**8 LINDFIELD GARDENS, LONDON NW3 6PU-- PLANNING APPLICATION (ref 2014/4006/P)**

**COMMENTS FROM IAN WALLIS**

**Introduction**

1. My name is Ian Wallis. I am qualified as a chartered professional (civil) engineer. I have been the leaseholder of 8A Lindfield Gardens since 1975. At various times since then, the flat has been lived in by me, my wife and my daughter: it is currently rented out on a commercial basis. My flat is the lower ground floor (or garden) flat immediately below the subject property and immediately adjoining the proposed development: it is thus the flat that is likely to be most adversely affected by this development, it were to proceed.

 **Comments**

1. Some 12 months ago, I provided comments on the original (2013) planning application. Most of these concerns remain valid, as they have not been addressed at all, or not addressed adequately, in the revised application. I refer in particular to issues relating to:
	* Potential adverse effects on the structural stability of the building, including my flat in particular (para 6 of my 2003 Comments). Refer further comments in para 5-7 below.
	* Access to/from my flat (para 11, 12). Refer para 8 below.
	* Likely nuisance during the construction period (para 14). This still remains a concern to me, which appears not to have been adequately addressed in the current application.
2. I have reviewed the recent Stark report and am in agreement with its main conclusions: I do not attempt to restate or revisit all these conclusions here. However, I would like to reinforce and expand on some of the points made in this report, and the recent LBH Wembley report, particularly where these relate to issues that are of most concern to me as leaseholder of the adjacent flat.
3. The LBH Wembley report on the submitted BIA states that the application *“does* ***not…..*** *demonstrate sufficient detail and certainty to ensure accordance with DP27*”. I agree with this key conclusion.
4. I note that the June 2013 Stark Associates report commented on the failure of the 2013 application to carry out any investigation into the potential effects of the works on my flat, and on how this failure would be likely to increase the risk of damage to my flat and other parts of the building. This issue was not adequately addressed in the recent application, nor covered in the LBH Wembley report. However, the LBH Wembley report does state that “*the applicant’s construction method/statement does not mention any structural monitoring.”* The potential risks to my flat, that have not been adequately considered in the current application and appear not to be subject to monitoring during the period of the works, are of major concern to me: these would, on their own, appear to give sufficient grounds to require rejection of the application.
5. The application pays little (if any) attention to the major subsidence problems that have affected no. 8 over recent years and that have required considerable remedial work.
6. Relevant to this, nowhere does there appear to be any mention, or account taken, of the experience when excavations were undertaken for an expansion of the living space at the immediately adjacent property (no. 6 Lindfield Gardens) some years ago. On that occasion, there were near-catastrophic ground movements along the boundary between nos 6 and 8, which necessitated extra steel supports being put in place extremely urgently and at considerable cost. I have seen nothing in the current application that assures me that such a problem would not occur at no. 8 during the proposed works; or even that there would be adequate monitoring against such a possibility.
7. Another critical issue for me is the likely adverse effects of the development on access to/egress from my flat: this is barely addressed in the current application. Currently the applicant has a garage, which has its doors adjacent to the entrance to my flat: the driveway to the garage forms the only access to this entrance. With the proposed development, this garage will be demolished and not be replaced by any equivalent. This is likely to mean that additional cars are parked, or cars are parked more frequently, in the driveway. This has already proved an issue for those living in the flat, who on occasion have had their access/egress (including for a baby stroller) blocked-- which is also in contravention to the terms of my lease. This problem seems likely to only get worse with the proposed development. The development application appears not to address this important issue.

**Conclusions**

1. My conclusion in 2013 was that the original planning application was manifestly inadequate in a number of fundamental aspects. My main concerns with the original application have not been addressed, or addressed only inadequately, in the current application. As noted in both the recent LBH Wembley report and the Stark report, the case has not been made that the proposed development will (or may) “*not cause harm to the built or natural environment”*. It thus fails to satisfy the requirements of DP27, and therefore must be rejected.

***Ian Wallis***

***19 Aug 2014***