

Planning Application 2012/5825/P 8 Pilgrims Lane NW3 1SL

Dear Development Control Committee Member,

I understand that you will be making a decision on the planning application for 8 Pilgrims Lane on 3 April. I am dismayed to hear that the planning officer recommends that the application be granted and so I am writing to you to explain why I think it should not be.

As a frequent visitor to the narrow, one-way part of Pilgrims Lane which includes No 8, I think it entirely unreasonable to subject the residents in the neighbourhood to a year or more of noise, dust and traffic chaos during the construction of what is essentially luxury space, hidden underground because it is inappropriate for a historic Arts and Crafts house.

Even more importantly, we understand that this latest application still proposes that the basement should protrude beyond the original building line and that expert reports note that the application does not conform to Camden DP 27 in that it does not make adequate provision for the structural safety of the neighbouring houses or for a sustainable drainage system. The relevant ground investigations in this notoriously unstable region of Camden were made in a very dry period when two dry winters in a row led to unusually low groundwater levels. I am also particularly concerned to hear it proposed that, if planning permission were to be granted, crucial engineering details of the work would be left to be decided after the start of the work.

In your position you must surely be aware of the record of disaster and misery caused to London residents by unscrupulous developers and wealthy non-residents who take advantage of the government policy of encouraging development, a policy aimed at providing more housing for the general public, especially affordable housing, and surely not intended to encourage luxury property development or speculation.

Please reject this planning application and thus act in the best interests of the people who live in Pilgrims Lane, rather than of those who do not live there, but can evidently afford to persist with this dubious application.

Sincerely, Julie Barnfather



Planning Application 2012/5825/P 8 Pilgrims Lane NW3 1SL

Dear Development Control Committee Member,

I understand that you will be making a decision on the planning application for 8 Pilgrims Lane on 3 April. I am dismayed to hear that the planning officer recommends that the application be granted and so I am writing to you to explain why I think it should not be.

As a frequent visitor to the narrow, one-way part of Pilgrims Lane which includes No 8, I think it entirely unreasonable to subject the residents in the neighbourhood to a year or more of noise, dust and traffic chaos during the construction of what is essentially luxury space, hidden underground because it is inappropriate for a historic Arts and Crafts house.

Even more importantly, I understand that Mr M Eldred's report on the proposed work gives several examples of unanswered questions which are of crucial importance to the safety of neighbouring property and the neighbourhood generally.

In relation to 10 Pilgrims Lane, the critical importance of the way the "flying freehold" columns were to be supported was made clear in December 2012. Eldred's first report, G1206-RP-01-E1, which pointed out that the information provided was inadequate. Eldred's letter of 16th August 2013 followed the CGL review and noted that while an unjustified method of holding up one of the columns temporarily had been shown on drawings, information about the all important final permanent support of these columns was still inadequate. The 29/11/13 email from CGL to Camden accepted Eldred's 16th August concerns. Apart from extending the temporary support system to the second column, nothing further was done to satisfy concerns. Despite this, CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

In relation to the basement excavations, Arup made the only BIA for this development. It explicitly excluded excavation stability and ground movement and stated that these matters were to be the responsibility of RKD Consultant and Greig Ling, and that their work had not been reviewed for the BIA. Eldred's December 2012 report stated that the application did not show how the calculated amount of support theoretically needed to hold the side of the basement excavation up could actually be achieved. Eldred's 16th August 2013 letter stated more plainly "Essentially, the application still proposes making deep excavations next to other property without providing any form of support for the sides." The 29/11/13 email from CGL to Camden accepted Eldred's 16th August concerns. Nothing more was done to remedy this failure, but CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

In relation to excavation beside No 6 Pilgrims Lane party wall, Eldred's first report showed that the stated depth of excavation was wrong and that the Architect's scheme would not allow the proper depth to be excavated as supposed by the engineers. Ground supporting the party wall would be at risk of failing with serious consequence for the buildings. The CGL review stated the need for further information from the applicant. Eldred's August 2013 letter stated that a computer analysis provided for the review, ostensibly to support the application, was meaningless. The 29/11/13 email from CGL to Camden accepted Eldred's 16th August concerns. There has evidently been nothing to show either that

Eldred's original concern has been shown to be without cause or that the situation has been remedied. Yet CGL informed Camden that the BIA was satisfactory.

Moving on from these critical safety concerns, In your position you must surely be aware of the record of disaster and misery caused to London residents by unscrupulous developers and wealthy non-residents who take advantage of the government policy of encouraging development, a policy aimed at providing more housing for the general public, especially affordable housing, and surely not intended to encourage luxury property development or speculation.

Please reject this planning application and thus act in the best interests of the people who live in Pilgrims Lane, rather than of those who do not live there, but can evidently afford to persist with this dubious application.

Sincerely, Colin Barnfather

A solid black rectangular redaction box covering the signature area.

Round, Alastair

From: JONATHAN JAMILLY [REDACTED]
Sent: 13 March 2014 14:25
To: RSCDevelopmentControl
Subject: PLANNING APPLICATION 2012/5825?P

Follow Up Flag: Follow up
Flag Status: Completed

note: responded and saved

ATTN: CAMDEN PLANNING / DEVELOPMENT COMMITTEE

Dear Development Committee,

PLANNING APPLICATION 2012/5825/P – BASEMENT 8 PILGRIMS LANE

Thank you for you recent letter which you sent about the forthcoming meeting on 20th. March to decide upon the above application.

I have strongly objected already to this application in the past in writing and believe that the application totally fails to comply to Camden 's Development Policies.

I would like to object again in the strongest terms and would further like my comments to be taken into account prior to any decision.

I am of the strong opinion that the application must be refused.

PLANNING APPLICATION 2012/5825/P – BASEMENT 8 PILGRIMS LANE Columns supporting 10 Pilgrims Lane Flying Freehold

After discussing the matter closely with [REDACTED] of [REDACTED] Pilgrim's Lane, I am in particular lead to understand that the following issues are not being carefully considered.

