Gentet, Matthias

From: James Earl <fordwychra@gmail.com>
Sent: 31 July 2017 13:07
To: Planning; Tulloch, Rob
Cc: Rea, Flick (Councillor); Russell, Lorna (Councillor); Olszewski, Richard (Councillor)
Subject: Planning application 2017/2896/P at 81 Fordwych Road | Objection from Fordwych Residents Association
Attachments: Floodingreport.pdf; IMG_2120.JPG

Dear Camden Council,

I'm writing from the Fordwych Residents Association (FRA) to strongly object to the planning application for 81 Fordwych Road (ref: 2017/2896/P).

1. We note the long and complex planning history for this address. This includes enforcement action and a court injunction which were taken against the developer in relation to previous applications. The FRA strongly objected to a planning application on this site two years ago (ref: 2015/8202/P). Our comments at that time can be seen below; in many cases the issues are relevant to this application too.
2. The approval of the above planning application was given on the basis of several undertakings given at the planning committee meeting where it was discussed (12 May 2016). This included a commitment from the developer that the redevelopment of the property was to create a single home for him and his family. It was also agreed by the committee that the rooms on the basement floor (labelled as a "games room" and a "home office") would not be suitable for habitable rooms.
3. Before this application proceeds any further, we require that planning officers carry out an internal inspection of the property to establish whether the redevelopment to date has been built, as approved, as a single house or - as is widely suspected - the house has already been divided up into 8 flats, with associated plumbing and kitchens/bathrooms.
4. We remain completely opposed to any habitable development on the basement floor of the property. This is because of the flood risk identified in the attached Camden Council report, which specifically mentions properties immediately adjacent to this address as having recent flooding problems.
5. In terms of the proposal for 8 flats, we believe there is already an oversupply of small flats/HMOs in the Fordwych area. This is causing strains in the local community in terms of the provision of facilities and amenities, for example storage space for bins and parking (see below). The need at the moment is for larger 2/3/4 bedroom flats suitable for families. We therefore find this application to be in breach of Local Plan Policy H6.
6. Any proposal for flats at this address would need to provide on site storage space for bins, to conform with the Council's new waste requirements. For 8 flats, this would require at least 4 black general rubbish wheelie bins and 4 green recycling wheelie bins. The developer needs to show how these bins would be accommodated on this property.
7. Due to the parking pressure in the area and the excellent public transport links in the vicinity, this property should be classified as a "car-free development" and residents of any flats at this address should not be allowed to apply for parking permits. This is required in order to conform to Local Plan Policy T2. We also require provision of on-site cycle parking facilities, as set out in Local Plan Policy T1.

8. The development to date at this site has caused extensive damage to the pavement in front of the property. A sum for a highways contribution is allowed for in the S106 agreement accompanying the previous planning application. Therefore, in order to comply with the previous planning application, the pavement should be repaired to a high standard before this planning application is considered any further.
9. It also appears that a new structure has been built at the rear of the garden of the property (see attached picture). It is not clear what is the purpose of this building. We would like the site visit (as mentioned above) to establish whether or not this is a new dwelling house, with associated kitchen/bathroom facilities. If it is a new dwelling house, we believe this would require a separate planning application.
10. Overall we have found the developer of this site to be evasive, dishonest and untrustworthy. He has alienated the local community and his immediate neighbours. Given his previous statements, we struggle to believe he will keep to any commitments he makes or will comply with the terms of any planning consent. We therefore urge the Council to dismiss this application.
11. Finally, given the long planning history of the site - and the fact that a previous planning application has been referred to the planning committee - we request that, if there is a recommendation to approve this scheme, a final decision should be made by a full meeting of the planning committee.

Yours sincerely,
James Earl
(Chair, Fordwych Residents Association)

From: James Earl
Sent: 19 August 2015 16:03
To: Planning Camden
Cc: Flick Rea; Richard Olszewski; Lorna Russell
Subject: Objection to planning application 2015/2802/P at 81 Fordwych Road

Dear Camden Council,

I am writing from the Fordwych Residents Association (FRA) in Fortune Green ward to **strongly object** to planning application reference **2015/8202/P** for the construction of a large basement at **81 Fordwych Road**. The reasons for the objection are below.

1. We note the planning history of the site and the failure of the applicant/developer to comply with planning law. In our experience to date, we have found the applicant/developer to take an approach towards local residents and Camden Council that is both evasive and dishonest.

2. We note that a planning application for a single storey rear extension (2015/0434/P) was granted in March 2015. We also note that the works at the property included substantial and significant alterations to the building as a whole, including a large loft conversion to provide additional living space. The FRA made no objection to this planning application and has no objection to the applicant seeking to improve and modernise the property.

3. We note that the above planning application made no mention of any basement or underground construction. We would question why the applicant did not include these plans in this application. Given what has happened subsequently, we can only assume that the applicant was seeking to deceive both Camden Council and local residents as to his intentions.

4. Despite not having planning permission, the applicant has pressed ahead with the construction of a large basement (see the attached picture). The requests of his immediate neighbours to halt this work were ignored. The intervention of planning enforcement officers also, initially, failed to stop this work. It was only a court injunction that has led to the works being paused. We thank enforcement officers for their work in halting construction - as well as the three Fortune Green ward councillors for their help and support in getting the work stopped.

5. We strongly object to the planning application for the construction of a large basement for a number of reasons:
>There is no history of basement construction in this area and this construction may well set a precedent.
>The site is on a slope and surface/underground drainage is an important issue.
>While a number of properties on this part of Fordwych Road have small coal cellars, these were not designed for habitation.
>Furthermore, and highly significantly, in recent years a number of these cellars have been subject to flooding. The cause has yet to be identified. Given the scale of the problem, Camden Council produced the attached report (Flood Investigation Report, Fordwych Road, September 2013) which identifies the main issues. We would like this report to be included as part of our response to this planning application. We believe that this report provides strong grounds for refusing this planning application.

