

Gentet, Matthias

From: helen tyler [REDACTED]
Sent: 06 September 2017 20:08
To: Planning
Subject: 2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

2017/4346/P

Dear Sirs

I strongly object to the above application number for a Vale of Health MOL site to become residential.

I hereby also state that I strongly object to any MOL land that abuts any part of the Heath to ever become or gain a " certificate of lawfulness" to become residential.

Yours sincerely

Helen Tyler

6 Heath passage
NW37HB

Gentet, Matthias

From: Suza Nora Johnston [REDACTED]
Sent: 06 September 2017 18:50
To: Planning
Subject: Objection to Appn. No. 2017/4346/P - FAO Mr Thuairé of Camden Council Planning Department

Follow Up Flag: Follow up
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Dear Camden Planning

RE: Appn. No. 2017/4346/P – Certificate of Lawfulness (Proposed)

I write to express very strong objection to the above planning application.

The proposed site is Metropolitan Open Land (MOL) and should not be built upon or have a change of use for the siting of caravans or other residential units.

This is especially important as the land is adjacent to Hampstead Heath.

The land is presently utilised for storage and maintenance of fairground equipment, and to convert this to permanent residential units would be deleterious to this sensitive and historically open 'common land' site. To grant permission would be to set a dangerous precedent in encroachments to the Heath, which is an incredibly important social and public good.

For the good of all those who love and depend on the peaceful open nature of Hampstead Heath, please reject this application.

With kind regards

Suza Johnston
Resident of Gospel Oak, Camden

Gentet, Matthias

From: Clemencia Wiese [REDACTED]
Sent: 06 September 2017 21:44
To: Planning
Subject: Objection to planing application 2017/4346/P

Follow Up Flag: Follow up
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Planning application for the North Fair Ground (number 2017/4346/P) in the Vale of Health.
Please be advice that we strongly object to this planning application which will have direct impact in our livelihood in the Vale of Health. The VOH is all ready crowded and this site is Metropolitan Open Land and must not be built upon. Any change would result in possible development uses of the site.
Herbert and Clemencia Wiese, South Villa.

Sent from my iPad

Gentet, Matthias

From: Oliver Froment [REDACTED]
Sent: 06 September 2017 23:02
To: Planning
Subject: Planning application 2017/4346/P - re: Certificate of Lawfulness

Follow Up Flag: Follow up
Flag Status: Flagged

Planning application 2017/4346/P Certificate of Lawfulness

Dear Sir or Madam,

CRAAC fully objects to this application.

- 1- The proposed application would fully compromise the amenity of the residents.
- 2- The application entirely violates the sustainability consideration which is at the core of the Planning Framework.
- 3- The site is Metropolitan Open Land and therefore cannot be authorized and since we are not in the presence of exceptional circumstances.
- 4- This application violates the Camden Local Plan.
- 5- The proposed use is clearly a material change to the existing use. The case of Richmond-Upon-Thames London Borough Council versus Secretary of State for Transport (2000) 2 P.L.R. 115 which held that where a change of use gave rise to planning considerations those considerations were relevant is fully relevant to this case.

Please refuse.

Regards

Oliver R Froment

Chair of CRAAC

CRAAC, the Camden Resident Association is composed of over 35 resident associations located throughout the Borough

Gentet, Matthias

From: barbara alden [REDACTED]
Sent: 06 September 2017 17:31
To: Planning
Subject: Planning Application2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

To Charles Thuaire

Re North Fairground Site, Vale of Health NW3 1AU - Certificate of Lawfulness (Proposed)

I wish to object to the above application, for which there is some dispute as to whether the proposed change of use constitutes a material change.
This proposed use is clearly contrary to the terms of paragraph 3.244 of Camden's Local Plan and therefore is a significant material change.

The existing use is mixed, providing for storage and maintenance of fairground equipment and temporary residences for caravans for travelling show people. Occupation and usage of the site varies greatly according to the season.