The critical sensitivity of 10 Pilgrims Lane to the way these columns were to be supported was made clear in December 2012 in the report commissioned by the neighbours to their consultants: Mr Eldred's first report, G1206-RP-01-E1, which pointed out that the information provided was inadequate. Eldred's letter of 16th August 2013 followed the CGL review and noted that while an unjustified method of holding up one of the columns temporarily had been shown on drawings, information about the all important final permanent support of these columns was still inadequate. The 29/11/13 email from CGL to Camden accepted my 16th August concerns. Apart from extending the temporary support system to the second column, nothing more has been done to satisfy concerns. Despite this, CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

Support of the Basement Excavations

Arup made the only BIA for this development. It explicitly excluded excavation stability and ground movement, and stated that these matters were to be the

responsibility of RKD Consultant and Greig Ling, and that their work had not been reviewed for the BIA.

The December 2012 report stated that the application did not show how the amount of support calculated as necessary to hold the side of the basement excavation up could actually be achieved. My 16th August 2013 letter stated more plainly " Essentially, the application still proposes making deep excavations next to other property without providing any form of support for the sides." The 29/11/13 email from CGL to Camden accepted Mr Edlred 16th August concerns.

Nothing more has been done to remedy this failure, but CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

Excavation beside the front part of No.6 Party Wall to Lower the Basement

The first report by CGL showed that the stated depth of excavation was wrong and that the Architect's scheme would not allow the proper depth to be excavated as supposed by the engineers. Ground supporting the party wall would be at risk of failing with serious consequence for the buildings. The CGL review stated the need of further information from the applicant.

The August 2013 letter by Mr Eldred stated that a computer analysis provided for the review, ostensibly to support the application, was meaningless. The 29/11/13 email from CGL to Camden accepted his 16th August concerns. I can find nothing to show either that his original concern has been shown to be without cause or that the situation has been remedied. But CGL have informed Camden that the BIA is satisfactory.

BIA Adequacy

The BIA proper is not adequate for the purposes of DP27: Arup have stated so. At present, excavation stability and ground movement, not considered by Arup, are unresolved. Satisfactory evidence concerning them must be in one set of documents coordinated with the BIA. At present all we have is an uncoordinated jumble of emails that do not provide the evidence required.

Other matters

Camden is now presented with a collection of documents purporting to either answer or dismiss serious technical matters raised by us, leaving those aspects of the proposed work that are unanswered to Party Wall agreements.

Despite the sensitivity of No.8 to movement there is no one document recording what Council is actually being asked to agree and permit at No.10.

The amount of ground movement to be expected has not been resolved.

There is real potential for access to the gas supply installation for No.10 to be compromised by the work and consequently risk either of supply failure or explosion in the event of excessive ground movement. That has not been considered by the application. consequently risk either of supply failure or explosion in the event of excessive ground movement. That has not been considered by the application either.

Kindly acknowledge receipt of this communication.

Thank you

Yours sincerely,

Jonathan Jamilly

■ North Grove
Highgate,
London N6 4SH

Round, Alastair

From: John Hersov [REDACTED]
Sent: 17 March 2014 17:13
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); [REDACTED] Knight, Chris (Councillor)
Subject: Objection to Planning Application 2012/5825/P

To DC@ Camden

I support the objections to the above planning application re 8 Pilgrims Lane, London NW3 1SL.

I am particularly concerned that major issues regarding this application need to be examined thoroughly and publicly before there is any possibility of planning consent being given.

The potentially undermining impact of ground water flows is a significant factor in any grand scale excavations in this neighbourhood and Pilgrims Lane is an extremely compressed street where the neighbouring properties would undoubtedly be affected.

I believe that these proposed building works are on an excessive scale and should not be approved.

Yours sincerely,

John Hersov

[REDACTED] Willoughby Road
Hampstead
London NW3 1RT

Round, Alastair

From: Jenny Stevens [REDACTED]
Sent: 16 March 2014 20:57
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); Marcus, Simon (Councillor); Knight, Chris (Councillor)
Subject: Planning App 2012/5825/P

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED] [REDACTED]

Dear Development Control

8 Pilgrims' Lane – 2012/5825/P

I write on behalf of this Association which is very close to the property in question. We understand that the latest application will be considered at a forthcoming meeting of your Committee on 20th March.

We strongly object to this application which we know to be flawed in innumerable ways. We believe that the application has not taken into account the damage which is likely to be caused to neighbouring properties if the basement excavation is allowed to proceed. It is particularly serious in the case of No 10 Pilgrims' Lane which is joined to No 8 with a flying freehold, but also in respect of other neighbours including No 6. The documentation supplied with the application we believe fails in numerous ways to assess the impact of ground water as required by Camden's own Planning Policies (DP27). The neighbours' technical experts have identified over 20 faults in the application and these must be resolved. Furthermore the independent assessor was not provided with all relevant technical reports (especially those by the neighbours' consultants) so could not be in a position to make an informed recommendation. Due process has not been observed.

We also object both to the scale of the development proposed, and to the danger and disruption to traffic which would result. Pilgrims Lane is very narrow one way street at this point and the consequences of allowing such a huge development would certainly create an appalling disruption to the traffic flow as well as to the well-being of local residents. The previous application was refused because of the scale of development and this new application is just as intrusive and massive in scale.

It is inconceivable that this application should be approved in its present form given the many unresolved problems which have been identified and without adequate protection for the neighbouring properties both in Pilgrim's Lane and behind in Downshire Hill.

With best wishes

Jenny Stevens
Planning Rep, Rudall Crescent RA

CC Chair RCRA

Round, Alastair

From: [REDACTED]
Sent: 16 March 2014 21:47
To: RSCDevelopmentControl
Cc: Knight, Chris (Councillor); Linda Chung; [REDACTED]
Subject: 8 Pilgrim's Lane

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED] [REDACTED]

As the home owners of [REDACTED] Pilgrim's Lane, and thus immediately across the road from no 8, my wife and I are extremely concerned at the proposals for the redevelopment and extension below ground at no 8.

Those proposals will not only have potentially devastating effects on the immediately adjoining houses, particularly the flying freehold at no 10, but also on the water courses coming down from the heights of Hampstead Heath which will affect the ground below all the neighbouring houses including our own, the trees in the area etc. These objections do not even take account of the immense and lengthy disruption in a narrow street.

