
From: Karen Beare [REDACTED]
Sent: 12 October 2019 17:29
To: Thuaire, Charles
Cc: Bushell, Alex; Harley Atkinson; Kathy Lambie
Subject: Re: 55 Fitzroy Park - drainage comments
Attachments: 2019-10-11 Letter to FPRA (DR).pdf

Dear Charles

As ABA has set out in their attached letter, the original intention was to keep the proposed ground water regime on site the same as existing, a state that probably dates back as far as the Ice Age with ground water naturally permeating down the Fleet Valley to the Highgate Ponds.

The recently submitted extensive, congested and complex drainage proposals for 55FP, simply do not come anywhere near achieving this. What is currently a very natural environment within a large plot, will be heavily controlled and engineered because of the extent of the development on site. This is in direct conflict with the Design Panel's requirements during Pre-App meetings, let alone basic common sense.

In writing to you today, points vii) to xi) clearly relate to FPRA issues in that all the affected properties served by the new pumping station and foul drain are members of FPRA and we have a duty to flag these issues to you. Comments on all other aspects of this drainage plan & ABA Report (in the public domain) are as a FPRA Resident & KLPA Life Member, so would be grateful if you would treat them as such.

Now you are back from leave, and the Public Enquiry has been yet again been postponed to 18 December, will you be making consideration of this Application a priority? And if you are, please can you confirm if you will asking for any further information from the Applicant to address long-outstanding omissions and anomalies or determine it on what has been submitted to date.

Thanks
Karen

i) water from roofs & hard landscaping will be collected in a new, large attenuation tank that will require yet more engineering/excavation on site in addition to all that has been proposed so far. This attenuation tank is likely to be at least as deep, but more likely deeper than basements on Plots 4 & 5 which already risk permanent dewatering of the spring-fed pond.

ii) the attenuation tank as drawn is untenable as it does not detail any sort of hydro-brake. As drawn, while the overflow continues to run, the tank will never empty and simply continue to surcharge the Heath in an uncontrolled manner. Maximum rainfall events will only exacerbate this problem with the potential of causing localised flooding along the Lane and surcharging Bird Sanctuary.

iii) the over-riding point however, is that the arrangement was not agreed with the City of London in May 2018 as wrongly stated in the submission documents. So for this to be suggested today, as an agreed way forward, feels deeply disingenuous.

iv) The City has confirmed to stakeholders that they wrote to the developer himself in June 2018, copying in LBH Wembley, Coyle Kennedy and SM Planning, setting out quite clearly that any such proposal to construct drainage connections would be in conflict with the primary principles of the 1871 Hampstead

Heath Act. Third party consent would therefore not be granted for any such drainage works. No doubt the City will provide the necessary evidence to confirm this should it be deemed necessary by the Council.

v) the drainage proposals, as set out here, detail flows from this large attenuation tank being directed into a new, deep external swale, to be excavated along the outside fence boundary with and under Millfield Lane, with an additional pipe under ML to support flows. This proposed pipe would be at the eastern end of the site ie: at the opposite end to the current overflow from the spring-fed pond.

vi) the overflow from the pond will also be directed to join this new external swale. Existing flow rates of this existing overflow are likely to be increased due to on-site drainage proposals mitigating 5 basements and various other engineering proposals.

vii) the proposed new pumping station, like the attenuation tank, will require yet more engineering/excavation on site in addition to all that has been proposed so far. This pumping station is also likely to be at least as deep, but more likely deeper than basements on Plots 4 & 5, which already risk permanent dewatering of the spring-fed pond. Of course both will significantly increase spoil on site and HGV numbers.

viii) this pumping station would need to serve the Bowling Club, the Lodge, Fitzroy Farm, Wallace House, the Water House plus proposed plots 4 & 5. If it were for foul water only, the size could be relatively modest, but still representing extensive extra excavation onsite. But it is not. Four of these dwellings have swimming pools that need to be regularly back-washed. Plus of course if any of these properties have historic combined rain/foul water systems then extreme rain fall events would need to be factored in, so the size of it would need to be exponentially increased to prevent sewage overflow onto the Heath.

ix) consent from Thames Water would also be needed and it is considered highly unlikely that they would be prepared to take on the responsibility for the pumping station and rising main. This would therefore be a private sewer with associated service costs which those dwellings it serves would be required to fund.

x) these new drawings/documents do not address the pond being spring fed vs surface water fed, a false premise that underpins the entire application.

