

Your Ref: 2017/5913/P & 2017/6335/L
Our Ref: HPD/CD/002/Keats
Date: 18 July 2018

Ms N Constantinescu
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Dear Ms Constantinescu,

RE: 4 KEATS GROVE, LONDON, NW3 2RT – 2017/5913/P & 2017/6335/L

On behalf of Mr & Mrs J Rosefield, the freehold owner occupiers of 3 Keats Grove (situated immediately adjacent to the abovementioned application site and within the West Hamsstead Conservation Area), we are writing to register our client's further objections in response to the additional information submitted in respect of the application proposals.

Accordingly, and whilst we do not intend to reiterate our client's previous objections here, and we are satisfied that Campbell Reith will continue to give their professional and unbiased recommendation on the submitted amendments to the applicant's basement impact assessment (based on the full facts of the case), we can confirm that our client continues to **strongly object** to the application proposals at 4 Keats Grove, for the following reasons:

1. The accuracy of the Site Location and Highways Network Plans accompanying the CMP are questionable – Keats Grove is a narrow street, and the location of the existing on-street parking bays and yellow lines, together with the proposed HGV parking/unloading area should be shown to an accurate scale to allow a fair and proper assessment of the likely impacts associated with the proposed construction works.
2. Notwithstanding, the submitted Site Location Plan clearly demonstrates that there is likely to be a significant pinch point between the proposed HGV parking/unloading area and the non-suspended car parking bay opposite the studio building at 4 Keats Grove (if indeed it would even be possible to pass a parked HGV when this bay is in use), which would be to the detriment of free-flowing traffic.
3. The submitted Programme denoting the start and end dates for each phase of construction (and as this specifically relates to the significant works being inappropriately proposed to the Grade II Listed studio building), is clearly now obsolete.
4. The person responsible for community liaison (CMP, Question 4), is in complete contradiction to the answer set out in Question 13 of the CMP, which suggests that the applicant's party wall surveyor has been responsible for sharing information on the proposed works and programme, as well as circulating the CMP to all individuals that stand to be affected by the proposed construction works. This is sheer fabrication, as by their very nature party wall negotiations will only involve immediate neighbours. Moreover, neither my client, the occupier of no. 5, or the surrounding neighbours in Keats Grove, had advance sight of the CMP – this was only first made publicly available by the Council on-line. Furthermore, we are also aware that the party wall surveyor acting on behalf of the freehold owner occupiers of 5 Keats Grove (a Grade II Listed building), issued an award in June 2018 setting out that no information had been received from the applicant's party wall surveyor during the preceding six months (despite repeated requests), and following service of party wall notices on Christmas Eve.

5. In light of the above, and in the spirit of co-operation and meaningful dialogue expected by Camden Council (rather than an approach which is dictatorial and unsympathetic to the well-being of local residents, businesses and local groups), the applicant has failed to adopt an appropriate neighbourhood consultation process prior to submission of the CMP. That this is the case, is further evidenced by the fact that the applicant's agent has been unable to submit any substantive evidence as to who was consulted, how the consultation was conducted, a summary of the comments received, or any meeting details (including minutes), as stipulated by the Council (CMP, Question 13).
6. The applicant's agent has inappropriately 'cherry-picked' Question 16 in the CMP to suit, and in order to circumvent the provision of a plan of existing anticipated construction sites in the local area, together with any explanation as to how the CMP takes into consideration and mitigates the cumulative impacts of construction in the vicinity of the site. By simply stating that there are no large construction sites near the site (and ignoring the assessment required by the Council here and at Question 21 Part B), this approach fundamentally devalues the CMP and undermines the applicant's case.
7. The CMP also fails to provide adequate details of the size of all vehicles that will visit the site for each proposed phase of construction (Question 21, Part A). Furthermore, and whilst Question 21 (Part A), does set out the anticipated dwell time for 4-5 small lorries in each of weeks 20 – 54 (10-15 minutes each), it fails to re-clarify (as stated for weeks 1 – 20), that the 2-3 large lorries expected at the site per day (over a 34 week period), will each have a dwell time of 25 - 30 minutes, or; to give the likely dwell time for the 2-3 skip vehicles anticipated per week.
8. The responses to Question 21 Part C and Part D are wholly contradictory. Part C suggests that HGVs, skip and other lorries, as well as smaller delivery vehicles, will park on the double yellow lines outside of 4 Keats Grove, and then off-load into the suspended parking bay. Conversely, Part D suggests that the suspension of the parking bays on the opposite side of the road would allow traffic to pass around the HGVs unloading outside of 4 Keats Grove. This should be appropriately clarified, as clearly any unloading of the type of materials envisaged by way of the proposed works from the pavement adjoining 4 Keats Grove to a suspended parking bay on the opposite side of the road (where in all likelihood materials would be stored for some period), would create a hazard not only to pedestrians and cyclists, but to the free flow of traffic during the course of any delivery/unloading scenario. This can only be exacerbated by the response in Question 23 of the CMP, which also suggests that the suspended bays will be used to allow grab lorries to park up, reach across the pavement and remove spoil from the front driveway.
9. Given the above, the applicant should be required to provide a swept path analysis to demonstrate that 4 Keats Grove can satisfactorily accommodate the movements of vehicles regularly expected by the proposed development, as well as from the local highway network, and to accord with Question 22 Part C.
10. The CMP also inadvertently fails to identify how both pedestrian and cyclist safety will be maintained (at Question 27 Part A), which should include methods of re-routing, as appropriate.
11. Likewise, the CMP fails to agree to undertake a noise assessment (prior to any construction works being carried out on site), or to appropriately make a copy of any such assessment available for the Council's due consideration, as prescribed by Question 29 of the CMP.
12. Moreover, and as evidenced by the submitted Programme of Works and the response to Question 7 of the CMP, the extent of the proposed works to the Grade II Listed studio building (which in addition to the otherwise unnecessary excavation and proposed external alterations to the building confirms that structural alterations will be required throughout), are clearly extensive. Accordingly, my client strongly contends that the proposals would fail to preserve the special interest of the Grade II Listed building and would cause substantial harm to its significance. The studio building is already in a viable use (consistent with its conservation), and the installation of a swimming pool (over and above the prolific works that would be required to facilitate this) are, put quite simply – for private benefit. Given that this is the case, there can be no public benefits associated with the

proposals that would outweigh any identified harm. The NPPF is clear in such regards (at Paragraphs 133 & 134), requiring that local planning authorities refuse consent, unless the harm or loss identified, is necessary to achieve substantial public benefits.

This proposal raises a number of fundamental issues in relation to construction management, highways, road and pedestrian safety, and noise (which have not been appropriately addressed by virtue of the applicant's submitted CMP), and in respect of the harm to the significance of the Grade II Listed studio building. Accordingly, we respectfully request that these applications be refused.

We trust that the above is self-explanatory, but should you require any further information or clarification, please do not hesitate to contact Claire Day (020 3633 1678) of this office, in the first instance.

Yours sincerely,



Claire Day BSc (HONS) MRICS MRTPI
DIRECTOR

cc: Mr & Mrs J Rosefield, 3 Keats Grove, London, NW3 2RT