We urge you to turn down this application for excessive and inappropriate development.

Frank and Belinda Harding

Sent from my iPad

Round, Alastair

From: [REDACTED]
Sent: 17 March 2014 08:52
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); Marcus, Simon (Councillor); Knight, Chris (Councillor)
Subject: Fwd: Application 2012/5825/P - 8 Pilgrim's Lane, NW3 1SL

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] [REDACTED]

Many apologies, but I would be most appreciative if a revised version of our letter could be submitted instead of the version sent to you on Sunday night. Thank you.

Revised version:

Dear DCC members

Application 2012/5825/P - 8 Pilgrim's Lane NW3 1SL

I am writing on behalf of the Pilgrim's to Willoughby Residents Association.

I wish to add further comments for the attention of the Development Control Committee in advance of consideration of this application.

Our main concerns continue to be the harm that this proposed development will cause to the Conservation Area, and the amenity of several neighbouring houses both during construction and long-term, contrary to DP27 and DP 26.1, 26.2

The applicant has not been able to demonstrate that the proposal will "not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability." There remain an unacceptable number of serious questions as raised by Michael Eldred and Dr Michael de Freitas in their reports dated 16 March 2014 which I have seen. Their reports show that the application fails to demonstrate on more than 20 counts that the structural stability of the neighbouring properties can be maintained. This is especially alarming since one neighbouring house has an unusual and particularly sensitive flying freehold structure. The neighbours' consultants have shown that a proper BIA is not in place either.

Furthermore, the proposed development would be an over-development of this particularly congested corner of our neighbourhood and during the construction there would be unacceptable disruption not only to street and pedestrian traffic in a narrow, one-way street but to normal day to day life in the surrounding homes.

The previous application was rejected on the basis that: "The proposed basement, patios, steps and associated excavation by virtue of their size, depth, bulk, mass and detailed design would have an adverse impact on the original proportions of the host building to the detriment of the quality of the building, contrary to Policy CS 14". Little has changed from the previous application in the current proposal.

Dr de Freitas, the geological consultant, has criticised that despite water having been found at a depth of only 1.5 meter below ground level under dry weather conditions, the applicant contrary to CPG4, has failed to do test under rainy weather conditions despite his repeated requests to that effect.

This application also fails to comply with DP 23.

We urge members of the committee to reject this proposal.

Janine Griffis
Chair, the Pilgrim's to Willoughby Residents Association

Round, Alastair

From: Helen Evans [REDACTED]
Sent: 17 March 2014 09:03
To: RSCDevelopmentControl
Subject: Planning application at 8 Pilgrim's Lane

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] [REDACTED]

Dear Sir/Madam

I live at [REDACTED] Willoughby Road, NW3 1SA. I am writing to object to the proposals for 8 Pilgrim's Lane. I am concerned in particular by the disruption to the traffic on the very narrow stretch of Pilgrim's Lane with lorries and other workmen stopping. This is likely to mean increased traffic down Willoughby Road to reach the High Street. I have 2 very small children and would not like lorries etc to use this road any more than they already do for safety reasons.

I am also very concerned about the disruption of basement dig-out projects in an area with so many properties so tightly packed together and with (as I understand it) sources of underground water. I believe that allowing planning permission will set a bad precedent for basement dig-out projects. The scale of this development also seems inappropriate.

Finally, I understand that a tree subject to a TPO will also be removed and I object strongly to that. Trees are a big part of what makes this area of London so green and lovely. They should be preserved.

Please can this email be taken into consideration when the planning decision is made?

Yours sincerely

Helen Evans

Round, Alastair

From: caroline.compton [REDACTED]
Sent: 17 March 2014 10:26
To: RSCDevelopmentControl; Chung, Linda (Councillor); [REDACTED]
Knight, Chris (Councillor)
Subject: Application 2012/5825/P - for 8 Pilgrim's Lane, NW3

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] [REDACTED]

Dear Sir/Madam

I am writing to oppose in the strongest terms the application for a basement at 8 Pilgrims Lane, Hampstead, NW3.

1. There is a serious risk of destabilising neighbouring properties - as has happened in South Hill Park, Hampstead.
2. The very narrow one-way street outside number 8 Pilgrim's Lane will be blocked to traffic for months.
3. The owner of number 8 Pilgrim's Lane has a duty of care and consideration for the neighbours.

The proposed works on the house should not take place.

Yours faithfully

Caroline Compton

Round, Alastair

From: Teddy Bourne [REDACTED] on behalf of Teddy Bourne
Sent: 17 March 2014 12:53
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); [REDACTED] Knight, Chris (Councillor)
Subject: Objection re Application 2012/5825/P: 8 Pilgrim's Lane

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED] [REDACTED]

Dear Sirs,

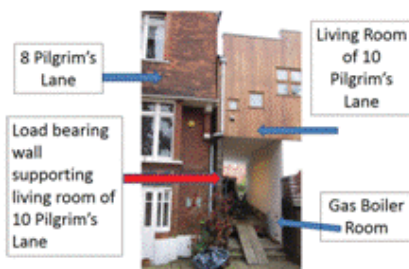
We wish to object to the above application. Our objections to the application are primarily: the sensitivity of the neighbouring properties (particularly the “flying freehold” at #10), the scale of the development (a major factor in the previous refusal), and the failure of the applicant to properly assess the impact of ground water flows as required by DP27. Additional objections include the removal of a beautiful cherry tree which is subject to a tree preservation order, and the disruption to traffic in this narrow section of the street.

