

OBJECTIONS TO PLANNING APPLICATION 2014/7587/P

23 DOWNSIDE CRESCENT

EXCAVATION OF SINGLE STOREY BASEMENT, ERECTION OF FULL-WIDTH REAR EXTENSION FOLLOWING DEMOLITION OF EXISTING PART WIDTH EXTENSION CONVERSION FROM 2 FLATS TO A SINGLE FAMILY DWELLING HOUSE

1. Introduction

- 1.1 We live at 25 Downside Crescent and have major concerns about this proposal in relation both to the short term effects of excavating an enormous basement and also because of the longer term effects particularly in relation to groundwater.
- 1.2 In the short time available for consultation over the holiday period, I have looked at some of the relevant documentation but this does seem to be a clear case where the Council should require independent verification of the Basement Impact Assessment, funded by the applicant. It also appears that very little is said about the impact on adjoining properties.

2. Relevant points from the Council's Basements and Lightwells Document CPG4

- 2.1 In paragraph 2.2, it is made clear that basements may cause harm to the amenity of neighbours, affect the stability of buildings or cause drainage or flooding problems. The BIA does not deal with the effect of the basement proposal upon neighbours, the stability of adjoining buildings or with groundwater issues, even though the houses are over 100 years old, with shallow foundations and there are existing groundwater issues. Paragraph 2.26 stresses the importance of dealing with the potentially significant impact a development can have beyond the site boundary. The risk should be recognised, assessed and mitigated but this does not appear to have been done.
- 2.2 Paragraph 2.11 indicates that the person undertaking the BIA process should hold the relevant qualification, which in the case of groundwater requires a Chartered Geologist. However section 3.2 of the Conisbee Report, dealing with groundwater, is not prepared by such a person. The annexed GEA Report was checked – but not prepared by – such a person.
- 2.3 Paragraph 2.31 of CPG4 requires that mitigation measures should be described in the BIA with details of how they reduce and/or alter the impact of a proposed basement on the surrounding environment. This has not been done in relation to adjoining properties.
- 2.4 There is a small cellar beneath part of the rear of our property. However it has never been used because the water penetration is such that an electric pump had to be installed which operates when the water rises about a certain level. Paragraphs 2.36 and 2.37 point out that basement development may divert or displace groundwater. It seems highly likely that the displacement of an enormous amount of soil from the basement development would have a considerable impact upon groundwater flows, as well as structural stability of adjoining properties.
- 2.5 Other impacts on neighbours during the construction period are mentioned in paragraph 2.48 of CPG4. These include noise, vibration, dust, air and light pollution. The basement proposal will involve a very large number of lorries removing soil over a long period but no information is given about the adverse impact of this.
- 2.6 The proposal extends beyond the footprint of the existing building. Paragraph 2.66 requires a minimum of 0.5 metres of soil above such development but this is not provided in the proposal.

3. Camden development policies

- 3.1 Policy DP25 states that the Council will only grant permission for development in conservation areas which preserves and enhances the special character or appearance of the area. The Heritage Statement does not claim that the scheme does this. Instead it claims that it provides necessary improvements to the living accommodation. 23 Downside Crescent is a three storey house which will already provide ample living accommodation for the applicant, his wife and baby. The enormous basement would not provide "necessary improvements", although it is presumably intended to improve the value of the house.
- 3.2 Policy DP26 requires development to avoid harmful effects on the amenity of existing and future occupiers and to nearby properties. Clearly the proposal will create such harmful effects. Also, paragraph 26.4 indicates that lighting can affect neighbours living above. The large glazed roof to the rear extension could harm the quality of life for those living nearby.
- 3.3 Policy DP27 deals with basements and lightwells and I assume that the report of the Planning Officer will identify and comment on all aspects of that Policy which deals with harm to the amenity of neighbours (27.2), basements extending beyond the footprint of the existing building (27.3) and the need to ensure that there is no harm to the environment or to local amenity. The report should also consider potential wider impacts of the schemes beyond the site itself (27.3).
- 3.4 Policy DP28 indicates that the Council will not grant planning permission for development likely to generate noise pollution and that plant or machinery will not be permitted unless it can be operated without causing harm to amenity and does not exceed noise thresholds.

4. The Basement Impact Assessment

- 4.1 On at least 2 occasions the Conisbee Report refers to the basement as being to the footprint of the existing property and its proposed rear extension. This is incorrect as the basement extends beyond that footprint. Also, it is incorrectly stated in 2.3 that 25 Downside Crescent is detached.
- 4.2 As pointed out earlier, the Report has a single author although it deals with a number of aspects where the Council stipulates that a particular qualification is required.
- 4.3 The Report does not provide evidence to back up the somewhat bland assurances. For example in 3.3.13 it is admitted that the basement foundation depths will be significantly deeper than the neighbouring property foundation depths. However it is stated that the full design will ensure stability at all times – but no information is given as to how that would be achieved. Similarly, the Report concludes (5.2) that there are no negative impacts anticipated that cannot be suitably addressed. i.e. there are negative impacts but no details are given of how these would be addressed. As an adjoining owner I am very concerned about stability issues since there can be no guarantee that in the event of damage to my property there would be an adequate remedy. Unfortunately disputes over building construction matters often drag on for years with liability being denied by owners, architects, engineers or contractors who may not be around when the problem arises or may have inadequate insurance cover. A bland assurance that problems would be addressed later is insufficient.
- 4.4 I was not informed by the applicant of the original basement proposal which was accepted by the Council as permitted development a year ago. The applicant did belatedly contact me after the lawful development certificate was issued. I expressed my concerns and asked for the hydrological reports which I understood he had obtained. He provided the Executive Summary in which GEA described that trial pits and boreholes had been carried out and had recorded water at depths of less than 1 metre. GEA suggested that this was not groundwater or perched water and indicated that the source of the water was unknown. However in the updated GEA Report submitted with the December 2014 application, it was stated (4.3) that groundwater was encountered at depths of 0.6 and 0.8 metres and that it was possible that the groundwater represented perched water and that high rainfall might account for the

variable results. This points to continued uncertainty about groundwater and reinforces the need for an independent investigation.

5. Conclusions

- 5.1 The application does not comply with the requirements of Policy DP27. In the absence of any independent verification of the reports submitted by the applicant, or of evidence to back up the assertions in those reports, the Council cannot be satisfied that the proposed basement will not have an adverse impact upon drainage, groundwater, the structural stability of neighbouring properties or local amenity. Moreover the proposal does not preserve and enhance the character of the conservation area. Planning permission should therefore be refused.