

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	Anthony Stephen Rothon	15/10/2024 09:44:30	COMMNT	<p>I remain concerned about the possibility of works requiring further excavation of the rear garden at 28 Parliament Hill being allowed.</p> <p>I am a close neighbour and, with two others, the owner of the adjacent property, Oakford Court., 2 Nassington Road.</p> <p>Works at 28 Parliament Hill already completed (large garden studio building) have had a pronounced effect on the quantity of soil and debris sliding into the Oakford Court garden, which is some two metres below the level of the 28 Parliament Hill garden. I repeat my encouragement of a visit from Camden planning officers to view the extent of this.</p> <p>I fear that the ground between us and 28 Parliament Hill cannot take further excavation even if vast amounts of concrete are used to stabilise the situation.</p>

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Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	Olivia Olsen	15/10/2024 19:23:45	OBJ	<p>I am strongly against the building and running of this swimming pool and any future ones. Please create a law once and for all that stops excessive lifestyle greed. In this city we live closely together. When landscape is destroyed even though it is under the earth and we cannot see it, the land can't revert back. For future generations and the present community the negative consequence is carried by others now and far beyond this moment.</p> <p>The amount of water used for swimming pools depletes water supply for others. Thames Water already can't cope. Households already there with the new builds going up everywhere tax the share and use of water. This country now requires more water than it has ever needed. What infrastructure is in place for this? None. Thames Water and other regions already fail.</p> <p>We need a reserve of water. Drought is a reality. We have experienced droughts and we can expect longer ones coming. London has rationed garden watering in the past and 2 minute showers are not unfamiliar. It is gardens and parks that make this city healthy and beautiful. Gardens for food, plants that balance the whole environment, green keeping pollution down is the focus. Isolated people in the city with indoor pools at their finger tips while nature and others do without water is wrong.</p> <p>People with pools often have trees cut down to stop the roots from breaking in. Less trees in the city is an obvious backward decision for pollution. Every tree counts.</p> <p>It is known that land displacement, large amounts of earth carted off causes flooding. Possible landslides, alterations in building foundations. South End Green- the businesses and overground railway are at the bottom of the hill where earth not being there to drain excessive rainfall will cause a run off. Flooding has happened already is a big way in our area. We need all the earth to help in the possibility of rainfall like what Europe has recently experienced. We can't build like we used to. Thinking it will ever happen to us - yes it can and will.</p> <p>It is appalling that people at the bottom of the hill, the ponds, and further down are at risk because pools up the hill take earth and drainage out.</p> <p>In this area there is a history of low water pressure. Last week many houses on the hill had no water at all. We didn't for 2 days.</p> <p>The hospital puts stress on water and sewage needs and is far more important than the extravagance of private recreation</p> <p>There are three ponds in the area to swim in, private clubs, and community centres already in existence. Its not like there is no where to swim. The reason for the pool is indulgence not necessity.</p> <p>The duration of digging and building a pool is a long term project of noise, rubble and dust stress on our neighbourhood. Not to mention the trucks. I work at home. I dread it. There are enough renovations as it is. What will happen to the water pressure when it is filled?</p> <p>I will be deeply disappointed in the council if this pool is given a green light. it will carry our neighbourhoods dread of one pool attracting another. Who can say No once it starts.</p> <p>The decision that is made will reflect what is of value to you, the makers of this decision.</p>

Application No:	Consultees Name:	Received:	Comment:	Response:
				<p>Please can we turn consumption at others and natures cost around.</p> <p>Olivia Olsen</p>
2024/4314/P	peter ashworth	15/10/2024 13:21:54	OBJ	<p>no one needs a swimming pool in the area around the Heath, where there re 3 swimming pools .... also there is an issue with underground water, damp, and subsidence .... i believe this is the third attempt to get the swimming pool through ... time to tell them to call it a day, the neighbourhood is furious at this attempt to force an unwelcome idea through</p>

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	Fanny Bostock	16/10/2024 18:06:55	COMMNT	<p>This is the third time that this application is being submitted.</p> <p>I would like to re-register my objection to this application for the third time.</p> <p>I live in the basement flat of the adjoining property.</p> <p>The noise of the work, the ongoing noise of the pump room once up and running, the smell of the chemicals to maintain the pool not to mention the threat to subsidence and the property foundation are all unacceptable.</p> <p>It should not be allowed for the planning permission to keep being withdrawn before rejection and then being submitted over and over again in the hope that neighbours will get bored of objecting! It is a travesty.</p> <p>There are places to swim locally both in-doors and out. This application is totally unnecessary and unfair to neighbouring properties.</p>
2024/4314/P	S Chandler	17/10/2024 07:32:40	OBJ	<p>I am opposed to the building of a swimming pool. It would cause a huge amount of digging which would undermine the neighbouring houses stability.</p>
<b>Total: 3</b>				

