

[REDACTED]

From: ANTHONY KAY [REDACTED]
Sent: 18 August 2017 09:29
To: Glasgow, David
Cc: Planning
Subject: Hall School Revised Application ref. 2016/6319/P
Attachments: HSOG Response 2.doc

Dear Mr.Glasgow,

In view of the omissions and discrepancies that have occurred on Camden's website,I am attaching again the Hall School Opposition Group's further Response dated 14 August. This was originally sent to you by email from me on behalf of the Group on the morning of 14 August together with further observations from the Group's 2 basement consultants, Dr.de Freitas and Michael Eldred, by letters dated 3 and 10 August respectively.

While the email and the two letters from the basement consultants appeared on the website yesterday, the Group's Response has been completely omitted. While mistakes do happen, the omission in this case has been further exacerbated by the inclusion in its place of my own separate individual response. The Group's Response is headed "Hall School Opposition Group" and signed by 3 of its members. Apart from being sent separately and later on in the day by email, my response is written on my own solicitor's headed notepaper.(A hard copy of my response was also sent to you on the same day by first class post with an additional photograph, and that should also have reached you by now.) The Group's Response is mainly a summary of the expert reports commissioned by the Group by its planning and 2 basement consultants and so deals with the whole neighbourhood, and is meant to be filed together with the latest basement consultant letters. By contrast my response on the revised application is written supplementary to, and intended to be read in conjunction with, my original response of the 9 January. As such it deals with the situation specifically so far as my own property is concerned, also covering topics not covered in the Group's response. Accordingly apart from anything else it is rather upsetting that the impression has been given that I sent to you by email on 14 August a document purporting to be the Group's response, but which was in fact solely on my own situation.

It is important that the situation is immediately rectified. One way would be for this email together with the correct attached Hall School Opposition Group response to be now both recorded on the website; although a better alternative, if it is possible, would be for the attached Group response to be inserted where it should have been in the first place after the email of 14 August and before the 2 letters of the basement consultants, and for my own response to be removed from there and filed separately.

In view of the above, I feel that you will understand why I must ask you to please confirm:-

1. that you have received the attached Hall School Opposition Group response, and which of the alternatives will be adopted for properly recording both it and my own individual response on the website.
2. the 2 recent letters from Dr. de Freitas and Michael Eldred dated 3 and 10 August respectively together with their previous 3 reports have been passed on to your assessors, Campbell Reith
3. pages 4-6 of the Group's Response and pages 3/4 of my own response contain quite some detail on the risks of the basement construction to the neighbouring properties and my own specific property respectively, and that the relevant extracts will also be passed on to Campbell Reith
4. as requested in the previous email of 14 August, that the Group and its basement consultants will be given the opportunity to see and comment on the report of Campbell Reith before your own report is finalised

Kind regards Anthony Kay [REDACTED]

HALL SCHOOL OPPOSITION GROUP

VIA EMAIL

14 August 2017

copy to planning@camden.gov.uk

David Glasgow Esq.
Principal Planning Officer
Planning Solutions Team
London Borough of Camden
5 Pancras Square
London N1C 4AG

Dear Mr. Glasgow,

Hall School, 23 Crossfield Road, London NW3 4NT
Application No.2016/6319/P

PRELIMINARY

This letter is in response to your notice by poster at the Hall School on a further consultation arising from the changes to the application especially with regard to the building at the rear on top of the Wathen Hall, as set out in the documents from the applicants filed on Camden's website on the 3 & 4 July, and also the extra basement plans filed on the 15 March. After the issue of the notice and the commencement of the consultation period, a 381 page Basement Update was filed on behalf of the applicant on the 24 July; which our two basement experts have been asked to consider.

Details on the membership of this Group are set out in the first paragraph of our Response of 12 January to the initial application. As before this letter has been signed on behalf of the Group by the three co-signatories to the original circular in October 2016, which led to the Group's formation.

The Group has instructed its own experts, a Planning Consultant, Sarah Ballantyne-Way and two Basement construction specialists, Dr. de Freitas (Emeritus Reader at Imperial College) and Michael Eldred (a chartered civil and structural engineer); and Reports from them have been submitted. As many members, including the three undersigned, are likely to be submitting their own responses, this letter will concentrate on the extent, if any, which the revised plans have on their submissions and conclusions.

