

Dear Alyce Keen and Tom Little,

Re: 2017/6907/P 13a Pond Street NW3

I am very concerned about this planning application for two key reasons:

- It has a poor hydrogeological report in the BIA with no understanding of the local hydrogeological conditions, inadequate testing and failure to analyse the results that have been obtained. This also has implications for
- A significant tree that has been left out of all the plans that is right up against the house. I understand this magnificent tree is a *griselinia littoralis* that is indigenous to New Zealand [<https://www.monumentaltrees.com/en/photos-griselinalittoralis/>]

1) The hydrogeologists employed for this site have been inaccurate in describing the ground here as being of very low permeability when this could be far from the case; their own data refutes this! Firstly they have failed to dig a borehole in the most likely place for the east-flowing groundwater here to be found and to have an influence on the trees, particularly if constrained by a basement in its path. Borehole 2 should have been dug further west near the boundary to catch the groundwater flowing past the house here.

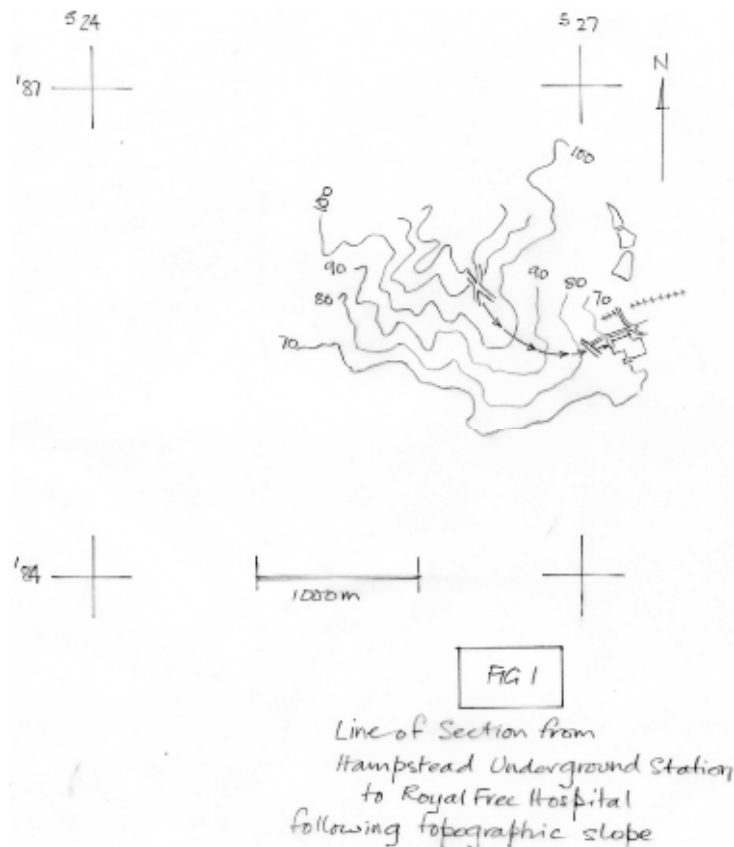


Diagram of local groundwater flow by Dr Michael de Freitas, Emeritus Reader of Engineering Geology Imperial College, London

They have also failed to continuously monitor groundwater levels in the boreholes across wet and dry periods according to CPG4 (see below) and 'Camden geological, hydrogeological and hydrological study: Guidance for subterranean development' (see below) and have completely ignored their own findings of

Borehole 1 10th January 2017 'Dry'
Silty sandy clay with sand partings
No water strikes, standpipe installed to 5 metres.

Borehole 2 11th January 2017 'Dry'
Silty sandy clay with sand partings
No water strikes, standpipe installed to 5 metres.

Yet:

4.2.1 page 22 of BIA rev 3, reports that there were water levels in the two boreholes

18th January 2017 BH1: 5.06m BH2: 0.97m

27th January 2017 BH1: 4.9m BH2: 1.59m

Thus, the monitoring period was merely of three brief episodes made in a period of only 16-17 days despite Borehole 2 indicating that quite superficial groundwater flow occurs at a depth of concern for tree root health and for Basement excavation. (Incidentally, the lawn of 33 Hampstead Hill Gardens' rear garden is very soggy and mossy). Without continuous monitoring it is not known if the boreholes filled with water over time, or if/how they were responding to the moderate rainfall at that time:

