

Hazelton, Laura

Subject: FW: 2017/1047/P - 76 Fitzjohns Avenue- my objection

From: Spinella, Gio

Sent: 11 June 2017 15:54

To

Subject: 2017/1047/P - 76 Fitzjohns Avenue- my objection

Dear Laura,

Gio Spinella, councillor for Frognaal & Fitzjohns ward here and I am submitting a rather late objection to the application for 2017/1047/P - 76 Fitzjohns Avenue

Having reviewed the plans and discussed the matter with local residents, including the Netherhall Neighbourhood Association, I raise the following points:

1. 1. Page 9 of the Basement Impact Assessment states that "it is possible that the basement excavation will extend below the water table".
1. 2. Page 10 of the BIA states that ground water monitoring standpipes "has been monitored on a single occasion to date". This not consistent with Camden's policies which recommend seasonal monitoring (CPG 4 July 2015 2.26). Seasonal monitoring is also recommended as "prudent" in the BIA itself (Section 8.1.1).
1. 3. Moreover, Section 3.0 of the Construction Method Statement states that the soil analysis was done in three boreholes within 750m of the site. Section 5.17a. of the draft Hampstead Neighbourhood Plan states that hydrological borehole measurements to sample soil should be made near the boundaries with neighbours to a depth of at least 6m.
1. 4. The BIA report (Section 1.3) states that soil analysis was done in three boreholes on site. This is inconsistent with Section 3.0 of the CMS.
1. 5. The BIA report (Section 1.4) expressly admits its scope is limited "to the number of locations where the ground was sampled" and the "range of data sources consulted". The report recommends that "groundwater monitoring should be continued out to confirm that significant groundwater inflows will not be encountered during basement excavation as well as trial excavations, ideally, to depths as close to the full basement depth as possible". There is no evidence this has been done.
1. 6. Section 1.3.0 of the BIA found water at a depth of 1.05m. However, this was rejected as "anomalous" in the reports. Given the presence of a spring near the property, as well as the Tyburn, it is quite conceivable that groundwater is at a much more shallow level on the site itself, as compared to the location of the boreholes. Yet the CMS states that the November 2016 GEA investigation only investigated the "near surface" of actual site and claims that this is sufficient confirmation of similarity to an 18m borehole. The CMS states that "groundwater was established 7m below ground level in one borehole"- which contradicts the

findings of the BIA mentioned above (at 1.05m and 4.5m). The inconsistencies between the BIA and the CMS are confusing.

1. 7. BIA 3.1.1 states that the proposed basement will "possibly" extend beneath the water table surface. They conclude that nearby investigations mean it is considered "relatively unlikely". This cannot satisfy the requirements of DP27/CPG4 or Camden's Local Plan to demonstrate that the proposal "would not cause harm to the water conditions of the area".
 1. 8. A draft report from Dr De Freitas dated 12 April 2017 (the report) states that the BIA fails to reflect the risk shallow groundwater at this site can present to a contractor excavating a basement using the "hit and miss" method, as advocated in the CMS. (para 4)
 1. 9. Dr De Freitas also clarifies (para 28.1) that the site is not far downslope from Shepherds Well and the former spring line at that elevation. Shallow ground water is to be expected.
 1. 10. Dr De Freitas concludes (para 35 onwards) that the very substantial investigation that is submitted in support of the application and its BIA misses a very substantial hazard, viz that from ground water. Not only does it miss this hazard but it encourages a contractor to believe the hazard does not exist. Ground water has not been properly investigated at this site and needs to be. Given the criticality of ground water to ground stability the investigations required should not be relegated to 106 conditionality where they remain unpoliced. As it stands the application fails to provide Camden with the assurances Camden requires as a basis for providing planning approval until ground water is properly investigated.
11. As a separate matter, the Camden Local Plan states that the Council encourages security for expenses for basement developments to adjoining neighbours. The application has no evidence of anything being put in place. The applicant is apparently intending to move back to the United States soon. The works are not being carried out for the purposes of the applicant or his family continuing to live in the property – they are being done to achieve maximum profit on a sale of the property. There is potentially significant difficulty in taking any necessary enforcement action or seeking redress against the proprietor in the future.

Please therefore add my objection to the report.

Gio Spinella

Councillor, Frognal and Fitzjohns Ward
London Borough of Camden

Email

Mob.

My surgery dates: 2nd Saturday of every month, Hampstead High Street 10-11 AM
3rd Saturday of every month, Holy Trinity Church, Finchley Road, 11AM-12PM