Over twenty major faults in the application, resulting in threats to neighbouring properties, have been identified by consultants and provided to you, and we support the points that they make. Details are copied below. We understand that Camden is recommending planning approval without having ensured that these issues are addressed and resolved. We believe that they should be fully addressed before planning consent is given, rather than as a condition of approval. **We request a refusal pure and simple and not a deferral of the decision subject to conditions.**

Yours faithfully,

E. O. Bourne and M. Leavitt Bourne (Hampstead Hill Mansions, Downshire Hill)

MHdEF comments for CRISP letter to Council 16 March 2014 (Version 5)



STATEMENT from M. Eldred MSc MICE MStructE and
M.de FREITAS PhD CGeol RoGEP with one Appendix

1. No.10 Pilgrim's Lane is not a normal house but contains a flying Freehold that forms an archway, supported on columns founded in ground immediately adjacent to the proposed excavation at No.8
2. Movement of the ground on which those columns sit will be critical for any assessment of damage at No.10 that may accompany excavation.
3. The BIA conducted by ARUP incorrectly represented and modelled groundwater (mistakes not corrected) and did not include Ground Movement; that was left to RSK, who left so many crucial matters undetermined that Camden appointed an independent checker, CGL, to review its findings.
- 4 As of 26th February 2014 GCL report in their para 3 “The applicant’s comments are reasonable and we would concur that they have gone into more detail in producing this BIA than have many others we have seen. There are technical difficulties and issues outstanding with the proposed development, however these can be addressed through detailed design and as a result may be more correctly seen to be the remit of building control and party wall agreements rather than planning”
5. We strongly disagree with this statement for the following reasons;

(i) **There is no BIA**; what Camden has are two flawed reports, one from ARUP and another from RSK, supported by a collection of letters and e-mails, referring to further information and opinions, 11 of which have had to be obtained under the Freedom of Information Act.

(ii) In their letter of 26th Feb CGL lists **20 detailed points of basic design that have yet to be addressed** any of which, either singly or in combination, could cause the structural distress CGL recognise as being possible. It is proposed that issues unanswered are left to "detailed design", Building Regulations and the Party Wall Act. That is an incorrect use of these procedures.

(ii) A BIA is intended to be a coherent self-contained case presented as a single document that provides both predictions of movement and the grounds for believing the values presented. The letter from CGL of 26th Feb demonstrates that the documents do not constitute a BIA for planning purposes. Without that **how can Camden know what it is being asked to agree and approve?**

(iii) **Thus despite the sensitivity of No.8 to movement there is no one document stating what Council is actually being asked to agree and permit at No.10.**

(iv) The ground below No.10 contains weak layers. **A major unknown, which affects the way these layers can behave in response to excavation and loading, is groundwater.** Ground water can change the mechanical properties of the ground from day to day.

(v) **The only day on which detailed measurements of groundwater level were made (5th March 2012) was a day without rain; even then, groundwater stood within 1.5m of ground level.** The effects of groundwater flow have not been properly assessed nor been properly appreciated, even though the opportunity to do so has existed over the 15+months this proposal has been in revision.

(vi) This lack of appreciation is illustrated by Greig-Ling's letter of 5th Feb 2014, (G-L is the Appellant's consultant). The letter says the Contractor will be expected to pump should water enter the excavation and inject grout at the same time should the need arise. Such advice ignores the risk of the silt rich layers in the ground eroding during such flows as this will permit settlement, so precipitating the very thing to be avoided. **Greig-Ling's advice is a perfect example of the fundamental errors that can occur when such "construction details" are left to contractors, as suggested by CGL**

6. As technical advisers to the objectors our intention is to achieve good engineering. Camden established its BIA with the intent of assuring Council of good engineering. It is our view that the BIA for No.8 Pilgrim's Lane fails in this objective, is not adequate for the purposes of DP27 and that the proposal should be dismissed until a coherent design is submitted.

Appendix 1; unanswered questions concerning structural stability from Michael Eldred

APPENDIX 1 Planning Application 2012/5825/P – Basement extension 8 Pilgrims Lane

UNANSWERED QUESTIONS; Michael Eldred MSc MICE MStructE

Columns supporting 10 Pilgrims Lane Flying Freehold

The critical sensitivity of 10 Pilgrims Lane to the way these columns were to be supported was made clear in December 2012 in my first report, G1206-RP-01-E1, which pointed out that the information provided was inadequate.

My letter of 16th August 2013 followed the CGL review and noted that while an unjustified method of holding up one of the columns temporarily had been shown on drawings, information about the all important final permanent support of these columns was still inadequate.

The 29/11/13 email from CGL to Camden accepted my 16th August concerns.

Apart from extending the temporary support system to the second column, nothing more has been done to satisfy concerns.

Despite this, CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

Support of the Basement Excavations

Arup made the only BIA for this development. It explicitly excluded excavation stability and ground movement, and stated that these matters were to be the responsibility of RKD Consultant and Greig Ling, and that their work had not been reviewed for the BIA.

My December 2012 report stated that the application did not show how the calculated amount of support theoretically needed to hold the side of the basement excavation up could actually be achieved.

My 16th August 2013 letter stated more plainly "Essentially, the application still proposes making deep excavations next to other property without providing any form of support for the sides."

The 29/11/13 email from CGL to Camden accepted my 16th August concerns.

Nothing more has been done to remedy this failure, but CGL informed Camden on 16/01/14 that the BIA was satisfactory, subject to planning conditions.

Excavation beside the front part of No.6 Party Wall to Lower the Basement

My first report showed that the stated depth of excavation was wrong and that the Architect's scheme would not allow the proper depth to be excavated as supposed by the engineers. Ground supporting the party wall would be at risk of failing with serious consequence for the buildings.

The CGL review stated the need of further information from the applicant.

My August 2013 letter stated that a computer analysis provided for the review, ostensibly to support the application, was meaningless.

The 29/11/13 email from CGL to Camden accepted my 16th August concerns.

I can find nothing to show either that my original concern has been shown to be without cause or that the situation has been remedied. But CGL have informed Camden that the BIA is satisfactory.

BIA Adequacy

The BIA is not adequate for the purposes of DP27: Arup have stated so. Excavation stability and ground movement, not considered by Arup have not been resolved. If and when they are, all must be in one set of clear reference documents.

Round, Alastair

From: Robin Nagle [REDACTED]
Sent: 17 March 2014 15:06
To: RSCDevelopmentControl; Chung, Linda (Councillor); [REDACTED]
Knight, Chris (Councillor)
Subject: Objection to Application 2012/5825/P

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] [REDACTED]

Dear Development Control Committee

I am writing to object mostly strongly to this Application for 8 Pilgrim's Lane as the scale of the proposed development is completely inappropriate for the location.

