

11 July 2024

Kristina Smith
Camden Planning Solutions Team

Re: Planning Reference 2023/4898/P, 2 And A Half Rudall Crescent London Camden NW3 1RS

Dear Ms Smith,

We are two of the owners at 9 Willoughby Road and the above property in question is directly attached to 9 Willoughby Road. We understand it was built on what used to be the garden of the ground floor flat of 9 Willoughby Road. We are writing to object to this planning application as we have strong concerns and would like to be kept informed and notified on the matter.

First of all, we would like to flag that despite the property being attached to our properties, we were not notified or consulted about this application, and we only found out yesterday through other neighbours. And, as far as we are aware, no assessment has been made to evaluate the risk of the proposed work could have on ground movements in an area that seems to be prone to it, and the stability of other surrounding properties including ours.

In addition to the objections made by others such as the email of the Hampstead Neighbourhood Forum on 22 January 2024 and 9 July 2024, and Mr Andrew Haslam-Jones on 29 January 2024 and 9 July 2024, we are objecting to the application for the following reasons.

9 Willoughby Road and the property in question have been subject to ground movement over the last few years, and as a result just last year our insurance had to undergo a series of repair to our properties. The proposed extension will take up a large section of the existing garden and the additional paving will cover the rest of the garden. Considering the issues with cracking and ground movement that have previously affected our properties (and the property in question), we are very worried this building proposal and the removal of the ground, (that would otherwise soak up rainfall), could further affect the stability of 9 Willoughby Road and the property in question, which are interlinked and affect each other. As far as we are aware, no professional assessment has been made to evaluate the risk that the proposed work could have on the ground movement and no mitigating measures have been proposed.

We are attaching for your knowledge an email from the previous owner of 2And A Half Rudall Crescent to the Council outlining how the movements of 9 Willoughby Road and the property in question are interconnected. We seek to rely on the contents of the same. The previous owners' letter was concerning a tree preservation order and that whilst it concerned an objection to a TPO nevertheless the concerns highlighted re: the stability of the premises are similarly relevant and applicable as an ongoing concern in this application. We therefore draw your attention to the content of the email dated 25 March 2020 outlining the said issues concerning stability due to the proximity of the premises. We understand the Council already has received the reports made by our insurers' surveyors monitoring subsidence over the last years, but should you need further documentation please don't hesitate to let us know.

We would also like to support the objections made by others, such as the email from the Hampstead Neighbourhood Forum on 22 January 2024 and 9 July 2024, and Mr Andrew Haslam- Jones on 29 January 2024 and 9 July 2024. In particular, we would like to flag the points around how the property in question is in the Hampstead Conservation Area and the guidelines of Hampstead Conservation Area Statement should apply (in particular but not exhaustively H11; H28; H30; H34) as well as the ones of the Hampstead Neighbourhood Plan.

While sympathetic with the applicant's current circumstances, this planning proposal seems to put us and our properties at risk. The request of removing grounds, creating a risk of causing short-, medium- and long-term damage to the stability of the grounds and our properties, appears inappropriate and we ask the Council to refuse the proposal.

We do not concede that the application should be granted and we reserve our position in the event that it is. However, should you grant the application, despite the risk mentioned above and the other concerns flagged, we ask that it should at least be conditional upon the property in question first overwriting an insurance that would cover any damage to 9 Willoughby Road, linked to ground movement potentially related to the removal and paving of ground. This is suggested without prejudice to our position, and we merely propose this due to the severe imminent safeguarding concerns raised above. We are further concerned about the effects on our insurance situation considering recent events and no doubt would be duty bound to inform them of your proposal in the event it is granted. This could further have financial implications whether the insurance would continue, increased premiums and not to mention any diminishing of value in respect of our properties. We reserve our position to recover said losses in this event. We would also invite the Council to provide a solution to further protect our properties from this issue in line with their statutory duties.

Sincerely,

Francesca Marina Galliano
Owner of First Floor Flat, 9 Willoughby Road

Mark Lascelles
Owner of Ground Floor Flat, 9 Willoughby Road