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Flat 3, 15 Wedderburn Road

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[redacted]

17 January, 2014

Development Control

London Borough of Camden

Town Hall

London WC1H 8NJ

FAO Fergus Freeney

Dear Sirs,

Flat 1, 15 Wedderburn Road, NW3 5QS

2013/7182/P

This letter is from Iqbal Bundhan/Liz Pether and Jo Konrad. We each own flats immediately adjacent to Flat 1, 15 Wedderburn Road, the owners of which property have submitted a major Planning Application, referenced above. This joint letter sets out our objections to this Planning Application in detail, and represents concerns for both 13 & 15 Wedderburn Road arising from this Planning Application. Other property owners at 13 & 15 Wedderburn Road have seen this letter, and may well write to you direct to object in their own names. Other neighbours may well do likewise.

Having regard to Camden's Policies DP26, DP27 and CPG4 in particular, we strongly urge you to refuse this Planning Application, which we consider to be inappropriate to the location, and excessive in bulk and scale. We further consider the Basement Impact Assessment and Construction Management Method Statement to be inadequate. Our core objections are set out below, but itemised in detail in the various appendices and attachments to this email. Whilst the objections are listed under section headings, these overlap to some extent. Hence certain points are made in more than one section:

1. **Bulk and scale**: The Planning Application describes the proposal as: *excavation of a new basement under footprint of existing building.* This is an inaccurate description and vastly

underestimates the scale and bulk of this Planning Application. The reality of this application is:

- The existing Lower Ground Floor is approximately 50% of the footprint of the house. The proposed basement excavation is to extend the lower ground floor by 50% with a basement dig out. There will be no habitable space here. The proposed, new lower ground floor basement will be used for car parking and storage etc.
- There is then a second level basement, which exceeds the existing footprint considerably – at front, side and rear. Approximately 50% of this will house a swimming pool. Again there is no habitable space.
- No mention is made of the fact that, in order to contain the water of the pool, a further level dig out will be required for approximately 50% of this lower basement.

Hence what is actually being proposed is a basement dig out over three levels, which exceeds the existing footprint on every elevation. It is hard to comprehend the logic behind this Planning Application, which doubles the existing floor space. If granted, it appears that the primary benefits to the applicants would be a larger swimming pool than already exists, a cinema room, and underground parking. As the provision of the latter is anti-policy, and other recreational uses are unproductive use of space, it is hard to rationalise this. This Planning Application is not about providing additional habitable space.

This proposal vastly exceeds the directives of DP27 generally, and DP27.9 specifically. This alone should be sufficient grounds for refusal.

2. Engineering Report and Basement Impact Assessment: The Report by Tim McFarlane, CEng MIStructE RDI, Consulting Engineer is attached. His Report strongly recommends refusal of this Planning Application. He makes the following specific comments:

i. Like the main authors of this letter, he also comments that the application is made by Flat 1 and seems to disregard the needs and requirements of Flats 2 & 3 situated above it. He considers this proposal to be inappropriate in bulk and scale to such a site in this location. He also comments that this is unsustainable for Flats 3 & 3, 15 Wedderburn Road, and highly disruptive for 13 Wedderburn Road.

ii. He notes that the existence of ground water requires construction of a secant pile wall around the perimeter. He itemises, which the applicants do not, the reality of this in terms of the number of skip removals and concrete truck deliveries on a daily basis throughout this phase, which will probably be +/- 3 months. Lorries are required for soil removal and concrete delivery. He estimates these will total +/- **450**. He concludes that given Camden's policies contained in CPG4, this is unsustainable for the location, and specifically for the neighbours at 13 & 15 Wedderburn Road

iii. He then addresses the technical problems that the Applicant MUST address for LB Camden to be confident that these works COULD be carried out as described. Specifically: how is the secant piling to be installed; that no specific detail is provided of the temporary support for Flats 2 & 3 at 15 Wedderburn Road (that provided is indicative only); and that no strategy is provided for access to Flat 3 or protection for the existing elevator during works. The Basement Impact Assessment/Construction Method Statement provides no assurance on any of these points. Hence he recommends refusal on these grounds.

iv. In relation to both 13 & 15 Wedderburn Road, it is noted that Para 2.30 of CGP4 requires 'calculations of predicted ground movements and structural impacts to be provided'. These do not appear to be provided in any of the supporting documentation. Surely Camden cannot consider a Planning Application for a basement until this information is provided.

v. He specifically comments that 'there is mention of settlement and heave associated with this work.....but there is no detailed analysis of the extent of this movement and how it would be mitigated'. The Basement Impact Assessment is deficient in many ways. Related to this point specifically, it is our understanding that the BIA MUST include the predicted damage assessment on the Burland scale to all the existing properties, numbers 13 and 15 Wedderburn Road, as well as 7 Akenside Road.

