Dear Planning Officer:

I am writing to object to the plans to develop a house with basement in the garden area of 14a Hampstead Hill Gardens (2023/3816/P) where there are currently two small garages.

I have four critical objections to the proposed plans:

1. **Construction of a basement immediately above the overground line tunnel risks catastrophic damage to public transport infrastructure and neighbouring properties:**

The proposed basement would be immediately on top of a fully operational overground line tunnel. The applicant’s own documentation suggests the crown of the train tunnel is “approximately” 14 meters from ground level. However, the applicant’s BIA also states that 14 meters is approximate and that there is a gradient of some degree so it is likely that 14 meters is the maximum distance from ground level to the crown of the train tunnel beneath.

The proposed basement with footings would be 4 meters deep or approximately 10 meters -- possibly less -- from the base of the proposed basement to the crown of the tunnel. The applicant’s BIA states: “Construction of the proposed basement will cause ground movements that have the potential to cause damage to existing neighbouring structures.” To be clear, this is the applicant’s own BIA and I am quoting verbatim.

The train tunnel in question was built in 1860. It is unclear if in the meantime there has been any maintenance or repair work on the tunnel structure in the vicinity of the proposed basement works nor whether any assessment of this specific area has been done by Network Rail at any time. The BIA does not have any accompanying assessment from Network Rail and it is not clear what representations have been made to Network Rail regarding the proposed basement works.

The application is also incomplete to the extent that it does not contain any audit by Campbell Reith that would allow a more technical assessment of the proposed basement works by Network Rail or local residents as part of this consultation.

It can be fairly assumed that the site has not been developed in the past precisely because of the presence of an old train tunnel immediately below ground level. Allowing a basement to be constructed without a much more comprehensive risk assessment would potentially expose the Council to significant legal liability, in particular in the event of a catastrophic event happening during or subsequent to construction.

Finally, the applicant also owns the host property immediately next door at 14 Hampstead Hill Gardens and built a significant basement extension without planning permission, covering and concealing the works to prevent neighbours from seeing what was being constructed. After intervention by the Council, retrospective planning permission was applied for and granted. However, this episode of total disregard for planning requirements with this same applicant should be taken into consideration in evaluating the risks of this proposed basement as no amount of insurance can cover the potential liability associated with a collapse of a train tunnel, neighbouring properties and the loss of life and damage that could result.

1. **Construction of a basement at this site would exacerbate flooding problems:**

Each property to the immediate left and right of the proposed basement already have existing basements which have already limited opportunities for rainwater drainage and runoff. This has been a longstanding problem on the road when heavy rains occur. Neighbouring properties have experienced flooding to their basements in the past. Constructing a large concrete box an arms length from each of the immediately adjacent properties would severely impact drainage and limit rainwater absorption. The large concrete structure would extend deep into the garden, further limiting the ability of water to flow into the ground.

The applicant’s BIA states they found groundwater at 3 meters. It is unclear from the BIA whether this was isolated or flow water but a basement at this site would severely limit groundwater flow and should be rejected based on Camden’s Basement policies.

1. **The BIA is incomplete and cannot be relied upon by Camden Council or the community:**

A standard BIA requires 10 meter boreholes to test the ground stability for proposed basement works. In this case, Network Rail refused permission to allow boreholes beyond 6 meters depth. The applicant’s own BIA states: “It should be noted that Network Rail would not permit a borehole extending beyond 6 m unless the existing tunnel was surveyed.” Not only is the BIA flawed ab initio but Network Rail is specifically stating the tunnel requires survey works: It would be reckless to permit a basement to be built given what we now know.

However, the BIA continues: “Given the anticipated ground conditions coupled with the cost and programme constraints of the project, the boreholes terminated at 6 m.” Is the BIA stating they chose not to comply with standard BIA borehole requirements because they knew they would fail? Is the applicant really suggesting they would put life and limb at catastrophic risk because of the cost of complying with Camden’s BIA requirements? The basement they are proposing would be circa 4 meters deep; with boreholes only dug to 6 meters (and above an old underground train tunnel) it would be very difficult to understand how approval would be granted to allow basement works to proceed at this site.

This BIA raises so many questions but perhaps most importantly whether this is a developer that can be trusted to conduct potentially dangerous basement works in extremely close proximity to neighbouring properties immediately on top of a 160 year old underground railway line that Network Rail says requires a proper survey to see if a large basement with a house attached should be built on top.

1. **Construction of a basement on this site would severely harm the amenity of neighbouring properties:**

The homes along Hampstead Hill Gardens and Rosslyn Hill already feel the vibration and noise from the underground rail line, even those homes that are some distance from the rail tunnels. Allowing a large concrete box to be built immediately on top of the rail line itself would cause severe vibration and noise, exacerbating a longstanding problem that local residents have already had to endure. However, in this case, the impact would be potentially profound given the close proximity of the rail line and the proposed basement. The Council should not allow the obvious loss of amenity to many nearby properties to occur.