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	Fiona Cunningham	17/10/2024 13:59:21	OBJ	This area is popular because of strong neighbourhood links which are boosted by all the many public and social sporting venues - including three ponds, one enormous lido and various other pools. To build a private pool car hardly be worth the risk of subsidence, aggravation, isolation from neighbours. The pools in West London and Kensington have caused enormous problems both engineering, subsidence issues and cordial relationships with the community. Move somewhere without facilities...? A private swimming pool in this era of climate and ecological collapse is selfish and unnecessary. A pool also requires large doses of chemicals which will further pressure on our tragic overused sewage system.
2024/4314/P	Jane Barclay	17/10/2024 17:31:07	COMMNT	I live in the next road in South Hill Park and I strongly object to this planning application. There is a great deal of building work in the area and I understand that this has to be tolerated, however the level of work involved here to create an underground swimming pool is unjustifiable given the extent of disturbance to other people's quality of life. I have endured 2 years of building works in the house next to me and now the house next door to that is undergoing 2 years of work. The level of disruption is enormous and often it prevents me from working as i work from home and the noise levels are very high. Also the dust and dirt means that all windows and doors have to be kept shut even in mid summer. The level of dirt and noise to build a basement swimming pool is disproportionate. The streets are very narrow and do not accommodate the large machinery needed to do that level of digging . I have missed so many meetings and doctors appointments due to the road blockages caused by the large vehicles needed for major building works and with the excavation of a swimming pool the surrounding area will become almost uninhabitable and certainly the people in that road will lose access to their cars. With increasing flooding and extreme weather, the risks involved in excavating an underground pool are just too great. There is a swimming pool next to Royal Free less than 5 minutes walk away + they are living a 5 min walk from the Lido and the swimming ponds. There is no possible justification to create this much misery for so many people and risk the stability of the surrounding buildings and possible flood vulnerability. Their application has been turned down several times before for very good reason. Creating minor tweaks to allow them to keep re-submitting what is in effect the same project is a cynical exersize which the council must not fall for.
2024/4314/P	Christina Latham-Koenig	17/10/2024 13:51:29	OBJ	I totally oppose this application. The ground in this area already has problems with subsidence, and what is more there are swiming ponds a short walk away on Hampstead Heath. A swimming pool is also not in any way keeping with the buildings in tis area, and will cause a lot of upheaval for all the popel living in the neighbourhood.
2024/4314/P	URSULA Ross	17/10/2024 13:22:41	COMMNT	As a resident of adjacent street I object to the over-development of the neighbourhood. The risk to land stability on London clay and sand, the danger of flooding in adjacent properties by water diverted from the developed property are both threats for which their is no justification.
2024/4314/P	Mira	17/10/2024 16:55:37	COMMNT	We are concerned in our neighbourhood about the effect these types of works will have on the foundation of our streets, flooding, etc. There is more and more construction happening in the area that is disruptive to neighbours. Furthermore, these types of changes drastically impact the socio economic state of our neighbourhood, with more and more life long residents being pushed out.  Please reject the application

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	Mira	17/10/2024 16:55:37	COMMNT	<p>We are concerned in our neighbourhood about the effect these types of works will have on the foundation of our streets, flooding, etc. There is more and more construction happening in the area that is disruptive to neighbours. Furthermore, these types of changes drastically impact the socio economic state of our neighbourhood, with more and more life long residents being pushed out.</p> <p>Please reject the application</p>
2024/4314/P	Emilia Benjamin	17/10/2024 18:16:23	OBJ	<p>I object to the inclusion of a swimming pool on the grounds that it will cause unnecessary noise and distress to the surrounding neighbours for a long time, it may well contribute to existing subsidence, it will set a precedent for other super rich to follow suit, and generally is hastening the area's transformation from a mixed and. Aries population where many people in the arts have traditionally lived and been able to afford, into yet another exclusive neighbourhood for the super rich</p>
2024/4314/P	Jonathan Broomberg	17/10/2024 13:43:58	OBJ	<p>I object to this application on the basis that excavation for purposes of a basement swimming pool poses both environmental risks, as well as subsidence and possibly other risks to neighbouring properties. There have been examples of subsidence in neighbouring properties in this area following excavation for a swimming pool.</p>
2024/4314/P	Sally DOGANIS	17/10/2024 14:02:58	COMMNT	<p>A swiming pool in this area is both dangerous and quite unnecessary. There are 4 public pools on their doorstep already. And 3 more within walking distance.</p> <p>The last pool that was granted permission in a neighbouring street South Hill Park was never used and was a disaster. . The heating and steam from the pool gradually deteriorated the roof and after two years it was dismantled. A completely new flooring had to be created to repair the damage. The builders confirmed it should never have been built within the house.</p>
2024/4314/P	Marsha Sanders	17/10/2024 17:15:09	COMMNT	<p>I object to the plan to build a swimming pool. It is entirely unsuitable in this heavy London clay and always risks causing damage to adjacent dwellings. I also object on environmental grounds: swimming pools are big consumers of energy and water, not to mention the materials required to excavate and build them.</p> <p>It is especially unnecessary to have a swimming pool in this area, given that we are exceptionally fortunate in having a lido and three swimming ponds within walking distance and public pools not far in Kentish Town.</p>

**From:** DUNCAN MOORE

**Sent:** Thursday, October 17, 2024 7:19 PM

**To:** Planning

**Subject:** Application Number: 2024/4314/P

I am a resident in South Hill Park, NW3, living close to 28, Parliament Hill. NW3.