xi) nor do these new proposals address the risk of contamination of the Heath or neighbouring properties.

xii) it goes without saying the deep swale, along with further permanent excavations for two new underground tanks (and associated pipes and engineering), will decimate any tree RPAs that have been lucky enough to survive the original clearance. The suggestion that large trees can be planted along the boundary with the Heath to screen plots 4 & 5, where there is now to be an extensive deep swale is, quite frankly, laughable.

xiii) Exactly how cars to and from the Water House will interact with this extensive swale (beside the Lane narrowing it further and under the Lane risking subsidence) has also not been addressed.

xiv) In addition to all these points, ABA also flags land drainage around plots 1, 2 & 3 petering out in the area of the reinstated orchard, which is not a sensible proposal as it poses a high risk of these orchard trees developing root rot and dying.



Soon after my email to you, I received revised drainage info from Stuart which I passed onto the drainage consultants for further review. I have placed these on our web now for your viewing. I am as ever still waiting comments from other teams.
thanks

Charles Thuaire
Senior Planner

Telephone: 020 7974 5867

<image001.png> <image003.png> <image005.png> <image007.jpg>

From: Karen Beare [REDACTED]
Sent: 03 October 2019 23:47
To: Thuaire, Charles <Charles.Thuaire@camden.gov.uk>

[REDACTED]
Subject: Re: 55 Fitzroy Park

Charles

Thanks for the update. Apologies for the delay in acknowledging your email. Life is relentlessly busy! I note the date of 15th October as your target to start reviewing the case and associated materials and will let everyone know.

In the meantime, as promised, please can I remind you to forward your internal consultants reports as they become available. You sent me Steve Cardo's original report (although I believe this has been updated), and some minor comments from Tom Little, but we have not seen anything since. The original pre-App Officers' comments were part of the FOI request.

Should Stuart produce any further drainage documents or comments please do let me know. There remains considerable concern about all the unresolved anomalies, including those 50 missing trees, that have to date been totally ignored.

Thanks
Karen

> On 24 Sep 2019, at 11:41, Thuaire, Charles <Charles.Thuaire@camden.gov.uk> wrote:

>

> Karen-

> Sorry I have not yet had a chance to progress this due to other pressures and will be unable to do so until mid October due to a public inquiry next week and leave the following week. I have already spoken to Stuart Minty the agent who understandably is also chasing me for a timetable and I said likewise that I will review this case comprehensively on my return after 15th October. This will include the 3 different legal opinions we now have on the issue of open space policy.

>

> Meanwhile I am still waiting for comments from various internal teams on technical matters which is proving slower than anticipated. However we have had a critique from our drainage consultants asking for more revisions which I have passed onto Stuart for action. If there are further comments from other consultees that require clarification/revision, I am duty bound to pass them onto the agents for a response also; if these result in a material and significant change in documents and plans, I shall advise you accordingly.

>

> I hope that helps.
>
> Charles Thuaire
> Senior Planner
>
> Telephone: 020 7974 5867
> -----Original Message-----
> From: Karen Beare <[REDACTED]>
> Sent: 23 September 2019 13:30
> To: Thuaire, Charles <Charles.Thuaire@camden.gov.uk>
> Cc: [REDACTED]
Kathy
> Subject: 55 Fitzroy close
>
> Charles
>
> A quick email to ask for an update on the progress of this planning application.
>
> We are mindful that when we spoke back in early August you flagged it was likely you would not be able to get to this until mid Sept due to other pressures of work.
>
> We are particularly keen to understand if you are intending to go back to the agent/applicant for a further cycle of clarifications or whether you have decided to determine it based on information provided to date, and a time line for that.
>
> Thanks
> Karen
>
> Sent from my iPhone
>
> This e-mail may contain information which is confidential, legally privileged and/or copyright protected. This e-mail is intended for the addressee only. If you receive this in error, please contact the sender and delete the material from your computer. See our new Privacy Notice [here](http://www.camden.gov.uk/privacystatement)<<http://www.camden.gov.uk/privacystatement>> which tells you how we store and process the data we hold about you and residents.
>

This e-mail may contain information which is confidential, legally privileged and/or copyright protected. This e-mail is intended for the addressee only. If you receive this in error, please contact the sender and delete the material from your computer. See our new Privacy Notice [here](#) which tells you how we store and process the data we hold about you and residents.