

Date: 28<sup>th</sup> April 2021  
Ref: KRL.CO112  
Your ref: 2020/5214/P FAO: Richard Limbrick

FAO Richard Limbrick, Development Manager  
London Borough of Camden  
Planning Committee  
Camden Town Hall  
Judd Street, London  
WC1H 9JE

Dear Sirs,

**Planning Application Ref 2020/5214/P  
Relating to the Proposed Development of the Land at 18A Frognal Gardens,  
Hampstead, London NW3 6XA under Title No. NGL9457 ("the Property")**

We act for Mr. Jack and Mrs Judith Fox of 18B Frognal Gardens, Hampstead, London, NW3 6XA in respect of Planning Application reference 2019/5348/P ("the Application").

Please ensure that this letter is taken into account by the Planning Committee prior to and when it meets on Thursday 29<sup>th</sup> April to consider the Application.

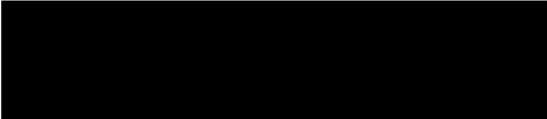
An objection letter dated 3<sup>rd</sup> December 2019 was lodged on behalf of our clients with Camden Council by Kaz Ryzner Associates. Following submission of the Application, which notably is virtually identical to that originally lodged, further objection letters dated 16<sup>th</sup> December 2020, 6<sup>th</sup> April 2021 and 21<sup>st</sup> April 2021 were submitted.

Importantly, there are restrictive covenants over land adjoining the site, but which do not form part of the Application. The Property cannot be constructed without the use of this land. Our clients have taken construction advice. Any breach of the covenants would be unlawful.

As you will know, there is significant opposition to the Application from other local-residents and interested parties. Not all of these objections, we are advised more than 50% of the total, have been properly posted on your website. These have not been taken into account properly, or at all. Mr and Mrs Fox's other advisors have been visiting your website daily, along with many others, and reporting thereon.

No members of the Committee have visited our client's property, the semi-detached home adjoining the Application site.

The Planning Officer recently appointed to deal with this matter did visit our clients last Saturday for which they were grateful.



However, we are informed that our client's letter dated 21<sup>st</sup> April cannot be read out as written, so their voice will not be heard in context and neither will their legitimate concerns be taken into account by the Planning Committee. As we understand it, only five minutes has been allowed to hear the plethora of objections to the Application, including those of our clients. This is entirely unrealistic and extremely unfair, by reason of which it is impossible that all objections will be taken into account or properly considered.

In addition, no members of your Committee have visited to consider the issues of overlooking or privacy, and neither have they visited to consider the loss of daylight, all of which are significant.

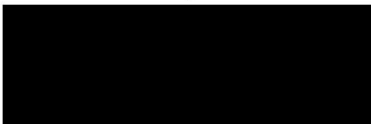
Our clients are naturally very concerned, not least because they also understand that the Planning Officers have recommended approval of the Application despite the objections and that the recommendation was given before the visit to their home last Saturday. We have reassured them that it is very unlikely to be the case, certainly not before all objections, issues and relevant points have been taken into account.

In the unlikely event that the Planning Committee does grant permission as sought, and despite the rational objections and inconsistencies, then we have no doubt that there are grounds, both procedural and in law, for a Judicial Review of any such decision. We have advised our clients in relation to the merit and cost of a Judicial Review and confirm that we are instructed to proceed with a formal application in due course should that become necessary.

In the circumstances, both we and our clients hope that common sense shall prevail and that the Application, which cannot be lawfully approved by the Committee in its current form, will be rejected.

Please let us know if you require copies of any relevant documentation that must be taken into account by the Planning Committee, and which are not already in its possession.

Yours faithfully



# St. John