

20th January, 2013

Camden Council
Development Management
Camden Town Hall Extension
Argyle Street
London
WC1 H 8EQ

For the attention of Gavin Sexton

Dear Gavin

Re: Planning application 2013/71955/P at 99A Frognal London NW3 6XR for a three storey dwelling house (Class C3) plus basement accommodation following demolition of the existing dwelling.

We act as agents for Mr Igal Dimant the owner of No 4 Oakhill Park who lives directly to the southern side of the above development. The northern wall of his property forms the boundary wall line along his double garage that has two storey living quarters placed above. I have only been informed about this situation less than a week ago and felt that I needed to respond quickly albeit I have not had time with my other commitments to read all of this in depth.

We note that the above planning application is for a totally redesigned building to that which planning permission was given in 2010. Our client lives in Israel for most of the year and has not been around while the planning notice has been displayed and we write over a number of concerns.

Firstly we would like to say our client is not anti-development but we are concerned about the closeness of the new basement and ramp that is a metre or so from the subject property as far as we can guess from the downloaded plans, which we cannot scale. Notwithstanding that the Party Wall Act is not of your concern it will be necessary for the owner of 99A to serve a Party Wall Notice upon our client.

We cannot see from the plans the level relationship of the new basement and our client's garage floor level and so it is difficult to determine the correlation between the two and it's not possible to scale accurately this from the down loaded plans. In the absence of this information and a Structural report it may be necessary to construct a contiguous line of piles to act as a retaining wall around the new basement, the tops of which would be made secure by the placement of a capping beam. This would allow the ground to be excavated minimising damage to our client's property that also extends to the south east where it becomes of a two storey height building and where the 3m or 6m rule will apply regarding the Party Wall Act. Alternatively our client's property will need to be underpinned, but I prefer the former solution since there will be some initial settlement of the underpinning at its new formation level.

Before a planning decision is made we need to see what the structural engineers have in mind regarding the support of the boundary house wall and the likelihood of ground heave when the new basement is excavated. It is in everyone's interest that a qualified structural engineer should report upon these matters before a planning decision is made and that they should be retained during development to offer advice upon all procedures, checks and design aspects to safeguard our client's property.

A number of strategic cross sections should be provided and drawn through the new basement and ramp area and our client's property together with distances between that would allow us to comment further upon the proposals, and it would be helpful if the assumed water table level was indicated.

We note that Geotechnical and Environmental Associates (GEA) feel it prudent to conduct a more detailed analysis of basement heave once the design by the structural engineer has been finalised.

We also note from the Basement Impact Assessment Report (BIM) that the site is located above the Bagshot Formation that is designated as a Secondary 'A' Aquifer and that the basement may extend into the aquifer and affect the ground water flow regime. GEA have risk assessed under 5.5.1 of their report that additional testing to zone the extent of the contaminated lead materials found in borehole 4 are to be made to reduce the uncertainty with regard to potential risk to the aquifer and to site workers.

Finally, we understand that it will be necessary for the owner of 99 A Froggnal to enter into a Section 106 Agreement with the Borough of Camden with regard to the provision of a Construction Management Plan, Highways Contribution, a Sustainability Plan has been undertaken, (but I have not read this as yet) and an Energy Efficiency and Renewable Energy Strategy are to be provided.

I look forward to hearing from you.

Yours sincerely

Neil Millward
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Surveying and Architectural Practice