

Objections to Planning Application for 23 Downside Crescent, NW3 2AN

Application number 2014/7587/P

Although it might be a cynical person who claims that the filing of this application shortly before the Christmas break was designed to minimise opportunity for informed response, we note that both applications for alterations to this property were submitted at a similar time of year and with minimal real information. My preliminary objections are listed below but given the enormous scope of this project, it may be that further comments and objections may be submitted at a later date to support the objection.

Basement

The Basement Impact Assessment is lengthy and full of maps and tables requiring extensive time to review. Such review should not be possible in the time afforded and it is therefore recommended that planning permission be refused pending further assessment by the council's experts at the applicant's expense.

Notwithstanding the length of the BIA, the content falls far short of providing a detailed assessment of the development as required by the Council's Basements and Lightwells Document CPG4. CPG4 (paragraphs 2.2 and 2.3) requires that any BIA should describe in detail the effect of the proposed development on the surrounding environment and the steps taken to mitigate same. The BIA does not do this but instead concentrates solely on the property being developed with some over generalised "assurances" that "suitable" care will be taken and problems minimised. No detail is given on how surrounding properties will be protected and thus one must conclude that no plans currently exist. Planning consent cannot possibly be given without an understanding by the Council as to how neighbouring properties will be protected. Proceeding on the basis that any problems will be fixed at a later date would be an abrogation of the Council's duty to protect the environment and rights of neighbours to enjoy their properties.

Specific Comments on the BIA

- 3.1.4 The report's comments here are clearly untrue. The presence of a deep, solid structure below the house and garden of the property can do nothing other than cause surface water to flow around the structure and thus into neighbouring lands. The BIA speaks of surface water being found at levels below 1m, of impermeable clay soil and yet pretends that there will be no flows of water around it. The existing property has subsidence which shows how sensitive are the Victorian properties with shallow foundations to surface water movement. Such movement is exacerbated by the concreting under the tennis courts of the Globe tennis club meaning there is a very narrow course of soft land for water to flow. This proposal reduces that significantly.

- 3.2.1 The use of the word “may” here is misleading. The applicants know full well from their own explorations that water is found at levels above 1m deep and such water will need to be managed both during constructing and after.
- 3.2.4 The “significance” of the increase is a subjective matter. We believe that the change of hard surface volume will be significant.
- 3.3.4 Although the entirety of Downside Crescent slope may be slightly less than 1:8, the slope from the site to the bottom of the road is significantly steeper and this will significantly affect the run off of surface and sub-surface water if such a basement is constructed.

In addition, there is a significant slope from the Globe Tennis Club running down to the terrace level at 23 Downside Crescent. With hard water runoff caused by the presence of the tennis courts and the concreting under of those courts, there will be significant runoff into the area which will be blocked by the impermeable nature of the basement causing the runoff to be diverted to properties either side.

- 3.3.7 The answer to this question should be a simple “Yes”
- 3.3.9 I am unsure of the technicality of such a question, but note that 21 Downside Crescent, to which this property is attached had ground works construction in 2011/12
- 3.3.13 The design proposed does not indicate how the temporary and long term stability will be maintained. Full details need to be provided and assessed independently at the applicant’s expense *before* any consent is given. Remedy after the fact is not adequate.
- 4.11 We are confused by this statement. The current planning application is for the conversion of two apartments into a single family dwelling. If indeed there are three apartments, Camden ought to reassess the existing planning consent and this planning consent in accordance with its guidelines.
- 5.1.1 Although the hard surface proportion change may be considered slight by the applicant, the volume of subsurface drainage area removed and replaced with hard, impermeable barriers is very significant and can but have a significant impact on neighbouring properties.
- 5.1.2 This statement runs counter to that presented in Section 4.3 of the Ground Investigation Report which indicates the presence of groundwater in the trial pits at levels of 0.6m and 0.8m. No statement has been made as to how the “dewatering” will be accomplished and with what noise and disruption caused by pumping during evening, night-time and early morning hours to keep the site clear.
- 5.2 The conclusions are drawn using a very selective view of the proposal by giving vague assurances that “things will be alright on the night”. There is nowhere near sufficient detail to assess the application independently and we believe that a more detailed, independent hydrological study should be conducted by the Council at the expense of the applicant.

The proposals include a plant room and several rooms with no direct light. No mention is made of what plant is to be accommodated in this room. However, knowing that the basement will be built below water, it is likely that such plant will include heating and ventilation as well as water pumps. This will cause vibration and noise to be apparent to neighbouring properties. Noise that would not be necessary were it not for the presence of a basement in a road designed for superstructures without basements.

