

The Society examines all Planning Applications relating to Hampstead, and assesses them for their impact on conservation and on the local environment.

**To London Borough of Camden, Development Control Team**

Planning Ref: 2013/4232/P and 2013/4779/C  
Address: 16a Lyndhurst Gardens NW3  
Description: Demolition of existing. New house with 2 basements (revised design)  
Case Officer: Rob Tulloch Date 18 September 2013

( Our views on previous proposals 2011/2456/P and 2011/5968/P were coordinated with those of the Belsize Residents Association, seen in their comments dated 27 June 2011 and 23 January 2012)

The previous proposals were refused, and dismissed on Appeal. These new proposals are an attempt to meet the Planning Inspector's objections, but are essentially identical. The developer has employed a new architect, who has removed the previous flat roof from the design, replacing it by a pitched roof, and made a small number of other minor alterations. We are nevertheless having to consider another version of the same unacceptable proposals; we and neighbouring residents are having once again to expend time and money in assessing the applications, whilst the developer, with seemingly unlimited resources, is playing the familiar game of making repeated applications in the hope of eventually wearing down the opposition and receiving a valuable permission. This is anti-social, a subversion of the Planning process, and unacceptable.

Our objections are

1. Gross overdevelopment on a tiny site, next to listed buildings.
2. Damage to the character and appearance of our Conservation Area
3. Clear dangers arising from the excessively deep basement excavations, not properly addressed by the BIA
4. Unacceptable disruption, nuisance and dangers during construction, not properly addressed in the Construction Management report.
5. Nuisance from ventilation plant.

1. Overdevelopment.

It hardly needs stating that a double-basement covering a high percentage of the site amounts to overdevelopment, in an area consisting of houses in large gardens. Development in such a low- to medium- density neighbourhood should retain a significant area of garden, not just for the enjoyment of the householder, but also to maintain trees, planting, grass and a green environment. High densities of residential development may be acceptable in areas of housing need, where large numbers of

affordable units can be developed. This is not such an area, and much of the excessive floor space proposed is provide luxury accommodation such as the swimming pool. No garden of any significance is proposed; only a small courtyard.

## 2. Conservation Area character

The applicant has paid lip service to this, in answering the Planning inspector's objections, by adding a pitched roof to his original design. No other concessions are made to CA character; large expanses of glass, minimalist details etc. Above all, the siting of the house, in close proximity to its listed neighbour, with no urban design issues being considered, is very harmful to the character of the CA. It is no excuse to say that the present house is similarly sited: the slate is wiped clean on the demolition of the existing structure: this is a new house, and must be judged accordingly.

## 3. Basement construction

The size, depth and configuration of the proposed new double-basement is virtually identical to the previous, refused, design, and the Basement Impact Assessment is similarly unchanged.

The position regarding the BIA is singularly unsatisfactory. It was reviewed on your behalf by Arups, at two stages of the Planning process. Arups criticised it severely first time, and found it unacceptable, but mysteriously found it "sufficient" second time round. It is clear that discussions had taken place between Arups and the developers between the 2 stages; they had plainly been persuaded to change their views. We cannot therefore accept that a truly impartial and unbiased opinion has been given by Arups, and this section of the application has to be looked at as unsatisfactory.

In particular, many aspects of the basement construction have been noted as requiring "further work /investigation prior to construction" This is surely not satisfactory: the purpose of a BIA is to establish without doubt that a development is safe, and will not damage neighbouring buildings. The BIA in fact notes that damage to adjoining buildings is likely to be "very slight", presumably referring to the Burland Scale of damage assessment; it goes on to say that monitoring of adjoining buildings should be carried out "so that any movements in the buildings can be appraised and acted on..." These 2 statements do not seem to be consistent, and must give rise to suspicion and concern in the minds of adjoining residents.

The fact is that enormous excavations of these dimensions are unsafe in close proximity to buildings more than 100 years old, whose foundations cannot be properly assessed. If a BIA from an engineer of Arups reputation cannot guarantee full safety, then the development is potentially unsafe, and should be regarded as unacceptable.

## 4. Construction management.

This part of the application remains unchanged, and, as before, embodies an inadequate understanding of the problems that would be encountered in construction, especially in relation to heavy vehicle traffic, and the loading of these vehicles with excavation spoil, on this narrow site.

The nuisance that would be caused by the hours of work, noise, mud, dust, traffic movement and congestion, disruption to local traffic and parking, hazards to pedestrian safety and the necessity for obtrusive perimeter protective hoardings would be intolerable. This is largely due to the extent and scale of the work proposed, which would far in excess of that to be expected from a normal building project; in other words it is another aspect of the proposed overdevelopment of the site.

#### 5. Ventilation Plant

No reference is made to the evident need for quite significant installations of ventilation/ water purification plant in connection with the swimming pool, or of any air conditioning to basement areas. The potential for noise and fume nuisance from such plant needs to be considered, especially in view of the close proximity of adjoining houses, and St Christophers School.

We are very concerned that the impact of this excessively large scheme on neighbouring residents, and the staff and pupils of St Christophers School has been disregarded, and we urge you, for the second time, to refuse it.