **Town & Country Planning Act 1990**  
**40 - 42 Fitzjohns Avenue NW3. Front Railings & Piers**

We refer to our recent conversations with regards to works carried out at the above property and our letter 29 January 1999.

As requested we now enclose 5 sets of drawing no 1441/106 and 4 sets of planning forms with plan fee £95.00 to regularise the works carried out. We have attached 4 photographs of the completed work which show the quality of workmanship and appropriate design to the vicinity. May we bring to your attention the almost identical design to no 35 Fitzjohns Ave.

We hope this has covered the queries raised but please do not hesitate to let us know if there are any further matters or queries at any time.

We look forward to your approval in due course.

Yours faithfully  
For **Michael Miller Associates**

**Michael F Miller RIBA**

MICHAEL F. MILLER RIBA. DIP. ARCH. HONS. (DIST.)  
69 MULBERRY WAY SOUTH WOODFORD  
LONDON E18 1EE

TEL: 0181 530 4167 FAX: 0181 530 4167

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