6. Having considered the Basement Impact Assessment (BIA) accompanying this planning application. We make these further comments:
>The BIA fails to consider the issue of recent cellar flooding in this area - and fails to mention the report mentioned above.
>The report fails to fully consider the issue of structural stability. Properties on this part of Fordwych Road have experienced issues with extensive and severe subsidence. The report is completely wrong (Section 8, response to Question 7 in 10.2, and 12.5) when it claims that this is not a relevant issue.
>We don't consider that a realistic assessment has been given to the effect of the basement construction on the immediately adjoining property, 83 Fordwych Road.
>Properties of this era tend to have shallow foundations, and any large scale excavations and basement construction are likely to have an effect on a significant number of properties in the immediate area. Again, the BIA fails to consider this issue.

7. In light of the above, we would expect that this planning application is refused. The applicant should be made to cease work on the large basement and return this part of the development to how it was before this work started.

8. If officers feel these issues need to be discussed further, we would expect this application to be referred to a meeting of the Development Control Committee. We would like to attend and speak at any such meeting.

9. If you would like any further information from the FRA about this application, and the related issues, we would be happy to provide it.

Thank you & best wishes,

James Earl
(Chair, Fordwych Residents Association)

London Borough of Camden

Flood Investigation Report

Fordwych Road

Contents

1. Criteria for Flood Investigation Reports

This investigation is carried out in accordance with the *Flood and Water Management Act* which requires that:

(1) On becoming aware of a flood in its area, a lead local flood authority must, to the extent that it considers it necessary or appropriate, investigate—

(a) which risk management authorities have relevant flood risk management functions, and

(b) whether each of those risk

(2) Where an authority carries out an investigation under subsection (1) it must—

(a) publish the results of its investigation, and

(b) notify any relevant risk management authorities.

Managing flood risk in Camden: the London Borough of Camden flood risk management strategy states that a flood event should take place if the following two criteria are met:

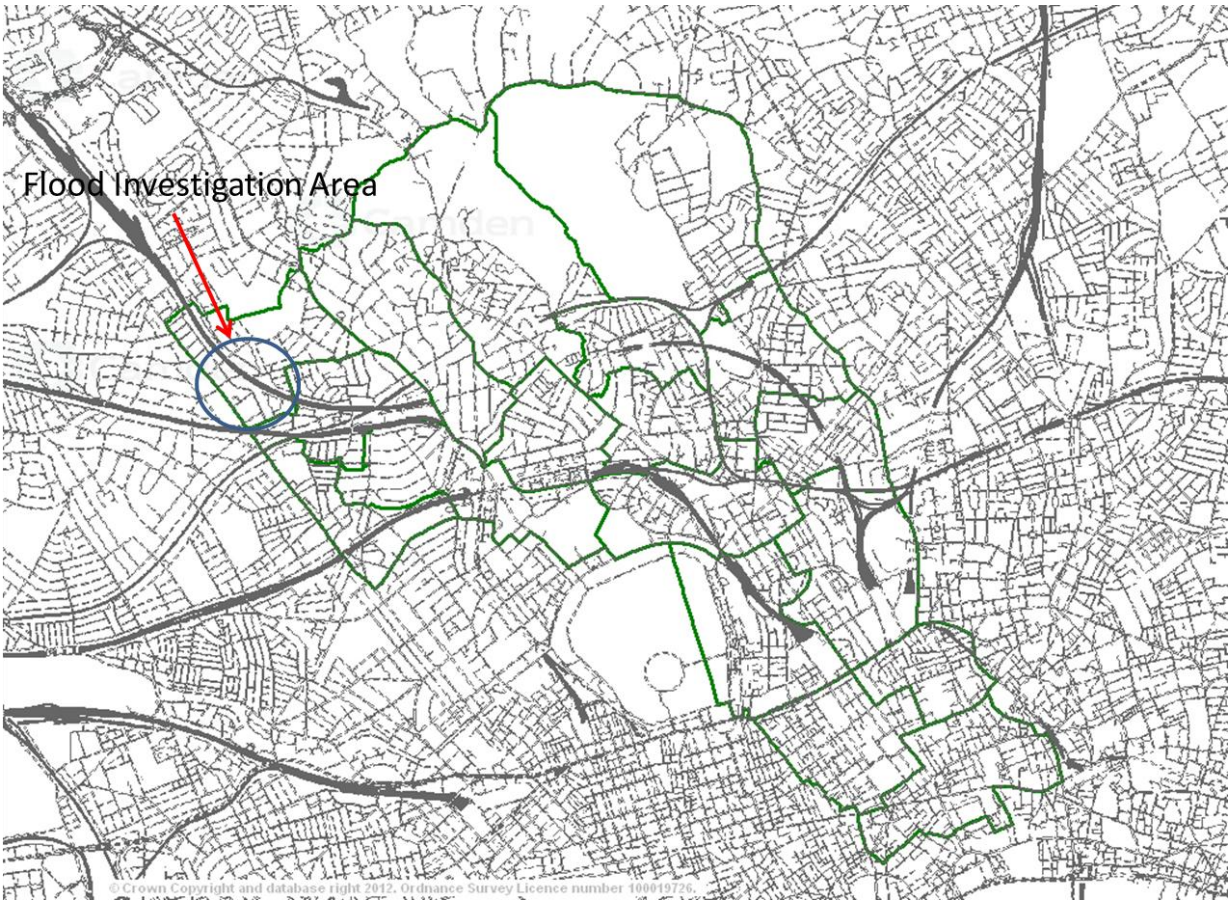
- The incident resulted in internal flooding of a property
- There is ambiguity surrounding the source or responsibility of the flood (e.g. it is not clearly the result of a burst mains pipe)

They clearly have been met in this incident.

