

## 8 LINDFIELD GARDENS, HAMPSTEAD LONDON NW3 6PU

### PLANNING APPLICATIONS 2014/3625/P (Previous planning application 2013/4006/P)

#### Comments on Reports

	<u>APPLICANTS' CONSULTANTS' PROPOSALS</u>	<u>FREEHOLDER CONSULTANT'S REVIEW OF APPLICANTS SUBMISSION</u>	<u>CAMDEN COUNCIL'S CONSULTANT'S COMMENTS ON APPLICANT'S BASEMENT PROPOSALS</u>	
	VARIOUS REPORTS	STARK ASSOCIATES REPORT DATED JUNE 2013	LBH WEMBLEY CONSULTANTS REPORT DATED AUGUST 2014	
1	The applicant's engineer assumes the soil to be London Clay. He does so despite the applicant's specialist soil report identifying the presence of Claygate member on at least part of the site.	The applicant has ignored this and not taken worst case scenario. This increases the risk of damage to neighbouring properties contrary to DP27.	<b>LBH Wembley (3.2.2) reaffirms the Claygate strata.</b> The applicant must use the worst case conditions. The applicant has failed to do this.	
2	Only a very limited number of trial hole investigations have been carried out. .	SA point out that trial holes should be carried out behind Flat A (can be from within the applicant's flat) and also the garden walls and neighbouring properties as well as the ground slab. Inadequate investigations could significantly affect the structural stability of the flat and building as a whole.	<b>LBH Wembley (3.2.4) states that little information has been provided on the relationship between the proposed basement and the foundations /basements to the neighbouring properties.</b> We would add to this observation to other parts to the main building as well. The applicant has not investigated this. Without doing this there is a significant risk of damage and the applicant cannot predict the amount of damage that may be caused as a result of his works.	
3	Only limited site investigations have been carried out. .	If this has not been fully carried out the SI, soil test results and assessment of ground water may not reflect accurately the site conditions. This will lead to inaccuracies in any assessment of long term or short term movement.	<b>LBH Wembley (3.2.5) refers to the need for a topographical survey/ground levels.</b> This is of fundamental importance to understand in relation to the applicants proposals the precise soil type, level and condition not only in relation to this building, but also the neighbouring buildings and structures.  See also (2) above.	
4	The applicant indicates the presence of the basement Flat A close to the proposed works but fails to carry out an inspection of the property or any investigations.	SA consider that failure to survey investigate this flat and others close to the proposed development is likely to increase the risk of	LBH Wembley has not dealt with this and we assume that is because it is outside their remit. However the point raised is valid because the	

		damage to all other flats and common parts in the building and may result in water ingress into Flat A	application <u>not only</u> relates to the basement works but also the superstructure works which together could cause significant damage to 8LG.	
5	The applicant has failed to investigate the ground conditions behind the existing flat A.	SA consider that the ground behind flat A is likely to be fill. Any works close to this are likely to cause disturbance to the ground resulting in settlement above, and movement of the ground adjacent to flat A causing changes in ground water flow, damage to tanking and damp penetration. The consequence of this is likely to be damage to flat A and the building as a whole.	<p>LBH Wembley refers to Section 4.4 and suggest delaying any excavation close to Flat A. Unfortunately this does not deal with the likely problems in this area namely settlement, changes in water flow, loss of fines and damp/water penetration.</p> <p>LBH Wembley (3.2.8) refers to the “sensitivity of the host building and the relative close proximity of the neighbouring buildings”. LBH Wembley states “that the applicants Construction Method/Statement does NOT mention any structural monitoring”.</p> <p>This is further evidence that the applicants neglect of this issue will increase the risk of damage to the building and the flats within it.</p>	
6	There are distinct differences in the ground water measurements during the applicant’s first planning application and the second application. The applicant’s soil specialist advises that the site is on the edge of a minor aquifer.	SA concern raised about the methods of monitoring, the frequency of monitoring and how long it has been carried out. The applicant also ignores the effects of the soil being Claygate medium, fissures and water flow on top of the layer. The applicant has ignored the likely underground streams, watercourses and tributaries (Barton – Lost Rivers of London) and that the site is on the edge of a minor aquifer.	<p>LBH Wembley (3.2.4) confirms that there are differences between the ground water level monitoring. LBH considers that the applicant has not used the correct data.</p> <p>LBH Wembley (4.2) states “there is some residual uncertainty in relation to the water conditions”</p> <p>LBH Wembley (4.3) states “that it is essential that the 2013 groundwater assessment is updated to take into account the April 2014 recent monitoring results”.</p> <p>LBH Wembley (3.2.7) refers to mitigation measures being required. The applicant has failed to consider this. This in itself increases the risk of damage to this property and the neighbouring property.</p> <p>Without all of the above being dealt with the risk of damage cannot be predicted and the risk of damage is significantly increased.</p>	

