

22nd April 2014

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Re: Planning Objections to Application No. 2014/1738/P at 35 South Hill Park.

Contrary to DP27 Basements and Lightwells:

a). Maintain the stability of neighbouring properties.

The BIA accompanying the first planning application on 35 SHP stated '*Particular care will be needed for the north-eastern basement wall, to ensure the adjacent 5-storey flank wall to No.37 is not undermined by lateral movements of ground into the excavated void (or heave due to ground relaxation)*'. This remains a current risk as the scale of the proposed basement excavations under the house with a subterranean room at the rear, have not changed in the current application. Dr M de Freitas says in his report dated 23rd April '*Changes to the natural environment of the ground, as would be promoted by excavation, require more than usual care in this part of Camden*'.

Their current BIA states '*These clays are generally found to be fissured*'. '*London clay is usually fissured; such fissures can cause seemingly strong, stable excavations to collapse with little or no warning*'. The flank wall which is 60ft high, has five wall ties, is on an upward slope towards No. 35. This hilly street is known to suffer subsidence, many houses have been underpinned, and it is moving towards the railway cutting at the bottom of the street. Arup in their geological report for Camden mention that land near a railway cutting is more likely to be unstable.

In their BIA they say No. 35 is a semi detached house however it is not. It is attached to No. 37 at the rear and shares a party wall. No. 35 is already strapped and is on a gradient that is near 7 degrees. The gradient has been completely ignored, although Arup say '*it is these areas that are potentially most prone to becoming unstable if the land topography is adversely disturbed*'. It also has a front wall that is underpinned and this will need to be removed. These building works will cause vibration that could affect our flank wall.

In Kensington and Chelsea's proposed Residential Basement Study Report 2013 states what is needed, '*the appraisal of the existing building structure and understanding of the structural arrangement and conditions of the adjoining buildings, with particular reference to the condition and history of movements*'. '*Past alterations to the structure should be considered of the building and adjoining buildings. This assessment should inform the feasibility of the basement proposal*'.

Their BIA accompanying the first planning application also states '*there is possible potential to affect the flank wall foundation of No. 37 by this basement excavation at No. 35*'. The other residents in South Hill Park who have had basement constructions next door have extensive damage to their houses. Our flank wall is already weakened, as can be seen by the 5 ties and it may not withstand any further damage. It also forms the stair wall so there would be no means of escape, if it failed.

RBKC 2013 *'The applicant should also undertake to engage a builder or contractor experienced in the construction of basements similar to that being proposed'*. However there is no evidence that the architect, or engineer has experience of building basements of this depth and complexity under an existing house with a subterranean room at the rear. The contractor has not been appointed and there is no guarantee that they will have the necessary appropriate experience of basement construction, propping and underpinning in these complex conditions.

RBKC reports, *'Party Wall surveyors are limited in what they are able to require of adjoining owners, who wish to build basements. They have to interpret the Party Wall Legislation in situations which were not contemplated when it was drawn up'*. The party wall legislation was never intended for basement developments and is not adequate to cover the damage basements cause. Or *'the cost of the litigation that is often required to affect a remedy'*. *'Councils may not be exercising sufficient caution when they grant approval for a basement and then rely on others to solve the problem this approval creates'*. *'The Council should accept responsibility for its granting of a development consent for building work which includes an excavation close to and below the footing levels of an existing building'*, Party wall.org.uk. because **Council puts those buildings at serious risk of damage.**

Their drainage runs alongside our party fence wall which is next to the flank wall, this is not mentioned, which is less than 1m away and no details are given of the works to be done here.

DP27b). Hydrogeology. In the first BIA for 35 SHP it states *'there should still be a route for the groundwater (if any) to flow round the new basement, beneath No.37 (and also the gap between the properties)'*. Dr M de Freitas *'Allowing diverted groundwater to flow beneath No. 37 is not a solution; it is an unresolved outcome. In addition to that it must be noted that increasing the water content of ground can be expected to reduce the strength and stiffness of the ground and thus the founding layers for No. 37 and its 60ft high flank wall. The BIA says nothing about this'*. The water cannot run in a gap between the properties as at the garden level the houses are attached.

As the garden is being substantially lowered by 1.5 to 3.5 metres, resulting in a great drop between No. 37 and No. 35 and the excavation of a lot of soil and two impermeable basements constructed there will be more groundwater. 37 SHP has already flooded in 2002, this will increase the frequency of flooding for No. 37.

DP27c) Avoid cumulative impacts upon structural stability or the water environment.

The construction of two basements in tandem at 35 and 33, or if done separately would still result in cumulative impacts upon structural stability and the water environment for 37 SHP and the surrounding area.

DP27d). Harm the amenity of neighbours.

These two basement developments will harm the amenity of neighbours by; the amount of unestimated excavation which will be around 600 cubic metres from No. 35 alone, increasing by another 300 cubic metres if the basement at No. 33 is also excavated and this will have to be removed by many HGV's. There will also be an unestimated amount of demolition at No. 35 and the removal of the underpinning of their front wall, these development works will result in noise and vibration, which could again threaten our 60ft high flank wall.

DP27e). Lead to the loss of trees. The lowering of the garden at 35 SHP could lead to the loss of trees at No. 33 SHP and the magnolia tree at No. 37.

DP27f). Provide satisfactory landscaping including adequate soil depth.

The lowering of the garden by up to 3.5m with the provision of a large sunken terrace will result in a soil depth of 0.5m over the base of the retaining wall, this will not provide a satisfactory landscape at the rear.

DP27g). Harm the appearance or setting of the property or the established character of the surrounding area. This basement development and the lowering of the garden will harm the appearance and setting of the property and the established character of the surrounding area. This is also contrary to the **South Hill Park Conservation Area Statement Issue**.

The complete removal of front gardens and the large part of the front walls are proposed, this will be replaced with a shed, paving, steps and a pier. This will be contrary to SHP 26, which says 'proposals should respect the original style of boundary and these should generally be retained'. 'Particular care should be taken to preserve the green character of the area'. 'Alterations to the front boundary between the pavement and houses can dramatically affect and harm the character of the CA'. The provision of two entrances for each house is not a character of the CA and will neither improve or enhance the character of the conservation area. The lightwells will not protect the architectural character of the building as the front forecourt planting will be removed and this will harm the character and appearance of the area.

The proposal to construct a subterranean room 5m below the existing garden level with a 3.8m high room above it over the whole width at the rear would harm the appearance of the conservation area and not enhance or improve it. The subterranean room would project 6.8m from the wall of the house and the room above 6.8m. The extension at the rear is bulky and dominates the rear elevation. It would not be sensitive in scale and design and therefore harm the appearance of the CA. SHP18 and 19. 'Rear extensions should be as unobtrusive as possible.' SHP 19 'Extensions should be in harmony with the original form and character of the house and the historic pattern of extensions in the terrace or historic group of buildings'.

DP27k). The development results in the loss of more than 50% of the front garden.

This basement development will result in the loss of 100% of the front garden, it will lose the opportunity for planting and harm the appearance of the conservation area.

This application fails to prove that the stability of the neighbouring properties are maintained, that the problem of flooding for No. 37 has been overcome and that the proposals will enhance or preserve the special character or appearance of the South Hill Park Conservation Area.

For the above reasons I strongly oppose the application and urge the council to refuse it.