

[REDACTED]

From: Oliver Froment <[REDACTED]>
Sent: 04 June 2017 16:19
To: Roe, Anna
Cc: Planning; Planning; Currie, Tom (Councillor); [REDACTED]
Subject: Updated Objections to Planning application reference: 2017/1892/P, 15 Rudall Crescent, NW3.
Attachments: Updated-Objections to Planning application reference 2017 1892P 15 Rudall Crescent NW3 amended version June 4th 2017.doc

4th June 2017: Updated Objections to Planning application reference: 2017/1892/P, 15 Rudall Crescent, NW3.

There are a number of reasons why this application in its present form should be rejected, which are explained in the **five** page enclosed document attached herewith.

There are 10 such reasons and I will outline these below:

- First there is no quantification let alone estimate of predicted damages or any supporting information to that effect. This is reason enough to reject this application in its present form.

Furthermore:

- There is presence of water and insufficient investigations
- The BIA is unsatisfactory
- Proposal is too vague
- Geotechnical issues
- Deficient underpinning calculations
- Suggested method of work unsatisfactory and incomplete
- No consultation with neighbours
- Faulty engineering design
- Breach of sustainability requirements

These numerous and material issues must be resolved prior to determination and the applicant has failed to do so in its application. This application fully breaches DP 27 and DP 23 as well as the new Camden's Planning Policies that will be formally approved by Camden at the end of this month.

Please refuse this application in its current form. Please keep me informed.

Yours sincerely,

Oliver Froment

Chair of CRAAC, the Camden Resident Association Action Committee representing over 30 resident associations throughout the Borough of Camden

Objections to Planning application reference: 2017/1892/P, 15 Rudall Crescent, NW3.

There are a number of reasons why this application in its present form should be rejected, which I outline below.

1-Burland scale damages may exceed 1 and no estimate of damages either.

Contrary to Camden's Policies and procedures, there is no estimate of likely damage let alone verifiable engineering information to attempt to demonstrate predicted damages. Furthermore the new Camden Policies that will be adopted in June 2017 is requiring Burland scale 1 (e.g. cracks less than 1mm wide) as a limit. The Inspector agreed with me on the matter during a consultation that took place in Camden's Town Hall on 18th October 2016 and as a result of both my verbal and written comments as Chair of CRAAC and has imposed this requirement to be incorporated in the new Camden Planning Policies.

Until the applicant has demonstrated this is the case, this application would breach Camden's emerging policy on damages and this application would be therefore unlawful and constitutes a breach of procedure. The applicant proposes to underpin the next door's properties party wall. This is likely to trigger damages. In any circumstances this application does not mention, let alone justify, the predicted scale of the likely damages that the scheme will inflict on the neighbouring property. This is a breach of both the current Camden's DP 27 as well as the new forthcoming policies in June 2017.

This on its own is reason for rejection of this application in its present form.

2- Presence of Water and insufficient investigations.

On page 1 of the Structural Methodology Report, it is stated that: "Water was recorded in the trial hole". This is confirmed in the summary page of the GEA Report where it is stated: "BSG Groundwater Flooding Susceptibility" exists on site.

In the BIA water is shown very close to the surface in trial pit TH1. This is cause for concern since the intended excavation would take place below this level.

On page 7 of the BIA, it is also stated that "Groundwater is likely to flow in the direction of the local topography, which in this area slopes down".

Page 7 of the BIA mentions is made of a groundwater investigation. No date is provided or the timing of such investigation neither the geotechnical report seems to have been submitted. This is a material omission as we cannot establish the weather conditions at the time.

Furthermore in compliance with the paragraphs 291 to 294 of the Camden Geological, Hydrogeological and Hydrological Study, borehole measurements should be conducted over long period of contrasting seasonal weather conditions.

An automatic log water measurements recorder should be left activated in the boreholes over a sustained period of contrasting rain cycles to demonstrate local groundwater and water table levels and the local water and the local extent of groundwater surges during and immediately following storms. This application in its current form is in effect in full breach of Camden's DP 23.