1. **Site location:** There are two separate aspects of location to consider: i The road in which this property is located, and its role within the Conservation Area; and ii. the precise location of the applicant property:

    i. Wedderburn Road is a short road comprised of mainly Victorian houses. Many of these houses are Grade II listed, and note is made in the Conservation Area Statement of the fine architectural details on several of these properties (including 13 Wedderburn Road, which adjoins). Many of the proposed external alterations in this Planning Application are described as 'improvements to the appearance of the road'. Whilst not disputed, these will be largely invisible from the street, and could all be achieved entirely independently from the dig outs proposed. These 'improvements' cannot therefore be considered to offset any negative impact of the proposals. We cannot see how this Planning Application enhances either the road or the wider Conservation Area.

    ii. The scale of this Planning Application would be inappropriate to a house in single occupation in Wedderburn Road, for density reasons as mentioned above. However this property is not in single occupation. There are three flats at 15 Wedderburn Road. Each has rights of access to ground level space within 15 Wedderburn Road. There is a cavalier attitude throughout this Planning Application, which disregards the rights and accesses of the properties above the applicants ie those of Flats 2 & 3. The Planning Application is made only by Flat 1, and states (2.0 of Construction Method Statement) that 'Flat 1....occupies the entire ground floor'. This is inaccurate. The entrance to Flat 3, its hall, its lift and base of its staircase are all on the ground floor. The rationale for this preceding detail is to make explicit the disregard of Para 2.49 CPG4 regarding the care

and consideration to be afforded to the other immediate neighbours/other owners within 15 Wedderburn Road.

iii. The Planning Application proposes two sets of high gates: a pedestrian gate at the street boundary, and further gates and new high wall to the secure parking and other amenities below. High gates are inconsistent with the streetscape of Wedderburn Road, which is epitomised by open access to its various properties. The Conservation Area Statement refers to this. These gates could constitute a dangerous precedent, leading to a total change in the nature and atmosphere of the road, if copied elsewhere.

iv. The application refers throughout to improving Wedderburn Road via various proposals. One major way to improve the streetscape would be to remove the 'high walls' adjoining the above gates, which are a later addition, and revert to lower walls in keeping with others throughout the road.

v. Wedderburn Road is classified as a 'heavily parked road' by London Borough of Camden. Wedderburn Road is part of the CA-H Controlled Parking Zone. For this reason, as well as reasons of general amenity, it is imperative that the integrity of the Controlled Parking Zone should be maintained throughout the course of this development, if Planning Application is granted. The application fails to mention that there are currently 5 parking spaces on site – three of which are used by residents other than the applicants. These will all be lost during building works, hence placing extreme pressure of the existing Controlled Parking Zone, when these cars are obliged to park on the road.

DP27 refers

3 **Landscaping:** There are currently two trees on the site which are protected by TPO's, and numerous additional trees. Indigo's Tree Survey Assessment implies that these are 'unimportant', and suggests that their removal would have no impact on the site. We disagree and urge you to consider the effect of the loss of trees at 15 Wedderburn Road, and **how this impacts on the whole of Wedderburn and Akenside Roads**. There are only 22 plots in the main section of Wedderburn Road. To remove ALL of the trees from 15 Wedderburn Road would have a major impact on the overall aesthetics of these roads. Some of these trees are subject to Tree Preservation Orders, and it is difficult to comprehend how their loss could be accepted by Camden. Additional comments are contained in Appendix II below and should be considered alongside this section.

DP27.10 refers. It is imperative that Camden's Tree Officers be consulted on this aspect of the PA.

4. **Impact on neighbours during building works:** Para 2.49 of CPG4 states that: 'full care and consideration should be given to neighbouring properties, as the works can be particularly intrusive to immediate neighbours'. Further the Planning Application envisages construction to continue for 1 ½ years. It is hard to underestimate the serious impact of this proposed development on others, viz: immediate neighbours, neighbours from the whole of the

immediate area, as well as the vast number of school associated pedestrians and drivers using this road on a twice daily basis. The implications are many and various. For this reason the major points are set out below in the attached Appendix I below. However, we urge you to consider the following:

i. On the attached spreadsheet we itemise the vehicular movements required during the piling and excavation operation only. **This amounts to 1,000 vehicular movements.** This does not include any other vehicular traffic associated with this development.

ii. In the Construction Management Plan (Para 4.2.1) the Applicants say: '...vehicular access to the site will be from Wedderburn Road into the existing car park'. This disregards the fact that the 'existing car park' to which they refer is not demised to Flat 1, and cannot be assumed to be used for this purpose. It is in fact demised to Flat 2.

iii. The Application should demonstrate how parking and deliveries will be managed without access to this area, and without blocking the whole of Wedderburn Road for many months.

iv. At 4.2.2 of the Construction Management Plan it states that there is a 'separate detailed traffic management plan'. This does not appear to have been submitted to the Council. And, this issue is critical, and this plan should be available for consultation.

