

**Ashmount Management Company Ltd  
Ashmount,  
30 Redington Road,  
Hampstead ,  
London NW3 7RB**

Please use the following  
address for reply and service:  
6 Well Walk, Hampstead,  
London, NW3 1LD  
Attn. Peter Corner, Director.

Your Ref: Planning Application - 2016/2997/P

31st August, 2016

Mr David Peres Da Costa,  
Senior Planning Officer,  
Development Management,  
Camden Town Hall,  
Judd Street,  
London.  
WC1H 9JE.

Dear Mr Peres Da Costa,

**Planning Application - 2016/2997/P**  
**Site Address: 28 Redington Road, London. NW3 7RB**

I write with reference to the above planning application.

**1. Introduction:**

We would like to register the strongest opposition of Ashmount Management Company Ltd to the application in its entirety. The reasons, which are set out below and in the attachments, are directly related to the actual proposals and are 'material considerations'.

Please may I introduce myself. My name is Peter Corner and I represent Ashmount Management Company Ltd. ( "Ashmount"). The company owns the freehold of 30 Redington Road and is in turn owned equally by the owners of each of the 5 flats comprising 30 Redington Road. The purpose of Ashmount is to administer and organise the facilities of the property. I write with the full support of all the owners of Ashmount.

Ashmount and its owners are extremely concerned in relation to the outcome of the planning application and the serious adverse impact on 30 Redington Road of the proposed development at 28 Redington Road.

## **2. Request for Refusal of the Application:**

In order to avoid the serious adverse impact on 30 Redington Road, We request that :

1/ the application for the proposed development is refused;

2/ in the alternative, the application is changed to eliminate any enlargement of the basement area, to ensure the preservation of the status quo on underground water channelling affecting 30 Redington Road.

3/ / in the alternative, the application is changed to eliminate any enlargement and extension of the building at 28 Redington Road at the back, upwards or sideways which borders or overlooks 30 Redington Road.

4/ the plan to demolish the existing building is refused due to the adverse impact on visual outlook of the road of losing a building of that age and character; the character of the road, the ambience, the sense of tranquillity and more historic feel of the neighbourhood will be altered detrimentally and this will impair the enjoyment of the environment surrounding the neighbouring building at 30 Redington Road.

We set out below the objections to the application.

## **3. Summary:**

Our objections are based on the Expert Reports showing the adverse impact of material considerations.

1/ I draw your attention to the 3 attached expert reports :

**Appendix 1 : Expert's Geological Study** - *adverse impact of water ingress to 30 Redington Road. The geological and hydrological aspects including groundwater of the plans have been assessed by a leading expert in the field, Dr M de Freitas of First Steps Ltd.*

**Appendix 2 : Expert's Light Study** - *adverse impact on light and privacy at 30 Redington Road.*

**Appendix 3 : Expert's Review of planning application 2016/2997/P** to Camden Council with respect to 30 Redington Road and Camden development Policy DP27. *The geotechnical, geoenvironmental , civil and structural engineering aspects related to the proposed basement.( including the requirements of the construction proposed to keep ground response to acceptable limits) have been assessed by a leading specialist in the field, Eldred Geotechnical*

The experts have a combined practical experience of over 80 years in the field of geology, geotechnics and structural engineering.

2/ Please give these Expert Reports your detailed consideration and consider the material considerations referred to.

In particular, please note just some of the Eldred Geotechnics Ltd Report findings of :

- " high risk" of damage to parts of 30 Redington Road , at para 5;

- "risk of flood" and "unacceptable risk of subsidence" , at para 6;

- " failure to satisfy the specific policy requirements " of Camden Development Policy DP 27, at para 4

The findings of these reports demonstrate technical issues which jeopardise the property and infrastructure and use of No. 30 Redington Road.

3/ Further , it is clear from the Expert Reports that despite the extreme length of the proposals provided by the developer and examined by our experts, the papers are extremely poor at presenting any real detail and effectively describing ( a ) how the adverse impacts on 30 Redington Road are assessed and

( b ) how they are mitigated. The basement plan ( BIA ) lacks relevant detail so it does not constitute a proper plan and is wholly inadequate.

*Dr. de Freitas' report Section 5 concludes: "the BIA submitted fails to satisfy the requirements intended by CP G4 and DP 27"*

*The Eldred Geotechnics Ltd Report para 8 concludes "The Camden BIA Audit Form Part ABC ....demonstrates that its compiler did not understand the content of the current BIA document, that it is misleading to the Council and should be withdrawn"*

In various places in the planning application it is said directly or implied that permission had been sought (and not granted) from us to access our property and assess matters onsite. This is untrue and is misleading.