I also do not think any planning approval should be granted without a thorough assessment of the impact of ground water flows and without full resolution of faults in the application that put neighbouring houses at risk, as identified by the neighbours' consultants.

Yours sincerely,
Robin Nagle
[REDACTED] Carlingford Road
NW3 1RY

Round, Alastair

From: [REDACTED]
Sent: 17 March 2014 16:09
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); [REDACTED] Knight, Chris (Councillor)
Subject: Re 8 Pilgrims Lane

Follow Up Flag: Follow up
Flag Status: Flagged

[REDACTED] [REDACTED]
Sir/Madam

I have been unable to access the web site to lodge my objection to this application. Will you please record this email as my objection.

It appears that the developers are working on the principle of attrition - they repeatedly lodge similar applications which fail to answer previous objections to previous applications, on the assumption that Camden will eventually give up and allow, with the excuse that it is up to neighbours to sue if they suffer.

If this is now a viable policy for developers - namely to continue asking for essentially the same planning permission until Camden rolls over and says Yes - then it would save everyone a great deal of time and effort and expense if Camden will clarify this as its policy.

Can we now please have some clarity from Camden on this e.g. how many times must a developer ask for essentially the same permission before Camden agrees to it? Also if neighbours who suffer are expected to sue, who exactly do they sue if damage due to subterranean water manifests itself after the development work has been completed and the property perhaps sold?

From:

Barry Fox

[REDACTED] Holmefield Court
Belsize Grove
London NW3 4TT

[REDACTED]



Round, Alastair

From: [REDACTED] on behalf of Philip Slotkin [REDACTED]
Sent: 17 March 2014 16:55
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor) [REDACTED] Knight, Chris (Councillor)
Subject: Planning Application - 2012/5825/P: 8 Pilgrim's Lane, NW3 1SL

Follow Up Flag: Follow up
Flag Status: Completed

[REDACTED] [REDACTED]

I object to this application owing to the sensitivity of the neighbouring properties (particularly the “flying freehold” at No. 10), the scale of the development (a major factor in the previous refusal) and the failure of the applicant to properly assess the impact of groundwater flows as required by DP27. Additional objections include the removal of a beautiful cherry tree subject to a tree preservation order and the disruption to traffic in this narrow section of the street. There will also be disturbance in neighbouring streets such as ours. And Camden was supposed to be adopting a policy of opposing basement developments.

I understand that over twenty major faults in the application have been identified by consultants that put neighbouring houses at risk. Camden is recommending planning approval be granted before these issues are resolved. These should be fully addressed before planning consent is given rather than as a condition for approval.

--
Philip Slotkin
[REDACTED] Carlingford Road
Hampstead
London NW3 1RY

Round, Alastair

From: [REDACTED]
Sent: 18 March 2014 13:33
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); [REDACTED] Knight, Chris (Councillor); Anthony Jayes
Subject: Application 2012/5825/P: 8 Pilgrim's Lane

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Development Control Committee,

I am writing to voice my opposition to the above referenced basement proposal at 8 Pilgrims Lane.

I live at [REDACTED] & [REDACTED] Pilgrims Lane, a Grade 2 listed property directly opposite the proposed development.

I object to this proposal for the following reasons:

- * We have received no assurances regarding the ground movement that may result from this proposal, and the potentially damaging effect it will have on our Grade 2 listed property.
- * The reports the council have commissioned are inconclusive, contradictory and unable to rule out damage to neighbouring properties. They also conflict with independent reports carried out by our neighbours, and fail to provide answers to vital questions regarding ground water flows and potential ground movement.
- * There have been complaints of impropriety in the way this proposal has been handled and there seems to be scant regard for the many many objections that have been lodged. In the event that the proposal proceeds, and any damage occurs at our property as a result, the council's actions will be closely scrutinised.
- * Pilgrims Lane is a narrow street and a busy through-road. This proposal will have a negative impact on traffic, on access to our properties, not to mention the danger to the many pedestrians, including children, who use Pilgrims Lane as a shortcut to Hampstead Heath.
- * There appears to be no substantial change to the plans since the original application. The scale of this proposal is far too ambitious for this narrow street.

For these reasons I urge the council to refuse this application.

Thank you,

C. Green

This message is confidential and is intended solely for the addressee named above and may not be forwarded or published without the consent of the sender. If you are not the intended recipient please notify the sender immediately, and please delete the message from your system without disclosing the contents to any person or taking copies.

Wemyss-Cooke, Vicky

From: Margaret O'Keeffe [REDACTED]
Sent: 18 March 2014 21:12
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor) [REDACTED] Knight, Chris (Councillor)
Subject: Application 2012/5825/P for 8 Pilgrim¹s Lane.

Dear Sir/Madam,

I understand a hearing is going forward this Thursday regarding the above referenced application. I can't attend in person unfortunately though I have already registered my objections. I wish to emphasise that I am really appalled that it has even got to a hearing stage. Quite apart from the issue of seriously increased noise pollution and traffic on this preservation area/road which directly affects me (I work from home and am in the process of writing a book) I am really distressed by the fact that the application remains open given all the objections (and I assume huge amount of legal fees and time involved) lodged to date. It appears that Camden council has not as yet taken on board the genuine and very fair concerns lodged by various members of this neighbourhood. These include the absurd scale of the proposed works, guaranteed negative impact on adjoining properties, the potential disturbance of ground water flows etc. not to mention the killing of a beautiful cherry tree. All of which I agree with and am dismayed by. In the event that this application were to be 'approved' it would set a frightening precedent for other such works in the area. Why should we be subjected to this sort of disturbance? How is it that the ground can even be excavated for *a basement* in a really fragile preservation area which in its entirety is literally slipping downhill because the earth is so sandy/porous. I mean what does one have to do to prevent an individual (who I understand doesn't even live here) or anyone from digging up basements all over the street and disrupting peace of mind on an ongoing basis? Please do the decent thing and close the whole application down. It is not reasonable, it is not justified and it has already created a tremendous amount of stress for many families. Thank you.