I am personally aware of two families, but I know that there are others in this street, who have had to tolerate the most appalling basement builds, one of which was for a swimming pool, which had eventually to be abandoned due to the flooding it caused. In that particular case the neighbouring house was badly 'rocked' by the excavations, not to mention the horrendous daily/hourly disruption to any form of 'normal' living over a period that spanned at least two years. Ultimately the building work caused serious ill health to the elderly neighbours with very deleterious results.

There is already ample provision for swimmers locally and easily within walking distance, namely the Ponds on Hampstead Heath, the Lido and the Royal Free Recreation Centre.

Basement excavations should be outlawed, after all are the houses in Parliament Hill and neighbouring streets not already large enough. Such building works are generally destructive to lives, property and the environment.

I strongly object to the plans proposed.

Duncan Moore

South Hill Park

NW3 2SS

Application No:	Consultees Name:	Received:	Comment:	Response:
2024/4314/P	J H Schickler	20/10/2024 11:41:29	OBJ	<p>I object to the proposal to build a swimming pool.</p> <p>The house and garden are on, and surrounded by, sloping ground, and the NW3 2TN postcode is notoriously prone to subsidence – it is impossible to get new comprehensive building insurance cover. I cannot believe that the imposition of a load of 40 tonnes of water, and other consequences (occasional leaks, the need from time to time to drain and refill the pool) will not jeopardise the stability of the immediate area. I don't pretend to understand the calculations in the Basement Impact Assessment, but find it hard to believe that the wider impact is fully addressed by a half page of calculations.</p> <p>I am also disturbed by the “super-gentrification” of the area which this sort of proposal implies. Currently the area remains pleasantly – perhaps surprisingly – mixed, with houses in single occupation, converted into flats, and in multi-occupation, with a mix of social housing and private ownership.</p> <p>It is not as if the area is short of swimming facilities, with 3 ponds and the Lido on the Heath, the Royal Free pool open to club members, and Kentish Town baths not far away.</p>
2024/4314/P	Victoria Howell	20/10/2024 09:34:25	COMMNT	<p>It is extremely upsetting that we are having to comment for the third time on this inappropriate application. How many times are the owners going to apply for planning permission? It is just another example of their lack of consideration for neighbours and the conservation area particularly with respect to the water table and subsidence.</p> <p>Please do refer back to the objections and comments on the previous two applications; many people have put a lot of time and effort into their thoughts and objections which are all still valid.</p> <p>Excavation of this type is inappropriate and unnecessary and puts the land and neighbouring properties at risk. There is no need for a swimming pool in this home. Encourage use of local facilities such as the ponds, Lido, RFH recreation club, and Kentish Town pool to name but a few options all within easy distance.</p> <p>Please, please do not approve this application.</p>



## Comment on Camden Planning Application 2024/4314/P

28 Parliament Hill, Hampstead, London NW3 2TN

The multiple planning applications submitted to Camden Council by the owners of No 28 Parliament Hill over the last 19 months provide the basis for a case study on how planning procedures can be abused to mislead the public and to force through risky and unpopular projects. Of the four applications that have been submitted, one was granted, two were withdrawn and the fourth (registered on 14 October 2024) is pending.

The successful application **2023/0396/P** granted by the Council on 30 August 2023 includes detailed plans for an extensive renovation of those parts of No 28 that are above the rear garden ground level. The description of the approved project reads as follows:

*Amalgamation of two flats into one single family dwelling. Mansard roof extension with dormer windows, new part two storey rear extension and ground floor roof terrace with rear spiral stair. Alterations to rear elevation windows. New entrance steps to the front of property, a new side access gate and new side access steps.* (Italics mine).

This description fails to mention a major redevelopment that the application proposes for the lower ground floor. In its Letter of Decision, the Council imposes a condition on the developers to implement the approved plan as proposed in Diagram D11A. This condition commits No 28 to the construction of a Games and Exercise Area occupying roughly half of the area of the lower ground floor. (See Figure 2 of Annex A).

It is now clear from documentation on Camden's planning website that application **2023/0396/P** (registered 2nd March 2023) is based on some very questionable ethics. It appears that the owners of No 28 have never had an intention to install a Games and Exercise Area on the lower ground floor. Quite the reverse, the Design and Access statement dated December 2022 includes a drawing for the installation of an indoor basement swimming pool (See Figure 1, Annex A). The same document also contains a description of the proposal for the lower ground floor: "At lower ground level a 3M long extension is proposed to house an exercise area *and an indoor swimming pool*.... The proposed layout would be for the Lower ground floor to be for functional use *with the pool*, an exercise area, shower and changing room, lift and plant room." (Italics mine.)