4/ Together all this represents a substantial and severe failing in the application itself. As a result, there is no simply no technical support for the application which has been filed despite the volume of papers purporting to deal with the issues. The critical issues are simply not addressed, so the application itself is defective.

5/ Our objections are also based on my personal experience of living in Flat 2 and Flat 5 30 Redington Road for 8 years and our understanding of how the oversized development of no. 28 will badly impact its neighbouring property no. 30 located down the slope of the hill and directly overlooked by the development. Specifically the use, amenity, light and privacy of no. 30 will be impacted in multiple ways and with significant reduction in amenity and enjoyment of use.

6/ These matters, ( particularly but not solely the deficiencies of the BIA) are too serious to be passed by Camden to outsourced technical experts on the assumption that they can be resolved at a future stage . These are fundamental issues which by policy should be addressed and mitigated as part of the planning application process at his early stage, including where appropriate consideration of imposing conditions.

#### **4. Appeal.**

Please be aware that if the application for the overdevelopment of No. 28 Redington Road is taken to appeal we confirm that it is our firm resolve to fight the proposal during that appeal process.

#### **5. Further more detailed objections**

#### **5A/ Technical issues which jeopardise the property and infrastructure of No. 30 Redington Road:**

##### **1. Double Basement – Water diversion**

The planned double basement development for the car park will divert underground and over groundwater away from its existing course into the part of the hill occupied by no. 30 Redington Road. This will cause water to seep into the street level communal hallway which is built into the hill ( ie effectively below the ground of the adjoining No. 28 ).

We had lived in No 30 from 2001 without a problem in the communal hallway. In 2010 a problem with water diverted and seeping into this hallway area developed . we believe that the problem was likely to be caused by developments in the area much further up Rthe hill in Redington Road

The proposed double basement in No. 28 will cause water flowing down the hill to be diverted from its current course. No 30 is directly next to No. 28 but located down the hill. No. 30 will

inevitably suffer the brunt of the diverted water. There is no adequate assessment and zero provision in the BIA made to manage the changes the basement will create to groundwater.

As a result the development should be refused on the grounds of high risk of damage to No. 30 and failure to address the risk adequately.

## **2. Communal Hallway – environmental impact**

The excess water diverted to No. 30 by the basement excavation will, even if it fails to penetrate the membrane ( which it will as stated above ) shall cause the communal entrance to be damp and dank. This will significantly impair the enjoyment of the flats at No. 30. Even for this reason the application for extending the basement should be refused.

## **3. Membrane potential damage:**

In 2010 following the ingress of water to the Communal Hallway a considerable sum of money was expended on a tailor made membrane to protect the communal hall from the current water flowing below the ground and over ground towards 30 Redington Road. That design was to meet the then requirements. This membrane providing water proofing might easily be damaged by ground movements which have not been studied in BIA and is likely not able to withstand the new flows of water which will be diverted around the proposed basement at No. 28 and onto the communal street level entrance of No. 30.

## **4. BIA - not fit for purpose**

The BIA does not explain what is expected to actually happen once excavation starts and once the basement is in place. We believe that based on the positioning downhill and the proximity to the proposed development and the sheer scale of the basement works that there will be a highly material and potentially dangerous impact on the communal street level ( but built into the hill ) hallway of No. 30. The danger arises because the entire structure of No. 30 sits on top of the Communal hallway . The BIA is inadequate and fails to fulfil its purpose.

The extreme volume of the report is simply purports to be an analysis , but in reality the report contains inadequate detail and no conclusions and is not fit for purpose. As a result the report cannot be relied on to support the application; with the result that for this material consideration the application should be refused.

## **5B/ Technical issues invalidating the application:**

### **5. Geology Assessment unprofessional**

1. We note from the report from First Steps Ltd that the information relating to the geology has been used to formulate an assessment. In contrast, I note from the Motts report data in the report has not actually been utilised . This is clearly just a collection of detail bundled together and does not constitute a realistic assessment. Of course that requires a question to be raised during the application process relating to
  - ( a ) the professionalism of the Motts report on either the grounds professional competence or
  - ( b ) professional integrity, or both.

These 2 issues should be addressed by the Planning officer as they go to the heart of the question as to whether the BIA report is so poor that it invalidates the application itself.

2. Nothing in the BIA, either in its geology or in its engineering analysis, provides any evidence that a “Final design” will be any more competent than this incomplete and inadequate BIA . Therefore the applicant should not be trusted to deliver a better job by giving approval and then hoping that a “Final design” will suddenly emerge to deal with the problems. We do not accept that such an approach would be viable.

