

[REDACTED]

From: Olcar-Chamberlin, Aysegul
Sent: 31 July 2013 10:20
To: Planning
Subject: FW: Objection Planning Application 2013/0703/P - 22 Kylemore Road NW^ 2PT
Follow Up Flag: Follow up
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[REDACTED]

From: Brigid Shaughnessy [mailto:[REDACTED]]
Sent: 31 July 2013 02:31
To: Olcar-Chamberlin, Aysegul
Subject: Objection Planning Application 2013/0703/P - 22 Kylemore Road NW^ 2PT

West Hampstead Gardens & Residents Association

FAO Ms Olcar-Chamberlin

Regeneration and Planning Development Management
LB Camden
Town Hall
Judd Street
WC1H 8ND

31 July 2013

Re Planning Application 2013/0703/P – 22 Kylemore Road NW6 2PT

1. The West Hampstead Gardens and Residents Association (WHGARA) objects to this application on behalf of its members. WHGARA's membership covers the large residential area with its boundaries between West End Lane, Hemstal Road, Lowfield Road and Sherriff Road.
2. There are a number of sound reasons why it is essential, in our view, that a proper Basement Impact Assessment should be provided to the Planning Authority by the Applicant. The Authority has thus far failed to ensure that there has been any such Assessment carried out in this street. Yet it is widely known that the houses at the bottom of this large hill are at risk of damp/flooding, once basement works are carried out. There is very great concern currently about the impact of basement works, to which the Arup report to LB Camden in November 2010 has lent great weight. There is no knowledge as yet of the long term consequences of basement development in this street or its immediate area. The vast majority of Victorian houses in this street are houses with shallow foundations or merely just footings.
3. In this case, the developer landlord (the house has been empty for a while but it has previously been a commercially-let property in multiple occupation) wants to avoid providing any such Assessment. But the information provided by his advisers is quite generalised and cursory and refers to areas which are distant from this property (no doubt because the Planning Authority has not so far required an Assessment to be made in this immediate area).
4. It is known that the basements of No. 22, and its neighbours, already suffer from damp.
5. Those who have lived in Kylemore Road for many years say that it has a tributary or

underground water source crossing part or all of it, but no one knows exactly what is there, since there has never been any proper, detailed research. Given that the area at the bottom of this hill is one which everyone says is liable to flooding, no one knows what the impact of this development is going to be as regards drainage and subsidence. The developers has declined to provide a Basement Impact Assessment and so everyone remains in a state of ignorance.

6. The proposed development will take the level of the basement of No. 22 below the basement level of its neighbours – a well known source of risk in such an area.

7. The new development resulting in a new light lightwell involves lowering the depth of the basement below its neighbours. There is no indication from the drawings how much excavation is intended to take place within the existing basement which is clearly now intended to be used as living space. The existing height of the basement floor is about 6.5 ft and clearly excavation work is intended to take place there, as well as outside and below the front door access. This will take the excavations below the neighbours.

8. The proposed development may look fairly modest, but it involves excavating substantially below and beyond the existing footprint of No. 22 and its immediate neighbours. The new excavations go as far forward as the street pavement itself.

9. No Assessment is provided which show what impact there will be on neighbouring houses. The Victorian houses in this street do not have modern foundations built to modern high standards. The houses have only modest footings, and no proper foundations or very shallow ones.

10. Slight reference is made to four houses in the street which have had some basement work done recently and people are becoming increasingly concerned about the cumulative impact of basement development). There is, we understand, evidence of damage to stability, cracking and damp to neighbours from basement developments both in this street and in neighbouring streets.

11. The West Hampstead Neighbourhood Planning Forum proposes to include in its Neighbourhood Plan an expression of its great concern at the increasing number of basement developments without, thus far, proper long-term assessment of consequences. The Plan will include reference to Camden Planning Guidance (CPG4) and refers to the fact that West Hampstead, South Hampstead and Cricklewood have all been identified by the local Planning Authorities as areas which are prone to localised flooding from surface water due to local soil conditions and topography. It stipulates that

“underground developments in these areas should therefore be avoided... (since) this is likely to affect the stability of these existing buildings, many of which were built with shallow foundations. Therefore, if planning permission is given for basements, they shall not be larger than the footprint of the property”.

12. If permission is to be given for this development, it must include stringent conditions as to the detailed construction, the quality of the materials to be used and detailed terms for the protection of neighbouring properties and a mature Birch tree whose roots will be compromised by the excavation. This is particularly important since previous work carried out by the owner has been of a low or even makeshift standard (e.g. rear dormer window).

