

Dear Mr Miller

Re: Application: 2014/4206/P

I am writing as a resident of Rosslyn Court, Ornan Courts sister building with which we share a party wall.

As you are probably aware the applicant first applied to build a basement on the site in 2007-8. The proposal was to build sui generis hostel accommodation with disabled access. The application received in excess of 100 objections and was only passed at a third committee hearing on the casting vote of the chair. The basement was never built as our party wall surveyor considered the proposed method of build to be unsafe to the structure of Rosslyn Court. In 2011 they applied to extend the planning permission but eventually withdrew the application after opposition.

I would first like to request a significant extension to the consultation period. The application has been submitted at the start of the school summer holiday, a time when the applicant is aware many people will be away and schools closed. Due to this being one of the largest proposed residential basement developments in Camden which will greatly impact on the local community it is only fair and reasonable to extend the deadline for comment by at least a month so all interested parties have a chance to respond. I have also had a look at your postal contacts list and this seems very limited. It excludes most of the people / parties that opposed the original basement application in 2007-8. Surely anyone that opposed the original basement application should be contacted and informed about the new application.

I wish to Object to the proposal for the following reasons

Flood risk and Water Table.

The proposed development is in an area of known flood risk as highlighted in DS23. The last time there was street flooding in Camden, Ornan Road was severely affected.

Flats on the Ground Floor Level in Rosslyn Court have encountered repeated damp problems requiring significant remedial works and installing damp courses. When Flat 1 Rosslyn Court (next to the party wall) was renovated evidence was found of an underground spring and there is evidence in early maps of underground springs flowing through the area.

The Hydrology report submitted with the application seems limited and insufficient. According to the report only two boreholes were drilled and neither on the frontage of the property where flooding occurred in 2002. As this is the elevation where street flooding last occurred and the location where Ornan Court shares a party wall with Rosslyn Court it is surely necessary that a borehole test should be taken on this elevation. In addition the hydrology report only covers the months March to August, samples were not taken during the wettest months of the year November – January and so the report is insufficient.

I would also like you to be aware that as a long standing resident of Rosslyn Court I observed these boreholes being drilled. I think you should be informed that a borehole was drilled in the front garden area adjacent to Rosslyn Court about 2-3 meters from the boundary. I observed the borehole being drilled and at a later date samples being taken. I believe I even took photos of the hole being drilled and I can try and find these photos if required. I do wonder why this borehole is not mentioned in the applicant's report. Could it be that this borehole provided results that were not consistent with the other locations and would impact their application?

In summary the current Hydrology report is insufficient. Boreholes should be drilled on the front elevation where there is the greatest flood risk into Ornan Road. In addition new boreholes should be tested in all locations over at least a full year not just during the dryer months. As Ornan Road was significantly affected during the last incidence of flooding within the borough and no steps have been taken to alleviate flood risk in the area I would suggest such a development is inadvisable.

Subsoil and previous excavations

In their BIA they state that the base substrata is London Clay. It should be noted that the land on which Ornan Court and Rosslyn Court stand used to be owned by the Midland Railway company and was later sold for residential development. There is a railway line (possibly disused) that runs from Kentish Town under the two properties in Ornan Road. As this area was excavated for such work it would be likely that the substrata contain refill materials that are less stable and of different densities to the original London clay. There is no mention of this in their application; to the contrary it clearly states that the site is not within 100 meters of a railway line. To date the only subterranean investigation is the drilling of two 5m boreholes which is obviously insufficient.

In addition their BIA states that none of the area being excavated is hard standing or paved. This is incorrect, the area on the front and side of the building is a mixture of hard surfaces nearest Ornan Court and then a built up garden area. At the rear of the property to my knowledge almost all the area being excavated is hard standing.

As the nature of the substrata is undetermined (and many statements in their BIA are inaccurate) I would consider that due to the potential risks it would be inappropriate to approve such a development.

Risk to Neighbouring Properties

During the redevelopment of Ornan Court in 2007-8 many residents in Rosslyn Court reported new cracks in their walls near the Party Wall. The owners of Ornan Court have never accepted responsibility.

Rosslyn Court and Ornan Court both have shallow Victorian foundations. The ground in the area is known to move and the side of Rosslyn Court furthest away from Ornan Court had to be underpinned in 1996. The effects of the subsidence caused by ground movement can be clearly seen by a visual exterior inspection of the building.

