Merchant Land Investment Ltd

66 Leman Street London E1 8EU

Tel: 020 7522 8742

Section 106 Responses

For Basement Construction At:

61-65 Charlotte Street, London, W1T 4PF

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| 1. 2.7 Detailed Basement Construction Plan   Condition:  “A plan setting out detailed information relating to the design and construction of the basement forming part of the development with a view to minimising any or all impacts of the development on neighbouring properties and the water environment and to provide a programme of detailed mitigating measures to be undertaken and put in place by the owner with the objective of maintaining the structural stability of the property and neighbouring properties as described in the Basement Impact Assessment Report by BWM dated 18th February 2015 submitted with the planning application and to include the following key stages:-“ |
| Response:  The Detailed Basement Construction Plan will include:   * MBP design calculations for the basement and underpinning. * MBP drawings for the basement and underpinning. * Site Investigation Report - 270524 by CET. * Basement Impact Assessment Report 4610 by BWM. * Basement Impact Assessment Audit 12066-11 by CampbellReith. * MBP Building Movement Monitoring Proposal.   Attached Supporting Documentation:   1. Appendix 1 - Lower Ground Floor Plan GA 2. Appendix 2 - Basement Impact Assessment Report 4610 by BWM. 3. Appendix 3 - Basement Impact Assessment Audit 12066-11 by CampbellReith. 4. Appendix 4 - MBP Building Movement Monitoring Proposal. |

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| 1. 2.7.1   Condition:  “The owner to appoint an independent suitably certified engineer (qualified in the fields of geotechnical and/or structural engineering) from a recognised relevant professional body having relevant experience of sub-ground level construction commensurate with the development (“the Basement Design Engineer”) and for details of the appointment to be submitted to the Council for written approval in advance (and for the owner to confirm that any change in Basement Design Engineer during the Construction Phase with the Council in advance of any appointment) |
| Response: The basement design engineer is Robert Manning, M.Eng C.Eng MIStructE. |

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| 1. 2.7.2 (a)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:”  “That the design plans have been undertaken incorporating proper design and review input into the detailed design phase of the development and ensuring that appropriately conservative modelling relating to the local ground conditions and local water environment and structural condition of neighbouring properties have been incorporated into the final design” |
| Response:  A review of the surrounding properties, their construction and condition has been undertaken by the Basement Design Engineer.  Attached Supporting Documentation:   1. Appendix 5 - MBP Structural Feasibility Report. |

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| 1. 2.7.2 (b)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:”  “That the result of these appropriately conservative figures is appropriate to ensure that the basement aspects of the development will be undertaken without any impact on the structural integrity of the neighbouring properties beyond “slight” with reference to the Burland Category of Damage” |
| Response: We ensure that this condition will be adhered to. |

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| 1. 2.7.2 (c)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) below have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;” |
| Response: We confirm that this condition will be adhered to. |

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| 1. 2.7.2 (c) (i)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (i)  “Reasonable endeavours to access and prepare a detailed structural appraisal and conditions survey of all the neighbouring properties to be undertaken by an independent suitably qualified and experienced chartered surveyor (and for details to be offered if this is not undertaken in full or part)” |
| Response:  A condition survey will be undertaken but a visual survey of neighbouring properties has not revealed or identified any inherent issues or defects that will be exacerbated by the proposed works.  Attached Supporting Documentation:   1. Appendix 2 - Basement Impact Assessment Report 4610 by BWM. 2. Appendix 3 - Basement Impact Assessment Audit 12066-11 by CampbellReith. 3. Appendix 4 - MBP Building Movement Monitoring Proposal. |

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| 1. 2.7.2 (c) (ii)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (ii)  “A method statement detailing the proposed method of ensuring the safety and stability of neighbouring properties throughout the Construction Phase including temporary works sequence drawings and assumptions with appropriate monitoring control risk assessment contingency measures and any other methodologies associated with the basement and the basement temporary works” |
| Response:  The works required for the basement development on this project are slight and will not require temporary works, only a sequence of works for underpinning, provided on MBP drawing for the basement and underpinning.  Attached Supporting Documentation:   1. Appendix 1 - Lower Ground Floor Plan GA 2. Appendix 6 - Proposed section A-A 3. Appendix 7 - Proposed section B-B 4. Appendix 8 - Proposed section C-C 5. Appendix 9 - Proposed section E-E |