The proposed change of use is for the erection of 12 permanent residential bungalows, including driveways and additional car parking, which will occupy the entire site.
This is a material change of use as it will alter the appearance of the whole sensitive open site, increase the extent and alter the type of activity upon it throughout the year, as opposed to it's traditional seasonal use, and greatly increase the volume of regular traffic with residents' cars on and off the site.

Granting this application to build on Metropolitan Open Land adjoining the Heath, allowing the use of an indirect procedure to avoid a proper planning application, will set a disastrous legal precedent for the destruction of many other similar sites adjoining the Heath. I urge the Council to reject this application.

Sincerely
Barbara Alden

8 Chesterford Gardens
NW3 7DE

Gentet, Matthias

From: stuart stanton [REDACTED]
Sent: 06 September 2017 19:59
To: Planning
Subject: Proposed Planning Application 2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs

I strongly object to the above application number for a Vale of Health MOL site to become residential.

I hereby also state that I strongly object to any MOL land that abuts any part of the Heath to ever become or gain a "certificate of lawfulness" to become residential.

Stuart D Stanton NW3 7HB
Sent from my iPad

Gentet, Matthias

From: Nicola Lohr [REDACTED]
Sent: 06 September 2017 23:35
To: Planning
Subject: Application No. 2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

Charles Thuaire
Planning Department, London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall, Judd Street
London WC1H 9JE

6/9/2017

Dear Mr Thuaire

Application No. 2017/4346/P - Certificate of Lawfulness (Proposed)

My husband and I live at 3 East View, Vale of Health, NW3 1AU, directly facing the North Fairground Site. We object to the application for a certificate of lawfulness (proposed) for the following reasons:

The existing use is mixed, and is for storage and maintenance of fairground equipment and temporary residences in caravans for travelling show people; the certificate of lawfulness would be a change of use allowing permanent housing of up to 12 bungalows, which is material.

The change of use is material because it will alter the appearance of this Metropolitan Open Land. It will also increase the extent and alter the type of activity throughout the year and greatly increase the volume of regular traffic on- and off-site with residents' cars and increase the noise levels.

We are concerned that, should the application be granted, this could become a 'stepping stone' to get planning permission for larger constructions on the site in the future although the site is Metropolitan Open Land and should not be built on for good reasons. Granting the application would set a precedent and could destroy many other pieces of MOL adjoining the Heath as well.

The proposed use is contrary to the terms of paragraph 3.244 of Camden's Local Plan.

Yours sincerely,
Nicola Lohr & Alf Lohr

Gentet, Matthias

From: Joan Burstein [REDACTED]
Sent: 07 September 2017 09:16
To: Planning
Subject: Application Number: 2017/4346/P ----

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

I object to this application for Certificate of Lawfulness (proposed).

The reasons are as follows:

The site is Metropolitan Open Land (MOL) and therefore, absent exceptional circumstances not present here, must not be built upon. This application is an attempt to avoid the need for a planning application to construct the same types of bungalows which, it may be reasonably inferred, the applicant knows would be unsuccessful.

The site is exceptional and sensitive by reason of its abutting, and proximity to the core of, Hampstead Heath.

The proposed use is on any view a material change from the existing use. The existing use is mixed, as demonstrated by the supporting papers for the application and the evidence you will be receiving from the Vale of Health Society, and is for storage and maintenance of fairground equipment and temporary residences in caravans for travelling show people; the levels of occupation and usage of the site vary greatly according to the season. The proposed use is the erection of 12 permanent residential bungalows (see the pictures on page 9 of the Planning Supporting Statement (PSS)) with driveways and parking for cars occupying the entirety of the site. The figure of 12 appears on page 10 of the PSS and contradicts the misleading statement on the face of the application itself that only seven bungalows are proposed. The "seven" shown on the plan on page 8 of the PSS are said to be only an "illustrative example", not the actuality. This change of use is material because it will (1) alter the appearance of the whole sensitive open site, (2) increase the extent and alter the type of activity upon it throughout the year and (3) greatly increase the volume of regular traffic on- and off-site with residents' cars.