None of the above has been carried out.

3- Unsatisfactory Basement Impact Assessment.

The BIA prepared by GEA, is unsatisfactory on several counts. Firstly it is only a desk study as stated by the author. .

It is clear that in this application there is a need for a thorough BIA for a number of reasons: e.g. water has been found during borehole investigation; there is underpinning of joint party wall with 17 Rudall Crescent that could potentially compromise the structural stability of the neighbouring property and/or inflict significant damages to the neighbouring property, We are here in the presence of a semi-detached terraced Victorian townhouse at 17 Rudall Crescent and this "one of the riskiest situations in which to construct a basement" according to Arup in the Eatherley decision (see link in page 39 paragraph 5.8 of the Hampstead Neighbourhood Forum);.... The trial pit TH1 shows that at least one of the current foundations is shallow.

On page 12 of the BIA, it is stated that: "there is the potential for the hydrogeological setting to be affected by a basement development" and " groundwater would be expected to be encountered within the Claygate Member and therefore it is possible that the basement excavation will extend will extend below the water table".

Until thorough and sustained boreholes water measurements have been conducted over a sustained period of time, the BIA is therefore unsatisfactory. This is explained into more details in the above paragraph 2..

On page 6 of the BIA, it is mentioned that: "perched water is likely to be present within the Claygate Member..." "...Ground water is likely to flow in the direction of the local topography, which in this area slopes downward..."

On page 9 of the BIA, it is stated under 1a that the site is located directly above an aquifer.

It is also stated under 1 b, that there is a possibility that the proposed basement will extend beneath the water table surface. In such circumstances the new deepened basement at 15 Pilgrim's Lane could act as a dam with the effect that rain water would be redirected the neighbouring properties especially 17 Rudall Crescent. In such instances 17 Rudall Crescent would suffer flooding issues and the application would be in breach of DP 23. No information and countermeasures have been

submitted on the matter either. This must also be investigated and resolved prior to determination yet the applicant has failed to do so.

All that is stated in the Design and Access Statement prepared on 31.03.17 by Smerin Architects is: “the walls and floor will also have a waterproof tanking layer installed to ensure dry conditions within and improved drainage connections”. This may be very well work for 15 Rudall Crescent’s point of view but is wholly unsatisfactory for the neighbouring property at 17 Rudall Crescent. 17 Rudall Crescent floor will remain as it is and as such it would be physically impossible to waterproof it. In other word the applicant whilst taking measures to solve the water and damp proofing issues that the proposed application will trigger washes his hand on the after effect that the diverted flow of underground rain water will inflict on the neighbouring property..

This is in full breach of DP 23. This application must be refused until the applicant has found and demonstrated the feasibility for a scheme that will not trigger such negative effect that are in full breach of sustainability requirements under the National Planning Policy Framework.

On page 10 of the BIA the following issues have been identified and that the author clearly state: “that need to be assessed”:

Q5- “The Claygate may be shallowest at the site”

Q7- “There is a history in the area of shrink-swell subsidence due to the presence of shrinkable clays”.

Q13- “The proposed basement extension may increase the differential depth of foundations relative to the neighbour properties”.

These issues should clearly be resolved before determination, yet nothing of the sort has been undertaken. This is and the items mentioned in my above paragraph 1 as well as the uninvestigated points below are also in breach of Policy BA2 # 5.16 and 5.17 of the Hampstead Neighbourhood Forum latest document.

On the summary page it is recognized that there is the possibility of:

- “Potential for collapsible ground stability hazards
- Potential for landside ground stability hazards
- Potential for running sand ground stability hazards
- Potential for shrinkage or swelling clay ground stability hazards”

Yet despite all the numerous above mentioned area of concerns, no proper borehole investigations seem to have taken place over an extended period of time. It is mentioned explicitly that this is a desk study. In the presence circumstances where several areas of concern exist and many of them acknowledged by the applicant, this is wholly unsatisfactory.