Sincerely,

Margaret O'Keeffe

[REDACTED] Denning Rd (entrance on Pilgrims Lane)

Objection to 2012/5825/P 8 Pilgrims Lane London NW3 1SL

1 Trees and Garden loss

The rear garden has already been essentially lost to terracing. Taking garden away from 3a Downshire Hill through purchase has meant some garden has been added to the site, but at the expense of the garden for 3a Downshire Hill. A paved terrace is not a building; this basement is not only under the footprint of the house. Describing this development as including garden retention is fantasy; it is overall considerable loss for all parties and a large negative factor for SUDS.

I have concerns about the Arboricultural report that states that supervision by an arboriculturist is a desirable (*but not always essential*) element of site development where trees are present and to be retained. Such previous practice in Hampstead has given very poor outcome. Considering the poor quality of and fiction in the tree report, history will repeat itself here.

An unestablished magnolia is not a substitute for an existing, established, very suitable and beautiful B2 cherry, visible from Pilgrim's Lane & Downshire Hill. The purple plum (described as 'moribund') is regularly pruned and provides important screening for houses in Pilgrims Lane and gardens in Downshire Hill.

2 Inadequacy of BIA

The authors of this BIA are unfamiliar with the behaviour of subterranean water in this area as it flows through Head, and down from the Bagshot sand areas of upper Hampstead, through the Claygate Beds and also through the band D layer of the London Clay Formations; they would not have been part of the Arup team who produced the Arup report for Camden, and should not be treated as such.

Five bore holes and 8 trial pits would be a reasonable test spread on other geology, but not here. The known tributary of the eastern arm of the Fleet that runs east south east under Keats Grove is most likely to be between the in-line boreholes and trial pits here with their 10-foot wide gaps. Arup admit the inadequacy of these.

The 2 monitoring visits 3-weeks apart in Nov/Dec 2010 and 3 visits 21st February-10th April 2012 were all performed during unseasonably dry periods. It is inappropriate to calibrate a model for the BIA on such data.

The site is right over the 'at risk' area on the GIS Map of Area of potential landslide vulnerability; the considerations of such an esteemed map and the work of the British Geological Survey are not even mentioned in the BIA. Calculations in the Ground Movement Report presuppose the site is completely dry and all ground water disposed of. This is unlikely considering the underlying geology: water under pressure in sand partings has been breached by similar developments with serious damage requiring shoring up to neighbouring houses. Others will respond on the flying freehold.

3 Flooding

I am seriously concerned by this application's approach to flooding.

Run-off

With climate change, weather is much more unpredictable: rainfall over the last 10 years has seen an annual average increase in Hampstead to 710.76mm and very much wider variation. Due to its topography the Hampstead area experiences heavier

bursts of rainfall & significantly higher annual rainfall than other London areas. The local hydrogeology means these effects are more widely experienced; this development would increase run-off, putting the South End Green area at increased risk of the severe flooding such as experienced in 2002.

Ground water issues

(See also '2 Inadequacy of the BIA'). I am concerned that over time the proposed granular drainage layer under the basement development will silt up and not cope during periods of heavier rainfall, providing an intermittent barrier to ground water flow. This will cause washing out of neighbouring house and roadway foundations and drowning of the trees in the neighbouring gardens. Non-local engineers tend to suggest this constrained and diverted water is re-directed back into the sewer system to prevent this. However this means that additional groundwater would join the surface water in a system already unable to cope during heavy rainfall.

4 SUDS

The Claygate Beds soil make-up here has much larger water-retaining properties than London Clay and contribute significantly to reducing run-off. Building outside the footprint of a house in this area takes out huge volumes of water-retaining soils, having a very negative effect on SUDS. This application also reduces the number of trees and tree canopy, reducing their current action to hold and slow site rainwater run-off to the sewer system.

No SUDS report has been presented in the planning application. One suspects because such an assessment would demonstrate that the proposed development goes against current government SUDS policy, and as such should be refused.

Conclusion

I propose that a position exactly over a geological boundary line involving Claygate Beds and in a previously marshy area with several tributaries of the river Fleet, draining to an area with contemporary significant and repeat flooding, is not where a basement should be dug unless completely adequate ground mapping of the whole site has been performed to prevent nasty surprises. It should also, with all this risk, only be built if absolutely essential and worth the risk to neighbours and householders 'down-river'. With the flying freehold there is no wiggle room for foundation movement, but the BIA and subsequent ground investigation reports have not taken ground water into account in their calculations - particularly not water under pressure if this is found - only the effect of building stresses during low rainfall periods.

This unsustainable, carbon expensive, flood promoting, property damaging, tree killing and street blocking work could be avoided by using a shed in the garden and getting the children to play outside in the garden rather than underground indoors.

Please refuse immediately on all these counts. Do *not* defer the decision again, subject to conditions. The development *cannot* in this spot be built safely, no matter what engineering is thrown at it, and I am particularly aghast at the proposed destruction and risk to trees in this area.

Dr Vicki Harding
Voluntary Tree Officer, Heath & Hampstead Society

31 March 2014

Dear DCC members

Application 2012/5825/P - 8 Pilgrim's Lane NW3 1SL

My husband and I are the owners of ■ Pilgrim's Lane.

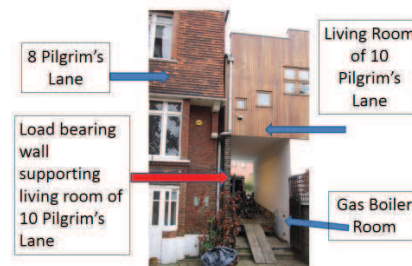
I wanted to write to you personally to explain my particular anguish, as a freelance home-worker and as a mother of two young children.

There are eight young children living on either side of and opposite 8 Pilgrim's Lane. Their journeys to school or nursery would become dangerous and take much longer if this application were to be granted. This is because of the pedestrian and vehicular traffic chaos which would be caused in our narrow, one-way street by excavation and construction work (earth removal, concrete deliveries etc.). The seven school-age children would also have great difficulties trying to do homework and revision for important exams against the high-level noise and disruption which, even if no engineering difficulties were to be encountered, is expected to last for more than a year.