The proposed use is contrary to the terms of paragraph 3.244 of Camden's Local Plan.

Yours sincerely,

J. Burstein CBE
11 Spencer House
Vale of Health
NW3 1AS

Gentet, Matthias

From: Alf Loehr <[REDACTED]>
Sent: 06 September 2017 20:56
To: Planning
Subject: Application number: 2017/4346/P --

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr. Thuairé,

as a resident to one of the 4 victorian cottages facing the fairground site, I must strongly object to the application to install a permanent caravan park on this metropolitan open land that has always been part of the Heath. As you know it was previously used for the yearly fun fair and for the repair of fun fair rides during the winter months.

It goes without saying that the application to install caravans permanently would be visually completely out of line with the historical victorian neighbourhood that is maintained by the residents and the council preservation orders with keen consideration.

My direct concern is a complaint that I have addressed to the council several times before without success; my family and I have suffered from noise pollution from the camping caravans for over 20 years. The acoustics of the Fairground site is horrible and very much like a greek amphitheatre. Surrounded by the hill on one side, and the Spencer House on the other side, has made every little sound, such as a cough, radio, or conversation being amplified to a level that is unbearable. You hear every word as if coming from another room in your house, or in front of your window. Caravans are not made with much sound insulation, and thus, it has a kind of transparency. Such is the nature is that kind of temporary use.

The way we have survived these unpleasant daily scenarios brought on by the caravan was by knowing it was a temporary situation. We knew that spring would come and the caravans would move out of their winter quarters on the road again. To have a permanente installation of caravans would be 24/7 noise pollution 365 days a year. I must strongly object to their application.

with kind regards
Dr Alfred Loehr

Dr. Alfred Loehr

3 East View

Vale of Health

London NW3 1AU

[REDACTED]

Gentet, Matthias

From: Evelyn Ellis [REDACTED]
Sent: 06 September 2017 16:13
To: Planning
Subject: Application number: 2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

Use as a site for seven static caravans for residential occupation

Application number: 2017/4346/P
Application type: Certificate of Lawfulness (Proposed)

I would like to object to the proposed change of use for the above location. I regularly walk on the Heath and often pass the site which seems to be used mainly as a storage area. I very rarely see any movement of people except when equipment is being moved, and therefore it is of minimal disturbance to wild life and walkers. By constructing homes presumably with car parking facilities, and much increased activity with the noise and pollution of 12 permanent homes, the area will be changed significantly. I would be very sorry to have that quiet area suddenly become a residential area so close to the most unspoiled pathways and seclusion of the Heath.

Evelyn Ellis (Mrs), 1 Buckland Court, 37 Belsize Park, London NW3 4EB, [REDACTED]

Gentet, Matthias

From: Nicole Usigli [REDACTED]
Sent: 06 September 2017 13:37
To: Planning
Subject: Appn. No. 2017/4346/P=Certificate of Lawfulness (Proposed)

I strongly object to this application.

I support the views expressed by Marc Hutchinson, Chair of The Heath and Hampstead Society, of which I am a member, as expressed in his letter to Charles Thuairé.

Gentet, Matthias

From: Cooper, Carol [REDACTED]
Sent: 06 September 2017 19:58
To: Planning
Subject: Comment on 2017/4346/P Certificate of Lawfulness (Proposed)

Follow Up Flag: Follow up
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Dear Sir or Madam

I am horrified at this proposal for Metropolitan Open Land (MOL).

It is clear that this an attempt to circumvent a planning application to build more permanent structures on this land.

In my view, the change is very material.

This land, by virtue of its prime position, is vitally important to the Heath and Hampstead's heritage. The change in use which this certificate would entail, and the increased traffic that it would bring, should be unacceptable to anyone who cares about the area.

The use proposed goes against the terms of paragraph 3.244 of Camden's Local Plan.

It will also set a dangerous and pernicious precedent.

I urge you to reject this application.