Unlike a previous withdrawn planning application, the current pending application **2024/4314/P** does not use Camden's normal Application for Planning Permission form. Instead, it aims to ride piggyback on the dubious **2023/0396/P** using the form for Variation or Removal of Conditions as allowed by Section 73 the Town and Country Planning Act (1990). In this case, the planning application proposes two variations. Firstly, it requests the replacement of the Games and Exercise Area by an indoor basement swimming pool. (See Annex A, figures 1 and 3). Secondly, the application proposes a change in the description of **2024/4314/P** to read as follows:

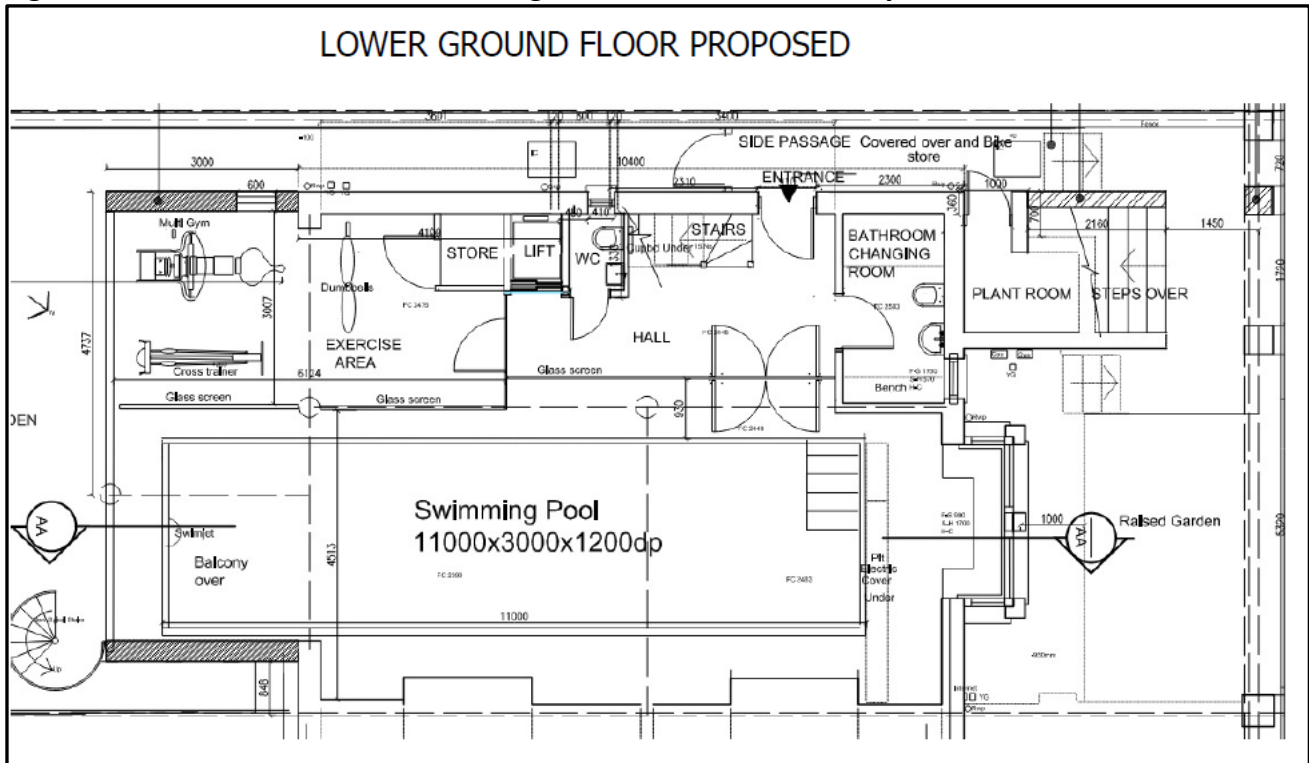
*Amalgamation of two flats into one single family dwelling. Mansard roof extension with dormer windows, new part two storey rear extension and ground floor roof terrace with rear spiral stair. Alterations to rear elevation windows. New entrance steps to the front of property, a new side access gate and new side access steps and the formation of a swimming pool on the lower ground floor.* (Underlining mine).

Planning case law is very clear on the point that Section 73 cannot be used to introduce a completely new project. Planning application **2023/0396/P** proposes the redevelopment of floors at or above the level of the existing lower ground floor. Development below ground level does not feature in the approved project. The two new proposals for creating a basement below ground level and for constructing a swimming pool in the basement space are completely new projects that are not mentioned anywhere in application **2023/0396/P**. The attempt by developers to obtain planning permission for the construction of a basement swimming pool by seeking a Variation of Conditions constitutes a gross abuse of Section 73 that should never receive approval.