2. Site Information

This flood investigation looks at reports of internal flooding in cellars on Fordwych Road in Fortune Green Ward. All of the reported internal flooding has taken place on the eastern side of the road between the junction with Mill Lane and the T-junction with St. Cuthbert's Road. This is a residential area, where the majority of houses have rear gardens. The gardens back onto the Thameslink railway cutting between West Hampstead and Cricklewood stations.

Figure 2.1



3. Observed Flooding

Groundwater flooding entering into cellars has happened at a number of properties on Fordwych Road in Fortune Green Ward. The London Borough of Camden was first alerted to this on 19th March 2013 at 73 Fordwych Road and visited the owner of the property. The cellar of the property was under at least 45cm[1] of water. The stairs down into the cellars had become rotten and it was not possible to get too close to investigate.

On discussion with the resident it was revealed that since mid-February there had been 3 incidents of serious and substantial flooding in the cellar at no. 73 reaching between 45cm and 60cm at its highest. When the water appeared, it rose rapidly, as much as 30cm per day and then would slowly recede over a matter of weeks.

These 3 incidents were:

1) First flood discovered on 14th Feb – although the resident felt it looked like it had been standing for at least 5 days or more (so may have started around 10th Feb) - gone by 21st Feb
2) Weekend of 9th and 10th March - water gone by Friday 15th
3) Sunday/Monday 17th and 18th March - water still present as of Sat 23rd March

This was then followed by the discovery of another flooding incident after returning from holiday on 12th April which saw 40cm of water in the cellar again.

The resident confirmed that up until early January 2013, the cellar was frequently visited and had always been dry. The cellar was not visited between early January and the discovery of the flood so it is not possible to determine when exactly the first flood began.

The Fordwych Road Tenants and Residents Association then asked its members to report on any other incidents of flooding and the following information was provided:

- There was currently no flooding in the cellar at 69 Fordwych Road although it was a little damper than usual. However there had been an occasion in 2012 where there had been a small puddle following heavy rainfall just after the drought first broke. It passed and has not returned since.
- 83 Fordwych Road, which had a properly tanked cellar, found the floor damp and walls with crystallised mildew in September 2012. A test was taken by Homeserve to check if there was a leak between the mains and the house

[1] N.B. All measurements in this report are based on observations by residents based on a visual inspection. It was not possible to measure the depth of the flooding exactly.

which concluded the leak was not happening on their property. Nothing had happened since then at that point. However on 1st June we were informed of further flooding at 83 Fordwych Road where over 20cm of flooding had occurred.

- 68 Fordwych Road also reported that their garden had been waterlogged for several weeks in early 2013 but had had no internal issues.
- 71 Fordwych Road, which is rented accommodation, had a cellar which was closed off and not used by the tenants. In April 2013, water had to be pumped from the cellar as it was leaking out.
- 75 Fordwych Road's cellar was also reported to be under water in April 2013 at the same time as 71 and 73.

No residents claim to have experienced anything before 2012. The resident of No.75 had lived in the house since 1971 and had never had any problems with their cellar before. Similarly the resident of No.73 had been there since 1975 and had never flooded before.

All the reports have been of clean water with no smells to suggest sewerage.

Figure 3.1 Maps showing location of homes affected

Homes affected

4. Drainage System

The whole of the London Borough of Camden has its drainage and water supply provided by Thames Water.

A combined foul and surface sewer (Figure 3.1) flows down the middle of Fordwych Road all the way to Maygrove Road with Garlinge Road and St. Cuthbert's Road feeding into it. Upstream of the houses affected, the drainage from the crescent of house on Mill Lane by the railway also joins into the same sewerage system. There is a foul sewer manhole outside 73 Fordwych Road.

The mains system (Figure 3.2) has a confluence of different pipes meeting on the junction of Mill Lane and Fordwych Road. A 4 inch pipes flows on the opposite side of the road from the properties that have been flooded internally. Two sets of pipes run along Mill Lane upstream of the affected properties.

The figures below show the drainage and water mains pipes in the area:

