



PLANNING APPLICATION DETAILS

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Year: 2012

Number: 6484

Letter: P

Planning application address: Land Adjacent to 1 Ellerdale Road

Title: Ms.

Your First Name: Rina

Initial:

Last Name: Padam

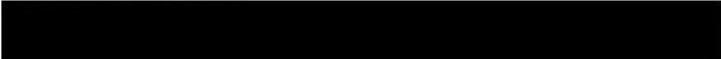
Organisation:

Comment Type: Object

Postcode: Nw3 6ny

Address line 1: Flat A83 Fitzjohn's Avenue Address line 2: LONDON Address line 3:

Postcode: NW3 6NY



Your comments on the planning application: I object to the plan for the following reasons and would be grateful for you to consider these:

1. The impact of noise and dust from plant equipment and building work due to close proximity of our property.
2. The loss of privacy of a close knit and child friendly neighbourhood. The building will make the area more congested and take away the beauty and charm of the environment.

IF YOU WISH TO UPLOAD A FILE CONTAINING YOUR COMMENTS THEN USE THE LINK BELOW

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-  
No files attached

ABOUT THIS FORM

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Issued by: Camden Council  
Customer feedback and enquiries  
Camden Town Hall  
Judd Street  
London WC1H 9JE  
Form reference: 9442875

Dear Sirs

Please find attached our objection to the above application.

Kind regards,  
Thomas Maarten Casparie and Sabine Tonina Casparie

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London Borough of Camden  
Planning Department  
Town Hall  
Judd Street  
London  
WC1H 8ND

Dear Sirs,

We, owners of Flat A, 1 Ellerdale Road. London NW3 6BA, would like to object to the above planning application, on the following grounds:

1. The Basement Impact Assessment was instructed by the developer and could therefore be biased. Instead we believe that such an important document should be carried out by an independent party. We therefore request that a new assessment take place.
2. The report does not sufficiently eliminate the detriment to the local groundwater regime, slope stability, surface water regime or adjacent structure. In 5.10 of the BIA it is stated that *'ground movements are limited to acceptable values by a combination of the structural design, suitably designed temporary works and good workmanship'*. This is too general and vague. Moreover, 'good workmanship' can never be guaranteed.

Being owners of the garden of 1 Ellerdale Road, we are seriously worried about subsidence, as well as changes in the subterranean groundwater flow. Moreover, we are not at all assured that the structural integrity of our kitchen extension - which is only partly supported as opposed to the remainder of the house - will be maintained.

3. Digging another basement level going over the threshold as approved by Camden Council significantly increases the level of noise and pollution during building works. We are a family with young children who would like to peacefully enjoy the house and the garden. We have serious concerns that the construction of the proposed dwelling will compromise

our children's safety, it being so close to our garden. Moreover, we both work from home, and are worried about noise levels involved in such a major project. In short, we are very concerned about the impact of the building works on the quiet enjoyment of our premises.

4. The proposed addition of a basement and the total footprint of the development represent gross overdevelopment of the site. The space where the dwelling is proposed is of a minimal size, and already the originally proposed one-story building is making space very tight, and is bringing the dwelling in very close proximity to the neighbouring properties. There simply is no room for an elaborate structure with double basement levels as proposed. Such a structure should not be permitted in a conservation area.

In summary, we would request that you refuse the application 2012/6484/P.

Yours faithfully,

Thomas Maarten Casparie & Sabine Tonina Casparie  
Flat A, 1 Ellerdale Road  
London NW3 6BA

Xavier Richart-Pintor &  
Beverley Anne McMaster  
Flat B, 1 Ellerdale Road  
London, NW3 6BA

**Application Ref: 2012/6484/P**

30<sup>th</sup> May 2014

London Borough of Camden  
Planning Department  
Town Hall  
Judd Street  
London  
WC1H 8ND

Dear Sr/Madam,

First and foremost, your letter dated May 9 was not delivered until week commencing May 12. And the 21 day period you are giving us once again includes a bank holiday (and a half term, which is a busy time for average families with children like ours in which case it is nearly impossible to prioritize the reply to a planning application). We note that the original application 2012/6484/P was also registered just before the holiday period. Additionally, this is not the average planning application so it requires longer than normal to be able to review all the documents; amongst others, it contains a Basement Impact Assessment with more than 200 pages!

**We object to the series of original proposals leading eventually to 2012/6484/P on the grounds of substantial loss of amenity space, overdevelopment of this small backland site, loss of garden space**

**and unaudited basement impact assessment. Coincidentally, these are pretty much the same reasons used by the Planning and Communications Department at the London Borough of Camden when refusing an earlier application by the same applicant (E6/26/1/29689) for 'the erection of a two-story building to provide a one bedroom residential studio' in the rear garden of 1 Ellerdale Road.**

These are our reasons for refusal:

The proposed scheme would result in a development on a site with minimal amenity space, questionable shape and difficult access. It would also create an undesirable precedent for the backland development of other nearby properties.

