

18th May, 2014

Gavin Sexton
Principal Planner
Regeneration and Planning, Culture and Environment
London Borough of Camdem, Town Hall Extension
Argyle Street, London
WC1H 8EQ

Dear Gavin

Re: No. 4 Oak Hill Park, London, NW3 7LG adjacent property to 99A Frogna, London, NW3 6XR – Planning Reference 2013/7195/P

We are grateful that you instigated an independent review of the Basement Impact Assessment on the above that was undertaken by Card Geotechnics Ltd., (CGL) Chartered Civil Engineers. From information gleaned from them most of the calculations for the basement have been done and CGL believe conservative calculations have been used. We will have to ensure that the Party Wall Surveyor carries out frequent site checking of the Method Statement and propping etc. should you be minded to approve the scheme.

Upon further checking we note from correspondence from Mason Navarro Pledge (MNP) dated 31st March, 2014 to Harrison Varma third paragraph where they state the following, **‘Correct. GEA have produced a detailed basement impact assessment. We have carried out a detailed structural survey of the adjacent structures to check for defects, apertures or structurally significant features that would affect the damage potential of the development’.**

We telephoned Stuart Pledge of (MNP) on Wednesday 14th May, 2014 to ask to see a copy of this structural report to be told only a visual inspection was undertaken by photographing and measurements were not undertaken, we would not consider this to be a detailed structural survey of No4.

MNP state in their Damage Assessment Report of Neighbouring Structures Due To Excavation At 99A Frogna (dated around 12th March 2014) paragraph 2.6 page 6 ‘We carried out a **detailed inspection** of no.4 Oak Hill Park and boundary walls and viewed the swimming pool from 99a Frogna garden during a site visit on the 6th March 2014. The main purpose of the visit was to confirm the local conditions matched the survey and proposed drawing and to identify the construction types and building age. Any existing defects that could affect the study have been recorded and factored in to the damage potential. We assessed the presence of window and door apertures that could give rise to higher strains and lead to enhanced cracking’. They also state in the same report on page 9 under **Stage 2 assessment-visual survey** the following:- ‘A structural survey of the buildings at no.4 Oak Hill Park and a survey of the swimming pool has been undertaken by the author’ but go on to say that the pool was covered at the time but appeared to date back approximately 20 years or so and then say no visible defects were found to this structure although close inspection was not feasible. How can they possibly say this without removing the cover to the pool or gaining entry to that property? In the same way they seem to make light of the fact that two storeys of part of our clients property sit upon the top of the original boundary garden wall that is closest to the deepest part of the proposed development and have not looked at our clients structure internally to this area that does not fill one with much confidence about their reporting.

My client Igal Dimant remembers letting two people into the back of his property, but a detailed investigation was not undertaken internally or externally nor were any physical measurements or levels taken as far as he was concerned.

We note there is movement both in the vertical and horizontal modes to the northern party boundary wall pertaining to No. 4 Oak Hill Park and 99A Froggnal. There are limitations to the standard Burland damage categories that are concerned with cracking and note that there is some slight bowing in the boundary wall in part where it is concave on No. 4 side, also there is some rotation of the top of the boundary wall towards no4 and the wall itself is not at all lineable. Some of the brickwork is level within the boundary walling, whilst other areas of brickwork slope considerably, but the latter may have been built like it? We concede that under paragraph 5.11 that MNP have provided a model of the proposed development but this does not show sufficient modelling juxtaposed with no4 Oak Hill Park, there are no cross sections provided between the properties showing the foundation levels between the properties that a Party Wall Surveyor would expect to see. These in our opinion should have been provided at the outset and we are not convinced that MNP have provided sufficient information to allay our client's fear of serious problems occurring.

We are pleased to see that MNP propose installing 9 number level monitoring targets in our client's property and in the boundary walls that should be taken from a bench mark off site.

It is likely that the existing garden boundary wall between the properties will in all likelihood be partly exposed during excavations to form the sloping drive down to the basement as the ground level on the side of 99A Froggnal is considerably higher than the adjacent ground level to No. 4 and therefore the brick walling beneath the soil level shown on photograph 7 could be in a parlous state. There is no mention as far as I can see how this would be addressed or any drawing provided that says anything to the contrary. Policy CPG4 2.18 requires pre consultation with my client to occur but this has been non-existent at least in his case.

We suspect that you will be writing up your report to approve this scheme this week but we feel short changed in assumptions made by MNP that we mention above. We would ask that our concerns are revisited by MNP before a planning decision is made where a more in depth structural report is provided on the adjacent structures condition and any remedial measures implemented. We note that MNP have suggested placing flying shores to strengthen the top of the boundary garden wall where movement has occurred that we suspect would be placed on our clients land?

We would ask that a Planning Condition be included to undertake a laser scanned survey of the affected boundary walls and structure prior to work commencing and upon completion of the works that will need to highlight the vertical and horizontal lineability of our clients' property pre and post construction to enable an independent structural engineer to advise the Party Wall Surveyor. Any significant differences in crack patterns or the increase in the size (direction of movement) and widths of cracks should be noted together with any settlement caused. I understand that photographs have been undertaken by MNP and we will be asking them to supply copies of these to us that will form part of our file since we have only been able to photograph our clients' side of the boundary wall.

We further understand from MNP that the property is situated on the Claygate member that is based on historical data and is subjective, but are led to understand that all parties are sharing software data that is appraised by refinement that is a good thing.

Finally, with regard to MNP's letter dated 31st March, 2014 to Harrison Varma concerning queries raised by Card Geotechnics against MNP's Damage Assessment Report, we would point out that this letter was incorrectly posted on your Case File as the 1st April 2014, when in fact it was posted on 1st May, 2014, which is misleading and has left me a little short in time to comment but look forward to hearing from you and other parties before this can be concluded.

Yours sincerely

Neil Millward