

Comments on the basement element of planning application 2014/1495/P for 9-11 Mansfield Road from Elaine Grove and Oak Village Residents' Association

These comments refer entirely to the basement element of this application, about which additional information has recently become available. Comments on other aspects of the scheme have been made earlier and still stand.

Background

In basement developments, the profit goes to the developer, whilst the risk is shouldered by neighbours.

It is therefore essential that a detailed, robust and comprehensive basement impact assessment (BIA) is produced BEFORE planning permission as it is the only protection neighbours have.

Because of the importance of the BIA, the neighbours to this site commissioned at considerable expense their own expert assessment (prepared by Stark Associates) of the BIA produced by the developers. This highlighted a large number of inadequacies in the information provided. Camden Development Control subsequently commissioned an independent assessment of the BIA. The Assessor (MA Consulting Engineers) inexplicably does not reference the Stark report (which contains the neighbours' concerns) in his assessment we thus suspect he did not consider the detailed information on the inadequacies of the BIA we provided.

The independent assessor deemed the BIA non compliant.

Revised BIA

The developers then produced a revised BIA. This was then went back to the assessor who, despite it still not containing much of the information previously highlighted as missing, judged it compliant.

Neighbours have commissioned an assessment of the independent assessor's report. This is attached and demonstrates that the revised BIA is non compliant. Also attached is our report on the original BIA with the omissions we raised then which have not subsequently been dealt with, highlighted.

Why is the current BIA non compliant?

1. It doesnot contain much of the information it should do, in particular:
 - There is virtually no site investigation. One borehole has been measured once. Camden normally requires at least three boreholes monitored over time as the developers were informed in a refusal notice of an earlier application dated 18.9.2013. Developers could have obtained all the required information in the intervening period by taking more measurements from the one borehole they had drilled and breaking through the near-surface concrete to drill more

boreholes. There have been no trial pits next to neighbouring properties, no laboratory testing of samples, no groundwater modelling, no mapping of nearby basements, etc.

- There is no flood risk report, despite the area being identified as at risk of flooding and this section of Mansfield Road did flood in 1975 (see picture).
- The details of propping and monitoring are insufficient. We draw attention to Arup's view "that accurate details of propping, trigger levels and how movement will be dealt with are critical to avoid damage to neighbouring properties".
- In fact the developers now propose, and the independent verifier inexplicably endorses, a construction method and sequence (Appendix 3 Revised BIA) which will produce a tanked area of an entirely different shape to the proposed basement in this application.

This suggests that the independent verifier did not study these plans closely and the developers have **either submitted the wrong construction method information or plan to use the construction process to excavate and tank a much larger area than is necessary for the basement shown in this application. The construction method plans as submitted would in fact create a tanked area equivalent to that proposed in unsuccessful planning application 2013/2970/P for this site.**

2. It is proposed to obtain information **during construction** which should be obtained **before** planning permission is applied for so the DC committee can make a decision on sufficient information. We quote Camden planners on refusing another application for this site:

"Policy DP27 is quite clear that the Council will only permit basement development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. As such, **information in this regard is required at planning application stage prior to a decision being made by the Council. Such matters are unable to be adequately controlled via planning condition.**"
3. We understand that Camden now plan to attempt to control this development through a section 106 agreement, ie a planning condition. We do not believe this is feasible, enforceable or desirable. As quoted above, planning conditions offer inadequate control. In addition discussions on section 106 take place between the planners and the developers. There is no democratic oversight and no input from neighbours.
4. If DC agree this proposal, it will create a dangerous precedent of allowing basements to go ahead based on one measurement from one borehole, with little site investigation, little method information and no flood risk assessment in areas where one is deemed necessary. In short it will have turned the clock back to pre BIA days – at the very time when residents throughout the borough are coming together to demand more stringent controls on basements.