7	The applicant fails to consider the internal structural alterations that are proposed and their effect on re-allocation of loads through the building and into the ground.	Ignoring this could affect the building as a whole resulting in damage to the flats and common parts.	<p>LBH Wembley (3.2.8) refers to the “sensitivity of the host building and the relative close proximity of the neighbouring buildings”. LBH Wembley states “that the applicants Construction Method/Statement does NOT mention any structural monitoring”.</p> <p>This lack of this very important information will undoubtedly increase the very real risk of damage to the structure of this building, its common parts and individual flats.</p>	
8	The applicant has provided a desk top study for contamination.	The applicant fails to deal with discrepancies in the ground water table and monitoring. This along with the likely flow of ground water resulting in a health and safety risk.	See (6) and (18)	
9	No ground water testing has been carried out	Ground water flow has not be measured or even assessed. If there is water flow and this changes this is a potential health and safety risk.	LBH Wembley has not dealt with this and we assume that this is because it is outside their remit. We believe that this should be carried out.	
10	No ground water modelling (including water flow) has been carried out on the effects the new basement will have at this property and also the properties at 6 and 10 Lindfield Gardens.	<p>Unless ground water modelling is carried out, no assessment of the risk of flooding to not only 8 LG but also 6 LG or 10 LG can be made.</p> <p>Seasonal path of water has not been dealt with. The seasonal path of water can cause loss of ground and through this raise the risk of damage to adjacent buildings.</p>	<p>LBH Wembley (3.2.9) refers to the residual impacts after mitigation. As the applicant has failed to consider this, it also fails the third engineers’ requirements.</p> <p>LBH Wembley (4.3) “it would be appropriate for the assessment to have included consideration of potential CUMULATIVE effects including the effects of any neighbouring basements”</p> <p>The applicant has failed to deal with these issues.</p>	
11	<p>The applicant does not show the neighbouring properties or levels between the properties.</p> <p>The foundations to the adjacent buildings (or assumed) and structures have not been fully investigated.</p>	This is important to access the layout and effect that the basement excavation will have on the neighbouring properties and the likely damage to the neighbouring properties.	<p>LBH Wembley states at 3.2.4 that “their little information has been provided in regards to the relationship between the proposed basement and the foundations/basements to the neighbouring buildings”.</p> <p>Clearly without this information no assessment of the likely damage that might occur can be carried out.</p>	

12	<p>The applicant has not submitted a detailed construction management plan. There is very limited information on the construction process with timescales including volumes of material to be removed and truck load deliveries to and from the site.</p>	<p>This is an essential document to be submitted prior to planning. It needs to set out clearly the works and how the works will be carried out, deliveries to and from site and soil removal. Without this you cannot claim to evaluate effect on neighbours. The longer the works take and are left open, the greater the risk to the neighbouring properties. The applicant has ignored this.</p> <p>Without clear data on the deliveries to site and removal of soil etc. no assessment on the cumulative effect on neighbours can be made. This is a key planning requirement.</p>	<p>LBH Wembley has not dealt with this presumably because it was <u>not</u> part of their remit.</p> <p>However we must know how the applicant proposes to carry out the construction including its impact on the other residents. A programme of works in particular for the basement works must be provided. The longer the basement is open with incomplete work, the greater the risk of damage. Without setting strict time frames and committing to them the applicant will not be able to predict movement/settlement and damage.</p> <p>See also 13 below.</p>	
13	<p>The applicant has not produced an underpinning/retaining wall design nor sequence.</p>	<p>The underpin/retaining wall depth will be significant over 3.5m deep. It is questionable that this can be carried out safely without causing significant damage to this property and/or the neighbouring properties. This is also a Health and safety issue.</p> <p>The applicant has not provided a design The applicant has failed to provide full details of loading and the surcharge pressures nor taken into account deflection and settlement behind the wall nor made an assessment on differential settlement. This is likely to be significant and increases the risk of damage to property.</p> <p>The applicant has not submitted a sequence of works.</p>	<p><b>LBH Wembley (4.1) refers to “conventional underpinning techniques” but this is <u>NOT</u> correct as this is not a straight forward underpin but is also a retaining wall over 3.5m deep. <b>LBH Wembley (3.2.8) has already drawn attention to “the sensitivity of the host building”.</b></b></p> <p>This may be outside LBH Wembley’s remit but there are <u>serious</u> concerns about how this will be constructed and how it will effect this building but also the neighbouring buildings and structures. The underpin/retaining wall is over 3.5m deep. The applicant has failed to take this into account.</p> <p><b>LBH Wembley confirm that the predicted movement for underpinned foundation would be greater than a piled basement foundation (3.2.6). I would further suggest that the movement/settlement and damage may be even greater given the depth and the likely need for two stage underpinning. This again stresses the importance of a detailed construction method statement which the applicant has not provided.</b></p> <p><b>LBH Wembley (4.4) states “the proposed traditional underpinning approach to the formation of the new basement walls may encounter problems if water is met ” (which from the applicants own submission it will).</b></p>	