## **6. BIA Mistakes:**

The BIA contains factual mistakes; the natural slope of the ground has not been properly assessed; local knowledge has not been acquired, local experience with basements in Redington Rd has not been incorporated.

## **5C/ Impairment and reduction in amenity of 30 Redington Road**

### **7. Roof terrace at No 30 overlooked privacy impaired**

There is a roof terrace, partly on the side elevation facing No. 28 . The side elevation part of the roof terrace is

a/ to be more overlooked and privacy will be reduced significantly and

b/ have reduced light and

c/ the feel and ambience of the terrace will be affected not only by the sense of greater height around it but also by the additional height blocking light.

This means the amount of time enjoyed on the terrace in sunlight will be reduced.

For these reasons the building out of the block should be restricted thereby eliminating windows overlooking the terrace of No. 30 to the level currently in place.

### **8. Garden patio at No. 30 overlooked - privacy impaired and environment light diminished**

There is a patio of flat 1 will be more overlooked and will forgo the level of privacy it now enjoys. The feel and ambience of the patio will be affected and the additional height would block light making it darker. This means the amount of time enjoyed on the patio in sunlight will be reduced. It is often used by young children and the privacy of those children and their carers to enjoy the summer days in the paddling pool will be compromised.

These are valid grounds for scaling back the application and eliminating windows overlooking the patio of No. 30 to the level currently in place.

### **9. Accentuated impact on light due to "downhill" feature.**

The increase in height of the new development would have an exponential impact on the light and ambient feel of No. 30. This is because the additional height will lead to an accentuated sensory impact because it is lower down the hill and the look and sense of darkness will be felt to a greater degree . This is on top of the impact than the numbers recording reduced light levels already identified in the Light report at Appendix 2.

### **10. Patio doors roof terrace of Flat 5 – risk of light impairment**

The patio doors to flat 5 at No. 30 are at risk of injury due to reduced light caused by the extended building proposed at No. 30 . This severely impacts Flat 5 because the sitting room behind those patio doors is deep and relies on those patio doors for light into the middle of Flat 5 . Note there are no windows for that sitting room into the side elevation of No. 30 overlooking No. 28 - and it is for that reason that the patio doors at No 30 are designed to allow in sufficient light for the room. Accordingly, those patio doors should not be compromised by extended building at No. 28.

### **11. No 30 Redington Road Flat 5 - skylight in gable roof - side elevation**

There are is a major skylight on the roof over the gable on the side elevation. The skylight is over the kitchen of Flat 5. A greater height to the building at 28 is likely to impact the light to that skylight.

**12. Block of flats with subterranean garage – ugly and is it in line with the Local Development Plan?**

The plan to remove No 28 and replace it with a block of flats is unacceptable in terms of the visual impact and effect on the character of a neighbourhood. The effect of the development of a glorified block of flats on the residential amenity of neighbours is clearly an adverse material consideration because it is out of keeping with the traditional sense of the area to have a block of flats landed on this traditional residential road instead of the historic Edwardian type / style house or converted house.

In my view, the development looks ugly and is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing buildings in the area and application should be refused.

It is hard to believe that a proposal to build flats in Redington road is consistent with the words or spirit of the Local Development Plan. An assessment of whether the Local development Plan really envisages building blocks of flats in Redington Road should be considered in the course of the application. Clearly it should not. Accordingly, the application should be dismissed for this reason alone.

**13. Increased population effects:**

The development is unacceptable in terms of the possible noise and increase in the number of people toing and froing and parking and using bins which are wheeled into the street every week and the number of visitors at weekends . This will result in the attendant increase in disturbance and loss of privacy. This automatically will attend the increase in the number of people which the new development will accommodate.

**14. Overdevelopment – environmental sentient impact.**

The unacceptably high density of the proposed overdevelopment of the site involves so-called 'grabbing' - more space both downwards and upwards and to an extent to the sideways. This "overdevelopment" is objectionable because it has direct adverse impacts on No. 30 ( see above and expert reports ) and in addition it changes badly the environmental ambience of the area.

The area and Redington Road ( whether one applauds it or not ) enjoys a certain "exclusive", luxury and ambient sense of privacy and possibly "refinement", populated as it is in great part by large mansion style houses. The naked overdevelopment proposed at no. 28 aggressively designed to maximise floor space for pure profit by a developer pays no heed to the inherent historic sense of the neighbourhood and both overtly directly and covertly with subtlety erodes that environment - which has existed for years. This hard to define ambient sense is one of the greatest residential amenities of the road and the development at No. 28 will seriously erode it ; the effect will most particularly be felt in the immediately neighbouring buildings. For this reason the overdevelopment should be refused.

