

**Admirals House
Admirals Walk
Hampstead
London
NW3 6RS**

Gideon Whittingham Esq.
Regeneration and Planning Development Management
London Borough of Camden
Town Hall
Judd Street
London
WC1H 8ND

By courier and e-mail

4th September 2015

Dear Mr. Whittingham,

Further Objections to Planning Applications
2015/4555/L and 2015/4485/P
Grove Lodge, Admirals Walk

1. We put in our principal objections to these applications by letter dated 26th August 2015.
2. Further to those objections in relation to the “basement” (i.e. the proposed substantial subterranean development) we, together with the owners of the other immediate adjacent property, Terrace Lodge have commissioned a very distinguished chartered geologist/hydrologist (Dr. de Freitas) and the other a very distinguished chartered engineer (Mr. Eldred) to produce reports as to the safety of these proposed works and whether they comply with Camden’s requirements in that regard. Both reports were filed with Camden on 3rd September 2015 and they are damning of the Applicants proposals. Those reports need to be read in full.
3. Hitherto we had assumed that the structures size was approximately 220m² as suggested on behalf of the Applicants (the G .L. Hearn consultation statement of 31st July 2015 page 12 table). However the actual external measurement of the “basement” is closer to 288m² (the de Freitas First Steps Report paragraph 21.4 and Eldred’s paragraph 21). It is the size of a large underground tennis court.

4. The consultants responsible for the present Basement Impact Assessment (the “BIA”) are those likewise acting on the previous (now withdrawn) application described by Dr. de Freitas in the following terms:

“As it stands this is a dangerous proposal.”

5. In relation to the present applications Dr. de Freitas’ principal conclusion can be seen in paragraph 3 of his report as follows:

“The present application is based on the same ground investigations as the first which were criticised in my first report but proposed a different method of construction. Since then I have gained further facts about the well at Admirals House and for the reasons set out in this report **my conclusion remains the same as in the first i.e. that the proposal is unsafe because it is all based on assumptions drawn from a defective ground investigation at the outset. This means that the other reports associated with the ground engineering put in by the Applicants are suspect too since they all rely on the same defective basis. Consequently they can be of **no reassurance to the owners of adjacent properties that these works will not cause serious damage to their properties.**”**

6. Mr. Eldred’s conclusions can be summarised as follows:

- (1) “There is ... the risk which has not and cannot currently be evaluated that ... the proposed development would ... cause ... damage to the west wall” (of Admirals House) (paragraph 5).
- (2) “The east wall” (of Terrace Lodge) “would be at grave risk of major damage” (in consequence of undertaking the proposed works): paragraph 6 and further damage: paragraphs 7 and 8. The only possibility of alleviating this problem would be to partially underpin Terrace Lodge (paragraph 9) but the owners of Terrace Lodge do not agree to allow that to be done. In consequence the proposed structure on this ground alone, in addition to the others, cannot be built.
- (3) “Inadequacy of the design for enabling works and of the construction method mean that Terrace Lodge would be at grave risk of sustaining severe damage, probably of category 5, before or shortly after the piling work commenced. As designed the construction process would not reach the point of construction at which the [Applicants] calculations commence.” (paragraph 55)
- (4) The proposed scheme fails to satisfy the requirements of Camden’s policy DP27(a) or (b) or (c) (the latter in consequence of Dr. de Freitas’s report).

7. In the light of the above conclusions from the two reports we and the owners of Terrace Lodge are obviously extremely concerned as to the safety and stability of our properties should these applications be allowed. All of the consultants concerned with the BIA exclude any legal liability in tort (so we would have no legal recourse against them). Their only function is to attempt to get planning

permission for their principals and they will not, for example, be responsible for carrying out any of the works. That is left for others to carry out in whatever way may be feasible (if feasible at all). Furthermore it has to be said that neither the Applicants nor the consultants acting for them have acted with the objectivity that Camden should expect of them. That is demonstrated in a number of places in both reports (see e.g. de Freitas, First Steps, at very many instances – “unsubstantiated assertion” etc. and particularly paragraphs 21.5, B.5.1, 23.56, 24.1 and conclusions 3 and 4 and Eldred at paragraphs 45 and 46) and also in the exchange of e-mails attached to our original objection (to which, of course, we have, as yet, had no reply). The reliability of their conclusions must be brought into issue when such partiality is demonstrated.

Yours sincerely,

John and Pascal Gardiner

cc: Councillor Tom Currie [REDACTED]
Hampstead Conservation Area Advisory Committee [REDACTED]