



Rob Tulloch  
Regeneration and Planning Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London  
WC1H 8ND

Tuesday 3rd September 2013

Dear Sir

**RE: APPLICATION REFERENCE 2013/4232/P and 2013/4779/C**

Background

The above application follows on from two earlier applications: the first was withdrawn in the summer of 2011 and the second was rejected at a meeting of the London Borough of Camden's Planning Committee in September 2012 and then again on appeal by the Inspector in April 2013.

Summary

I am writing **to object strongly to the new application**. While the proposed structure at ground level is an improvement on the previous application, it is still a huge **over-development of the site**. Indeed, there is now **even less reason to demolish** the existing bungalow – it is merely replaced by an almost identical structure.

Basements

It is clear that the planned basements are a gross over-development of the site. More than three quarters of the square area of the proposed dwelling would be below ground and the depth to the bottom of the swimming pool is some 8.3m, with piling going as deep as 14.3m.

Today, the LB Kensington and Chelsea closed its consultation on a new policy (CL7) that is intended to reign in the scale of basement developments. The above application would fail against this proposed policy because:

1. The basements encroaches more than a 50% maximum of the existing garden space;
2. It comprises more than one storey below ground;
3. It introduces a light well;
4. It fails to include a sustainable urban drainage scheme, including one meter of permeable soil above any part of the basement beneath garden space.

These conditions are echoed in LB Camden's own Policy DP27 which states that:

1. A basement development that does not extend beyond the footprint of the original building and is no deeper than one full storey below ground level (approximately 3 meters in depth) is **often the most appropriate way to extend a building below ground.**
2. Proposals for basements that take up the **whole rear and/or front garden of a property are unlikely to be acceptable.**
3. **Sufficient margins should be left between the site boundaries and any basement construction to sustain growth of vegetation and trees.**

I would therefore urge that if a basement structure is allowed, it is for one floor only and does not encroach more than 50% into the existing garden.

I would also point out that no testing (soil samples and water monitoring) has taken place since the summer of 2012, as prescribed by the second report of Arup, and I would refer you to the observations made in our submissions last year (see letter of 11th July 2012 and Appendix 4 to our Appeal Submission to the Planning Inspector dated 24th December 2012) concerning the inadequacies of the BIA. I would urge a further independent review of the BIA, although not by Arup, as I no longer feel that they are independent.

Several consequences follow from the over-development of such a small site with its narrow access. The construction schedule is extended; the applicant's engineers have been unable to develop a meaningful construction sequence plan; vast quantities of soil will need to be removed; increased truck movements, will be required; noise, disruption and the potential for accidents are much increased. It is also likely that damage to adjacent properties (one of which is Grade II listed) may arise several years after the property has been sold, despite calculations that (of course) show that such risks are low.

#### **Other issues**

1. The proposed dwelling should **not be allowed to intrude at all** on the 6m exclusion zone around the Lime Tree at the rear and should be redesigned before planning permission is considered.
2. A far deeper layer of soil, such as the minimum of 1m stipulated by L B of Kensington and Chelsea in CL7, should be allowed above the basement and concrete piles, to support the planting of trees on the boundary.
3. The position of air conditioning has not been shown and there are no details of the consequential noise pollution and its affects on neighbours.
4. The position of the ventilation/extraction for the swimming pool is not shown and the plant size, noise and smells will impact on neighbours at Number 16.

#### **Section 106 Undertakings**

It is critical that the Planning Conditions and Section 106 undertakings negotiated and completed in March 2013 are renewed by the Developer unchanged except to reflect the new plans, as the key issues pertaining to the BIA and CMP remain the same as with the previous rejected application.

Furthermore, all future permitted development rights should be withdrawn if planning permission is given.

Yours sincerely,

Adrian Phillips