Figure 4.1 Thames Water drainage system in the flood investigation area

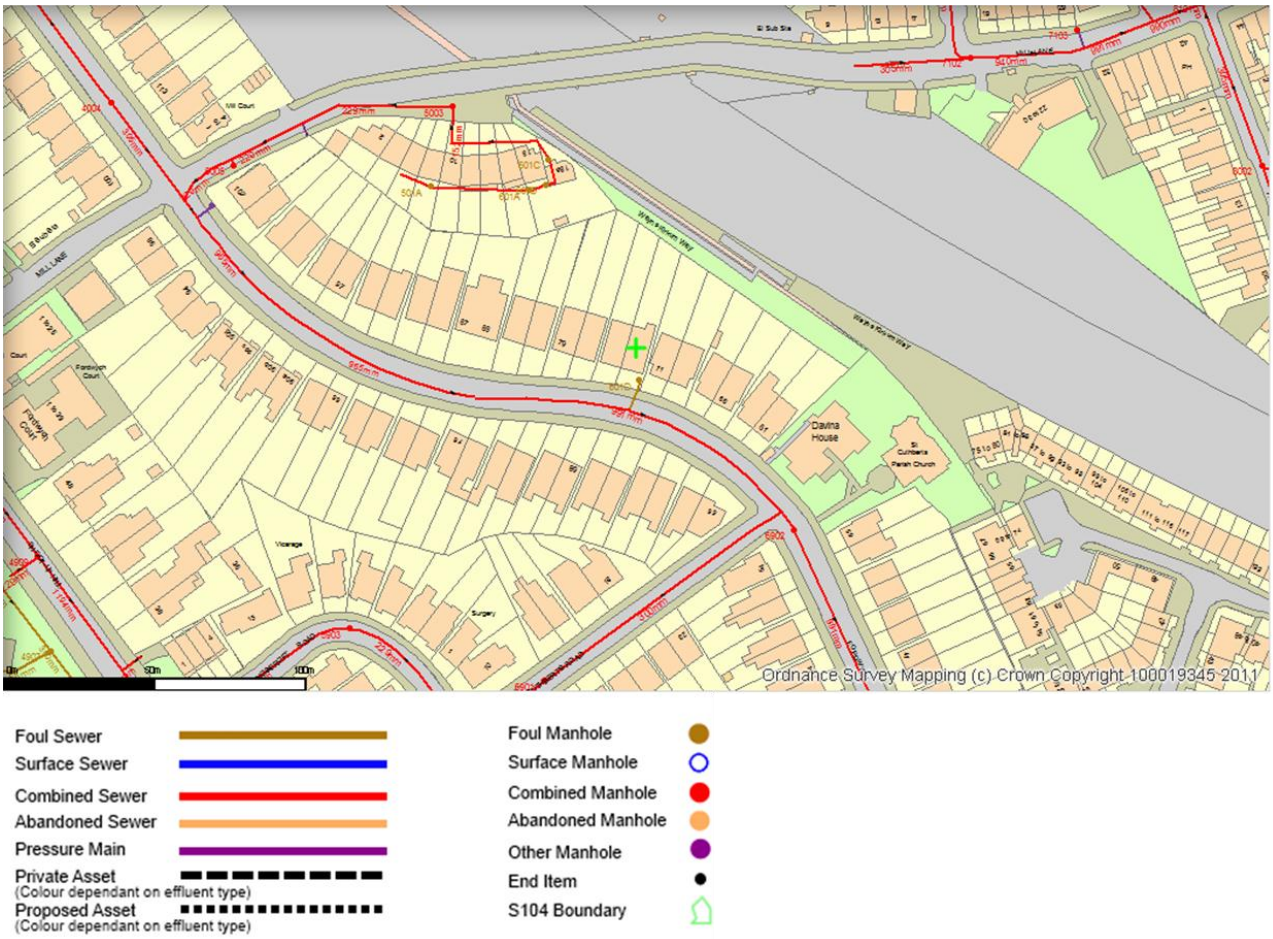
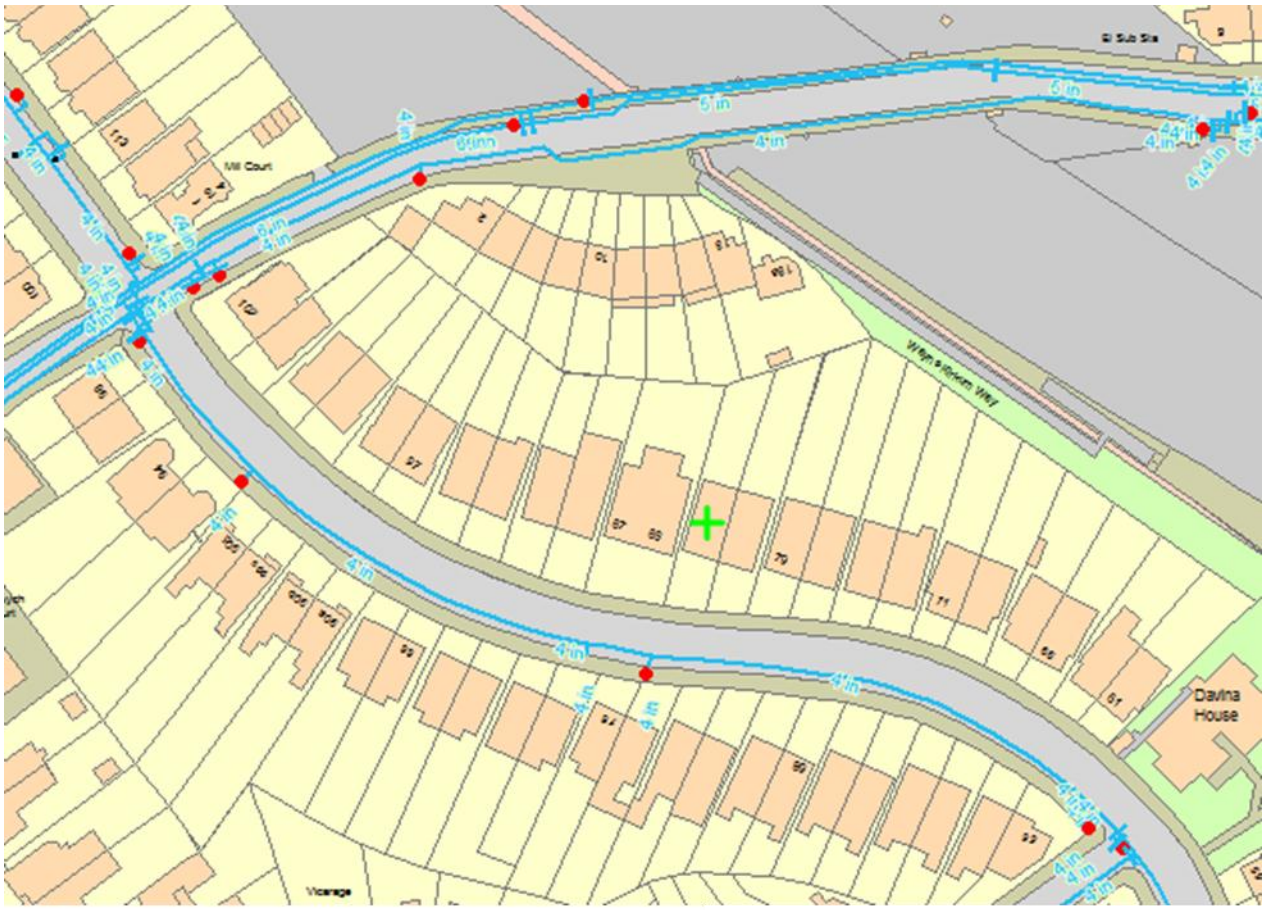