REAR EXTENSION

The revised Wathen Hall plans indicate that the dimensions of the new construction on top have been decreased. Apart from the removal of the initially proposed 4 storey new building at the western end, which mainly impacted on the houses 24 to 30 Crossfield Road immediately to the south; the reduction is fairly minor. While the recent newsletter from the Hall School (although only one of the undersigned received it) shows the evolution of the plans in respect of the Hall school site itself, and the plans on the website are similarly limited; there are no plans or pictures indicating how the proposal would look in relation to its surroundings and the existing neighbouring properties; so there is no indication of the existing large size of the sports hall, and how any new construction increasing its height will have a huge impact on the neighbouring properties. Those, such as the local councillors, once they

were able to visit this part of the complex, were immediately able to appreciate the devastating effect any new construction on top would have. Therefore it is a matter of some regret that the applicants have not been required to obtain a verified view, which would have made clear, also to those unable to visit the site personally, the severe adverse impact the revised proposals will continue to have for those residents who now look over the Wathen Hall and will be overlooked by any new buildings. In fact this will increase for those living to the south of the school, as although it was not mentioned in the recent newsletter, the southern elevation unlike with the previous proposals now has several windows on the upper proposed level. It is also debateable if painting all the upper part green really lessens the impact.

Turning to the 12 page Report with its Appendix from Sarah Ballantyne -Way of the 11th January she specifically makes reference to various planning considerations with regard to the proposed new Wathen Hall with its new structures on the top throughout her Report. Going through solely the specific references under the various Planning Consideration headings in the Report, rather than when it is also dealt with generally:- Design Issues (page2) Even in the revised form the rear extension will have a negative impact on surrounding properties in terms of loss of residential amenity and visual amenity and Residents' views and concerns regarding the design of the new extension were not adequately taken into account. The form of the new extension will be over-dominant in the streetscape, particularly to the rear of the school, where the sense of openness will be lost and outlook and views are reduced for those living in Eton Court and Strathray Gardens. The proposed development does not adhere with Policy 7.4 of the London Plan in relation to scale, massing and will not make a positive contribution to the urban structure, or comply with Camden Core Strategy policies CS13, CS14 or CS15 as it does not adequately respect the surrounding context nor positively contribute to the Belsize Park Conservation Area due to its height and massing.

Extensions (page 4) Camden's Policies CS14 on Design and heritage requires high quality design which is visually interesting and attractive that respects local character and context. CPG1 requires new development to contribute positively to the character and distinctiveness of the conservation area and in paragraph 4.2 rear extensions to be 'subordinate' or 'secondary' to the existing building and to respect the original design of the building and surrounding properties. In addition, extensions should respect and preserve the existing historic pattern and townscape. In the case of extensions taller than one storey, a smaller footprint is encouraged to compensate for any increase in visual mass and bulk, overshadowing and overlooking that would be caused by the additional height [which is still the case with the revised plans reduction of just 1.1 metres].The existing Centenary Hall sits comfortably as a 'secondary' part of the group of buildings with a modest, unobtrusive, single storey rear extension with no windows to the southern elevation and having little or no impact on the amenity of neighbouring properties on Crossfield Road and Eton Avenue. The mature plane tree within the grounds is subject to a TPO and any alterations and additions to the school that impact on the tree have been refused in the past. The Belsize Park CA Statement policy BE22 states that extensions can alter the balance and harmony of a property and rear extensions should be as unobtrusive as possible as to not affect the character of the conservation area and policy BE23 states that extensions should be in harmony with the original form and character of the house and the historic pattern of extensions within the terrace or group of buildings with the acceptability of larger extensions depends on the particular site and circumstances. It states that new developments such as the extensions of "*excessive bulk, massing and height*" can have "*...a cumulative impact on elements that contribute to the character and appearance of buildings,*

streets and areas as a whole." (p. 36, Belsize Park CAS, 2003). In terms of the loss of visual amenity for surrounding residents, the proposed development would result in the loss of a mature green outlook for the residents of Eton Court, 24 - 30 Crossfield Road and 6-14 Strathray Gardens. These conclusions fall in line with the Inspector's ruling in May 2006 (APP/X5210/A/06/1197705) at the appeal for the development of a basement swimming pool to the rear of the site and minor extensions and alterations. This appeal was dismissed by the Planning Inspector on the basis of a loss of character to the conservation area, harm to the appearance of the surroundings and loss of visual amenity of the appeal site. The proposals here are considerably more prominent than those dismissed by the Inspector in 2006. The development proposals are therefore, contrary to Section 11 of the NPPF, policies CS14 and CS15 of the Camden's Core Strategy, the Belsize Park Conservation Area Statement, CPG1 and policies D1 and 2 of the Draft Local Plan, that set out Camden's commitment to enhancing conservation areas and high quality design that respects the context of the new development.

Residential Amenity (page 5) Camden sets out its requirements for all developments in DP26, which include alterations and extensions to existing buildings. Policy DP26 sets out that the Council will protect the quality of life of occupiers and neighbours by only granting permission for development that does not cause harm to amenity in terms of visual privacy and overlooking, overshadowing and outlook and noise.