**The proposal involves a significant loss of garden space detrimental to the amenity of the inhabitants of 1 Ellerdale Road, 81 Fitzjohns Avenue, 83 Fitzjohns Avenue, 85 Fitzjohns Avenue and Arthur West House.** We are concerned about the garden loss and the fact that the new house will itself have no garden or meaningful outdoor space compared to the size of the dwelling. **This is not only poor planning and bad design, but is out of character with the Conservation Area one of whose major characteristic is open green spaces and gardens** (as explained in the letter addressed to yourselves on the 1<sup>st</sup> of January 2013 by the Heath & Hampstead Society)

**The construction of a basement right next to our gardens and within a few meters of our homes is likely to involve significant additional noise disturbance for a long period, affecting our ability to enjoy our gardens and live and work peacefully inside our homes. It is also likely to result in additional air pollution** entering our gardens and also our homes, precluding us from enjoying our gardens at all and our kitchen and living areas without closing doors and windows. Most families who own the adjoining gardens have young children; the children will be unable to enjoy their gardens during the day due to the construction works because of the noise, air pollution and notably health and safety concern being sited so close to the party wall of the proposed development.

**The Basement Impact Assessment should be prepared by a totally unrelated party –a truly independent party-** without any potential conflict of interest; the person commissioning the Assessment should

not be the developer or at least there should be an additional report commissioned by an independent party with the objective to safeguard the area and the neighbors.

Inadequate information has been provided to enable informed comments and adequate consideration by the Council. In particular, the only assessment of the impact of the basement addition that appears to have been provided is a basement impact assessment (BIA). This does not cover construction management issues in detail including noise, vibration and air pollution, risk of foreign objects entering neighboring properties and the impact on residential parking spaces. It just says gives a very vague description and it says that it will be provided at a later stage before construction commences. **We request that the application be considered incomplete and that prior to further consideration of the application the applicant should be required to submit a detailed construction management plan (CMP) for comment and consideration and audit by an independent party.**

We also note that much of the BIA is presented in technical terms, precluding any assessment for an average person – it is unfortunate that the BIA is not presented in a way such that any person can understand all the potential impacts. We are not engineers and do not have the resources ourselves to engage a consultant to review the BIA and comment on its veracity. We do, however, want to raise the following:

The BIA is limited in scope to "the proposed scheme's impact on local drainage and flooding and on structural stability of neighboring properties through its effect on groundwater conditions and ground movement" (par 1.3). It therefore is not substitute for a CMP and provides no information on the impact during construction on neighboring properties in terms of noise, vibration and air pollution, the risk of foreign objects, the impact on parking spaces or the degree of access required to neighboring properties.

**In terms of subterranean (ground water) flow, the BIA acknowledges that the site lies above an aquifer.** This section of the BIA is not at all comforting regarding the potential impact on subterranean (ground water) flow and neighboring properties. **The risk of underground water being diverted to neighboring properties by a basement built just 1.5m above an aquifer seems to**

**us likely to be greater than acknowledged in the BIA. It is quite scary frankly speaking; not much margin for error. This section of the BIA needs serious reconsideration before any further consideration of the application can take place. The original application had only one level and the underside of the basement was 4m above the aquifer; with this new application which includes two levels, the underside of the basement is too close to the aquifer.**

**We urge the Council to obtain an independent audit of the BIA before considering the application further if it does not have the required technical capability itself.** If, after this, the application is subsequently approved, construction should not commence until a suitably qualified chartered engineer has been appointed to inspect, approve and monitor the critical elements of the temporary and permanent basement works throughout their duration to ensure compliance with the design, which should be checked and approved by a building control body.

**There is also a failure to observe and comply with Camden's development policies. We urge the Council to consider the inadequacy of the application in its current form in relation to compliance with Local Development Framework (LDF) policy DP 26.** The LDF states (emphasis added):

***"Promoting and protecting high standards of amenity is a key element in this and will be a major consideration when the Council assesses development proposals"***

***"DP26 contributes... by making sure that the impact of the development on occupiers and neighbors is fully considered"***

***"The Council will protect the quality of life of the occupiers and neighbors by only granting permission for development that does not cause harm to amenity. The factors that will be considered include: ..(d) noise and vibration, (e) odor, fumes and dust.."***

***"We will require Construction Management Plans to identify the potential impact of the construction phase of the development and state how any potential negative impacts will be mitigated"***

***"Construction Management Plans may be sought for: .."***



*basement development, ..., developments on sites with poor or limited access and developments that could cause significant disturbance due to their location or the anticipated length of the demolition, excavation or construction period”*

DP 28 itself states (emphasis added):

*“The Council will seek to ensure that noise and vibration is controlled and managed and will not grant planning permission for (a) development likely to generate noise pollution ”*

We strongly suspect that, due to the noise that will be involved in constructing a basement level so close to our homes and gardens, the proposed development will exceed noise thresholds and be contrary to DP 28. There is no indication in the application that this will not be the case. For that reason alone the application should be rejected.

Whatever the CMP (once it is submitted) may ultimately say, **the proposed addition of a basement and the total footprint of the development represents gross overdevelopment of the site.**

As a final observation, we submit that the peaceful and safe enjoyment by our young family of their home should not be compromised by this bad development.

Please refuse.

Sincerely,

Xavier Richart-Pintor &  
Beverley Anne McMaster