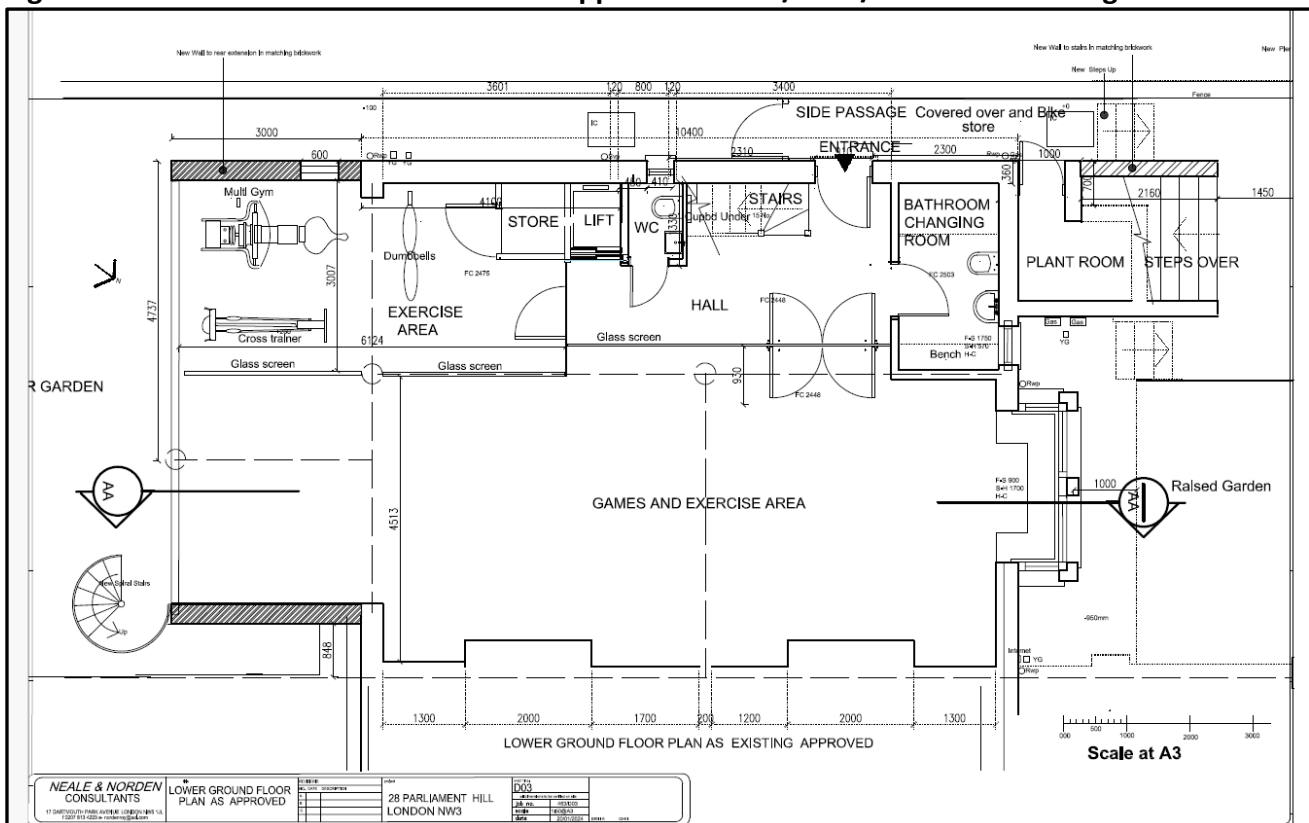
Stephen Rankin

## ANNEX A

**Figure 1: Lower Ground Floor Plan, Design and Access Statement by Nick Norden, December 2022**

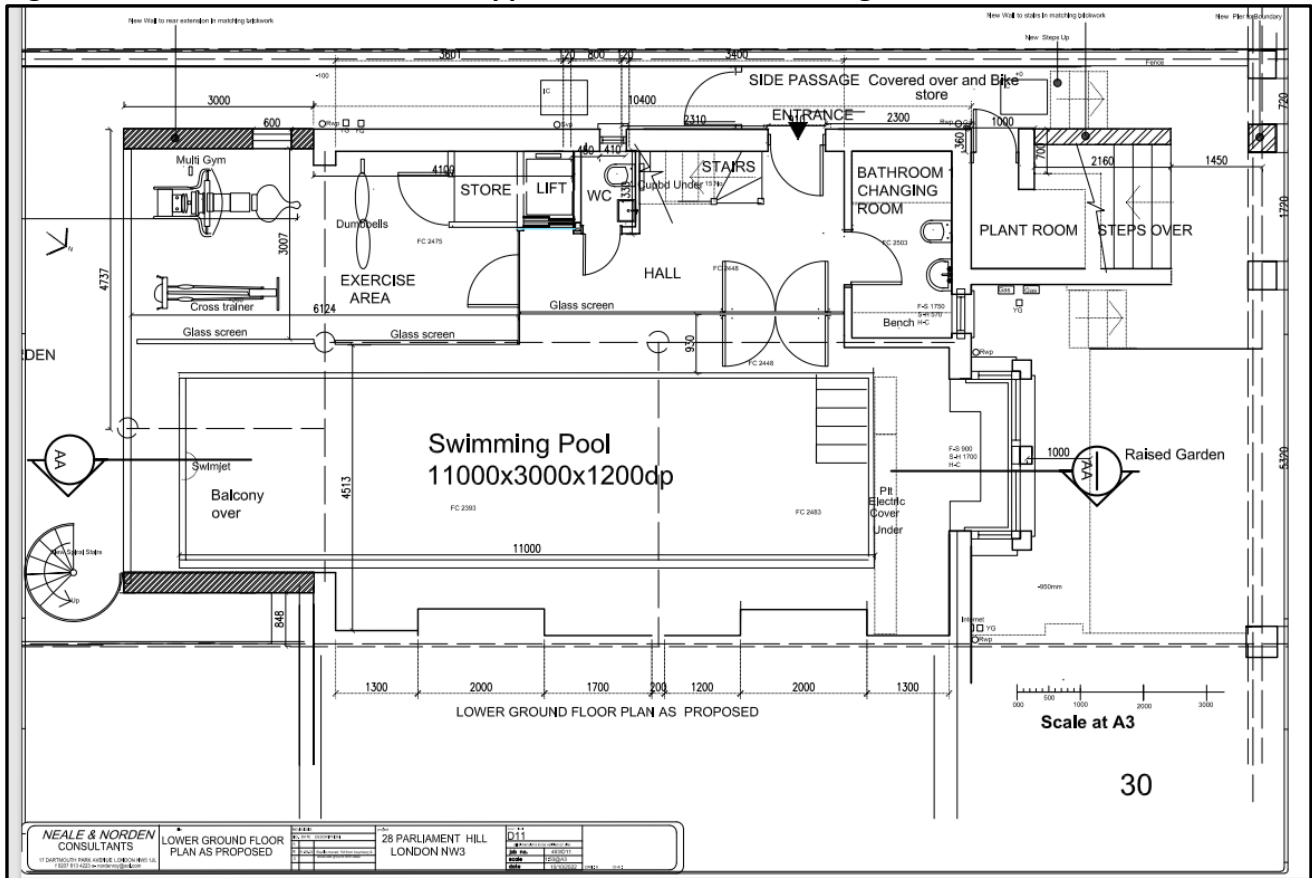


**Figure 2: Lower Ground Floor Plan D11A. Application 2023/0396/P. Granted 30 August 2023.**



## ANNEX A (continued)

**Figure 3: Lower Ground Floor Plan. Application 2024/4314/P. Registered 14 October 2024.**



## **ANNEX B**

### **Comments on Planning Application 2024/2811/P (withdrawn 3 September 2024)**

Re: 28 Parliament Hill, London NW3 2TN

#### **A revised Building Impact Assessment (BIA-2)**

In June 2024 Campbell Reith Consulting Engineers published an audit report revealing serious deficiencies in the Building Impact Assessment (BIA-1) carried out by Green Structural Engineers (GSE) in September 2023. As a result, Ms Fabiana Fideli (the owner of No 28) decided to withdraw her original planning application 2024/0452/P proposing the creation of an 11 x 4-metre indoor swimming pool below lower ground floor level. In August 2024, GSE published a revised Building Impact Assessment (BIA-2) as part of a new planning application to remedy the deficiencies noted by the Campbell Reith audit. The most glaring deficiency noted by Campbell Reith is the absence in BIA-1 of any justification for its principal conclusion that the project “can be undertaken without harm to the property or adjacent buildings.” This conclusion is self-evidently contradicted by the disturbing warning that “maintaining lateral support during the excavations in near proximity to the existing underpins and construction stage, is a major challenge and risk to adjoining properties.” (See BAI-1, p. 13).