Daily Rainfall January 2017 peaks: 12th - 15.9mm; 15th - 8.2mm; 16th - 4.5mm.
[from <http://nw3weather.co.uk/wxdataday.php?year=2017>]

This was followed by a long period of no rain at all, this also following a very dry December 2016 receiving only 19% of average rainfall for December. It was not until mid-May 2017 that more stormy conditions occurred that would have indicated the effect of heavy rainfall on the groundwater, how long it takes to reach peak flow at this spot (influenced by the topography and the amount of silt and sand partings mentioned in their own report) and how long to subside. (Incidentally there have been 3 similar storm episodes since May 2017 demonstrating that this is occurring more frequently nowadays and a potential risk to open sites in Hampstead.)

The apparent lack of direct relationship between the ground water and the rainfall data would seem to indicate a more complex interaction between the ground and the water flow. **My concern is that this inadequate testing and reporting does not alert the developer or his experts to *if there is the potential for groundwater to drown the robinia and griselinia trees, and if so, what protective long-term measures should be taken to mitigate this.*** I consider the conditions here with groundwater flow clearly being eastwards at 90° to the contour lines hence around the NW corner of 13A Pond Street when its path would be constrained by a basement could result in drowning of the robinia and the griselinia if this is not considered and appropriate action taken if necessary. Alternatively protective measures could be emplaced *in case* of groundwater constraint and flooding during and following rainstorms of the trees and the gardens to the north and east, though of course access on the basement's west side would be an issue.

The inadequate testing has resulted in the authors of the Structural Report believing that the house is founded on "London Clay"! Particle size analysis has not been presented and no thought given to the implications of this application's report that the soil consisted of "*Silty sandy clay with sand partings*" in a town that is the source of four of London's rivers. The presentation of a map on a London-wide scale drawn for a book first published in 1962 to back-up their claims, illustrates the lack of access to data and understanding of local conditions. The occasion of erosion of all soil around the foundations of the Cottage at Air Studios "so that it looked as if it was standing on brick stilts" by the action of instantaneous swelling of groundwater flow during a storm on 30th July 1991 (see: <http://camdocs.camden.gov.uk/HPRMWebDrawer/Record/5662706/file/document?inline>) should be of concern here as this is 'up-stream' with very similar conditions, also not recognised initially by the hydrologist of Air Studio's neighbour. There are very good reasons for Camden's following guidelines:

From CPG4:

3.22 Hydrogeological processes are subject to seasonal and longer term cyclical influences. Measurements taken at one particular time may not indicate how conditions might be in one or six months from that time. Monitoring of groundwater levels in areas where it is more likely to be present over a period of time is therefore necessary.

From Ove Arup's study for London Borough of Camden 'Camden geological, hydrogeological and hydrological study: Guidance for subterranean development' ARUP November 2010: para 291-4:

...Monitoring of groundwater levels over a period of time is therefore necessary. The frequency of measurement and duration of monitoring must be chosen with reference to the specific effect which is being investigated. For example, if the matter of concern is the potential for groundwater flooding, measurement should be taken during the period of the year when groundwater levels are naturally at their highest (March or April).... Monitoring should continue until the intrusive investigation is complete and groundwater levels have stabilised to the ambient levels.

2) The griselinia here is a very special evergreen tree with a distinctive and beautiful multi-stemmed trunk and form that provides good winter cover for wildlife. It is very worthy of protection. Despite its complete absence from the Tree Plan and Report, and from every one of the architect's numerous models and plans, this tree can be seen in the photographs of T2 (birch) in the Tree Report. It also appears in an old photo taken from 33 Hampstead Hill Gardens' rear garden some years ago when it appears the architects visited this garden -

there are pictures of the griselinia on page 27 of the Design & Access Statement part 3, though it was a smaller tree then.

I believe this tree's health and protection must be taken seriously by this application, with a full Tree Constraints Plan and a report on how the tree can be completely protected during the demolition, the building of the basement and building of the rest of the new house. Two factors that require consideration are:

i) When the present house has been demolished but before the new one is built, how will the griselinia be protected from the prevailing winds and potential storms? Since there is quite a lean away from the wall and the prevailing winds come through the gap to the south of 33 Hampstead Hill Gardens and around the NW corner of 13a Pond Street, the tree might well in a storm be blown to one side and over, since it is used to full protection from the house and its broad evergreen leaves would present quite a wind sail all year round.





ii) The developer/owner will never see the rear wall that the griselinia is right up against as this wall forms the boundary. I know that all the *many* neighbours that overlook this tree will be asking for this characterful wall to be retained or rebuilt using the same bricks so that the visual amenity of both the tree during its life and the wall behind it can be retained to continue their enhancement of the Conservation Area. Perhaps you could request that a Tree Constraints Plan/Report be done both for the current application and also for a similar one where the wall is retained in order that both conditions can be compared for their risk to the tree.