Even more importantly, there are compelling reasons to believe that the proposed excavation work is actually dangerous. Here is what Version 10 of the joint Statement to Council prepared by M. Eldred and M.de Freitas, the experts commissioned by my husband and our neighbours, has to say:

'1. No.10 Pilgrim's Lane is not a normal house but contains a flying Freehold that forms an archway, supported on columns founded in ground immediately adjacent to the proposed excavation at No.8.

2. Movement of the ground on which those columns sit will be critical for any assessment of damage at No.10 that may accompany excavation.



3. The BIA conducted by ARUP incorrectly represented and modelled groundwater (mistakes not corrected) **and did not include Ground Movement**; that was left to RSK, who left so many crucial matters undetermined that Camden appointed an independent checker, CGL, to review its findings.

4. On 29th Nov 2013 CGL felt there were outstanding problems, yet on 16th Jan 2014, without receiving any further information from the applicant, CGL felt these could be dealt with as advised in their letter of 26th February 2014 (para 3) "There are technical difficulties and issues outstanding with the proposed development, however these can be addressed through detailed design and as a result may be more correctly seen to be the remit of building control and party wall agreements rather than planning".

5. This assertion is WRONG for the following reasons;

(i) **There is no BIA**; what Camden has are two flawed reports, one from ARUP and another from RSK, supported by a collection of letters and e-mails, referring to further

information and opinions, **that collectively describe a preliminary design which is WRONG for the ground on site.**

(ii) In their letter of 26th Feb **CGL lists 20 detailed points of basic design that have yet to be addressed** any of which, either singly or in combination, could cause the structural distress CGL recognise as being possible. It is proposed that issues unanswered are left to “detailed design”; **but detailed design does not correct a WRONG preliminary design.**

(iii) A BIA is intended to be a coherent self-contained case presented as a single document that provides both predictions of movement and the grounds for believing the values presented. The letter from CGL of 26th Feb demonstrates that the documents do not constitute a BIA for planning purposes. Without that **how can Camden know what it is being asked to agree and approve?**

(iv) **Thus despite the sensitivity of No.10 to movement there is no one document stating what Council is actually being asked to agree and permit at No.8 either during construction or on a permanent basis. Unanswered questions about structural stability are listed in Appendix 1 and lack of control of erosion from groundwater are considered below.**

(v) Groundwater below No.10 can either be abstracted with pumps or excluded by impermeable walls around the excavation prior to excavation. The ground below No.10 contains weak erodible layers – **ground water should not be allowed to flow into the excavation; it should be excluded not pumped.**

(vi) **That CGL agree to allow groundwater to flow and be pumped is proved by Greig-Ling’s letter of 5th Feb 2014,** (G-L is the Appellant’s consultant), which says the Contractor will be expected to pump should water enter the excavation and inject grout at the same time should the need arise. Such advice does not prevent the risk of the silt rich layers eroding during such flows so permitting settlement; grouting after the flows have been observed will not prevent this – the damage will have been done. **Greig-Ling’s advice demonstrates the wrongness of the design and the inability for contractors to correct it, as suggested by CGL.**

6. As technical advisers to the objectors our intention is to achieve good engineering. Camden established its BIA with the intent of assuring Council of good engineering. It is our view that the BIA for No.8 Pilgrim’s Lane fails in this objective, is not adequate for the purposes of DP27 and that the proposal should be dismissed until a coherent design is submitted.’

You can imagine how I feel when I read the experts’ statement. When our children are at school I work as a producer of BBC Radio 4 documentaries in our living room, the room supported by the columns referred to in the statement. Even if the columns do not fracture, my working life will be made impossible for a year or more because of the incessant high-level noise and the vibration caused by the proposed basement excavation (can I sue Camden or the applicant for loss of earnings, I wonder?).

The applicant has already been allowed more than a year and three months to correct, or to attempt to correct, the many technical faults in the application identified by our consultants. A number of these points are agreed by CGL, yet the applicant has not tried to take corrective action.

In conclusion, our experts, our neighbours, my husband and I strongly believe that there is no legal justification to defer this application, or for it to be approved with section 106 or other similar conditions. We believe it should be refused.

Sincerely

Amber Barnfather

Wemyss-Cooke, Vicky

From: Philip Walker [REDACTED]
Sent: 19 March 2014 08:02
To: RSCDevelopmentControl
Cc: Chung, Linda (Councillor); [REDACTED] Knight, Chris (Councillor); [REDACTED]
Subject: 8 Pilgrims Lane , London NW3 1SL - Planning Application 2012/5825P: Case Officer Rob Tulloch

Dear Sir or Madam,

I'm writing as a frequent visitor to [REDACTED] Pilgrims Lane to support the OBJECTION made by Mr Oliver Froment and others to the planning application 2012/5825P for a major excavation at 8 Pilgrims Lane to create a new basement level on the following grounds:

1. The risks that the construction of such a large and deep basement will divert significant water flows below ground and thereby undermine the foundations of neighbouring houses is considerable and have been highlighted in various experts' opinions and reports all of which have been sent to the council.
2. More particularly, the reports note that the application does not conform to Camden DP27. The application does not make adequate provision for the structural safety of the neighbouring houses or for a sustainable drainage system.
3. There is no specific protection for the 'flying freehold' column structure which supports the western side of 10 Pilgrims Lane.
4. The proposed basement excavation would extend over 4 metres from the original building line. Furthermore the depth of the excavation at 4.9 metres is even deeper than originally proposed.
5. The healthy Japanese Cherry tree which is subject to a TPO would need to be felled to allow the development to proceed.
6. 8 Pilgrims Lane is located in a narrow one-way street. The proposed development would create significant traffic and parking problems by the inevitable HGV lorry movements needed for the excavation.

For these reasons, I therefore urge the planning committee to REJECT this application.