Yours sincerely,

Stephen Nathan Q.C.
Chair West Hampstead Gardens & Residents Association (WHGARA)
3 Hilltop Road
London
NW6 2QA3

[REDACTED]

From: [REDACTED] on behalf of James Earl [REDACTED]
Sent: 01 August 2013 20:13
To: Planning
Cc: Stephen Nathan
Subject: Response to application 2013/0703/P- logged 05/08 sey
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Dear Camden Council,

I am writing concerning planning application 2013/0703/P for 22 Kylemore Road, NW6 2PT.

I am writing from the Fortune Green and West Hampstead Neighbourhood Development Forum to object to this application.

I share the concern of the local residents' association - WHGARA - that the applicant has ruled out having a Basement Impact Assessment. To go ahead with this development without such an Assessment would be in clear breach of Camden Council planning policy (CPG4).

The emerging Neighbourhood Development Plan should also be referred to when considering this application - see A13 & Policy 1.
(the current draft of the Plan can be seen on our website: www.ndpwesthampstead.org.uk)

Best wishes,

James Earl
(Chair, Fortune Green & West Hampstead NDF)

22 July 2013

Ms Aysegul Olcar-Chamberlin
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London WC1H 8ND

Dear Madam

**Objection to Planning Application 2013/0703/P
22 Kylemore Road London NW6 2PT**

The fashion for basement development is relatively new and consequently there is little in the way of longitudinal studies to provide information on the likely longer term effects and how deleterious they may be to land drainage and the structural integrity of adjacent buildings, although thus far there have been numerous instances of more immediate negative effects to neighbouring properties – flooding of basements and cracking of party walls for example.

It is therefore extremely important that Camden when considering applications for basement developments continues to approach the assessment of each application in a most rigorous manner to ensure that there is total compliance with all existing planning requirements and building regulations **as well as ensuring that there has been full disclosure of the extent and nature of the works planned.**

The Arup study for Camden November 2010 indicates the need for stringency and points out that the long term consequences of basement developments in close proximity are unknown and have not been evaluated despite increasing disquiet about such overdevelopment.

Each new applicant for a basement development is able to lend strength to their application by citing Camden's agreement to other previous applications in the locality. If most residents in any location apply to excavate their basements using precedent in support how does Camden intend to treat each application in a fair and even-handed manner **and** at the same time control overdevelopment to minimise the probable and accumulating negative consequences?

Camden's Planning Guidance (CPG4) states that the council will only permit basement and underground developments that do not cause harm to the built and natural environment and local amenity; result in flooding; or lead to ground instability.

How exactly is Camden able to permit continuing basement development when even their own commissioned study indicates that the consequences of such over development are unknown?

I raise the above points and questions after having studied application 2013/0703/P. This is an application which is short on detailed information resulting in a misleading impression as to the extent of the intended basement excavation.

Cooper Associates for the applicant claim that a full Basement Impact Assessment or Ground Investigation Report is not required. However, it is obvious that more excavation work is required than is spelt out in the application. For example, one drawing indicates that there is to be a shower room including WC which appears to extend the full length of the front garden up to the pavement line. Clearly more excavation is required for this than merely excavating for a light well. There is no mention of the shower room and the work required to provide this in the Design and Access Statement.

As far as I am aware the height of any existing basements in Kylemore Road is only about six and a half feet consequently, if this is the case at number 22, then excavation to lower the floor in the existing basement will be required. There is no mention of this in the application.

Cooper Associates' document Section 2 at point 4 in response to "Is the site within a wider hillside setting in which the general slope is greater than 1 in 8?" states that "It is a residential area with very little slope to the adjacent ground/roads." This needs to be challenged as both Sherriff and Hemstal Roads nearby are particularly steep and the whole area is on a hillside setting where heave and subsidence is already very much prevalent.

In Section 2 at point 6 of the above document mention is made of the deciduous tree on the pavement at the front of the property. "... this light well is stepped down towards our property to reduce the impact on the tree. The immediate area will be hand dug to expose any roots that come towards the property." As this is a mature tree it is highly likely that the excavation required not only for the light well but also more importantly for the shower room will be within the root protection zone of this tree. Will Camden's arboriculture department investigate to establish whether this tree is at risk before any planning permission is granted?

Taken as a whole this application lacks the rigour and detail necessary to merit planning permission and therefore I object to it in its present form.

Please advise me when this application will be considered by the local planning authority.

Yours faithfully

Jeanette Murch