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| 1. 2.7.2 (c) (iii)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (iii)  “Detailed design drawings incorporating conservative modelling relating to the local ground conditions and local water environment and structural condition of neighbouring properties prepared by the Basement Design Engineer for all element of the groundworks and basement authorised by the planning permission together with specifications and supporting calculations for both the temporary and permanent basement construction works” |
| Response:  Detailed drawings have been prepared for all elements of the basement construction.  Attached Supporting Documentation:   1. Appendix 6 - Proposed section A-A 2. Appendix 7 - Proposed section B-B 3. Appendix 8 - Proposed section C-C 4. Appendix 9 - Proposed section E-E |

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| 1. 2.7.2 (c) (iv)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (iv)  “The Basement Design Engineer to be retained throughout the Construction Phase to inspect approve and undertake regular monitoring of both permanent and temporary basement construction works throughout their duration and to ensure compliance with the plans and drawings as approved by the building control body” |
| Response:  Michael Barclay Partnership will be retained throughout the project with duties including site attendance.  Attached Supporting Documentation:   1. Appendix 10 - Memorandum of Agreement For Design Services |

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| 1. 2.7.2 (c) (v)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (v)  “Measures to ensure the on-going maintenance and upkeep of the basement forming part of the development and any and all associated drainage and/or ground water diversion measures in order to maintain structural stability of the property, the neighbouring properties and the local water environment (surface and groundwater)” |
| Response:  The site-specific soil investigation established that the groundwater will not be present with the depth of the works proposed so neither a drainage system nor a management system will be needed during the construction works. |
| 1. 2.7.2 (c) (vi)   Condition:  “The Basement Design Engineer to formulate the appropriate plan to fulfil the requirements of the Detailed Construction Basement Plan and at all times to ensure the following:-”  “That the Basement Design Engineer having confirmed that the design plans have been undertaken in strict accordance with his definition (as is at 2.7) and includes a letter of professional certification confirming this and that the detailed measures set out in sub-clauses (i)-(vi) have been incorporated correctly and so far as appropriate and are sufficient in order to achieve the objectives of the Detailed Basement Construction Plan;”  (vi)  “Measures to ensure ground water monitoring equipment shall be installed prior to implementation and retained with monitoring continuing during the Construction Phase and not to terminate monitoring until the issue of the Certificate of Practical Completion (or other time agreed by the Council in writing)” |
| Response:  Groundwater monitoring is not required for this site. |

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| 1. 2.7.3   Condition:  “The owner to appoint an second independent suitably certified engineer (qualified in the fields of geotechnical and/or structural engineering) from a recognised relevant professional body having relevant experience of sub-ground level construction commensurate with the development (“the Certifying Engineer”) and for the details of the appointment of the Certifying Engineer to be submitted to the Council for written approval in advance. |
| Response: The certifying engineer will be Phillip Taylor, M.Eng C.Eng MICE. |

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| 1. 2.7.4   Condition:  “For the Certifying Engineer to review the design plans and offer a two stage report to the Council confirming that the design plans have been formulated in strict accordance with this definition (as in 2.7) and have appropriately and correctly incorporated the provisions of sub-clauses (i)-(vi) above and are sufficient to achieve the objectives of the Detailed Basement Construction Plan *and* should any omissions, errors or discrepancies be raised by the Certifying Engineer then these are to be clearly outlined in the report and thereafter be raised directly with the Basement Design Engineer with a view to addressing these matters in the revised design plans” |
| Response:  The required report will be produced following Council approval of the Certifying Engineer. |

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| 1. 2.7.5   Condition:  “Only thereafter shall the owner submit the agreed finalised version of the Detailed Basement Construction Plan to the Council for its written approval with a letter of professional certification from the Certifying Engineer confirming that the Detailed Basement Construction Plan is an approved form and has been formulated in strict accordance with the requirements of this definition (as in 2.7 of this agreement) |
| Response:  This version of the Detailed Basement Construction Plan will be submitted following council approval of the Certifying Engineer. |