Yours faithfully

Philip Walker FRICS

RICS Registered Valuer

Philip Walker Consulting Limited
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] Wales No 06764112. Regulated by RICS

This email and any attachment is intended for and is confidential to the addressee. If you are neither the addressee nor an authorised recipient from the addressee, please notify us of receipt, delete this message from your system and do not use copy or disseminate the information in or attached to it in any way. Our messages are checked for viruses but please note that we do not accept liability for any viruses that may be transmitted in or with this message.

Wemyss-Cooke, Vicky

From: [REDACTED]
Sent: 18 March 2014 22:45
To: RSCDevelopmentControl
Subject: I strongly object to application2012/5825/p

Follow Up Flag: Follow up
Flag Status: Completed

note: ack & saved

It will cause environmental hell...

ChristoPher. Wade

[Sent from Yahoo Mail for iPad](#)

Wemyss-Cooke, Vicky

From: Michael Lewis [REDACTED]
Sent: 19 March 2014 12:52
To: RSCDevelopmentControl
Cc: [REDACTED]
Subject: RE: Application 2012/5825/P: 8 Pilgrim's Lane

Follow Up Flag: Follow up
Flag Status: Completed

note: [REDACTED]

[REDACTED] Pilgrims Lane NW3 1SN

Dear Sirs,

we understand that Camden's Development Control Committee will be considering on 20th March the recommendation of the Planning Officer that the above application be passed with conditions.

We wish to object on the grounds that the concerns raised re ground water and subsidence by independent consultants have not been properly addressed and that any conditions attached cannot be properly monitored a imposed post approval.

we have previously objected to the scale of the works which was a reason for previous application being rejejected and there has been no significant change in the current application.

We also object to the considerable disruption which would occur to the lives of neighbours and other users of the road due to noise and dust pollution and the continuous interference with access to a very narrow road over a prolonged period.

regards

Michael and Dvora Lewis

Wemyss-Cooke, Vicky

From: Jessica Learmond-Criqui [REDACTED]
Sent: 19 March 2014 22:06
To: RSCDevelopmentControl
Cc: [REDACTED]
Subject: Application 2012/5825/P for 8 Pilgrim's Lane
Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sir/Madam,

I object to this application on the following grounds:

1. **No.10 Pilgrim's Lane is not a normal house** but contains a flying Freehold that forms an archway, supported on columns founded in ground immediately adjacent to the proposed excavation at No.8. **Movement of the ground on which those columns sit will be critical** for any assessment of damage at No.10 that may accompany excavation.
2. The groundwater investigations conducted by **ARUP are flawed and did not include Ground Movement.**
3. As of 26th February 2014 GCL report in their para 3 *"The applicant's comments are reasonable and we would concur that they have gone into more detail in producing this BIA than have many others we have seen. There are technical difficulties and issues outstanding with the proposed development, however these can be addressed through detailed design and as a result may be more correctly seen to be the remit of building control and party wall agreements rather than planning"*

I strongly disagree with this statement for the following reasons:

- (i) **There is no BIA**; what Camden has are two flawed reports, one from ARUP and another from RSK, supported by a collection of letters and e-mails, referring to further information and opinions, 11 of which have had to be obtained under the Freedom of Information Act.
- (ii) In their letter of 26th Feb **CGL lists 20 detailed points of basic design that have yet to be addressed** any of which, either singly or in combination, could cause the structural distress CGL recognise as being possible. It is proposed that issues unanswered are left to "detailed design", Building Regulations and the Party Wall Act. That is an incorrect use of these procedures.
- (ii) A BIA is intended to be a coherent self-contained case presented as a single document that provides both predictions of movement and the grounds for believing the values presented. The letter from CGL of 26th Feb demonstrates that the documents do not constitute a BIA for planning purposes. Without that **how can Camden know what it is being asked to agree and approve?**
- (iii) **Thus despite the sensitivity of No.8 to movement there is no one document stating what Council is actually being asked to agree and permit at No.10.**
- (iv) The ground below No.10 contains weak layers. **A major unknown, which affects the way these layers can behave in response to excavation and loading, is groundwater.** Ground water can change the mechanical properties of the ground from day to day.
- (v) **The only day on which detailed measurements of groundwater level were made (5th March 2012) was a day without rain; even then, groundwater stood within 1.5m of**

ground level. The effects of groundwater flow have not been properly assessed nor been properly appreciated, even though the opportunity to do so has existed over the 15+months this proposal has been in revision.

- (vi) This lack of appreciation is illustrated by Greig-Ling's letter of 5th Feb 2014, (G-L is the Appellant's consultant). The letter says the Contractor will be expected to pump should water enter the excavation and inject grout at the same time should the need arise. Such advice ignores the risk of the silt rich layers in the ground eroding during such flows as this will permit settlement, so precipitating the very thing to be avoided. **Greig-Ling's advice is a perfect example of the fundamental errors that can occur when such "construction details" are left to contractors, as suggested by CGL**
4. Camden established its BIA with the intent of assuring Council of good engineering. **It is our view that the BIA for No.8 Pilgrim's Lane fails in this objective, is not adequate for the purposes of DP27 and that the proposal should be dismissed until a coherent design is submitted.**

I would urge you to refuse this application.

Best Regards

Jessica

Jessica Learmond-Criqui

[Redacted signature block]

[Redacted contact information including LinkedIn icons]

Learmond Criqui Sokel LLP is a limited liability partnership registered in England and Wales with registration number OC317878. It is a body corporate which has members whom we refer to as "partners". It is regulated by the Solicitors Regulation Authority of England and Wales. A list of members and their professional qualifications is open to inspection at the registered office, 87 and a half, Redington Road, London NW3 7RR. Members are solicitors.

This communication and all attachments are private and confidential sent by a law firm may be legally privileged. It is intended solely for the information and use of the intended recipient. If you are not the intended recipient, you are hereby notified that the content or attachments to this communication may not be disclosed, copied, used or distributed without our express permission and we would be grateful if you would then advise the sender immediately of the error in delivery by responding to this message, and then delete it from your system. Thank you.

The contents of an attachment to this e-mail may contain software viruses which could damage your computer system. While Learmond Criqui Sokel LLP has taken every precaution to minimise this risk we cannot accept liability for any damage which you sustain as a result of software viruses. You should carry out your own virus checks before opening the attachment.