

**2017/0579/P**

**Site Address** - 26 Netherhall Gardens London NW3 5TL

As the owner of 24 Netherhall Gardens, I very strongly object to this application on following grounds.

The proposed development is aggressive, too large in masse, construction-wise very risky. The development poses a serious risk to the ground stability of the surrounding properties because of the massiveness of the basement construction, the huge excavation of rear garden, the massive reduction in daylight and sunlight on neighbouring properties and the loss of trees proposed caused by this development. This risk is compounded by the fact that the proposed sits on a hillside in an area which is already very prone to subsidence, and has witnessed over the years visual effects of subsidence, which Camden is very well aware of. The changes to the ground stability and the altered water flows proposed in this development will significantly increase this risk.

The planning application misrepresents many of these risks, and if it acknowledges some of them, it fails to provide undertakings as to how to mitigate them. The original BIA and SDSC report and the subsequent revised SJ SDSCS (Sinclair Johnston Structural Design & Construction Statement - Revised - January 2017) and SAS BIA (Site Analytics Services Ltd BIA – Revised January 2016) reports are based on massive assumptions, and it has been recommended by CampbellReith's Basic Impact Assessment Audit report (March 2016) that more studies need to be undertaken prior to any form of approval of this planning application.

It is utterly incomprehensible that at this stage of the application, the “presence of adjacent basements” has not yet been established, that the whole planning application, all studies and analysis undertaken so far, have not incorporated the existence and the depth of adjacent foundations!! How can any validity be given to a BIA or SDSCS conclusion that the ‘maximum damage of no 26 development to immediate properties is of Burland Category 2’ if the construction proposal of a 10 m deep basement excavation has not even acknowledged foundations which exist less than 3 meters away?

The applicant's reports to date have failed to address many of the risks that were identified from the onset. As you will see below, there are contradictions in between the reports provided by the applicant, omissions in documents, etc.

On this basis, I strongly urge Camden Planning to reject this application yet again.

To facilitate the discussion, I have formulated my objection along the points raised in the CampbellReith Audit Report.

CampbellReith Paragraph 4.2.:

“An additional BIA and a SDSCS has been carried out by a well known firm of consulting engineers, Sinclair Johnson (SJ) and, although the author is a Technical Director and a chartered structural engineer, no proof of expertise in engineering geology is provided as required by CPG4.”

Basis of Objection - CR questions the competence of one of the two authors who have provided the SDSCS and BIA reports for the 26 development. As such, we question the robustness of the applicants' BIA and SDSCS reports and we demand that two fully

CPG4 qualified opinions for the planning at 26 NG are instated before any approval can be granted.

CampbellReith Paragraph 4.7.:

“Within the scoping section of the BIA, SAS state that basement floor level will be “at a maximum depth of approximately 3.00 metres below ground level” and go on to consider their analysis on this basis. Text and cross-sectional drawings contained in the SDCS clearly contradict this with a basement of at least 6.0 metres generally increased locally for a lift pit. The scoping exercise should be reconsidered and also take into account the overall retention of soils towards the rear garden boundary retaining wall shown on SJ’s drawing no. A refined scoping study has now been undertaken as requested. The original SAS BIA has been corrected to indicate the increased 7.50 metres depth of basement and the SJBIA takes the retained slope of soils towards the rear building into account.”

Basis of Objection - How can any credibility be given to the developers’ scoping reports (BIA and SAS), when originally the maximum scoping depths was estimated to be at maximum depth of 3.00 meters below the ground level and consider their full analysis on this basis, then to have it corrected by CR to a more correct depth of 7.5 meters (or more than double the original depth). This maximum depth is the biggest concern for all neighbours and to make such a flagrant mistake questions the thoroughness and robustness of the whole development plan. What other massive mistakes lay hidden in their analysis?

CampbellReith Paragraph 4.9.:

“It is not possible to accept that the hydrogeology and the stability of the ground will not be affected by the development until the previous comments have been addressed. With the additional information that has been provided within the SJBIA and revised SDCS, it is now accepted that there are no slope stability concerns regarding the proposed development. It is accepted that that no known ponds, springlines or wells are in close vicinity to the site and that the site is outside the Hampstead pond chain catchment area.”