Visual Privacy and Overlooking (page 6) The revised plans for the rear extension still result in an increase of overlooking to neighbouring properties and thus reduce levels of privacy to the back of properties in Eton Court, Crossfield Road and Strathray Gardens, and in some case more than before. This is particularly so in the case of Eton Court and the terrace of house to the south in Crossfield Road as the revised plans include windows in the proposed upper levels of the southern elevation where none were there before.

Overshadowing and Outlook (page 6) The new rear extension would "sever the views and outlook of properties in Eton Court, Crossfield Road which are currently open with views of the mature trees, including the view of the mature plane tree to the rear of the school. Although these are private views, they are part of the residential amenity of neighbouring residents. Any views of plane tree will also be compromised by the provision of a staircase that wraps around the protected tree."

Noise (Post Development) (page 6) The NPPF states that development policies and decisions should "*avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development.*" The additional three new classrooms above the studio and new ground floor assembly hall with doors onto the playground will lead to an increase in activity and potentially noise levels both during the day and in the evening when the hall is rented out to community groups and outside parties. The increase in activity and associated traffic, noise and disturbance that would be linked to a new 'community hall' in such a quiet residential location is not considered acceptable, due to its proximity to back gardens and homes. There is a concern amongst neighbours about how this will be managed in the long term, particularly in the evenings and at weekends. Access to the hall is directly onto the playground and via the new staircase so are likely to increase noise at the southern end of the playground. Is this additional hall necessary in a school of this size, is it fully justified in the context of the wider concerns regarding the development as set out in this letter? In addition, there is concern about any daily noise or vibration created by the plant machinery proposed to be located in the basement area, close to neighbouring gardens of properties on Strathray Gardens.

All the above extracts specifically with regard to the rear extension taken from our Planning Consultants report of the 11 January remain fully valid notwithstanding the applicant's recent revisions together with all the other items mentioned in that Report.

BASEMENT CONSTRUCTION

On the 15 March, 3 & 24 July new material was published on the website on the basement. These relate solely to construction issues, and not to the overall planning considerations already set out in previous individual objections, which have not been affected. So the further comments here will only be in respect of construction issues.

Dr. de Freitas made a Report on behalf of the Group on the geological and topographical issues lodged with you on the 27 January, which commented on a couple of issues one on the strength and stiffness of the ground and the other on groundwater. The summary of his 5 page Report (with an additional 3 page CV) states in paras. 3 & 4 that "The Basement Impact Assessment fails to describe the situation with groundwater in the area around the site and its possible change resulting from ground deformation in response to excavating the basement. Many of the foundations for surrounding buildings are thought to be shallow and are likely to be sensitive to any settlement promoted by ground response associated with this work. The upper levels of this ground are not so strong as to be of no concern; their strength and stiffness varies over the depth of the excavations with stiffness and insitu strength both changing around 7m below ground ". Following the deposit of the new Basement Update Dr. de Freitas has produced some Further Observations on the Technical Review by letter of 3 August as he felt that his earlier Report had not been properly understood and considered by Elliott Wood, the applicant's advisers; and which as mentioned below still has to be considered by Camden's assessors, Campbell Reith. Among items which need to be taken into account when considering if CP4 and DP27 have been complied with were a need to understand the ground profile, the amount of rainfall and where it may be diverted with its consequent impact, and likely pore water pressures; and failure to properly deal with these items could result in damage to surrounding buildings, which are described in detail in the next paragraph. In his last two paragraphs Dr. de Freitas concludes that "the nature of the ground cannot be separated from the way the ground will move in response to how it is engineered" and that so far the technical questions of relevance to the application's satisfactory compliance with Camden's requirements, as raised in his Report, have been ignored; and Campbell Reith need to ensure they are considered when assessing whether the application complies with CP4 and DP 27.

Michael Eldred (Eldred Geotechnics) similarly made a Report for the group on the 8 February. The initial reports for the applicants were very limited, did not consider all the neighbouring properties with considerable reservations on the methodology adopted. The applicants advisers really only considered the impact on 24 Crossfield Road which they assessed as a Category 1 risk. Michael Eldred has produced a 16 page report, but here it is probably sufficient to draw attention to his conclusions in para 85 on page 15 that "the application fails to demonstrate that the scheme complies with DP27(a) and CPG4". In para 90 on the same page his Report states that "CPG4 permits schemes to evince damage no greater than Category 1. He goes on to state that he finds the following risks currently exist:-

- (a) 24-27 Crossfield Road Category 2
- (b) Eton Court Garages Category 3
- (c) Hereward House classroom Category 2
- (d) Electrical substation Category 2 (building only, risk to powerlines unknown)

Following the new material on the basement being filed on the website on 15 March, it became apparent that Campbell Reith, Camden's assessors, had conducted a preliminary audit on the 17 January, thus before the date of the two Reports submitted on behalf of the Group. In that Campbell Reith specifically asked the applicants on the position with regard the old building of the Hall School itself, but not on any of the other neighbouring properties identified by Michael Eldred as being at risk. Also following this new material being lodged, Michael Eldred was asked to advise the Group whether his comments in his Report of the 8 February had been considered in the new material. His second Report of the 27 April concludes that the conclusions in his original Report remain unchanged and he also specifically states on page 1 that the "ground movement assessments for the new basement all continue to be based upon data which is quite unrealistic for the construction methods described and results in movements less than those expected."