#### **A fantasy site visit by Green Structural Engineers?**

As the semi-detached twin of No 28, No 30 Parliament Hill is directly exposed to potential structural damage from the proposed excavation of at least 66 cubic meters of clay soil weighing approximately 115 metric tonnes. Regrettably, BIA-2 follows BIA-1 in aiming to minimise the threat of damages to No 30 by stating as facts matters that are patently untrue. The Executive Summary of BIA-2 states that “A site visit has been carried out to inspect the existing property and those in the vicinity which will be affected by the proposed works, and this has enabled an appraisal of the existing properties for any signs of historic or ongoing movement to be made.” As with BIA-1, leasehold Directors of No 30 confirm that no such inspection visit by GSE consultants has occurred.

#### **No evidence of subsidence in the local area?**

A further example of whitewashing is to be found in GSE’s answer to Question 7 of the Screening Assessment on page 12 of BIA-2. The question posed is as follows: “Is there is a history of seasonal shrink swell subsidence in the local area and/or evidence of such effects at the site? GSE’s extraordinary reply is that “There are no known relevant historical data or any indication of shrink swell subsidence effects in the local area.” (See p. 12 of BIA-2). This reply will astonish owners of properties with long histories of subsidence in the Parliament Hill area. The Campbell Reith audit refers authoritatively to the “high volume change potential” of soils in the local area as the causal factor of “shrink swell subsidence effects.”

