

**From:** Nicola Mayhew [REDACTED]  
**Sent:** 01 July 2019 19:27  
**To:** Thuairé, Charles [REDACTED]  
**Cc:** KLPA Mail [REDACTED]; Warnock, Bob [REDACTED]  
Karen Beare [REDACTED]; Marc Hutchinson [REDACTED]; David Castle  
[REDACTED]; Michael Hammerson [REDACTED]; Susan Rose  
[REDACTED]; Harley Atkinson [REDACTED]; Julia Dick  
(KLPA) [REDACTED]  
**Subject:** 55 FITZROY PARK - 2018/3672/P

Dear Charles,

We have now had an opportunity to review the latest documents uploaded to the planning portal on behalf of the KLPA.

Our first observation is that it is disappointing to find that so little seems to have changed in terms of the overall proposal and the information supplied in response to the long list of omissions and concerns submitted by the various stakeholders, including the KLPA, more than six months ago.

Our principal concerns about the proposed development can be summarised as follows:

- We continue to believe that the density of the development proposed – demolishing one dwelling to replace it with five detached houses on the same site – is entirely inappropriate on a site so close to Hampstead Heath. We regard the increased built footprint and the erosion of private open space and wildlife habitat as unacceptable in this important and sensitive location.
- Our members can reasonably expect to be affected by the increased run off from the buildings themselves and from the increased area of surrounding hard landscaping. This has the potential to impact on Millfield Lane – the main access route to the Kenwood Ladies' Pond – and the Bird Sanctuary Pond, with consequences for the entire Highgate chain of ponds and the important and sensitive wildlife habitat contained therein. We note the lack of clear and detailed information about run-off and drainage for the overall scheme.
- We remain concerned that the impact of the proposed scheme involving substantial excavation of what are effectively basements (even though described as 'lower ground floors') on the complex and sensitive hydrology of the area has not been adequately assessed.
- We note that the LUC Open Space Assessment of the proposal appears to focus largely on visual amenity. We question the assessment of the site in terms of the value of its biodiversity, heritage and the current trees and vegetation. We also question the assertion that the quantity of private open space has not been adversely affected and has been arguably increased (this argument seems to rely on the provision of green roofs to the new houses), and we dispute that the quality of the private open space will be improved.

- We observe that the proposal is a development on behalf of two families, one of which has owned the land for well over half a century and has presumably allowed the deterioration of the existing landscape and buildings assessed respectively as in a state of 'largely unmanaged disrepair' and 'somewhat dilapidated', and which they now seek to 'improve' by the proposed radical intervention and building programme.
- Although we have not had access to the site, we note that the tree protection plan – based on a site visit conducted more than twenty-four months ago – refers to the removal of thirty-nine trees, including two that are subject to Tree Protection Orders.
- We also note with great concern that the discrepancy of some fifty trees apparently omitted from the applicant's tree survey dated May 2017 (when compared to the topographical survey conducted in November 2016) has still not been accounted for. We believe the true number must be verified before the application can be properly considered and the impact assessed.
- Given the scale of the excavation and construction proposed on the site, we remain concerned that it will prove difficult or impossible to protect the remaining trees currently designated as 'No action required at present'. Although it is proposed to plant eighty-two new trees on the site at the end of the construction, it seems likely that it will take a long time for the visual appearance and, most importantly, the ecological and habitat value of the site to be restored in this important conservation area (if, indeed, restoration is possible given the scale of the proposed development).
- The revised views of the boundary treatment of Millfield Lane do not give a clear sense of how the proposed metal railings will look when viewed from the lane itself. It appears that the proposed treatment will not be like-for-like and, even when planted and allowing for maturity after some years, will enable the spillage of light, noise and heat onto the lane from two substantial new dwellings constructed close to the boundary.
- The current plans – and the report from Royal Haskoning DHV on car parking provision – allow for one car for each of the houses on plots 1, 2 and 3 fronting onto Fitzroy Park, but do not refer specifically to car parking provision for plots 4 and 5 beside Millfield Lane. The Royal Haskoning DHV letter makes no mention of parking spaces shown on plots 4 and 5 and their access to Fitzroy Park.
- We note however that there are gates and points of access from both plots onto Millfield Lane, an unmade road with heritage value and a predominantly rural character running alongside the boundary of both the Kenwood Ladies' Bathing Pond and the Bird Sanctuary Pond, two of the most significant and sensitive sites of environmental interest and conservation on Hampstead Heath.

- We also note with interest that the entrances to the properties on plots 4 and 5 appear to be at the level of Millfield Lane.
- The potential of the two properties proposed on plots 4 and 5 to radically increase vehicular traffic on Millfield Lane would present a threat to the integrity of the natural environment and to the character of a path regularly used by thousands of pedestrians (including many children and dogs), runners and cyclists to cross the Heath and access Kenwood House.
- Please note that a current petition (<https://you.38degrees.org.uk/petitions/protect-millfield-lane-and-hampstead-heath-from-urbanisation>) calling for the rejection of the proposed development on the grounds of potential detriment to Millfield Lane and Hampstead Heath has already attracted well over 4,000 signatures.
- During the proposed works – currently projected to take seventy-five weeks – we believe that the disruption to the area and local roads: the metalled section of Millfield Lane (newly narrowed by recent roadworks to expand the pavements and raise kerb height), Merton Lane and Fitzroy Park, caused by close to 1,500 estimated additional vehicle movements by construction traffic (with up to 40 movements per week during the excavation stage) will present considerable inconvenience and potential risk to our members and other Heath users, many of whom travel regularly on foot or by bicycle, even with the proposed use of traffic marshalls.
- We note from the Construction Management Plan that in assessing the impact of the proposed works and engaging with local stakeholders neither the KLPA nor the City of London have been included.
- Given the period of the house to be demolished, we are surprised that the CMP states that no asbestos is envisaged on the site as its use was widespread at what we understand to be the time of its construction. As the use of asbestos in construction in the UK was not fully banned until 1999, may we ask for confirmation that a full up-to-date asbestos survey has been undertaken or that there is evidence that all asbestos containing materials have been removed from the site?

We trust that the concerns set out in this email will be addressed by the council in considering the application.

Yours sincerely,  
 Nicky Mayhew,  
 Co-chair, KLPA.

Nicky Mayhew  
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