Yours sincerely

Dr Vicki Harding,
Volunteer Tree Officer, Heath and Hampstead Society

Flat 1, 33 Hampstead Hill Gardens,
London NW3 2PJ

Alyce Keen,
Planning Department, L.B.C.,
Camden Town Hall, Judd Street,
London WC1H 9JE
Dear Alyce,

13a Pond Street, application no. 2017/6907/P

I would like to register my objection to various aspects of the above planning application.

BACKGROUND

I live at 33 Hampstead Hill Gardens in a ground floor flat with use of a large communal garden. This green woodland garden and the views over it mean a great deal to residents of the seven flats in our building. Its most important features are a large griselinia tree and a beautiful wall of old weathered brick, which is the side wall of an old mews house. Since this wall is our back boundary, the house is effectively in and part of our garden.

The current application proposes the complete demolition of this historic old building; the destruction of the old-brick boundary wall; a 4-5 metre deep basement excavation beside it; and the replacement of the wall with slanted square screens made of aluminium mesh on three sides of a new three storey (plus basement) building.

Residents of 33 HHG are upset that the planning procedure has reached its final stages without adequate consultation of residents during early stages. The fact that tree surveys and heritage assessments were made without requesting access to surrounding premises and gardens not only affects the accuracy of these reports (see below) but could suggest that the applicant and advisers preferred not to alert residents to the radical changes planned. The first and only notification of the final plans took the form of small, easily-missed notices on a few street posts, initially showing inaccurate boundaries and giving less than the required period for complaint (since extended). Sensible due process has not been respected.

DETAILED OBJECTIONS TO PLANS

1. Conservation Area Setting and Heritage Issues

i) The building concerned is in a **conservation area**, and is surrounded by 18th and 19th century buildings, some of them listed. The old part of 13a is a mews building dating from 1880, originally the coach house for the Roebuck public house, which is a listed building. Although the mews house is not listed, its historical significance as a reminder of old Hampstead should be respected. The original house was extended in 1969 by the addition of a wrap-around extension designed by **Norman Foster and Patty Hopkins**. The extension itself is important as an example of early work by renowned architects, and may in future itself be listed. We question whether it shows due respect to this extension to destroy the building which was extended, thereby completely altering its context.

ii) The application is supported by a '**heritage assessment**' commissioned by the applicants/his adviser, which not surprisingly raises no objections to the major changes proposed. This assessment glosses over the fact that the new building will look alien and incongruous in its setting. It states (correctly) that the new building will be barely visible from Pond Street, but (quite incorrectly) that it will have '*only a minimal effect on the character of the area of gardens in the angle formed by Pond Street and Hampstead Hill Gardens*' because of '*extensive tree planting and screening by boundary walls*'.

iii) We object to the **prioritising of street views** over rear views: observation from the street is largely by passing pedestrians and traffic, and is to that extent optional and of short duration. Observation from gardens and rear windows is not optional. A major change in the environment creates views that are permanent and inescapable.

iv) We dispute the fact that the new **contemporary design** will have minimal effect on the character of gardens and views from that back of houses. The metal facades to the west and north are radically different from the existing brick ones, and will be **clearly visible** from the gardens and most floors of 27, 29, 31 and 33 HHG, and from many houses and flats in Pond Street. 33 HHG contains seven separate flats, and most of the other houses affected also have multiple occupants. The new design will look incongruous, and significantly change the views from many flats and houses.

v) We particularly dispute the suggestion that there will be no change to the **character of gardens**: residents of 31 and 33 will in particular be affected by the substitution of a large metal grid for a lovely old brick wall, part covered in ivy and softened by trees. As already stated, this wall is essentially **IN** our gardens. Photographs of the models of these facades suggest that they will look aggressively modern, and reminiscent of a huge solar panel, the back of a DIY warehouse or an electricity substation. In place of an attractive old Victorian boundary wall, we will have a new low level wall of modern material (unspecified) topped by a huge slanting metal screen. How can this be described as having '*a minimal effect on the character of gardens*'?