Figure 4.2 Thames Water water mains system in the flood investigation area



5. Rivers and Groundwater

There are no active rivers within the London Borough of Camden. Originally there were three rivers the Fleet, Kilburn and Tyburn flowing through the borough. These were all incorporated into the sewer system and became main trunk sewers. The routes of the sewers no longer transpose exactly onto the old flows of the river due to engineering works and changes over time. Even so, as the map below shows, the old river Kilburn flowed significantly to the east of the area under investigation.

Figure 5.1 Map of Camden's Old Rivers

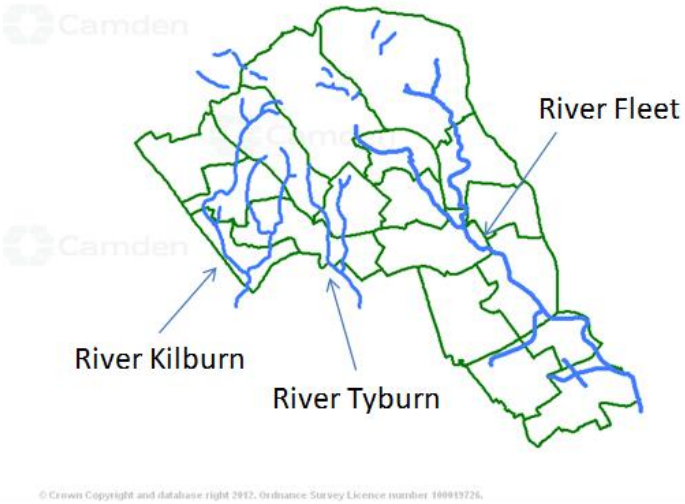
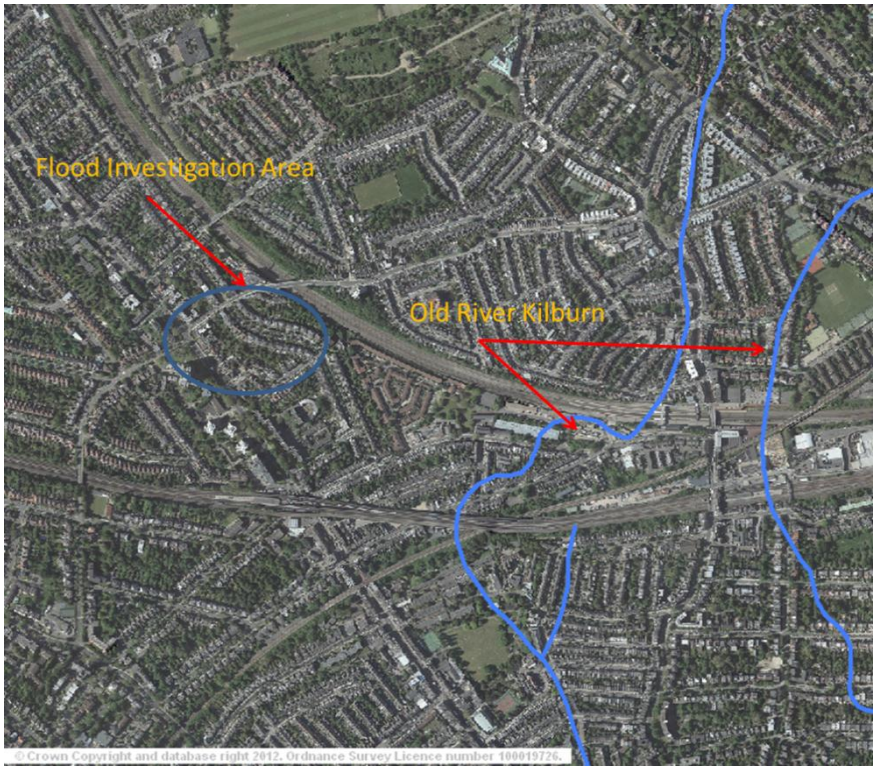
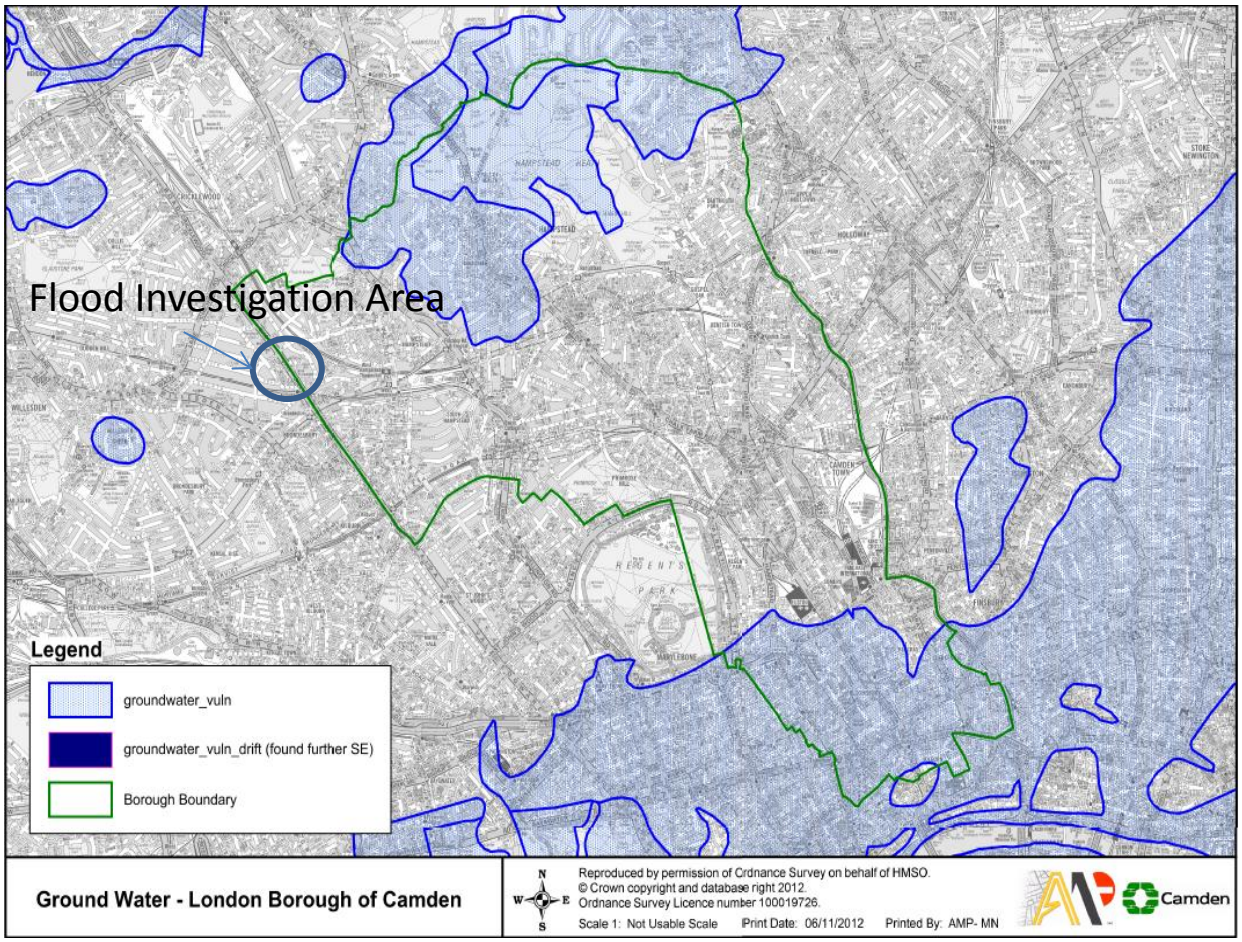