			<p>LBH Wembley (4.4) go on to talk about softening of the soil, reduces safe bearing and increased settlement. The applicant has ignored all of this.</p> <p>LBH Wembley (4.4) finally talk about “inevitable uncertainty regarding the amount of damage to the host building and neighbouring properties”.</p> <p>The applicant has ignored all of this.</p>	
14	There could be a significant difference between the proposed development foundation depth/basement level and other parts of this building and the adjacent buildings and structures.	The applicant has not considered the effects of differential settlement.	See item 11 above.	
15	No assessment of long term heave and settlement behind the wall and below ground slabs.	<p>The effects of heave/subsidence on No. 8 LG and the adjacent buildings and structures cannot be fully considered when their construction and foundation are not fully understood.</p> <p>The applicant fails to show profiles of ground movement for worst case conditions at this building and all adjacent buildings and structures. A full and detailed damage assessment is required.</p>	LBH Wembley has not dealt with this. This may not be part of their brief. However if this is not dealt with, then there is an increased risk of damage to the properties and structures close by.	
16	De-watering of the site will be required to enable construction.	Concerns have been expressed about pumping of water which might cause loss of fines and settlement of foundations. Water loss is unlikely to be uniform which would cause a greater risk of settlement and damage to neighbouring buildings and structures. Discharge of water into the drainage system has not been agreed nor is it permitted but no alternatives have been provided.	LBH Wembley has not dealt with this. This may not be part of their brief. Unless carefully considered this could cause settlement/subsidence and damage. As LBH Wembley (3.2.5) states the applicant has not carried out a topographical survey. This is necessary to determine the soil conditions and to allow an assessment of the risks to be made.	
17	No temporary work proposals has been provided including proposals, monitoring and trigger levels.	<p>To avoid damage to neighbouring properties this is a key planning requirement. Without this information there is high risk of damage.</p> <p>The applicant needs to take into account the likely different constructions of the adjacent buildings, differences with their foundations or different forces that will be set up. The applicant has failed to do this.</p>	<p>LBH Wembley (3.2.8) states that “structural monitoring will undoubtedly be required given the sensitivity of the host building and the relative close proximity of the neighbouring buildings”. LBH Wembley states “that the applicants Construction Method/Statement does NOT mention any structural monitoring”.</p> <p>This comment will also apply to the proposed alterations above ground.</p>	

