11 Chester Terrace
NW1 4ND

Ref: 2023/0282/P & 2023/0650/L

Dear Sir / Madam,

I am writing in vociferous objection to the CEPC's troubling proposals for the communal gardens at Chester Terrace. The plans are intrusive, unsustainable, environmentally destructive, eye-wateringly expensive, and utterly disproportionate. I have attached a report from an independent structural engineer which supports my concerns.

The proposed plans involve the removal of a 'minimum' of 21 trees (with more trees apparently at risk from the 21-tonne digger these plans require), many of which are mature, sizeable, and healthy. I find it absolutely staggering that in this day and age, with climate change posing an existential threat to humanity, the CEPC proposes the wanton destruction of trees that provide considerable environmental benefit to Londoners. Chester Terrace already ranks in the 97% percentile for national air pollution, with pollution levels exceeding all three WHO limits. The removal of such a large number of trees from the communal gardens will have a detrimental impact on both air and noise pollution, both for residents and the many visitors to the local area.

The planning application does not even justify the approach of fully replacing the retaining wall and balustrade. There is no evidence presented of current movement in the retaining wall. If replacing the retaining wall is eventually found to be necessary, there are modern hand-piling systems that would allow the piles to be installed around the trees. The proposed use of a 21-tonne digger in a London communal garden is totally bonkers. The plans offer a highways level solution for an ornamental garden wall. A low intervention approach would be more sustainable and sensible: replace the balustrade bottles that need replacing (a relatively small number), and monitor the wall for movement over the next few years.

The CEPC seems to be exaggerating the issues with the retaining wall in order to further their anti-tree agenda. According to the 2017 report 'Vision for Regent's Park, the CEPC wishes to remove the trees from the Regent's Park terraces and return the communal gardens to the more open landscaping of the early 1800s. The early 1800s were a pre-car era when the Outer Circle was used by walkers and horse drawn carriages, a time before climate change. Regent's Park is not a sterile museum, it's an important part of the vibrant and constantly evolving city of London, and the Chester Terrace Garden trees provide amenity and environmental benefit to Londoners.

Bringing up small children in central London, I am staggered that the CEPC is proposing the removal of trees that play an important part in making central London more liveable and less polluted. I passionately believe that we all, including the CEPC, have a responsibility to future generations and the proposed plans are totally insensitive to the needs of a modern city.

Yours faithfully,

[redacted]

Antoine & Alice Forterre

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Chester Terrace Residents Association

Review of various reports regarding

balustrade and retaining wall at

Chester Terrace

Contract: 7613

Brief

We have been instructed by Alice Forterre on behalf of Chester Terrace Residents Association (CTRA) to review various reports on the condition and repair of balustrade and retaining wall between Chester Terrace and the lower ornamental gardens.

Marek Glowinski

I am a chartered structural engineer. I graduated in 1980 and became a member of the Institute of Structural Engineers in 1986. I am a founding partner of TZG Partnership which was formed in 1988.

In the intervening years I have been involved in numerous projects to listed buildings in the London area. These include parapets, balustrades and masonry retaining walls similar in nature to Chester Terrace.

I confirm that, as instructed, I have not contacted any of the authors of the reports I have reviewed.

Background

Due to a number of visible defects, the Crown Estate Paving Commission (CEPC) commissioned a series of reports in order to understand the cause of the defects and to identify possible remedial measures. The conclusion of this process is that the wall and balustrade should be removed and replaced with a reinforced concrete retaining structure supported on piles. The cost of these proposed works is projected to be of the order of £2.7M and is reported as requiring the removal of a large number of mature trees.

Review

Due to the limited time available this review is necessarily brief. I have, however, visited and inspected the site and read reports prepared by:-

Hurst Pierce and Malcolm
Ramboll
BNP Paribas Real Estate
Alan Baxter Associates
Listers Geo
Tim Moya Associates.

The structural reports all uniformly identify various defects. However, there is a wide difference in conclusions for recommended remedial works.
The earliest report (BNP's one of 11.7.17) provides various options for works to the balustrade but does not identify any need for remedial works to the retaining wall. Alan Baxter Associates' review (22.7.21) has similar recommendations to BNP with regard the balustrade. It does also state that movement to the retaining wall is likely to continue and

probably adversely affect the balustrade. ABA do point out that the retaining wall "…*might be manageable within the ongoing maintenance cycle*" which could thus "…*avoid heavy and costly solutions*…". They go on to note that "…*we have found that similar structures have responded well to this approach in the past*."

HPM and Ramboll both identify the possibility of such a low intervention approach, but HPM appear to take the view that this 200 year old structure should be expected to conform to modern design standards.

HMP and Ramboll cite BS6180:2011 which provides guidance for barriers "…*in and around buildings*." BS6180 considers the requirements for barriers that prevent falls into lower areas. The code suggest that barriers should be provided when there is a drop of 380mm or more. I noted during my visit that the drop between the road over the majority of the wall is less than 380mm and for significant lengths, less than 150mm. It is only in the localised indented areas that the drop is of the order of 800mm: the wall is barely a retaining wall at all.

Both BNP and ABA appear to recognise that there is nothing inherently unsatisfactory with a wall that moves a little. From my inspection and my review of the photographs I consider that, considering the age of the wall, the amount of distortion is very slight indeed and not significant enough to warrant its wholesale replacement and removal of trees. Certainly, there are areas that could do with repair but not to the extent that necessitates a new completely rigid structure. Replacement, on the face of it, is not an approach that might be considered sustainable.

