

David Milne
22 Church Row
Hampstead
London NW3 6UP

The Planning Inspectorate
Temple Quay House
2 The Square
Bristol BS1 6PN

5 June 2017

Dear Sir / Madam

Re Camden Council Applications 2016/4461/P and 2017/0011/L

I am writing regarding planning applications 2016/4461/P and 2017/0011/L for 22 Church Row Hampstead, London NW3 6UP submitted to Camden Council on the 10th of August 2016. The works are to refurbish, repair and waterproof rear garden vaulted cellars to enable them to be used for storage. The applications were accepted on the 3rd of January 2017, and Camden Council indicated they would try to decide by 16 February 2017. The Town and Country Planning Act 1990 requires the council to decide by the 28th of February 2017.

The original application, made on the 10 August 2016, comprised:

1. Application Form
2. Heritage Statement
3. Existing Basement Plan
4. Proposed Basement Plan
5. A document showing cross sections
6. "Detail 1" showing underpinning
7. Delta Sump Pump Details

Additional supporting information was supplied by myself and others as follows:

1. Heritage Statement, Design Statement, Scoping Statement and Tree Impact Assessment - 28 October 2016
2. Structural Engineer's Report Basement Impact Assessment - 15 December 2016
3. Historic England Letter - 28 April 2017
4. Neighbourhood Forum Letter - 15 May 2017

In attempt to get the Council to focus on the matter, Camden Council officers were invited to the site on 10th April 2017. They attended and stated they need to consider 1) the potential impact to the significance of the listed building and 2) the need for an independent basement impact assessment, both of which are addressed by the Neighbourhood Forum letter. This letter contains a detailed argumentation as to why the applications should be approved under the NPPF.

The Letter from Historic England was only made available recently, and supports the applications provided a) any flagstones are retained and reused, and b) the material used in any physical connection between the new floor and the brickwork is limecrete or similar. These conditions are met, because to the best of my knowledge, there have never been any flagstones in the cellar, and as per the Neighbourhood Forum Letter, the intent is to have a membrane between the underpinning and existing brickwork.

On the 17th of May, the Council indicated they needed to consider whether a Construction Management Plan secured by a 106 legal agreement was warranted. This is inappropriate for the reasons set out in the attached appendix.

Camden Council has not determined the applications. I would like The Planning Inspectorate to approve the applications on the grounds of non-determination.

Yours faithfully

David Milne

DISCUSSION RE CONSTRUCTION PLANS

APPENDIX 1

On the 17th of May 2017, the Council indicated they wanted to consider whether a Construction Management Plan secured by a 106 legal agreement was warranted. This is inappropriate for the reasons set out below.

- As Chairman of the local Neighbourhood Forum and the Church Row Association I have invested a significant amount of time and effort dealing with local traffic issues, and I am very aware of the need to control builders and the associated trades.
- The works will be carefully managed, and clause 4.4 of the Heritage Statement, Design Statement, Scoping Statement and Tree Impact Assessment – 28 October 2016 document states *“Whilst no part of the building is being demolished, it will be necessary to remove the clay from the cellar floor, and this will be done by hand and then into small trucks compatible with Church Row’s width restrictions.”*
- There have been no past issues with prior works for 22 Church Row. Furthermore, no such issues have been raised on planning applications for Church Row in the last three years.
- Whilst there have been historic issues with trucks getting stuck in Church Row, these have largely been resolved by the installation of bollards outside St John’s Church, secured by my personal deputation to Camden Council on the subject.
- The Neighbourhood Forum’s commentary on Camden Council current redraft of the Hampstead Conservation Area Statement includes a set of guidelines drafted by myself for all works in Hampstead (see Appendix 2), and the works will be managed within these draft guidelines.

Given the above, a Construction Management Plan and a s106 legal agreement is an unnecessary cost and bureaucracy for all.

DRAFT GOOD PRACTICE GUIDE FOR BUILDING WORKS

APPENDIX

For all sites ("Sites") in the Hampstead Neighbourhood Forum Area ("Area") all building works, including repairs, construction and demolition activities ("Building") no matter how large or small, are expected to comply with the following guidelines.

1. Site owners, architects, builders, suppliers, and delivery companies should work together to ensure compliance.
2. Sites should have consideration for residents, neighbours, businesses, schools, and Area visitors.
3. Sites should be managed to minimise the negative impacts of Building activities in the Area.
4. Sites should be managed to minimise the impact of vibration, air, light, noise and dust pollution.
5. The removal of building waste, and the delivery of materials should be carried out during weekdays between 9.00 hours and 17.00 hours. Note that between 8.00 and 9.00 is not normally acceptable because of the high level of traffic associated with the fifty-five local schools.
6. Sites should select appropriate traffic routes to and from the site, and all parties need to ensure that delivery vehicles are aware of the Area's vehicle weight and width restrictions. It is not sufficient to consider the immediate street as vehicle delivery schedules frequently start from the other side of Hampstead. All delivery vehicles to be informed of nearby width and weight restrictions, e.g. Church Row (6 foot 6 inches width and 7.5 tonne weight restriction); Flask Walk (6 foot 6 inches width restriction); Holly Hill (5.0 tonne weight restriction); Holly Walk (6 foot 6 inch width restriction); and The Mount Square (7 foot width restriction).
7. Sites should use vehicles of size and weight appropriate to both the immediate vicinity and the Area as a whole. Sites should try to use smaller lorries with a tonnage of less than 7.5 tonnes. Vehicles operated by a member of the Fleet Operator Recognition Scheme ("FORS") are to be preferred, as are companies that use SatNav systems, which show London's 2,000 plus width and weight restrictions. Vehicles with a tonnage of more than 17 Tonnes or more than two axles should not normally be considered appropriate.
8. Sites should minimise the impact of deliveries, parking and work on the public highway.
9. Sites should keep roads and footpaths clean and unobstructed. The piling up of building waste in the street is fly tipping and is not condoned.
10. Sites should deal with complaints in a positive and constructive manner.