Basis of Objection – This is contradictory to the applicant’s SAS BIA report (Jan 2016) - Table 1 Summary of Screening results: “The nearest surface water is recorded as being a pond 846m south-east of the site. However, according to publications regarding Lost Rivers of London (Barton, 1992) and (Talling, 2011), the site is within 100m of the tributaries of the former River Westbourne.”

If the same author of two BIA reports contradicts himself in his own reports, how can we, neighbours, attach any credibility to the data presented in the reports. Based on these contradictions, we are seriously worried about the robustness as to the Basement Excavation and Construction and ground water/surface water issues.

Campbell Reith paragraph 4.10.:

“A theoretical discussion of potential sustainable urban drainage (SUDS) options is provided in the SDCS without any specific proposal to mitigate the increase in surface water run off generated by the proposed increase in the area of hard-standing on site, apparently because no designer has been appointed. It is not possible to accept that the hydrology of the area will be unaffected by the development until item 4.6 and the above comment have been addressed”

Basis of Objection - The CR states that “Specific surface water mitigation proposals have been included within the revised SDCS and it is now accepted that these

proposals should mitigate the increase in surface water run off,...” . Firstly, no Supporting Documents are available on the Camden to confirm or detail these ‘mitigation proposals’. Please provide these to all parties concerned. Secondly, we cannot believe the CR statement as it is based on WRONG assumptions, mainly that “The current data indicates that surface water, like groundwater will flow in a general westerly direction across the site in accordance with the topography of the site area (SAS report January 2016 - 6.2 Surface Water Drainage )”. Groundwater indeed flows westerly now, but no longer once a 10 m deep basement will be constructed which will in effect form a full concrete barrier to this westerly flow. As BIA report of Planning Ref 2014/6224/P and 2014/6473/C states : “Water would simply flow around the basement and continue on its existing path”. The altered water flow would naturally flow south to the properties at lower altitudes from no 26, and hence impact directly the ground stability of properties 24 and 24a. I have not seen any calculations or studies assessing the impact of this on 24 and 24 a or any mitigation proposals. I have great concern for the settlement issues and potential structural damage to the foundations of my house 24 and 24a, due to the obstructed water flows and altered water courses resulting from this excessive development. This application cannot go ahead prior to a detailed study of the altered ground water and surface water flows.

CampbellReith Paragraph 4.11.:

“...A ground movements analysis has been carried out within the SDGS which indicated that potential damage is likely to be no worse than slight (Burland Category 2). However, there is no indication that the presence of adjacent basements have been established nor have the depth of existing foundations been established by trial pitting, rather an assumption has been made. Clarification of these issues is required as is confirmation that the CIRA C580 calculations in SDGS Appendix B are applicable to both the adjacent properties on Netherhall Gardens, the property to the rear on Maresfield Gardens, and a detailed assessment of movements potentially affecting the adjacent highway at the front of the property.” “An inventory of Below Ground Adjacent Structures has been provided which has been annotated onto a site location plan and has informed a refined and more detailed Ground Movement Analysis. The depth of existing foundations has not been verified by trial pit investigation, however.”

Basis of Objection - It is unthinkable that the “presence of adjacent basements” has not yet been established, that the whole planning application, all studies and analysis undertaken so far, do not take into consideration the depth of existing foundations!! How can any validity be given to a SDGS conclusion that the ‘maximum damage of no 26 development to immediate properties is of Burland Category 2’ if the construction proposal of a 10 m deep basement excavation has not even acknowledged foundations which exist less than 3 meters away? Under such circumstances, I demand maximum protection of my property and foundations to Burland Category 0 before any application is approved. The CampbellReith report goes on to say *“Further mitigation with regards to limiting damage to neighbouring properties is required”*. This identifies very clearly there is a problem which the applicant has not addressed. As a neighbour owner I demand that such investigation is performed, its results are discussed and mitigation procedures are proposed and approved before this application is approved.

CampbellReith Paragraph 4.15.:

“The depth of the neighbouring property foundations used in the GMA are based on levels given on the associated drawing to the SJ ‘Inventory of basements’, however, these are assumed as the depth of the foundations have not been established. In the absence of such

information, the maximum differential depth between the neighbouring property footings and the proposed basement should be assumed. Unless further information is forthcoming, it is recommended this is assumed for detailed design.”