In their basement impact assessment the applicant clearly state that the development will not significantly affect the differential depth with neighbouring properties and that most properties have subterranean levels. This is wholly inaccurate as most neighbouring properties do not have basement levels. The proposed development would also lead to Ornan Court having significantly different foundation levels of its sister property Rosslyn Court.

There is no doubt that the building of this basement and the movement of the subsoil and possible displacement of the water table in an area of known ground movement will have detrimental impact on Ornan Courts sister property Rosslyn Court and that many of the statements to the contrary in the BIA are inaccurate. I believe due to these known risks this development would be inappropriate.

Land use classification and parking amenity

The existing land use classification of Ornan Court is Sui Generis / hostel in multiple occupation. The application is for 2x3 Bed Flats with a proposed land use of C3 Private Dwelling House. On the council website application page it says the current land use is a C3 Dwelling House, this is inaccurate. As this proposal is for the extension of a building with an existing land use (sui generis) the new extension to the building should have the same land use classification as the existing building. The application is very unclear and it begs the question of whether the applicant by hope of oversight is trying to reclassify the whole building to a C3 Dwelling House. In either eventuality the application should be rejected on these grounds alone.

In relation to the parking requirements for these dwellings the situation becomes even more confused. In their application they are vague as to the parking rights of these new flats. When Ornan Court was developed in 2008 it was agreed that due to the excessive parking congestion in the area residents parking permits would not be available to those living in Ornan Court. I would assume that this exclusion would apply to any extension to the building.

Habitability of proposed accommodation

There should also be concerns about the quality of the proposed accommodation. Their internal daylight report raises concerns over the quality of natural light in the proposed flats. Only one room over the entire two flats meets that basic recommended requirement for natural light. Both kitchens have only 70% of the recommended basic requirement, while the six bedrooms have on average only 30% the basic recommended requirement. Their report even states this already exceedingly low level of natural light is overstated in a number of bedrooms as this will be further adversely affected by the large fixed fire escape at the rear of the building. Due to the size of this development and the exceedingly low natural light levels in almost all parts of the flats it would seem such a developed space would be more suited to be an underground storage facility than permanent residential living accommodation.

Tree Protection

I believe it would also be sensible for the council to undertake a fresh impact assessment on the surrounding trees. The council report being used for reference with this application is now seven years old and even back then the boundary of the development on the plans is encroaching on the possible tree root networks. We have particular concerns regarding a much loved Ash tree on Rosslyn Courts land near the party wall where the tree root network borders the proposed development.

Architectural Impact

It should also be considered that Ornan Court and Rosslyn Court fall on the edge of the conservation area and are almost matching sister properties. In 2007 the owners of Ornan Court applied to add a full additional story at roof level. This was rejected as it would be out of keeping with the area and distort the appearance of Ornan Court when compared to its sister property Rosslyn Court. Excavating the entire footprint of the building, including removal of a large part of the gardens and introducing light well and access ramps is likely to have a similar impact. These are

two historic and prominent buildings in the area that are visible from many points in the area and the main thoroughfare of Haverstock Hill. I believe it is important to defend not distort the traditional features of these building for the benefit of the winder community and for future generations.

Effect on local community during works

The council should also consider the immense disruption that such a development will have on the local community. A project on this scale is likely to take anywhere between 12-24 months and will significantly effect local residents, business (including the hotel opposite that bring a lot of tourists to the area) as well as the Rosary primary school. Traffic and parking is likely to be disrupted both on Haverstock Hill and Ornan Road, the dirt and noise from the works will also be considerable.

In summery there are many reasons why this basement development should be refused. Firstly there is the issue of the conflicting land use classification on the existing building and the extension that should lead to this application being refused. In addition the applicants BIA is littered with inaccuracies and does not stand up to scrutiny. The Hydrology and substrata report is insufficient and much more investigation needs to be undertaken to ascertain if the area is suitable for such a large scale development. The appearance of the neighbourhood as well as structural integrity of neighbouring properties is likely to be adversely effected. The works will also cause immense disruption to the community at large and those living nearby for a long period of time. This would all be for very little benefit - the development of two self-contained flats with natural light levels significantly below basic recommended levels.

There is only one conclusion this application should be rejected

Yours sincerely

Christopher Collins; who is an owner at Rosslyn Court.