Figure 5.2 Old River Kilburn in relation to Flood Investigation Area



The EA have published maps assessing the Groundwater flooding risk across the country. The map for Camden is shown below. It shows that the area under investigation does not fall into an area of expected groundwater flooding. This is because the underlying surface is impermeable London Clay meaning that there will not be access to the water table underneath.

Figure 5.3 Areas vulnerable to groundwater in Camden



However it is still possible for 'perching' to occur. Perched ground water is subsurface water that forms a saturated horizon within porous media at an elevation higher than the local or regional groundwater table.[2] This means that more permeable soil on top of impermeable clay is likely to collect rainwater as it cannot drain away easily into the water table.

[2] Water Encyclopedia, Leo S Leonhart Published Online 15 Apr 2005 Wiley Online Library

6. Possible Causes

Three possible causes for this flooding have been proposed. They are:

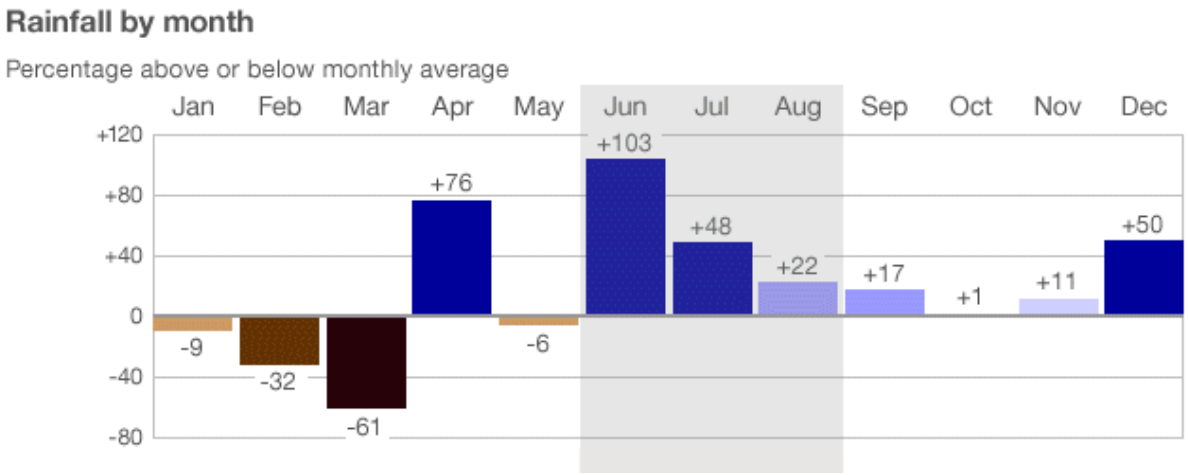
A. It is the result of an exceptional amount of rainfall over the last year completely saturating the ground and forcing water into cellars
B. There are or have been burst/leaking water mains which have exacerbated already damp ground and created flows of water which have been forced into cellars.
C. The introduction of basements into the area have decreased the amount of space water has to perch, causing it to force its way into cellars.

The possibility of it being linked to sewer flooding has been ruled out due to the water entering cellars being clean.