#### **No evidence of subsidence at No 30 Parliament Hill?**

Visual and archival evidence shows that No 30 suffered serious subsidence in the mid-1980s. Some partial underpinning was carried out, but No 30 did not participate in the deep underpinning operation that GSE claims was undertaken by No 28 in 1997. An insurance claim for subsidence at the front elevation of No 30 was submitted in 2012 and finally resolved in 2018 by further partial underpinning and reconstruction at a cost to insurers of £133,000. If GSE is ignorant of “shrink swell subsidence effects in the local area,” the same cannot be said of the UK insurance industry. In April 2024, an insurance broker acting on behalf of leasehold 30 Parliament Hill, London NW3 2TN owners at No 30 reported that no fewer than eight major insurers have refused to provide a quote for building insurance on grounds of subsidence risk.

#### **Whatever happened to the Ground Movement Assessment report?**

The original planning application 2024/0452/P for No 28 incorporated a 59-page Ground Movement Assessment report carried out in November 2023 by London consultants AVZ GeoEng Ltd. Remarkably, BIA-2 devotes only two sentences to the AVZ report despite its considerable relevance to the new planning application. The near-suppression of the AVZ report is perhaps explained by pessimism of the authors as to the

possibility of avoiding harm to neighbouring properties. The AVZ report refers to “likely damage to adjacent properties” and points out that a “rigorous assessment of the potential damage” is not possible in the absence of detailed knowledge of the stability of adjacent structures.

While recommending that “the proposed construction should aim to limit damage to all buildings to a maximum of Category 1,” the report confirms the possibility of much more serious damage when it urges the activation of contingency measures “if movements of adjacent structures exceed predefined trigger levels.” Alarmingly, the AVZ report speaks of “the risk of ground loss/ground collapse beneath the neighbouring footings.”

In addition, to highlight the likelihood of short-term damage, the AVG report notes that ground movement generated by the works will involve “long term swelling/settlement that will continue for a number of years.” Indeed, the report goes on to say that only “about 50% of the movements are likely to occur immediately as functional loads are applied, leaving the remaining 50% to occur as long-term heave/settlement.”

### **Conclusion**

A key message of the document “Camden Planning Guidance: Basements” (2021) is that “Basement developments must not cause harm to neighbouring properties.” In view of extent and complications of the proposed works at No 28, the pessimistic views of the Ground Movement Assessment report and the inherent fragility of houses constructed 140 years ago on unstable “high-volume change potential soils,” leasehold owners have determined that the risk of damage to their properties is unacceptably high and exceeds the Category 1 threshold. On these grounds, the Directors of 30 Parliament Hill Management Company Ltd urge Camden’s Planning Committee to reject Planning Application 2024/2811/P.

Stephen Rankin

# Five Objections to Camden Planning Application 2024/4314/P

Installation of a basement swimming pool at 28 Parliament Hill, London NW3 2TN.

## **Objection 1: The project poses a significant risk to neighbouring properties.**

The Camden Local Plan (2017) states that the Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to neighbouring properties. (See Policy A5 Basements, p. 214a).

The report by consultants AVZ GeoEng Ltd appears as a Basement Impact Assessment in the online list of documents for application **2024/4314/P** viewable on the Camden planning website. The report is pessimistic as regards the possibilities of the proposed project avoiding harm to neighbouring buildings. The report refers to “likely damage to adjacent properties” and acknowledges that a “rigorous assessment of the potential damage” is not possible in the absence of detailed knowledge of the stability of adjacent structures. The report confirms the risk of serious damage when it urges the activation of contingency measures “if movements of adjacent structures exceed predefined trigger levels.” The report also speaks of “the risk of ground loss/ground collapse beneath the neighbouring footings” during excavation and “long term swelling/settlement that will continue for a number of years.” In view of this expert assessment, it is difficult to accept that the planning application demonstrates that the proposal would not cause harm to neighbouring properties.

As the semi-detached twin joined to No. 28 by a party wall, No. 30 is in a particularly vulnerable situation. While the owner of No. 28 can claim that their building is well protected by the underpinning of the entire house to a depth of six metres that was carried out in 1997. Unfortunately, No. 30 did not participate in these underpinning works and has a history of subsidence that dates from the mid-1980s and more recently from 2012 to 2018. Partial underpinning and reconstruction work was carried out during 2017-18 at a cost to the insurers of £133,000. In April 2024, an insurance broker acting on behalf of 30 Parliament Hill Management Company Ltd reported that eight major insurers had refused to quote for building insurance on grounds of subsidence risk.

## **Objection 2: Planning application 2024/4314/P for a Section 73 variation of conditions cannot be used to alter the formal description of the granted project 2023/0396/P.**

The formal description of the approved project **2023/0396/P** contained in Camden’s Letter of Decision of 30 August 2023 reads as follows:

*“Amalgamation of two flats into one single family dwelling. Mansard roof extension with dormer windows, new part two storey rear extension and ground floor roof terrace with rear spiral stair. Alterations to rear elevation windows. New entrance steps to the front of property, a new side access gate and new side access steps.”* (Italics mine.)

The developer proposes to alter the last sentence of the description by adding the words “*and the formation of a swimming pool on the lower ground floor.*” Although Section 73 allows for the variations of conditions imposed on **2023/0396/P**, it prohibits changes in the description of the project. The TCPA is clear on this point: “Section 73 cannot be used to change the description of the development.” (See Paragraph: 014 Reference ID: 17a-014-20140306.)