This is another reason to reject this application in its present form.

4-Proposal is too vague.

The scheme presented by Pier Smerin Architect appears to be just a cursory proposal. Drawing 4447-SM01 is entitled: "Indicative Basement"! This is unsatisfactory as until we know more precisely what the applicant proposes how can we do a proper evaluation of the proposal?

5- Geotechnical report issues.

On page 1 of the Structural Methodology Report of Richard Tant Associates, it is stated: "A geotechnical report has been carried out by GEA Ltd; the desk study confirms made ground overlying firm greenish grey to orange-brown silty clay and carbonaceous material." As noted in Camden Local Plan 6.132, basements in Hampstead may pose a particular risk to neighbouring properties and require additional investigations.

The carbonaceous material also raises environmental alarm bells. In the current circumstances proper physical investigations rather than a desk top study is appropriate.

Also in GEA report it is mentioned that "soils of high leaching potential....fewer observations than elsewhere"

and that there is a "moderate potential of shrinking or swelling clay ground stability hazards"

6- Deficient underpinning calculations.

The bearing pressure calculations submitted by Richard Tant Associates appear to be both inappropriate and deficient for a number of reasons.

For example, there appears to be no ground movement input. There is no proper method to demonstrate in a verifiable way that the current structure will withstand the theoretical stress calculations and what sort of damage will the neighbouring property be subject to and the location of the likely and scale of the likely damage.

7-Suggested Method of Works deficient and incomplete.

There appears a lack of sufficient detailed information on the temporary and transitional stages. How are the neighbouring foundations going to be temporarily propped up and what method is going to be used during the transitional stage? It is a well known fact that approximately 50% of faulty basements are caused by faulty design at inception. Furthermore the transition phase between temporary and permanent foundations is often a major cause of structural damages. It is mentioned in Richard Tant Associates' report that: "The reinforced concrete underpinned walls and reinforced concrete walls will be designed to retain soil and water pressures."

We would like to see precise proposal and engineering justification before determination. In view of the issues above, comprehensive detailed blueprint, plans and supporting calculations are required at the time of the application and should not

be deferred after determination. Despite the relatively modest size of the proposed excavation, we are here in the presence of a complex engineering endeavour susceptible to cause significant damages to the neighbouring properties and the environment.

8 – Faulty engineering design.

The Under Pin Design proposed by Richard Tant Associates, reference job no 4447, sheet No P1 of February 2017, appears to show a proposed under pin base extended on both side of the Party Wall. In such circumstances that is a faulty design as I doubt that the applicant would have the right to create a new underground structure extending under the wall of the neighbouring property at 17 Rudall Crescent.

9- Failure of applicant to consult with Neighbours.

Contrary to both local and national policy guidelines and recommendations, the applicant has totally failed to consult with the affected neighbours. This is very regrettable as had the applicant done so, many of the issues raised in this report may have been properly addressed and remedied. Furthermore in time of budgetary constraint this results in wasted tax payers' money and wasted Council's resources.

10-Proposal breaches sustainability requirements.

The application does not comply in its current form with sustainability requirements which is the golden thread of the National Planning Policy Framework. For example it does not enhance the natural environment as for example it creates risks of both damages exceeding the Local Authority's Policy and also has the potential to create flooding issues to the next door property. It does not improve the well being and health of others contrary to National Planning Policy Framework. Please note that the occupier at 17 Rudall I (the semi-detached pair of No 15) is a pensioner who recently lost her husband and has serious health conditions.. Neither does it promote quality design and a good standard of amenity for the neighbours. In its presence form the adverse effects on the neighbouring properties and the neighbourhood significantly outweigh any benefit to the local community.

Please refuse this application in its current form.

Please keep me informed.

Yours sincerely,

Oliver Froment

Chair of CRAAC, the Camden Resident Association Action Committee representing over 30 resident associations throughout the Borough of Camden.