Volume

An application has already been approved for the construction of an extra floor in the roof and permitted development for a basement and rear extension. Coupled with these consents, 23 Downside Crescent will have had its useable space increased by nearly 100% if these plans are approved.

We believe that such an expansion goes way beyond what is reasonably necessary for family accommodation within this quiet residential road and would be quite out of keeping with the nature of other properties adjacent to it and within immediate proximity. The reduction of three family dwelling units to one (even if disguised as the reduction from two to one) is one thing, but the expansion of that space to such a degree is quite another.

Paragraph 2.53 of CPG4 rightly recognises the benefits of additional accommodation that can be derived from basement developments but this application clearly does not provide that. Accommodation has been removed and is simply being expanded.

Rear Extension and Roof

No specific details have been submitted other than generalised drawings as to the nature of the planned changes and these cannot therefore be given proper consideration. The new profile indicates a significant amount of glass looking straight into primary living areas from the upper floors of number 21 and 25 Downside Crescent. The escape of light from that glass will also cause significant inconvenience and light pollution.

The applicants have dismissed the nature of the rear views of Downside Crescent which consist generally of a single gabled parlour. The roof profile proposed is quite out of keeping with the rest of the street and should be resisted on conservation grounds. It is essential for the keeping of the area that the top of the hipped roof be no higher than the current. Number 23 Downside Crescent sits lower in the road than number 21 and thus the apex of the hipped roof should be lower than the apex of the hipped roof for number 21. Suggesting that these "line up" shows either a wilful neglect for the true nature of the street and the environment in which the application will be made or an attempt to mislead the planners.

The rear “extension” that is to be demolished is not an extension but part of the fabric of the original houses and should be restored in a similar manner. To remove that part of the property and replace it with a wider, taller building with a totally different roof profile will not, as suggested, enhance the appearance from the upper levels of 21 Downside Crescent.

The Design statement states that the changes will have a positive impact on the appearance, character and setting of the existing house. The existing house has a profile similar to many others in the road and such a proposed change cannot possibly be considered to be an “improvement”. It also talks of “necessary improvements to the living accommodation”. As has previously been pointed out, we do not believe that such changes to the living accommodation are remotely necessary in houses of this size.

**21 DOWNSIDE CRESCENT
LONDON
NW3 2AN**



Tessa Craig
Planning Department
Camden Town Hall Extension
Argyle Street
London
WC1H 8ND

14 January 2014

Dear Ms Craig,

23 Downside Crescent, London, NW3 2AN Application 2013/8078/P

I refer to the above application which appears to have just been published on your website despite a date of 19 December 2013 and for which comments a comments period has been instituted until 16th December 2013! Clearly this is an error and we still have time to make comments.

As you will no doubt be aware, this will be the first basement in Downside Crescent a road built above tube lines and an underground river. The property is a semi-detached property on falling ground and forms part of a crescent in the heart of the Parkhill and Upper Park Road Conservation Area and thus subject to consideration of Article 4 Directions and special provisions relating to basement developments.

As owners of the semi-detached property adjoining number 23, we are deeply concerned that the impact of any basement excavation on neighbouring properties has not been properly assessed especially in relation to Policy DP27.

In a recent planning application for the same property, mention was made of movement of the existing building indicating that the stability of the ground at that location is far from solid. This existing movement is visibly evident at the back of number 23. Our own property has recently suffered movement to our back garden patio and we believe the impact of a basement might be hugely damaging to the structural integrity of our property and other properties in the street.

The application contains no geological, hydrogeological or hydrological studies of the ground to be excavated or any engineering drawings indicating existing problems (or lack thereof) or proposed solutions. If any such studies have been made, they have not been opened to public scrutiny. On this basis alone, we believe that the application should be refused and no certificate granted.

Furthermore, the extension of the property below ground would, in our opinion, result in a property far in excess in size than the average property on the road and

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will be quite out of keeping with the Crescent. This area of Camden has a shortage of properties of around 3,000 sq ft suitable for young families and such overdevelopment would remove number 23 from the housing stock of this size. I would remind you that the property has recently been granted permission for (1) conversion from two dwellings into one and (2) expansion into the roof and back adding approximately 1,000 sq ft. We believe that any attempt at expanding the property below ground should consequently be refused.

If minded not to reject the application out of hand, we assert that Camden cannot possibly assess the impact of this proposal without publishing all related documents and impact reports that would be commensurate with a full planning application. We, and other neighbours, would wish to see all documents and to appoint appropriate professionals to examine them in any planning application process.

We would therefore strongly advise and request that no Certificate of Lawfulness or Permitted Development or other permissions be awarded and that any basement excavation that Camden is minded to approve be subjected to a full planning proposal where all interested parties can be notified and have the opportunity to properly examine the proposals for suitable structural stability and local impact.