Yours sincerely

Carol Cooper

Dr Linda Carol Cooper

11 Mourn House
11 Maresfield Gdns
London NW3 5SL
[REDACTED]

Gentet, Matthias

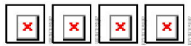
From: Thuaire, Charles
Sent: 07 September 2017 11:31
To: Planning
Subject: FW: 2017/4346/P

Follow Up Flag: Follow up
Flag Status: Flagged

Objection to record onto m3

Charles Thuaire
Senior Planner

Telephone: 020 7974 5867



From: Janine Griffis [mailto: [REDACTED]]
Sent: 06 September 2017 17:26
To: Thuaire, Charles <Charles.Thuaire@camden.gov.uk>
Subject: Re: 2017/4346/P

Dear Mr Thuaire,

I am writing on behalf of the Hampstead Neighbourhood Forum regarding the application for the North Fairground Site in the Vale of Health.

I understand that the comment period has been extended to the 7th of September.

The Hampstead Neighbourhood Forum objects to this application for a lawful development certification and finds the arguments contained in the planning statement flawed.

Clearly, the construction of permanent residences would be a material change of use from the site's current mixed use as a storage and caravan site for travelers.

Furthermore, the construction of a number of permanent residences on MOL would be contrary to Paragraph 89 of the NPPF (equally applicable to MOL); Policy 7.17 of the London Plan; and Policy A2 and paragraph 3.244 of the Camden Local Plan. Metropolitan Open Land deserves the highest protection as given to Green Belt land and the proposed application for possibly as many as 12 bungalows would be unacceptable under any circumstances.

Sincerely,

Janine Griffis
Chair
Hampstead Neighbourhood Forum
www.hampsteadforum.org
info@hampsteadforum.org

Gentet, Matthias

From: The Hayes Elliott Family [REDACTED]
Sent: 06 September 2017 12:50
To: Planning
Subject: New and updated planning applications within 500 metres of Flat 1, Athenaeum Hall, Vale Of Health, London, NW3 1AP

Dear Planning Committee,

Dear Planning Committee,

I object to this application for a certificate of lawfulness (proposed) for the following principal reasons:

1. The site is Metropolitan Open Land (MOL) and therefore, absent exceptional circumstances not present here, must not be built upon. This application is an attempt to avoid the need for a planning application to construct the same types of bungalows which, it may be reasonably inferred, the applicant knows would be unsuccessful.
2. The site is exceptional and sensitive by reason of its abutting, and proximity to the core of, Hampstead Heath.
3. The proposed use is on any view a material change from the existing use. The existing use is mixed, as demonstrated by the supporting papers for the application and the evidence you will be receiving from the Vale of Health Society, and is for storage and maintenance of fairground equipment and temporary residences in caravans for travelling show people; the levels of occupation and usage of the site vary greatly according to the season. The proposed use is the erection of 12 permanent residential bungalows (see the pictures on page 9 of the Planning Supporting Statement (PSS)) with driveways and parking for cars occupying the entirety of the site. The figure of 12 appears on page 10 of the PSS and contradicts the misleading statement on the face of the application itself that only seven bungalows are proposed. The "seven" shown on the plan on page 8 of the PSS are said to be only an "illustrative example", not the actuality. This change of use is material because it will (1) alter the appearance of the whole sensitive open site, (2) increase the extent and alter the type of activity upon it throughout the year and (3) greatly increase the volume of regular traffic on- and off-site with residents' cars.
4. The proposed use is contrary to the terms of paragraph 3.244 of Camden's Local Plan.

With the Vale of Health Society, we have obtained counsel's written advice which sets out in detail the reasons for our objection, including the legal reasons. A copy of that advice is attached.

Granting this application to build on MOL adjoining the Heath, allowing the use of an indirect procedure to avoid a proper planning application, will set a disastrous legal precedent for the destruction of many other pieces of MOL adjoining the Heath. We urge the Council to reject the application.

Yours sincerely,

The Hayes Elliott Family
[REDACTED]