



From: Tony Harrild [mailto:]
Sent: 09 October 2017 11:59
To: Diver, John
Subject: Fwd: Minor revisions made, please still check spacing and glitches

Planning Department
London Borough of Camden 2nd Floor, 5 Pancras Square c/o Town Hall Judd Street London WC1H 9JE
Dear Sir/Madam,
RE: Planning Application no.2017/4366/P
Address: 66 Fitzjohns Avenue, London NW3 5LT

As Manager of 64 Fitzjohn's Avenue, appointed by the First-Tier Property Tribunal, I have replaced the Freeholder following his acceptance that he could not manage the building. In this capacity, I wish to lodge my objections to this proposed planning application.

I assume from the change of reference number and from the pre-application advice, that we have not seen before, that this is a new application and that we can comment on all elements of the proposal. I am, however, confused that some of the drawings include the comment that elements of the proposal have already been approved.

There were a number of detailed responses to application 2015/5847/P which remain relevant and I would be most grateful if you would review them along with the new submissions so that we do not need to repeat everything. I note that they are still on the web-site for that application.

Impact on the Conservation Area

Nos. 54 to 64 Fitzjohns Avenue are deemed to make a positive contribution to the Fitzjohn's Netherhall conservation area. Apparently, no.66 does not. However no.66 does have the merit of being small scale and unobtrusive. It is subordinate to the surrounding properties and its simplicity is disarming. To my mind there would be significant environmental gain in preserving this property instead of replacing it. It offers two small homes that are ideal for single or dual occupancy. In its whole history the level of occupancy for both houses has been two to four adults.

The new proposal is wholly inappropriate in terms of style and scale even without the inclusion of a third storey; which we were assured had been withdrawn. This would appear to be unacceptable in terms of Camden's planning policies. By comparison with what currently exists, the proposed building is blockish,

characterless and oppressive. There are no concessions to the surroundings and street views and no consideration for neighbours.

I had understood that objections to the style of the building were met with the claim that this building would be an appropriate part of a mix of styles that included Medresco House. Despite recent refurbishment Medresco House remains an example of poor quality post-war infill. Given the history of that site and the need to build this can perhaps be forgiven, but there can be no excuse to replicate it today. I believe that this comparison shows a lack of respect for the local context and does nothing to demonstrate the importance of conservation and the enhancement of the historic environment. I had understood that these elements were to be key to planning decisions.

As the current pre-application advice notes, "At two storeys tall, and due to its relatively simple design, the existing building at the site appears subordinate to the main building and the scale of the building is in keeping with what you might expect at the rear of a larger building." So why not retain the existing building?

If the new development is approved it will have an extremely negative influence on the environment as it will be clearly seen from Fitzjohn's Avenue and Akenside Road. The residents of no.12 Akenside will have an unnecessarily high and overbearing blank wall abutting their back garden, whilst their neighbours in 64 will suffer loss of light during the day and be faced with extremely intrusive and unacceptably large windows and light wells raising issues of light pollution at night.

Density Issues

It seems to be accepted that the existing properties - two one bedroom houses - already lack amenity space. So what are the implications for two three/four bedroom houses? Especially as the amenity spaces will be further reduced by the light wells that have been enlarged in this new application? Please also remember that 50% of the amenity space referred to in the application is notional, as it consists of the access driveway which is on the other side of locked gates and therefore outside the courtyard. I recognise that the application indicates three bedrooms, but I am also aware that at the pre-planning meeting an additional bedroom was discussed and the officer noted that this could be accommodated on the ground floor. So, I assume that we have to consider such a possibility.

As Manager of no. 64, I am particularly concerned about drainage. The freeholder allowed the former owner of no.66 to cut into the drains of no. 64. This has caused problems over the years and can only get worse with excessively increased occupancy. There have been no discussions about this with the current owners and certainly no proposals that I have seen for new drainage.

Car parking is a significant concern. I understand from residents at 64 that the existing two bays are in constant use and I cannot believe that there will not be additional demand from extra residents. The drive is already used for visitor parking for no.66. Currently cars back out onto a busy road with a large school on its doorstep and other schools close by. I would certainly support the pre-application advice for the removal of parking from the proposal. This would offer at least a minor gain in amenity space.

Waste and Recycling

As Manager of no. 64, I have previously alerted you to a significant problem. There is no provision for waste and recycling in the scheme for no. 66. There is a waste and recycling facility within the freehold of no. 64 for the exclusive use of its residents. As part of the current refurbishment of 64, this has been extended and one of the lessees has given up part of his garden so that we can meet Camden's requirements. The lessees of no.64 have paid for the provision. I am sure the residents of no. 66 know that this facility is not available to them. They have never asked to use it or offered to contribute towards it. However, I suspect they do use it. To my mind this resource is of an appropriate size for the 5 flats of no. 64 but, with the best will in the world, we could not accommodate the proposed new development.

I was, quite frankly, shocked to find that this issue, which I brought to your attention in my previous submission, was simply discounted. It seems to me to be a matter of some importance and I would ask that you raise this as a matter to be addressed.

The applicants need to be aware that I am the only person empowered to give permission for others to use this waste and recycling provision and if any informal permissions have previously been given, I also have the power to revoke them. I have no wish to be confrontational. My role is simply to manage the building to the best of my ability and to look after the interests of the lessees and the freehold.

Potential Damage to the Fabric of no. 64

No 64 has undergone conversion over the years, but probably far less than most properties in the neighbourhood. It retains original lath and plaster ceilings in three of the flats with decorative cornices and plaster work to the ceilings. There are original floors and main staircase, original handrails and marble fireplaces. During the recent refurbishment the surveyor noted that the building was structurally sound and under normal circumstances there would be no cause for alarm. Nonetheless, I am concerned that excavation for such a large basement so close to the house will cause unnecessary stress to the fabric of the building and its historic interior features.

Inaccuracies in the planning application

The owner of flat A has pointed out a number of inaccuracies in the planning application that would lead to the impression that the impact of the building would be less than is actually the case. The lessee concerned is, of course, significantly affected by the development, but he is also a well respected civil engineer and a stickler for accuracy. I would ask you to take his concerns into account. I am certainly persuaded by his comments.

Pre-Application Advice

I was very impressed by the Pre-Application Advice which was thoughtful and well considered. Clearly there is a sense of tension between the need to protect and enhance the conservation area and the demands of the developers. In this case it seems to me that the planning officer has made every attempt to satisfy the applicants demands but has been rebuffed.

I am pleased to see that the officer was clear about the problems of close proximity and of being overlooked and overshadowed. I consider that the case for an additional storey has already been explored and dismissed. It should not be re-opened.

Clearly, my preference would be for you to reject the proposal and I believe there are good reasons for doing so. Certainly, I do not think there should be further compromises, but I do wish that your advice had been heeded so as to avoid this lengthy planning blight.

Yours faithfully
Martin Kingsley