We urge you to give serious consideration to the above objections and refuse this Planning Application on the grounds of: **inappropriate bulk and scale** (1. above) and **failure to provide sufficient technical information** (2. above). It is our understanding that the main function of the Basement Impact Assessment/Construction Management Method Statement is to provide precise technical information on all proposed procedures IN ADVANCE of the Planning Application being considered. This is not provided, so surely the Planning Application must be refused. **The consequential major negative impact to occupiers, neighbours and the neighbourhood** (2. and 4. above, and Appendix 1 below) during construction cannot be justified given that there is no gain to the conservation area, and no gain to ameliorating Camden's housing needs.

Yours faithfully,

[redacted]

Appendix I

Disruption caused during demolition and construction phase of development.

At 4. in the attached letter, various general issues of inconvenience during the building process are outlined. DP26 refers to this. The following is a list of some of the detailed objections which are not covered in our letter, or addressed by the Applicants in the Construction Management Plan or Construction Method Statement:

1. Construction Management Plan clearly shows that the owners/occupiers of Flat 3 will have no access to their home or forecourt for over a year. Is this a mistake in the drawing of the site boundary? It is assumed it must be as there is no reference in any of the supporting documents as to how this exclusion accords with the full care and consideration that should be given to impacts on neighbouring properties (which it is assumed to include occupiers) (CPG 4). In addition the CMP states that the works " are to be carried out without any alterations at first and second floor..." but at minimum there is the removal of the existing staircase at first floor level.

2. The Construction Method Statement and various plans on the other hand clearly show development under the forecourt of Flat 3 together with significant external piling. There is no information given as to how access to Flat 3 is to be maintained in a safe and continuous manner. Clarification and information on this must be sought from the applicants prior to the application being considered.

3. The owners of 7 Akenside Road are the owners of the forecourt immediately adjacent to 13WR, together with the path running from this forecourt to their property, and running the length of the eastern boundary. How is their access and use of forecourt to be maintained? (Should notice have been served under Articles 11 & 12 of the Development Management Procedure (England) Order 2010)?

4. The Construction Method Statement refers to external piling as being "generally at the rear of the property and at the front plus round the new access ramp to the car parking." The plans in the statement appear to show external piling round the entire extended property/footprint. Which is correct?

5. Related to 4. above specific plans within the Construction Method Statement appear to show some 270 piles (the little circles on the plans!) will be required. On the basis that each pile takes circa 2 hours to be placed in position, this amounts to some 540 hours or 90 working days or 4 ½ months (9.30am to 3.00pm) of **constant** piling. There is no explanation of how any noise, vibration or nuisance from this activity will be minimised to occupiers and adjacent properties.

6. There is no reference to the existing lift to Flat 3 and to how its continuous safety and integrity is to be maintained in either the CMP, the CMS or the BIA. The plans appear to show the removal of the base of the lift shaft and excavation directly under that. This is totally unacceptable. The applicants must confirm that this and any piling works adjacent to it will have no impact on its safety and continuous operation.

7. Piles are shown under the ground floor hall of Flat 3. There is no explanation as to how these wil be implemented although elsewhere on the site reference is made to the need to remove parts of the ground floor to accommodate the piling rig. Will that be necessary here - in which case how will safe access be maintained to Flat 3?

8. There is insufficient information provided as to the exact nature of the temporary access to Flat 2 during the demolition of the existing staircase and when the replacement is to be built. It suggests that the temporary arrangement will cross the building site and exit within the building site. It also states that the site will be locked securely at night with no explanation as to how safe access will therefore be maintained for the occupants. There is no confirmation that alternative access will be provided prior to the denying of current access arrangements and that this will be continuous and not place occupiers or visitors at risk

9. The Construction Method Statement refers to the need to remove parts of the existing ground floor to accommodate the piling rig. It makes no reference to any additional sound proofing provision to be provided to the ceiling/floor of Flat 2 to mitigate against the excessive noise that this will impose on the occupant of Flat 2 (and possibly Flat 3). Indeed no reference is made to internal soundproofing that should be required throughout at least demolition, piling and excavation and rebuilding stages of the proposed development.