2. Overdevelopment of a Small Plot

i) The new building is on a **very small plot** and has already been substantially extended. On a plot of suitable size a radical and contemporary design of this sort could be set off and surrounded by its own gardens. The present house has no garden to the west or north, so the elevations on these sides will be **invisible to its residents**, but effectively **in the gardens of neighbouring houses**. 33 HHG would never get permission to build a boundary wall three storeys high in metal mesh. Why is one being imposed on us?

ii) The west facing side of the proposed new building will appear to be much **more dominant** than the existing building. Despite retaining a similar footprint, the **overall volume** is greatly increased by the addition of a basement and an extra floor and there is a large **increase in width** at the top of the building (west elevation), increasing the **dominance and visual impact** of the building for residents of HHG. (The top of a square is obviously bigger than the top of a triangle.) We strongly object to this change of shape, and also query the need for such an increase (which we note is only just inside CIL limits). It should be possible to add an extra bedroom within the existing shell and shape.

3. Impact on the Green Environment

i) The application makes much of the fact that the visual impact of the development will be limited by the fact that it is '*nestling*' among large and established trees. A **tree survey** privately commissioned by the applicant has raised some cautions, but no objections to the proposals. Like the heritage assessment, the validity of this survey is questionable because it was made **without the benefit of access to neighbouring houses**.

ii) More importantly, **the tree survey is flawed**. A large tree in the garden of 31 HHG, described as healthy and with a twenty year life expectation, is in fact **dead**, while the tree with the most important screening function, the evergreen griselinia in the garden of 33 HHG, is **not shown at all**. The extremely large tree on the south side is very likely to have roots extending under the building, and **trimming of the canopy** is recommended to counteract possible damage caused to roots. Most significantly, the survey fails to note that almost all the trees are **deciduous**, so provide screening only in summer.

iii) The griselinia in 33 HHG is not only a major feature of the garden, but would also have an **essential screening function** if the old wall is removed. It has a sloping habit and its roots appear to grow into the boundary wall. We would consider it to be **at great risk** of damage from the proposed demolition and excavation works. This two-storey high 'tree' is more usually grown as a hedging plant, and an example of this size and height is extremely rare: it has flourished because of the protection against wind and cold afforded by the existing brick wall, and is unlikely to survive its removal. If damaged it would be irreplaceable, even if the house had sufficient reserves to pay for a mature tree of similar size. Several trees in the garden of 33 HHG are subject to TPOs, and, in view of the inadequacy of the privately commissioned tree survey, we feel that LBC tree experts should assess the risk to this tree, whose existence is so relevant to impact of the plans.

4 Basement Excavation

i) The building site slopes to the east and the north. The **structural survey** shows that the deep, 4-5 metre excavation for the basement will require serious piling, and that there is a possibility of **damage to the closest buildings**, 13 and 15 Pond Street. We question the need for deep excavation so close to existing buildings.

ii) The structural survey suggests that, with appropriate protection, the risk of damage to trees is low. We dispute this, and believe that there is **serious risk of damage** to the griselinia, the most important screening plant in the garden of 33 HHG, which has roots apparently growing under the wall of the mews house.

iii) We question the need for such extensive basement excavations, given the potential for damage to buildings and trees, and wonder why the basement can not be slightly reduced in size and **set back by 1 - 2 metres from the boundary walls**.

5. Loss of Privacy

i) The plans show new windows behind the mesh screens on the west and north sides resulting in **loss of privacy** for gardens and back rooms of these houses. The 'Design Process section minimises this problem, making false statements such as '*the house*

nestles in between the trees that surround the site on all sides screening it from view from the neighbouring properties' (see point 3 (ii) above for the facts), and attaching untrue descriptions to drawings, e.g. that the building is 'not overlooked by neighbours' (west elevation, overlooked by more than 20 dwellings) or 'not overlooking neighbouring gardens' (north elevation, overlooking many gardens from 31 Pond Street northwards).

ii) Drawings also falsely imply that the west and north facades are **barely visible**, with only 'one kitchen' in 33 HHG supposedly having a clear view of the new metal screen: in reality, **all rear windows** of 33 HHG will overlook the new facade, that is five separate dwellings from 10 - 15 vantage points. Similarly, **every window** in 31 HHG will overlook and have views of the north and west sides, as will **upper windows** in 29 and 27 HHG.