Basis of Objection – Further on and in conjunction with the concerns raised in previous point (that the depth of existing foundations of adjacent properties has not been verified yet), I demand that a full analysis of the impact of the established depth or the assumed depth of foundations (whichever is the biggest) is provided to Camden and all parties concerned, and that appropriate proposals are made to mitigate damage to adjacent properties (28, 24 and 24a) as a result of the new established or assumed depths. Any approval of 26 application should be conditional to such analysis.

The applicant has so far failed to address many issues and concerns that were identified in the CR Audit. It is already very worrying that the CR Audit finds so many areas where the development proposal is seriously lacking. What is more worrying is that the CR Audit dates from March 2016 and that one year later, the applicant still has not addressed these issues.

As can be seen below, the CR requires many areas where additional analysis, surveys, scoping, simulations, etc. are required. All combined, these reflect very poorly on the quality of the work performed by the developers, and do not inspire much confidence in the whole development. To date, these reports -if existent- have not been made accessible to us. We urge Camden to make any approval conditional to the developer addressing these issues and providing the relevant reports. Following is a list of the actions the CR Audit required the developers to perform.

1. CampbellReith Paragrah 4.16.  
“Justification is required for the statement on Section 4.1.1 of the GMA that the deeper and shallow sections of the basement will shield the buildings on the opposite side from the effects of each other and therefore their influences are considered separately or the combined effect of the two basements should be modelled and analysed.”
2. CampbellReith Paragraph 4.17.  
The input data from the Xdisp programme for the pile installation has not been provided and should be included in a revised GMA once the construction methodology and sequence have been agreed.
3. CampbellReith Paragraph 4.18.  
It is stated on Section 4.1.2 of the GMA that heave effects should be negligible due to the reloading (construction) effectively balancing the unloading (assumed to be demolition and excavation). The magnitude of anticipated heave from the demolition and excavation should be provided to justify this statement.
4. CampbellReith Paragraph 4.19.  
Section 7 of the BIA states the form of basement is to be sufficiently stiff to ensure the stability of the adjacent highways and public right of way, however, the impact to these does not appear to have been analysed in the GMA.
5. CampbellReith Paragraph 4.20.  
It is stated on Section 6 of the GMA that the detailed retaining wall design will ensure ground movements are within acceptable limits. This together with the propping arrangements is described as a ‘pre-emptive approach’ to mitigation, however, it should be noted that the proposed sequence already assumes high support stiffness with some degree of top-down construction which predicts a maximum damage of ‘Category 2’. Further mitigation with regards to limiting damage to within Category 1 is requested.

### Missing documents

In addition to the missing documents listed above – documents which are quintessential to all parties concerned in order to make informed decisions based on a full understanding of the risks and implications the proposed development will have on each party - there are also appendices missing from one of the Supporting documents on the Camden Planning Application website. These relate to the Appendix A and B from the SJ SDCS report of January 2017.

### Conclusion

Following the CampbellReith Audit of March 2016, the developer was requested to perform additional analysis, surveys, simulations, etc. To date, these reports are non-existent or at least undisclosed to us. The errors, contradictions, missing documents, etc. and the scathing-over of issues of significant importance to the adjacent properties (ground stability, structural damage, ground water and surface water flow), have raised deep concerns about the quality of the analysis performed by the developer to date and the robustness of this development.

As an owner of a house in this post code, I only know too well how difficult it already is to find buildings insurance, because of the risk of subsidence. This development could very well make our buildings insurance unaffordable or impossible to get. I have great concerns regarding the impact on subsidence and very real potential structural damage which will be done to my own property if the basements, the massive garden excavation as well as the small gap between the proposed development and the property of 24a (and thus 24) were permitted.

In addition, I urge Camden to demand that:

- the developers of 26 NG perform a 'Condition' survey on all neighbouring properties affected by its development, ie numbers 24, 24 a and 28, as a condition for approval. These should be carried out by the developers at the developers' cost. In addition, a full monitoring should be provided on terms agreed by Camden, the owners of the properties above mentioned and the developers during the construction period.
- the developers of 26 NG perform a full structural analysis of the foundations of 24 and 24 a and their interconnectivity - if any – as a condition for approval. Again, the SJ SDCS of Jan 2017 makes a simplified assumption that no 24 and 24a are of one single structure. This has to be thoroughly investigated first and be integrated in the of the developers' calculations.

Please refuse this application.

Catrien Harris  
24 Netherhall Gardens  
London NW3 5TH  
2/4/2017