10. The Construction Management Plan states that "Statutory services must be kept live at all times". Whilst this is welcomed the applicants must confirm that this is actually what they mean. It seems unbelievable that gas, water, electricity, drainage etc arrangements will not need to be interrupted at some point. Indeed there is a drain for Flat 3 either within or immediately adjacent to an area of extensive external piling ! In addition the continuously safe and accessible location of the meters for Flats 2 and 3 must be identified clearly on the plans.

11. The proposed hoarding around the site boundaries (and its correct alignment needs to be established) will be insufficient to ameliorate dust, pollution etc to the occupiers of the flats above the development site, or the neighbours at 13 and 7 Akenside Road. **Temporary roofing over the entire development site must be provided, whilst work is in progress.**

12. The PA proposes site access via WR. This is unacceptable for two reasons: i. As a result of heavy parking demand, WR has only one lane for traffic. Daily disruption arises as a consequence. Any further disruption eg from delivery vehicles or debris removal would cause vehicular chaos; ii. Previous reference has been made to the large volume of school children using the road. There is a danger to these children from vehicles reversing in and out of a congested site access in WR, adjacent to a crossroads. Another solution is essential.

13. Para 4.2.1 of Construction Management Plan refers to delivery vehicles being able to park in the 'existing car parking area'. However, this car parking area is demised to Flat 2, and cannot be part of the PA.

14. There are a variety of minor inaccuracies and inconsistencies in the PA. These are mentioned below. Whilst probably not critical from a planning perspective, in total they lead one to question the veracity of the whole document:

- Planning Design and Access Statement (PDAS) has a section in contents relating to Scale missing. This should be supplied and included in any consultation since scale is of major concern in the development proposed.

- The PDAS refers specifically to the creation of 2 additional bedrooms (in addition to the existing 3) and the need to locate bedrooms on the same floor. The location of the 5th bedroom has not been shown. It needs to be marked on the floor plans – unless it is the second games room (with ensuite facilities) on the new basement level. It seems unlikely as this could not be considered a habitable bedroom.

- The PDAS refers to there being no access to the rear garden from the existing "living floor" level. This is inaccurate. There is a staircase already there and indeed is shown on the plans as such.

- The application refers to the unsightly wall adjacent to the existing light well in the front garden and states it will be removed. The plans elevations show this as being retained. Which is correct?

- The application does not refer to the removal of the boundary wall and railings between the front garden of Flat 1 and the amenity space of Flat 3. The elevations seem to suggest its removal but provide no details as to any replacement. This will be visible from the street and directly from window in flats in 13. Details should have been provided so the Applicant's intentions are clear

The Construction Method Statement clearly states that it "responds to the requirements of the **Royal Borough of Kensington and Chelsea Subterranean Development SPD (2009)**."! The Applicant needs to explain how this is relevant and whether the rest of their document is relevant to this application or belongs with some other development. It is likely to be an error, however its very existence raises doubts as to what other statements in the document are incorrect and the veracity of any of it.

Appendix II

Landscaping at 15 Wedderburn Road

In 3. above, the issue of loss of trees at 15 Wedderburn Road is addressed, in relation to the PA. Further details are set out below:

1. It is unclear which, if any, on site trees are to be protected and which removed. The removal of the existing apple tree to the rear will represent a considerable loss of amenity to the occupiers of all floors of 13 and 15, as will the loss of mature trees at the rear adjacent to Akenside Road. These will have a significant impact on the streetscape of Akenside Road which already experienced the unauthorised loss of a mature Birch earlier this year. Whilst that has now been replaced, that replacement provides evidence that the removal of mature trees with new ones will mean a loss to the landscape for at least 5 years, if not more as they establish and grow. There is no mention of the very beautiful mature Plane tree in the garden of 13d. Confirmation should be sought that there will be no impact on this tree from proposed piling etc in close proximity to it. (The removal of ivy overhanging the pavements on both Akenside and Wedderburn Roads frontages is to be welcomed.)

2. Given the lack of clarity about exactly which trees and shrubs are to be removed, and future limitations on replacement planting due to the enlarged footprint of the development (internal floor space as well as extensive new walls/foundations etc) it is suggested that new landscaping proposals cannot be a reserved item with later submission of details, but must be provided as part of the current application so that the impact on the streetscape can be properly considered. A number of small trees in the front garden would appear to be being removed. Their canopies make a significant contribution to the streetscape.

3. Additionally, we repeat our request that Camden's Tree Officers we appointed to review this PA, with regard to trees.