I would point out that when the wall was first constructed it is likely that the notion of a garden wall that didn't move would not have even existed.

HPM and Ramboll both consider keeping the wall as one of their various options. HPM appear not to favour this approach mainly due to the wall not complying with BS6180. I do not consider this requirement to be strictly applicable – certainly for the major part of the wall. Ramboll do not put forward a strict requirement for the existing wall to comply with BS6180 but do state that "*cosmetic repairs*" could "…*allow wall failure if left unchecked*". Considering that the wall, over the vast majority of its length, has deflected 40/50 millimetres in two hundred years it seems unlikely that wholesale failure is likely in the foreseeable future. Ramboll, in fact, recommend that a "…*targeted, tailored approach is adopted for the wall*." They state (correctly, in my opinion) that replacement would result in "*loss of authenticity of wall – not aligned with principles of conservation*".

Conclusion on the Recommendations

It would appear that BNP, ABA, HPM and Ramboll all consider (to varying degrees) that the existing wall could be kept. This is in keeping with the Institute of Structural Engineers Code of conduct, Guidance Note 7 that states: "…*members should consider the effects of their design and the impact of that design on the environment by considering the whole life cycle of the building through design, construction, use, re-use and demolition such that it reduces unnecessary consumption of resources and minimises waste*."

The final choice of the proposed scheme is at odds with the above statement.

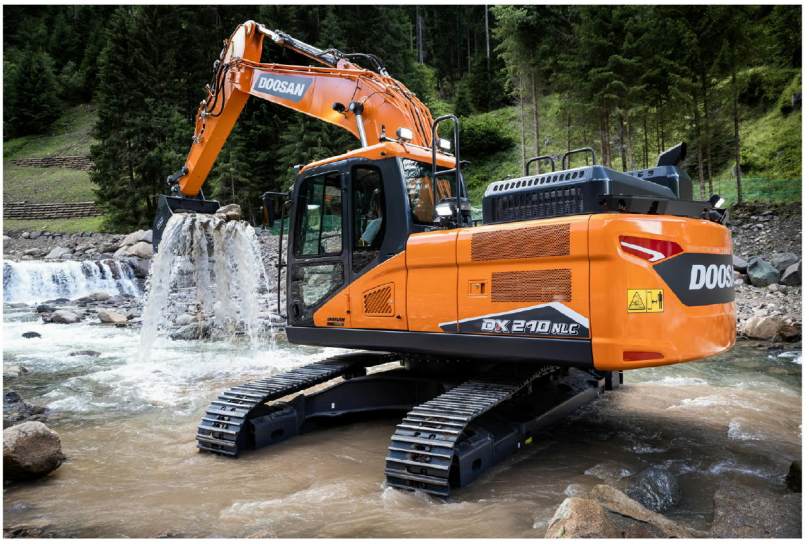
Review of Final Proposed Scheme

On the basis that the retaining wall is to be replaced, I would concur that its design should conform to BS6180 and that foundations should extend down to the London Clay

stratum. In that case the concept of a piled reinforced concrete retaining would appear to be the best option. However, HPM's drawings and Method Statement show that numerous trees need to be removed (Tim Moya Associates' Arboricultural Report states: "*1.4 The Proposed Development requires the removal of 20 No. trees*…"). From this I take it that these trees could be retained should one of the other options be implemented.

HPM`s Method Statement shows a 21 Tonne Excavator being required to install the piles. For reference (see Image 1) which shows a typical 21 Tonne Excavator. I do not consider such a machine is necessary to install piles or excavate the foundation. Piles may be installed using much smaller machinery – some proprietary piling systems can be installed by hand (see Image 2). Using much smaller hand-installed systems would enable the piles to be installed around trees and their roots.

Marek Glowinski BSc CEng MIStructE FConsE



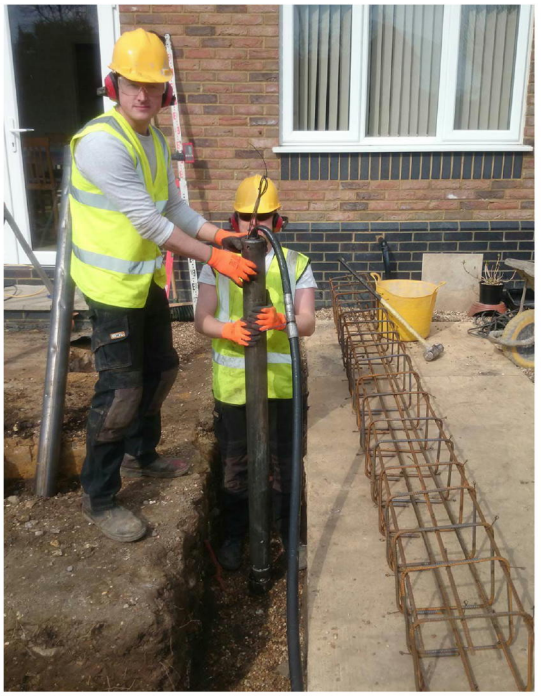


Fig 1 – Top (21 Tonne Excavator)

Fig 2 – Bottom (Grundomat piles installation)