A. Exceptional rainfall

2012 was the second wettest year on record in the UK, despite the first three months having significantly less rainfall than usual. The final nine months saw heavy rainfall with April, June, July and December the worst months.

Figure 6.1 Rainfall in 2012[3]



This was evident in the rainfall collected at the Hampstead Heath Observatory, the closest rainfall monitoring point, which found that many months, particularly at the end of the years had extremely high levels of rainfall. 2013 has proved to be still wet but not to quite the same extent with the exception of March which was significantly wetter than average.

[3] http://www.bbc.co.uk/news/science-environment-20898729

Figure 6.2 Monthly Rainfall at Hampstead Heath (courtesy of NW3 weather)

Monthly-Total Rainfall													
Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year
2013	47.0 (85%)	37.1 (93%)	54.2 (123%)	31.7 (65%)	49.1 (96%)	2.2 (4%)	-	-	-	-	-	-	221.3 (36%)
2012	42.8 (78%)	20.5 (51%)	21.6 (49%)	100.4 (205%)	44.6 (87%)	117.7 (214%)	89.0 (212%)	31.7 (60%)	43.4 (76%)	89.0 (137%)	75.1 (134%)	101.4 (181%)	777.2 (125%)
2011	73.0 (133%)	44.2 (110%)	11.1 (25%)	1.8 (4%)	24.1 (47%)	87.6 (159%)	53.2 (127%)	73.0 (138%)	42.1 (74%)	15.5 (24%)	25.2 (45%)	56.2 (100%)	507.0 (81%)
2010	56.1 (102%)	99.3 (248%)	33.4 (76%)	21.5 (44%)	68.8 (135%)	22.2 (40%)	15.1 (36%)	98.5 (186%)	42.6 (75%)	77.4 (119%)	32.4 (58%)	26.7 (48%)	594.0 (95%)
2009	71.1 (129%)	63.8 (160%)	32.4 (74%)	33.1 (68%)	26.3 (52%)	70.6 (128%)	55.4 (132%)	42.1 (79%)	35.9 (63%)	28.9 (44%)	144.2 (258%)	76.5 (137%)	680.3 (109%)

These rainfall levels show that the ground is likely to be extremely saturated regardless of any other factors. In the last 12 months 776.2mm have fallen, which 125% of the average expected rainfall for a 12 month period. It is not surprising that gardens have been waterlogged and untanked cellars have become damp.

However the flooding that has occurred in the Fordwych Road properties is not consistent with when the rain has been most intense. 73 Fordwych Road did not have any flooding at the beginning of 2013, despite three exceptionally heavy months of rain from October to December. January and February by contrast were relatively light months for rain. March was more intense, and highly unusual for a traditionally drier month, but still had much less rainfall than had been the case in the previous year. April was a relatively dry month, although there were some intense rain events.

Moreover the nature of the flooding is not consistent with traditional groundwater flooding. The flooding in the cellars is recorded as happening rapidly over a couple of days. For traditional groundwater flooding to reach two feet is highly unusual and Michael Kehinde from the Environment Agency confirmed that the speed with which it rose and fell is not consistent with groundwater flooding or conventional perching.

