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2024/1266/P	Robert and Catherine Levin	26/05/2024 18:18:19	COMMNT	

Overall we do not object to this proposal however we have some concerns about elements of the design choices, and we request that all recommendations relating to the basement impact in the reports posted are specified as planning conditions if the plans are approved. We also observe some inconsistencies in the documentation provided, and some analysis points that require clarification.

Several of these points could have been resolved if the developer had engaged with neighbours in any regard, prior to submitting this application.

Roof Windows

The proposed velux windows on the west side of the roof will face our building and will be overlooked by existing windows on the top floors. These new velux windows are proposed to provide light into the ensuite bathrooms of the new build, meaning that some windows inside 63B Netherhall Gardens and the common parts of 63A/63B Netherhall Gardens will have a direct view into the new bathrooms. This would not be appropriate either for us or for any owners/tenants of the building. The design should be adjusted to prevent this view, or it should be a planning condition that these new windows must be of a nature to obscure any view.

Boundary fences

It is not clear what boundary fences will be installed or changed as part of this build, and who will own and maintain them. There are three properties that will neighbour this proposed new property namely 63 Netherhall Garden to the West, and two properties on FitzJohn's Avenue to the North and East. This point should be clarified in the proposal in advance, and ideally agreed with neighbours.

Basement Impact Assessment

The BIA notes that there is no construction immediately to the north or east, however this neglects to mention the active construction of a new house on 59.5 Netherhall Gardens that is only a few meters away. Additionally construction work on the basement of 63 Netherhall Gardens is planned to take place later in the summer, and collectively impacts of all developments should be considered. It also mentions that "The nearest property known to have a basement is 35 m from the site." however the basement of 63 Netherhall Gardens is only a few meters from this site.

As well the BIA mentions risks to neighbouring properties, and lists several mitigating actions that should be taken. These actions should be made mandatory within any planning application grant, including:

"It is essential that the design of the underpinning scheme is appropriate and that the construction methodology and workmanship absolutely minimises the risk to adjacent properties"

"The advice of a competent dewatering contractor should be sought."

"The basement should be waterproofed to Grade 3 (BS 8102) ... NHBC requirements should be included in the detailed design."

"TFL engineers should be consulted on any necessary precautionary measures – especially for piling – during construction."

"The client should appoint a contractor with suitable experience in basement construction within the London area. They should be a member of the Considerate Contractors Scheme. The underpinning contractor should be a registered member of the Association of Specialist Underpinning Contractors."

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The structural BIA report also lists some important aspects around construction management including: “Concrete to be broken out using non percussive techniques.”

“All concrete and masonry demolition work... regularly watered down to reduce airborne dust. The pavement adjacent to the site will be cleaned daily.”

“The excavation will be overseen by the project engineer at key stages (the excavation of the first underpin and the installation of the temporary propping). The following monitoring is recommended during the construction period: Contractor to allow for weekly monitoring at 8 no façade points throughout the basement excavation works. Minimum 2 locations to be set out on each neighbouring façade, front and rear. Final regime/locations to be confirmed with SE. - - - Monitoring to be carried out by an approved independent monitoring company. Readings to be taken at the same time of day. Superstructure movement of +/- 4mm recorded at any of the predefined locations to be communicated to SE immediately. Superstructure movement of +/- 8mm recorded to result in the works stopping and being made safe. SE to be notified immediately.”

All of the proposals listed within the BIA documents should be made mandatory within any planning application grant.

Trees

A new Acer tree will be planted very close to 63 Netherhall Gardens, even if the roots of Acer trees are not the most damaging to properties, the tree is very close which seems an unnecessary risk. We request that the new tree is planted further from the foundations of 63NG.

Parking

The plans note that this proposal should be close to neutral in terms of parking usage impact, with one extra on-street parking space created by the build offsetting additional demand from the eventual occupiers. However this analysis neglects to mention that the plot was originally the car park for 63 Netherhall Gardens that has been sold separately by the developer. So the overall usage will change from one property with dedicated off-street parking, to two properties each with no off-street parking. Even with the addition of one extra on-street parking space, the net effect will be to increase the demand for off-street parking that is already in high demand locally. The planners should take this into account in allocating and restricting the use of off-street parking for the proposal.

Asbestos

An asbestos survey was not completed so far, a survey should be completed prior to any development taking place.

UXO

All contractors involved in any excavation must be made aware of the risk of unexploded ordnance from WW2, and aware of what this may look like and what actions to take in the event that any UXO is discovered.

Phase 1 Environmental Report

The Phase 1 environmental report notes that “The nearest surface water feature appears to be a swimming pool, approximately 220 metres to the northeast... considered to be too distant to be significantly impacted by the site”. We note that there is a new swimming pool in the process of construction at 59.5 Netherhall Gardens, which is only a few meters from this proposed build. The new pool will be likely completed by the time any works starts for this build, and as such should be included in any impact assessment.

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/1266/P	Noam Nevo	27/05/2024 07:27:09	COMMNT	<p>Accessibility The application document states that the proposed build is not “Compliant with M4(2) of Approved Document M Volume 1 of the Building Regulations”, however the Design and Access Statement document mentions that “the property has been designed to achieve Part M(4)2 Accessible & Adaptable Dwellings.” This inconsistency should be clarified.</p> <p>Address The application “site location” incorrectly lists it as 63 Netherhall Gardens, however many supporting documents correctly refer to “Land Adjacent to 63 Netherhall Gardens”. It should be clear that this new property will not be part of 63 Netherhall Gardens and must not use that address, most likely it should be given the address 65 Netherhall Gardens if built.</p> <p>Building access It should be clear that all building work relating to this proposal must be completed without requiring any onsite access to 63 Netherhall Gardens.</p>
The comments from 63B Netherhall Gardens also represent our view of this planning application				