		<p>This will affect the buildability of the scheme and importantly the stability of the adjacent buildings and because he has not investigated these he cannot deal with this important issue.</p> <p>This is contrary to DP 27.</p>	<p>In fact the applicant does not deal with the need for a temporary works design, detailing, monitoring and trigger points. This is a significant failing in the submission and could have serious implication on not only this building but also the neighbouring properties and structures.</p> <p><b>LBH Wembley (4.4) states “A detailed structural movement monitoring and contingency plan should be presented that includes proposals for monitoring locations, methods, frequency, vertical and horizontal movement criteria responses to exceedances, resources and responsibilities for implementation. As we report the applicant has not dealt with this.</b></p>	
18	The applicant states that he cannot comment on ground water movement.	The applicant cannot comment because this has not been investigated. This is essential to evaluate and model the risk of flooding at No 8 LG, the proposed development and also the neighbouring properties at No 6 and 10 LG.	<p><b>LBH Wembley (4.2) confirms that some water flows across the site either near the surface or at depth. LBH recommend additional investigation and monitoring.</b></p> <p><b>LBH Wembley (4.3) considers it appropriate for the assessment to have included consideration of potential cumulative effect. The applicant has failed to do this.</b></p> <p>We would add that hydrological modelling and the effects that the proposed basement will have on this building and the neighbouring buildings and structures is essential. The applicant has failed to do this.</p>	
19	The applicant’s work is very close to the brick/render retaining walls and with the neighbouring properties on both side.	The applicant has ignored this. No investigations (or assumptions) have been carried out on the super-structure or the sub-structure of the neighbouring properties. No levels or sections have been drawn through the wall and ground levels on either side are not known. No temporary works details have been provided.	See item 11 and 17 above.	
20	The applicant has ignored the effects the development will have on the trees and vegetation at 6, 8 and 12 Lindfield Gardens. The applicant has also failed to clearly log the trees and vegetation at No 8 and/or the neighbouring properties close to the works.	The applicant’s engineer agrees and refers this to the applicant’s architect. No further information has been made available. This puts at risk the existing trees and vegetation at the property and also neighbours’ properties. It will also increase	<p>LBH Wembley have not dealt with the trees presumably because it is not part of their remit.</p> <p><b>LBH Wembley have describes 8 LG as being sensitive and in close proximity to the neighbouring properties (3.2.8).</b></p>	

		the risk of subsidence and/or heave on the site and possible damage to the property itself and/or neighbouring properties.	This is an important issue and could result in increased subsidence/heave and damage to this building and adjacent building and structures.	
21	The applicant has not adopted worst case conditions to assess the likely damage to the neighbouring properties.	An assessment/calculation on the likely damage to 8 LG and the neighbouring properties at 6 and LG has not been carried out adequately. This should be shown as contours.	<p>LBH Wembley (3.2.6) expresses concern with the applicant's use of CIRIA guidance publication 580 Embedded retaining Wall – guidance for economic design (2003). LBH Wembley describes it as “inapplicable”. LBH Wembley goes on to say that movements associated with conventional underpinning will be more significant.</p> <p>We are concerned that this along with all the other deficiencies which we and LBH Wembley have highlighted will result in a far greater damage than envisaged at this stage. .</p> <p>We are very concerned that the proposed underpin is over 3.5m deep. Just for Health and safety reasons this cannot be carried out in one go. Movement/settlement and damage could be more significant than envisaged. Furthermore as LBH Wembley confirm movement could be much worse if the works on site are poorly carried out or unsupervised.</p> <p>See also 13 above.</p>	

## 2.0 Conclusions

I have highlighted above in red the concerns of LBH Wembley and ourselves with the applicant's proposals. As can be seen they are extensive and include concerns about:-

The information provided not being correct;

Information not being provided at all; and

Inaccurate and poor design proposals.

LBH Wembley state in their conclusion that the submitted BIA reflects the processes and procedures set out in DP27 and CPG4 but that the present submission does **NOT** in their consideration demonstrate sufficient detail and certainty to ensure accordance with DP27. I refer the reader to the whole of their conclusion.

LBH Wembley set out the further information they require (5.1) and refer to the schedule above and the outstanding issues which LBH Wembley agree have not been dealt with. To deal with these issues far greater information, investigation, testing and details are required. If this is not done the requirements of DP27 and CPG4 will not be met.

LBH Wembley do not deal with all the issues highlighted as a concern within our report. These include the issues with the trees and vegetation, the effect that the construction of this basement will have on this building and neighbouring buildings, how the 3.5m plus basement underpin will be constructed and the light pollution from the basement outside areas.

LBH Wembley raise the issue in section 3.29 of their report of residual impacts after mitigation. LBH Wembley confirm that the applicant has not dealt with this issue.

All of the issues highlighted above could be significant and if so they will contravene DP27 i.e. maintaining the structural stability of the building and neighbouring building, hydrological issues and cumulative impact.

DP 27 clearly states that “The council will only permit basement or other underground development that does not cause harm to the built or natural environment”. The developer has not dealt with a number of issues as highlighted above and therefore cannot accurately predict the scale of that damage. It is not the intention of Camden Council’s policies to grant planning consent and then deal with any outstanding issues by way of conditions where there would be an impact once works start and it is ad hoc and possibly too late for the builder to address on site. Obviously this is not satisfactory as the harm must not be caused in the first place especially with no plan to redress ill-effects.

For these reasons Camden Council should refuse the application.

**Stephen Stark**  
**From Afar Ltd T/As Stark Associates**

14 August 2014