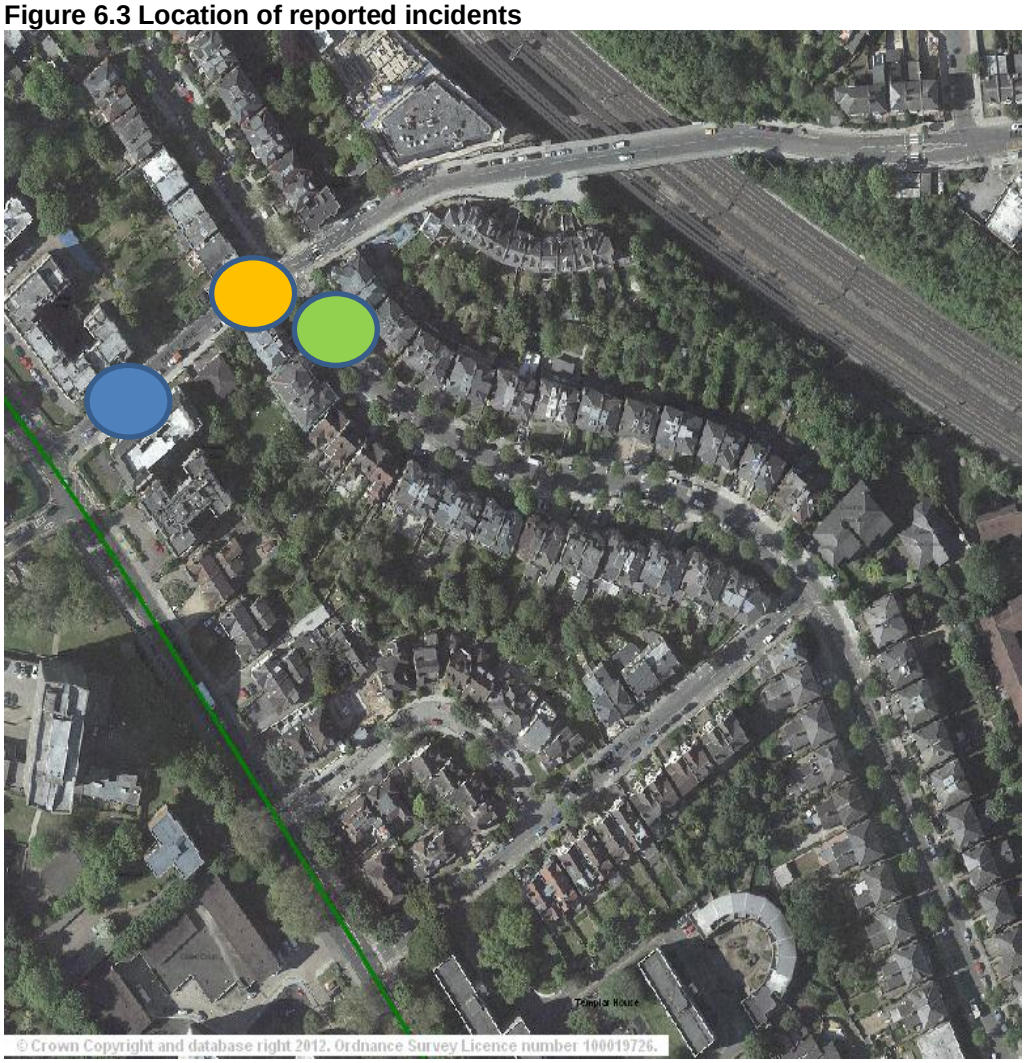
B. Burst/leaking water mains

Thames Water was asked to provide information of any repairs done to water mains upstream of this part of Fordwych Road. Thames Water provided the following incidents:

Work Order	Location	Reported on	Fixed on	Size of pipe
30183992	NW2 3TJ	21/01/13	21/01/13	5”
30198044	NW2 3PG	17/02/13	17/02/13	4”
30198603	NW2 3XL	18/02/13	21/02/13	4”

There was also an exchanged outside stop valve on Fordwych Road and then a reinstatement of the path afterwards. This took place from mid May to the end of May 2013.

Figure 6.3 Location of reported incidents



Thames Water's night team swept the area in early August. The night team sound all clean water fittings i.e mains valves, fire hydrants, customer stop valves using listening sticks; they also use sensitive listening equipment (correlators) where sensors are placed directly onto the main/valve and it reports the distance that any particularly relevant noise is from each sensor. This can indicate a leak at the point of the noice. The team also use ground microphones which also detect noise through the road surface. Their investigations only cover the clean water network and suspected clean water leaks.

The team discovered three problems on outside stop valves which they were able to repair, three outstanding customer leaks and one problem leak on a common pipe on Fordwych Road.

While these incidents and problems, particularly the two on the corner of Fordwych Road and Mill Lane, are likely to have contributed to the dampness in the ground, the correlation between the flooding and the burst pipes is not strong. One of the mains burst three weeks before flooding was noticed in the cellar and was fixed on the day it was reported. The second and third mains burst after the cellar was discovered to be flooding and when it was starting to subside again. There are no records of burst mains to explain the flooding in March and April, nor the new flooding reported at 83 Fordwych Road in June. The minor leaks which were spotted in August were on-going and would have only got worse throughout July and August where there were no reports of problems.

It seems therefore that it is unlikely to be directly linked to burst mains. Although there may be unrecorded leaking coming from the Thames Water system, it cannot explain why there have been sudden surges of water at separate intervals.

C. Introduction of Basements into the local area

There has been an increase in the number of basements introduced into new developments as well as underneath existing homes. Directly north of the affected homes, a new development 1 Mill Lane (Mill Apartments West Hampstead), was built and opened during 2012.

Camden Planning Guidance (CPG4 Basements and Lightwells) states that the Council will only permit basement and underground development that does not result in flooding. It requires Basement Impact Assessments from all new basements to show that this is the case. The assessment of groundwater should be prepared by a Hydrologist with the “CGeol” (Chartered Geologist) qualification from the Geological Society of London or a Fellow of the Geological Society of London.

1 Mill Lane was introducted before CPG4 required Basemant Impact Assessments however an assessemtn of the ground was undertaken. Three boreholes were made, two to a depth of 20m and one to a depth of 25m. Groundwater seepages or inflows were only encountered on meeting the concretionary limestone layers within the London Clay during boring. All of the trial pits remained dry throughout excavation and on completion, whilst each of the boreholes also remained dry on completion. Groundwater stood at a depth of 4.25m within the standpipe in BH1 (20m) when monitored on 30th May 2008. The basement structure was designed to a 3.50m depth suggesting that it would not have reached the groundwater levels.

Given the measurements taken, it is unlikely that traditional groundwater has been impacted by the introduction of the large basement into 1 Mill Lane. However the basement has a total area of 1245m2 which, given a depth of 3.5m means that a volume of 4,357.5m3 has been excavated for the development. This will have decreased the area available for perching upstream and may have put some pressure on the ground around Fordwych Road.

It is therefore possible that the introduction of the basements upstream of the affected properties may have exacerbated the saturation of the ground downstream but this is extremely difficult to confirm.

It is worth noting however that reducing the area where water can be stored will not by itself cause the regular inflows and outflows into cellars that residents have suffered. While, like the levels of rainfall, it may have exacerbated the problem, it cannot be considered to fully explain what has occurred.

7. Conclusion and Recommendations

The strategy states that the aim is for flood investigation reports to bring all useful information together in one place, providing an understanding of the possible causes of flooding and potential long-term solutions. Further recommendations will also be made to highlight potential flood risk management actions.

Due to the complicated nature of the problem and the difficulty of determining the source of the groundwater, this report will act only as the beginning of steps to fully understand the matter.

The following actions have been identified to improve understanding and look to prevent further events:

- Residents along Fordwych Road and the relevant part of Mill lane will be asked again to inform the council and the resident's association of any flooding incidents.
- Residents will be provided with advice on suitably tanking their cellars
- The London Borough of Camden will establish direct lines of communication with Thames Water's water supply teams. Currently they only have those direct lines with the sewerage teams.
- London Borough of Camden and Thames Water will commission a consultant to do a full investigation of the geology and pipes of the area to determine the sources of the pulses of water.