We look forward to your confirmation of same.

Yours faithfully,

Josie & Gary Lane

cc Belsize Conservation Area Advisory Committee

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LONDON
NW3 2AN**



Tessa Craig
Planning Department
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WC1H 8ND

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Josie & Gary Lane

cc Belsize Conservation Area Advisory Committee

21 Downside Crescent, London NW3 2AN

Rachel English
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London WC1 8ND

5th January 2015

OBJECTIONS to Planning application 2014/7587/P
(Associated planning 2012/13000/P, 2103/7333/P, 2013/8078/P)
23 Downside Crescent, London NW3 2AN

Dear Ms English

We have read the planning application, the applicant's report and 'Camden's Guidance on Basements and Lightwells' (September 2013) concerning the proposed application for:

- a) An excavation of a basement under the planned rear extension, which is outside of the original 'foot print' of 23 Downside Crescent
- b) and extending this same proposed basement under the rear garden.

We have a number of comments and objections:

1. Pre-existing ground water or perched water problems will be made worse

The applicant's technical report (page 16) identifies an 'unknown' source of ground water. This proposed basement structure and the basement under the house already approved under permitted development (but not yet built) will create a massive subterranean structure. This structure will displace the ground water identified in the report to the neighbouring houses in Downside Crescent. These Victorian houses are of a traditional structure with shallow foundations and are, therefore, very susceptible to any change in ground water levels or diversion of ground water. The full extent of ground water has not been identified and therefore the severity of its potential impact is unknown over time.

2. In particular, ground water is likely to build-up behind the basement walls of 21 and 25 Downside Crescent properties causing harm to these structures.

3. London Clay 'high shrinkability'

'London Clay has a high volume change potential, which can result in significant ground movement in response to changes in moisture'. (Page 18 Technical Report)

This type of clay, under the houses of Downside Crescent, is most prone to high contraction and expansion and movement problems and with an increase in 'ground water' (due to such a large volume basement) these problems will cause further damage to surrounding and neighbouring properties. The problem of subsidence has already been experienced by 23 Downside Crescent from the existing ground water and clay situation – this is prior to any basement works being started.

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4. Increasing the existing problems of significant 'Run-off' water from the higher ground to the North and from the adjacent hard tennis courts

The current problems with 'run off water' from the higher neighbouring ground are not mentioned in the report but are significant. The land rises steeply to the rear of Downside Crescent to the North, where there are 5-6 hard tennis courts. These tennis courts are least 2 meters higher than 21 and 23 Downside Crescent. These tennis courts have no drainage system and rely on gravity and the surrounding rear gardens of Downside Crescent (on the North side) and the nature reserve to absorb rainfall. The report did not include any site visits to the adjacent tennis club or to adjacent houses to assess the possible impact and extent of the existing ground water problem outside of 23 Downside Crescent.

5. Negative impact on trees and environment

The size of basement and the excavation work to build the basement under the Rear Extension and rear garden will :

- a. damage the delicate water/soil balance in the neighbouring back gardens
- b. damage to mature trees neighbouring properties (Globe Tennis Club) that are necessary to maintain the water and soil balance and the biodiversity of the area.

Tree species include oak trees.

The trees are enjoyed by all residents, especially those living in flats in Downside Crescent and are an important amenity for the residents.

6. Scale of basement development is excessive

A basement structure under the original building has already been planned and approved as part of 'permitted development' within the 'foot print of the original dwelling'. The proposed further basement under the Rear Extension and under the rear garden of 23 Downside Crescent is, in our view, an excessive overdevelopment of the site at the expense of the local environment and neighbourhood. Such a massive underground excavation and development has a strong likelihood of damaging to neighbouring properties and the environment above and below the ground – both now and in the future.

7. Excessive noise from excavation soil for the basement and water pumping 24 hours a day over some months

Our understanding from the technical report is that ground water will need to be pumped, possibly 24 hours a day, from the site during the excavation for the basement structure and when the foundations to the basement are being laid. This would be an unacceptable level of noise for those living adjacent to the works.

In summary, we object to the application and in particular basement under the Rear Extension and extending that basement structure under the rear garden because we think that it will damage neighbouring properties and the local environment, in particular the trees and tree root systems. The proposed basement extension will magnify the existing ground water problems experienced in Downside Crescent (on the North side).

This is our initial response to this planning application, however, we are not planning or geological experts and reserve the right to comment further once we have had the opportunity to understand the implications of the application more fully.

Yours sincerely

21 Downside Crescent, London NW3 2AN

Josie Lane and Gary Lane