

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

7<sup>th</sup> Oct 2018

Re: Application 2018 / 3672 / P

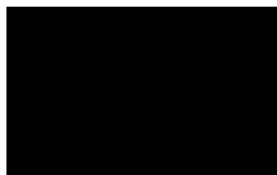
Dear sirs,

In order to retain our privacy in this matter please only post the following pages – and exclude this one.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Robin Owens

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Application No. 2018/3672/P  
55 Fitzroy Park N6 6JA

We would like to object to this proposed planning application for the following reasons:

**Accuracy of information in application:**

The application states the existing property is 4575ft<sup>2</sup>. However from what we can see from the road it looks much smaller than this – please can the council have an independent assessment of this. It is a critical number both with respect to the relative increase in built area and also the payment liable under the Community Infrastructure Levy (CIL) – which we feel this 5 house development is liable for.

**Increase in intensity of development in area:**

The Highgate Conservation Area Appraisal and Management Strategy states:

"This sub-area forms a contrast with the village centre. Fitzroy Park, in its present form, was developed within the framework of the boundaries of older estates. As the large houses were demolished, the surrounding parkland became available for development, particularly in the 19<sup>th</sup> and 20<sup>th</sup> centuries. The character of the area is derived from the close relationship between the topography, the soft landscape and the groups or individual houses built within it. There is an overriding impression of heavy foliage and mature trees as well as the sense of open space denoted by the Heath at the bottom of the hill. There is also a sense of seclusion as the road is private and is gated at its northern end. There are many views from the sub-area, both glimpses and long views.

Fitzroy Park still retains its original atmosphere of houses set in large gardens with many mature trees and boundaries in keeping with the rustic character of the lane. Fitzroy Park itself is an important green pedestrian approach to the Metropolitan Open Land of Hampstead Heath, and this quality is enhanced by its informal, unmade style, which give it a rustic appearance rare in the London suburbs. This quality is important for the setting of both the Highgate Conservation Area and Hampstead Heath, and the impact on it of any proposed development will be a major factor in assessing the appropriateness of any development proposals."

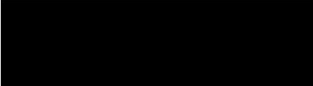
And specifically 55 'The house is set in generous gardens containing a sizeable pond, which stretch down to the northern stretch of Millfield Lane as it skirts the Heath.' This development would substantially change this.'

The Garden at No. 55 is one of the 'breather gardens' in the local area along with No. 10 Fitzroy Park and The Elms, they contribute to the mitigation for climate change and local amenity. The area predominately to the east of Fitzroy Park has seen intensification of development since the 1930's with developments at Highfields Grove, The Hexagon, Fitzroy Close and Haversham Place. Originally the No 55 plot was part of Fitzroy Farm, the plot was divided off with a villa now the site of the Water House this remained the case till 1923, later subdivided off to form the plots of 49, 55 and 53, The Little House, The Wallace House, Farm End Cottage, and now an application for 1 replacement and 4 further dwellings. So originally where there was one house on the land The Water House today 8 dwellings and if this application proceeds 12 dwellings in one garden on land in the same families ownership throughout.

This development seeks to further intensity density and could led to potential further development on the sites with large gardens. When does this intensification of land use stop, when does Fitzroy Park cease to have the characteristics as described? I believe the scheme is too intense to preserve the character of the local area.

The road is one of the few in Camden along which *more people walk than drive* – and so the green nature is appreciated by many more people than the residents of the road – and part of the reason they chose to walk this route is the green and pleasant nature. An element that will be reduced by the increase in traffic (~10-20% - 4 new houses means 4 more lots of deliveries, taxis and cars) and reduction in green nature to the road.

The sensitive location abutting the Heath and with such a large pond and such a lot of water courses not only surfacing in the pond but at other point i.e. along the boundary of No 55 with the road I would have great concerns about the hydrology on the site.



### **Parking**

I believe the small scale of the parking spaces and do not allow for cars to enter forward and exit forward the houses, they can only be used in a very small car and with complex manoeuvring, and even then will only allow for forward in reverse out (and visa versa), the houses on plots 1/2/3 would have to move away from the road for this to enter forward and exit forward. Or the planting as presented in the scheme would have to be removed/omitted and this would mean that the three houses that front onto Fitzroy Park form quite a repetitive heavy brick streetscape. This is a concern – as the road current solely contains individually designed houses. Any new structure should be placed in the same plane as the current road facing wall of the main house structure in relation to the road.

Plot 4 and to a lesser extent plot 5 leads to the removal of a significant number of mature trees hence loss of amenity, and the also in the loss of important private open space on the environs of the Heath.

Private residential development of a plot that intends to maintain existing off-street parking can be exempt from the car-free parking restrictions; so this is plot in the singular. I understand why the 1 x replacement property should not be car free, but what about the 4 additional properties. Policy T2 states that the Council will limit the availability of parking and require all new developments in the borough to be car free. Neighbourhood plan. Policy TR4 states that development will be expected to be car free in the few streets that are not in a CPZ, development will be expected to be car free if there is good access to public transport. My reading of the policy would lead me to conclude that the 4 properties that constitute a New development should be car free. Or maybe they could consider the one space as a private communal car club with and electric vehicle?

But ultimately there would be intensification of traffic within the local area with a 4 further properties; owners of million pound homes are not known for their use of public transport and are fans of Uber /Cabs, home shopping delivered via couriers, visitors to their homes tend to drive.

Due to the private nature of Fitzroy Park it is difficult to legally prevent any new residents of the 4 new properties from parking on the road. So even if the planning application shows that the new properties are car free or with restricted number of parking spaces the reality will be very different. Were the council to approve this development they would be going against their policy of not increasing car ownership/usage in the borough – as these houses would each have 2+ cars that they would park somewhere either on the “gardens” of the development or on Fitzroy Park. So this development in reality will not comply with the planning policy.

### **Why all access of Fitzroy Park?**

Looking at the development it seems illogical to have all houses accessed via Fitzroy Park. A more sensible approach would be for 2 or 3 to be both built and have access from Millfield Lane.

### **Tax Evasion of Community Infrastructure Levy**

The development is presented as 'self-build' with CIL Self build exemption forms submitted, Camden Council officers should seek to satisfy themselves that any exemption to the Community Infrastructure Levy is correct. The owners of the 55 plot the Turner/Stokes have previously sold off numerous plots, having originally owned the land where The Little House, The Wallace House, Farm End Cottage, No. 49 No. 51 and No. 53 Fitzroy Park now stand, so historically they have derived substantial income (and now with this new application) from land sales i.e. development. Mr Geoff Springer resigned as a director from 19 property companies in 2013, Mr Springer still remains director and secretary of two property related companies so the evidence is that Mr Springer is a developer. Mr Ryan Springer is currently a director of 4 real estate related companies. Mr Geoff Springer has previous demolished and rebuilt another property on Fitzroy Park.

Mr Springer is leading the application without actually owning the land. So we assume speculatively paying for designs / and consultants, based on legal contracts with the land owners; a speculative development project. Self-builders 1st buy the land, then design and then build. It should be noted when he undertook redeveloped the Lodge N6 GHT he was not a self-builder and paid the CIL levy. It appears this group of people are serial property



developers presenting a case to avoid paying vital CIL funds to support the additional services and facilities needed within the local community.

Also under the self-build exemption it is recommended that each property is a separate application (Paragraph: 144 Reference ID: 25-144-20140612) – however this is not the case in this instant. Instead it has been submitted as one application – yet another indication that this is not a self-build development.

