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**12 March 2018**

**Dear Sir,**

**RE: The Water House, Millfield Lane, London N6 6HQ**

**Application Ref: 2017/3692/P**

Nexus Planning is acting on behalf of the City of London Corporation ('the City') and makes the following representations in relation to the above application. The City is aware that the application is being put forward to a Members Briefing on the 12<sup>th</sup> March 2018, where it is understood that it is likely that the application will be determined under delegated powers.

Further to the City's objection letter dated the 4<sup>th</sup> March 2018, the City wishes to acknowledge the Applicant's response to the objections and concerns raised by the City and other stakeholders. It is noted that additional measures have been introduced to protect and conserve the three Veteran Trees on Hampstead Heath, and the City wishes to express its appreciation of the Applicant's actions.

### **Acknowledgements**

The City notes the letter from SM Planning dated 2<sup>nd</sup> March 2018, including proposals to provide a cell web system, which shall be agreed with the City prior to the commencement of the construction work, as well as that the cell web system will be maintained throughout the construction period. The City welcomes that this requirement will be incorporated into the S106, thereby securing the tree and root protection in the S106 legal agreement. The City also welcomes that the Applicant has stated that the Arboricultural Opinion report dated 23.2.18 by Treework Environmental Practice shall be submitted as a formal planning document, and the recommendations of this report are embedded into the Arboricultural Method Statement and the Construction Management Plan.

The City also welcomes the Applicant's withdrawal of the following documents from the list of documents to be approved as part of the planning application:

[London](#)

[Birmingham](#)

[Manchester](#)

[Thames Valley](#)

- Landmark Trees Letter dated 28<sup>th</sup> February 2018; and
- Z Brunel letter dated 5<sup>th</sup> February 2018.

## **Key Issues and Recommendations**

Following the publication of the revised Members Briefing Report, the critical issue for the City of London, neighbours and stakeholders including the Kenwood Ladies Pond Association is the maintenance of the Lane and maintaining safe public access during the construction work. The City recommends that this should involve a pre-commencement photo survey, fortnightly visual inspections, which should be reported to the Community Working Group and localised repairs undertaken throughout the construction programme. Should there be any obvious and significant signs of damage to Millfield Lane as a result of the construction works and traffic, the Project Team will implement a longer-term solution such as cell web, trackway or ground protection units before proceeding any further with the construction works. The City cannot accept a situation where the works commence without adequate root protection in place, and then the surface starts breaking up, as the tree root damage will have already happened.

The City's requests that should the Council be minded to grant permission for the application, the decision notice and/or S106 includes a requirement to install the cellular confinement system, along with a requirement that the cellular web protection system needs to be closely monitored and maintained during the works and retained permanently on completion of the construction works.

The key point to make in this regard is that the City have advocated the 'Precautionary Principle' and pre-emptive approach to tree root protection on Millfield Lane. The Lane surface must be reinforced and protected before the demolition and construction phases of the development start in order to adequately protect the tree roots of the three veteran trees managed by the City of London. It is critically important to stress that a significant percentage of each of the veteran trees root protection areas lies directly under the footprint of the Lane.

Although the Z Brunel letter dated 5<sup>th</sup> February 2018 has been withdrawn, the references to good practice should still be incorporated into the Construction Management Plan (CMP), including:-

- Banks person will be given relevant training by the Project Team and made aware of the key issues and thereafter will be responsible for visually inspecting the condition of the Lane each day;
- Any issues will be recorded and reported to the Site Manager;
- The Site Manager will make his/her own thorough inspection of the Lane on a fortnightly basis and inform the Community Working Group, which may involve photographs; and
- Any significant issues will be reported to the City immediately.

The City requests that the S106 agreement includes the formation of a Community Working Group comprising of neighbours, Stakeholders and the City of London to maintain co-operation and communication and to minimise the impact of the construction works in line with Camden's Considerate Constructor Manual.

## **Conclusion**

Further to the City's objection letter dated the 4<sup>th</sup> March 2018, the City wishes to acknowledge the Applicant's response to the objections and concerns raised by the City and other stakeholders. It is noted that additional measures have been introduced to protect and conserve the three Veteran Trees on Hampstead Heath, and the City wishes to express its appreciation of the Applicant's actions.

Notwithstanding this, the City is seeking to ensure that any development that occurs has minimal impacts on the trees and public access along Millfield Lane, and that the recommendations detailed above, and in

particular the recommendations and requirements of the Arboricultural Opinion report dated 23.2.18 by Treework Environmental Practice, form part of the approved documentation for this planning application.

Yours faithfully,

A rectangular box containing a handwritten signature in black ink that reads "Nexus Planning".

**NEXUS PLANNING**