Among the new documents filed on the website on the 3 July is a further audit statement from Camden's assessors, Campbell Reith, made on 13 April. So this assessment was made prior to the second report of Michael Eldred on behalf of the Group. This assessment is described as being "Final" but it is understood that this is a misnomer as the procedure was for Campbell Reith to ask for more structural information, including retaining wall designs and for damage impact assessment calculations from the applicants, and it is only now that the applicants have tried to deal with this that they are going to start looking at the comments from objectors in more detail. In effect this means that the Reports on behalf of the Group from Dr. de Freitas of the 27 January as amplified in his recent Further Observations; and from Michael Eldred of the 8 February and 27 April as supplemented by his recent letter of 10 August, of which only a précis of the conclusions have been given in this letter, and not the scientific reasons given in the reports for them, still need to be considered by Campbell Reith.

Having said that on the construction issues in their last Report, Campbell Reith state in paras 4.11 and 5.6 that both the Hall School building and one wall of 24 Crossfield Road could be Category 2 risks. This view is confirmed in the latest 381 page Basement Update on behalf of the applicant only filed on the 24 July. On that basis it could be argued that the conditions of CPG4 have not been met, although Michael Eldred concludes that in fact the whole of 24 Crossfield Road and the interconnected terrace houses at nos. 25, 26 and 27 and the electricity sub station site and the Hereward House classroom at the rear of 12 Strathray Gardens are all Category 2 risks with the Eton Court Garages being a Category 3 risk. Apart from there being no attempt in the latest material in the Basement Update to deal with the conclusions of Michael Eldred or explain any differences; the revisions have not materially altered the risks so for example moving the eastern wall of the basement back by less than a metre should make no difference: there are several inconsistencies and errors which should be mentioned, which do not give one any confidence in its conclusions. Firstly the existence of the electricity sub-station site directly on the southern boundary adjoining the basement has not been noticed at all nor the situation with the interconnected adjoining terrace houses, in particular nos. 25, 26 and 27 Crossfield Road; all of which were covered already in Michael Eldred's first Report of the 8 February. Secondly reference is made on page 39 to the out building being at the rear of 5 Strathray Gardens but it would not be surprising for that to be only a small risk as it does not adjoin the site and is on the other side of the road. Another example of a basic error is on page 11 where the compilers of the report are unsure when the

Wathen Hall/sports hall was constructed between 1991 and 1994, while the school in its D&A Statement is positive it was constructed in 1989.

Michael Eldred has now been able to make his further observations on all the material submitted on behalf of the applicants, including the Basement Update of 24 July, by letter dated 10 August. He specifically mentions in his latest letter that the revisions have not materially altered the risks; the applicant's documents do not demonstrate compatibility with Camden's requirements; the propping system shown by the drawings takes no account of the construction process as a whole and is thus not feasible let alone adequate; and the procedure depicted by the construction method drawings carries a high risk of weak lateral support and consequent ground movement: and concludes that the further information has not caused him to change the opinions expressed in his previous Reports.

SUMMARY

The above is only intended to deal with the matters arising out of the revised documents filed on the website on the 15 March and 3 & 4 and 24 July in the context of the experts reports submitted on behalf of the Group. Accordingly the objections previously made in relation to other planning considerations both in this respect and on other aspects of the scheme, as summarised in the second paragraph of the Group's initial Response of 12 January, remain fully in force.

Fortunately both Dr. de Freitas and Michael Eldred have been able to consider the latest 381 page Basement Update filed on 24 July, and present their views; and we trust that your assessors, Campbell Reith, will be taking them and their previous reports fully into account before making their report. Naturally we would wish to be assured that the points raised by our Group, including all inputs from our consultants, are fully addressed. On this we consider we and our two basement consultants are entitled to see and be able to comment on Campbell Reith's report before you take any further action on it, and accordingly we would request your specific assurance on this point.

As regards any subsequent Planning Committee hearing, as we would like a representative of the Group to have the opportunity of addressing the members, please keep us informed of the likely dates of any meeting.

Yours sincerely,

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Ali Hammad
10 Strathray Gardens

Anthony Kay
26 Crossfield Road