## **Objection 3: In its application for planning permission, the developers provide an incorrect description of the approved project 2023/0396/P.**

The declaration on the final page of application **2024/4314/P** requires the developer to attest that they have provided a true and accurate statement of relevant facts. The central part of the application form requires the developer to enter the text of the description of project **2023/0396/P** as it appears in the Camden’s decision letter of 30 August 2023. But instead of copying the original description verbatim into the application, the

developer adds a completely new phrase: “... *namely to allow the formation of a swimming pool on the lower ground floor.*” This can only be a deliberate misrepresentation. The description of the project that appears in application **2023/0396/P** makes no reference whatever either to a swimming pool or to the lower ground floor.

We can only speculate as to the motivation for providing a false description of project **2023/0396/P**. But it is evident that if the amendment passes unnoticed, the change in wording requested by the developers in the application **2024/4314/P** will appear to be a simple tidying up operation to improve the grammar of their new additional phrase rather than a radical proposal for a new development.

**Objection 4: The developers aim to use Section 73 to obtain planning permission for a major new project that is not part of the granted planning application 2023/0396/P.**

The TCPA states that Section 73 is to be used for “*minor material amendments*” in the conditions imposed on the project by the local authority. (See Paragraph: 013 Reference ID: 17a-013-20140306). The TCPA goes on to say that while “*There is no statutory definition of a ‘minor material amendment,’ but it is likely to include any amendment where its scale and/or nature results in a development which is not substantially different from the one which has been approved.*” (See Paragraph: 017 Reference ID: 17a-017-20140306). The excavation and creation of a basement to house an 11 x 3 x 1.2 metre swimming pool cannot by any stretch of the imagination be classified as a “minor material amendment.” Both the scale and nature of the works required to install a basement swimming pool are fundamentally different from the works required to amalgamate two flats and carry out renovations as described in the granted project **2023/0396/P**.

**Objection 5: The developers misrepresent the swimming pool project by presenting it as a variation in the use of the lower ground floor rather than a basement development.**

Perhaps to circumvent the Council’s requirement that a basement development project must not cause harm to neighbouring properties, the developers go to bizarre lengths to avoid any suggestion that they are proposing a basement development. The project description proposed by the developers states that the proposed swimming pool will be built “**on the lower ground floor.**” Evidently, this is not the case, as the project as described by the AVG Basement Impact Assessment proposes a largescale excavation that will go two metres below the level of the existing lower ground floor.

An insight into the developer’s dubious strategy is given by the Executive Summary of the *Basement Impact Assessment* published by Green Structural Engineers in November 2023. It states that “The proposed lower ground floor work at 28 Parliament Hill involve(s) the lowering (of) part of the existing ground floor to accommodate the installation of a pool...” This is patent nonsense designed to mislead the public. An excavation that goes below lower ground floor level cannot be described as a development that occurs “**on the lower ground floor.**”

In contrast, Camden’s *Planning Guidance for Basements* refers to the creation of a space below lower ground floor level as a basement development. In its instructions to Campbell Reith Consulting Engineers, the Council describes the swimming project proposed by planning application **2024/4314/P** as an “excavation and formation of a basement incorporating a swimming pool.” (See Campbell Reith’s *Basement Impact Assessment Audit for the London Borough of Camden*, Paragraph 2.5). The absurdity of the developer’s contention that the project does not involve the creation of a basement below the existing level of the lower ground floor is underlined by the text of the Campbell Reith audit where the word “basement” occurs no fewer than 63 times.

Stephen Rankin  
First Floor  
30 Parliament Hill  
London NW3 2TN.

**From:** Lee Rankin  
**Sent:** Sat Nov 16 22:01:22 2024  
**To:** Planning  
**Subject:** Objection to planning application 2024/4314/P  
**Importance:** Normal

Microsoft Exchange Server;converted from html;

	You don't often get email from [REDACTED]	
	. Learn why this is important	

Hi

It looks like the server is down, so I can't add comments. Please submit my objection below to planning application 2024/4314/P:

Camden policy on basement development requires developers to submit a formal Basement Impact Assessment (BIA) to determine whether the project poses a risk to neighbouring properties. No such BIA has been submitted in support of application 2024/4314/P.

In its place, the developer offers us a page of software data output without any explanation as to how it relates to the construction of the proposed basement swimming pool; the AVG soil analysis report confirming that the project poses significant risk to the structure of No 30 Parliament Hill; and a copy of a mathematical journal article published in the 1970s with no attempt to relate it to the proposed works.

As no BIA was submitted to support the parent application 2023/0396/P, it appears that the developers are seeking to obtain planning permission irrespective of the risk posed by the swimming pool project to No 30 and neighbouring properties. Please reject application 2024/4314/P.

We at 30 Parliament hill (adjoining building) already have a long history of subsidence and this building was not underpinned recently (as has implied by number 28). We repeatedly struggle to find insurers to cover our building. Any more issues would be catastrophic for us.

Many thanks

Lee Rankin  
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Sent from Yahoo Mail for iPhone