

THE FITZROY PARK RESIDENTS' ASSOCIATION



27th June 2019

Charles Thuaire
Senior Planning Officer
Development Management
LB Camden

Dear Charles

BIA FURTHER COMMENTS
RE: 55 FITZROY PARK, LONDON N6 - 2018/3672/P

Following the Campbell Reith Audit Tracker being issued in February 2019, FPRA was extremely surprised to read that they had “signed off” on the BIA for this site despite numerous of their previous concerns still being listed as having not been resolved.

What is of a particular concern is that Campbell Reith do not consider these issues resolved, but now rather consider these issues “outside the scope of their BIA audit”. It would appear that this change of heart followed direct conversations with LBH Wembley earlier this year.

FPRA subsequently discussed these concerns with the City of London and, as before, jointly instructed Alan Baxter Associates to undertake an independent BIA audit of unresolved issues and missing information that relate to both Fitzroy Park and Hampstead Heath.

This comprehensive exercise has flagged no fewer than 11 key issues that remain unresolved, as listed below, issues that include risks of contamination of the historic pond on the site and Bird Sanctuary Nature Reserve. These are listed here in no particular order:

- a) uncertainty in source of water feeding the pond
- b) discrepancies in SUDs strategy
- c) no details of flow rates across Millfield Lane given there is no underground pipe
- d) no discharge rates into Bird Sanctuary
- e) risks of contamination of pond and Bird Sanctuary remain
- f) no proposals for temporary de-watering of basements to plots 1-3
- g) no details of drainage proposals around plots 4 and 5
- h) no information on diversion of foul water sewer under Plots 4 and 5
- i) no cumulative assessment in relation to neighbouring properties
- j) no information of adequacy of retaining wall by Fitzroy Park
- k) no assessment of Mechanically Stabilised Earth embankments

For example, included in the attached documents is a letter written by the Joint Applicant, Professor Lynne Turner-Stokes, written over 10 years ago in July 2008. This letter is already in the public domain as it was originally sent to the Council to support the objection to the original planning scheme at the Water House that you are very familiar with.

What is of particular relevance in this letter, is that Professor Turner-Stokes confirms that the pond is fed by springs. But this directly contradicts the hydrological regime LBH Wembley has relied on. They have repeatedly said the pond is fed by surface run off only. The implications for this development of the pond being spring fed vs surface water fed are environmentally significant and they have simply not been addressed.

It seems utterly incomprehensible and astonishing that such issues such as contamination and pollution of the local environment are apparently not covered by the scope of Campbell Reith's audit, but, I must admit not entirely a surprise.

When the Terms of Reference for Campbell Reith were discussed back in 2015, I was part of a wider working group that met with Stuart Minty, who at the time was still employed by the Council and was chairing this consultation. It was an extremely frustrating exercise as we were repeatedly told that the Terms of Reference would need to be kept very tight so as to limit Campbell Reith costs, as many developers had complained.

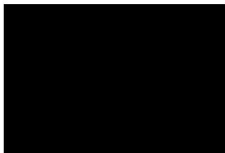
Whether that reasoning was true or not, we had no way of checking, but the synchronicity of Stuart chairing this review, leaving the Council soon afterwards and initial plans for this scheme being first presented to the Council less than a year later in 2016, is a fact.

Given the serious nature of the outstanding unresolved issues, we must insist the Council goes back to this developer and widens the scope of Campbell Reith's audit to include ALL unresolved environmental and associated matters that could potentially cause harm to this ecologically and hydrologically sensitive site and adjoining environments.

We understand from the Heath and Hampstead Society there are precedents in the Borough for this approach where the site is more complex than usual.

To support this additional review by Campbell Reith, Alan Baxter Associates have produced eight documents, attached to this letter, that include Further Structural Comments with potential issues, and a comparative Comment/Query Summary with associated drawings.

Kind regards



Karen Beare
Chair - Fitzroy Park Residents Association

Copies to:

Harley Atkinson – FPRA Officer
Kathy Lambie – FPRA Officer
Nicky Mayhew – KLPA
David Castle – H&HS
Michael Hammerson – HS
Susan Rose – Highgate CAAC
Bob Warnock – Superintendent of Hampstead Heath

DOCUMENTS

- i. Alan Baxter Associates further structural comments on Basement proposals and potential issues at 55 Fitzroy Park N6
Dated April 2019
- ii. Alan Baxter Comment/Query summary
Ref: 1675/118/DR
- iii. Campbell Reith Audit Query Tracker
Dated February 2019
- iv. Letter from Professor Lynne Turner-Stokes confirming Hydrology of 55 Fitzroy Park site (Tir-Na-Nog) and historic pond
Dated 3rd July 2008

ALAN BAXTER SUPPORTING DRAWINGS

- v. Site plan showing proposed development
ABA Drawing No: 1675/118/01
- vi. Three cross sections A-A, B-B and C-C relating to site plan above
ABA Drawing Nos: 1671-118-02, 1671-1198-03 and 1671-118-04
- vii. Plan showing proposed groundwater flow routes
ABA Drawing No: 1675/118/05
- viii. Plan showing existing sewers
ABA 1675/118/06