



MJO/DJB/LN2982

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London Borough of Camden
2nd Floor, 5 Pancras Square
c/o Town Hall,
Judd Street
London WC1H 9JE

F.A.O: Charles Thuaire

Dear Charles

**Objection to Planning and Conservation Area Consent Applications
The Waterhouse (Ref: 2011/4390/P and 2011/4392/C)**

I write on behalf of my client The City of London Corporation (The City), who manages Hampstead Heath, to submit a further objection to the planning and conservation area applications (ref: 2011/4390/P and 2011/4392/C) regarding re-consultation by Camden Council on the latest drainage sketch submitted on behalf of the applicant. In this regard it should be noted that drainage is still a significant and unresolved matter, which means that the City cannot support the application proposals due to the adverse impacts these will have on Millfield Lane and Bird Sanctuary Pond in particular.

Please find herewith further technical comments from Alan Baxter, which make a number of significant points in terms of the unresolved drainage matters. In summary these are as follows:

- **Gravel Filled Drain:** There is no evidence to demonstrate that the mark up drawing of the initial drainage sketch was ever constructed. The drawing also refers to a "*possible carrier drain runway beneath runway beneath concrete drive to be cleared out if found*". Similarly there is no evidence to suggest that this was found. In addition the proposed drain requires a 450mm deep excavation which would cause problems for trees on the boundary and trees on the other side of Millfield Lane.
- **Groundwater:** The applicants have now proposed that excess groundwater is direct to a gravel filled drain, but there is no evidence that this exists. Consequently the only route for the excess ground water to drain is across Millfield Lane onto the Heath. This is not an acceptable solution for the City so the strategy does not work.
- **Response to CGL's Review of Groundwater:**
 1. Groundwater flows in the area are complex even though the material would normally be classified as having very low permeability. Groundwater rose to 79.4 OD within a 2 week period of the borehole testing carried out in 2011. It is therefore reasonable to assume that the groundwater in the fin drains will rise to this level or higher.
 2. The fin drains all direct the groundwater to a soak away near the southern site boundary. The applicants have confirmed that the sub-soil here is

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impermeable. They also state that any re-infiltration can only be in the made ground. The perimeter of the soakaway is a very small fraction of the perimeter area of the new basements and it is therefore unlikely that it can accept the potential flow from the fin drains around the basement.

3. The recorded level of the groundwater in borehole no. 2 was 79.4m OD which is approximately the same as the ground level at the location of the soakaway and at least 1m higher than the level of Millfield Lane. Therefore, unless a proper drain route is provided, there is a high risk of groundwater flowing across Millfield Lane. See Section A-A on drawing No. 1675/113/SK10 attached.

- **Surface Water Drainage:** The applicants have not yet addressed the issue of surface water discharge rates.

There are two separate surface water systems, each with their own rainwater harvester, attenuation tank and controlled outflow devices. The rainwater harvesters cannot be used as part of the attenuation strategy, so there is a separate attenuation tank for each system.

Controlled outflow devices or "hydrobrakes" are an accepted method of controlling outflow. It is generally accepted that, in order to avoid blockages, the minimum flow at which hydrobrakes can operate is 5l/sec. The proposed arrangement is therefore unlikely to achieve the limit of 6l/sec as the minimum combined flow will be 10l/sec.

Calculations are also required to justify the size of the attenuation tanks proposed and the scheme should be revised so that both attenuation tanks drain to a single hydrobrake sized to limit the flow to a maximum of 6l/sec.

The City, therefore, strongly disagrees with the findings in the Committee Report in terms of drainage, which conclude that "*the scheme will not harm local hydrology*". An additional reason for refusal should, therefore, be added in the absence of an adequate drainage strategy. Given that the impacts of drainage are material considerations that need to be addressed at the outset it is also not appropriate for the Committee Report to suggest that subsequent studies on detailed drainage design be secured via s106 Legal Agreement.

In this regard, the City also considers that the proposed "Informative" set out within the Committee Report should be removed as there are still outstanding unresolved adverse impacts in respect of drainage.

Summary

In summary the application proposals are still not in accordance with planning policy and do not constitute a high quality proposal specific to its use, site, conditions, opportunities and constraints. The aforementioned paragraphs have clearly demonstrated that the proposal will have detrimental impacts on the landscape character and arboriculture of Hampstead Heath (Metropolitan Open Land); the ecological value of the Heath and the ponds; and the safety of pedestrians using Millfield Lane to access the Heath during the construction phases in particular.

It is, therefore, respectfully, but strongly, requested that the Council refuse permission for the development of the site for the reasons that have been provided in this letter and any other reasons the Council considers appropriate. The proposed development is clearly contrary to planning policy and there appears to be no material considerations that mitigate this.



Yours sincerely,



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Enc:

c.c. Bob Warnock, City of London Corporation