The policy to restrict overdevelopment has now been carried over into the National Planning Policy Framework and that should be respected in the course of considering this planning application.

**5D/ Public Safety Issues**

**15. Highway safety**

We are aware that issues related to Highway Safety are subject to careful technical examination by qualified engineers employed by the highway authority. Accordingly, I request that a full highway safety analysis is conducted during the application process by you so objections based on road safety fears are given proper weight - the independent view of the Council's own highway engineers and their view on the adverse affect on highway safety and the convenience of road users should be obtained.

As users over many years of Redington Road, we would make the following remarks. The road is used in the morning and evening as a "rat run" for the many schools located in Hampstead and Belsize Park as it runs from the North parallel with Finchley Road directly into the centre of Hampstead and Fitzjohns Avenue leading to Belsize Park. In addition to the traffic there is a steady stream of accompanied and unaccompanied children making their way to and from school.

This means that every morning there will be cars coming out from the proposed overblown car park in the basement of No. 28 straight into the oncoming traffic both vehicular and pedestrian. As there is a large car park proposed there will be many cars plus the additional cars which the residents of the new block of flats at no.28 will park on the road. The road is already congested at this time of day and the additional flow of cars from 28 will certainly cause problems coming into the already heavy stream of traffic as it winds in and out of the car parking bays located on both sides all the way along Redington Road.

The size of the proposed car park and the fact the cars will be coming out of it every morning into the already heavy stream has not been evaluated; it will prove at least an inconvenience and perhaps a hazard to child pedestrians and it will block vehicular traffic. This aspect requires investigation because although on the written page it may not seem much of a problem, personal experience indicates that at that spot in the road, just before the junction with Oakhill Way, at the height of the morning and afternoon school runs, there will be a real problem.

## 6. Conclusions

1. The objections to the proposal are directly related to the actual proposals and significant 'material considerations'. The objections are supported and are found in the 3 Expert Reports attached and the numerous objections detailed above. The objections are sound and credible.

In addition to the expert reports significant and severe considerations have been detailed under the headings :

5A/ Technical issues which jeopardise the property and infrastructure of No. 30 Redington Road:

5B/ Technical issues invalidating the application:

5C/ Impairment and reduction in amenity of No. 30 Redington Road

5D/ Public Safety Issues

2. Our fear is that ( as we understand the process ) the Basement Impact Assessment ( BIA ) is passed to the agents of the planning department to consider, rather than considered by a planning officer. If that is correct, I believe there is a substantial risk that the lack of BIA credibility, the lack of detail, the lack of analysis and failure of assessment in the BIA is overlooked at this first stage of the planning application consideration by you. Faulty statements or inferences that the BIA issues will be dealt with on the "Final Design " are not credible. This would be a real failure of process.

**As a result, I would be grateful if you could reassure us in this regard as soon as possible that full and transparent analysis in consultation with us by the planning department will be undertaken ( we note a BIA audit form ABC appears to have already been provided ). We would appreciate your early comments on that.**

3. On the basis of the significant adverse and multiple impacts and the fundamentally flawed application, please consider the objections and on the grounds detailed above refuse Planning Application -2016/2997/P.

Yours sincerely,

Peter Corner  
Director  
Tel.07740 620748

## APPENDIX 1

### Geological Report

Adverse impact on neighbouring buildings arising from geological analysis.



**The geological and hydrological aspects including groundwater of the plans have been assessed by a leading expert in the field**

Michael H de Freitas, PhD, DIC, CGeol, C.WEM,  
Emeritus Reader in Engineering Geology  
Imperial College London  
Ground Engineering Advisor (RoGEP) 68302453

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## APPENDIX 2

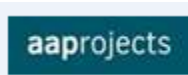
### Daylight Sunlight Report

Adverse impact on light for neighbouring buildings.



David Radcliffe,  
Director, AA Projects Ltd

#### Contact details



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### APPENDIX 3

**Expert's Review of planning application 2016/2997/P to Camden Council with respect to 30 Redington Road and Camden development Policy DP27**



G1615-RP-02-E1.pdf

**The geotechnical, geoenvironmental , civil and structural engineering aspects related to the proposed basement have been assessed by a leading specialist in the field. This includes the requirements of the construction proposed to keep ground response to acceptable limits.**

Michael Eldred  
MSc CEng FStructE MICE

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