6. Construction Issues

i) Building works are likely to take over a year, creating **noise and inconvenience** for neighbours, and potentially making gardens unusable for two summers.

ii) Plans show that there will be a **new low boundary wall** in the garden of 33 HHG made made of an unspecified material, with the metal screen starting above it. Even if major building construction is contained within the site boundaries, it is hard to see how this wall can be built without access to 33 HHG and consequent damage to plants.

iii) **Access to the site and on-site parking** is seriously limited. Access is via a tunnel/alley owned by the Roebuck, and used for deliveries and refuse collection. Movement and parking of heavy plant, skips, cranes etc. will cause **severe disruption** to traffic.

iv) Pond Street is a street of double yellow lines and bus stops, with **no parking** other than a loading bay outside the funeral parlour.

v) The street is narrow, with only **two traffic lanes**, but is a **vital route** for local traffic, three different bus routes, and most importantly, the large volume of traffic generated by the Royal Free Hospital, including **ambulances and other emergency vehicles**.

vi) Construction of the **new Pears Building** may coincide with construction work on 13a Pond Street, exacerbating traffic problems.

OUR PREFERRED MODIFICATIONS

Residents of 33 HHG would like to see modifications to the plans which:

- i) **Renovate rather than demolish the old mews building**
- ii) **Retain the old brick boundary wall with 33 HHG, underpinning if necessary**
- iii) **Reduce basement size and set it back from boundaries**

Yours sincerely,



Lesley Gould

Flat 3, 33 Hampstead Hill Gardens, NW3 2PJ

15 February 2018

Objections to Planning Proposal for 13A Pond Street 2017/6907/P

Dear Alyce Keen,

I write to object strongly to the planning proposal for 13A Pond Street.

The high, windowless brick wall and the tiled roof of the Victorian coach house that is proposed to be demolished, forms the back of the garden of 33 Hampstead Hill Gardens (see photographs on next page).

We are surprised Camden would be unconcerned to see the coach house demolished, and replaced with something so very visually stark, dominating and unfitting, in this a Conservation area.

No architect or surveyor or tree specialist has come to see the view of the wall from our garden in the last few years (the photograph of our garden in the plans is a an older one, and out of date) So we contest the architects' stated view that neighbouring properties would barely be affected – we do not think they have a proper idea of the visual effect at all.

Furthermore, the mock-up drawings show a building 'nestled ' as they put it, amongst the trees of the surrounding gardens , but fail to recognize that most of the trees are deciduous, so for nearly half the year, the new building would be highly conspicuous. Their drawings ignore the important fact of the change of the seasons.





Threat to trees

There is a very large and very unusual, evergreen Griselinia tree (Vicki Harding, the Tree Officer of the Heath and Hampstead Society came to see it herself on 12th February 2018 and confirmed it is an unusual tree and worthy of retaining for that reason) . It is immediately in front of the wall that would be demolished. It has roots which, looking at the sloping angle of the trunk, clearly abut the base of the wall.

If the wall was demolished without careful attention to the tree, there is every chance the Griselinia would not survive.

Apart from the unnecessary loss of the tree, we would be left with no screen whatsoever from the new proposed building.

The tree would also be left unprotected for a considerable length of time once the coachhouse was demolished , and before the new house was built. It would be vulnerable to strong winds.. So we might lose

the tree, even if its roots had been protected during the demolition of the coachhouse.

(The high protective brick wall is probably what has allowed this Griselinia to grow to its unusually large proportions)

Something we are MOST concerned about is that the tree survey shown on the Camden website does not feature this Griselinia tree at all. All concerned with the plans need to be aware of this omission so that due care can be taken to preserve it.

Also, since it is a wide, tall and densely evergreen tree we feel that the wall facing out into the garden of the proposed new building might not even be viable as there will be a huge dark screen, of foliage and not an empty space as the design seems to imply. We want further information about this, and we want to be sure the architect has taken the existence of this tree on in relation to his ideas for this side of the proposed house.

The tall, healthy Robinia tree in the corner of our garden is also in potential danger from the development. It would be crowded in by the new proposed building and maybe even have to be reduced to accommodate its new square proportions. The trees are protected and deserve to retain some space round them – the architects have not been sensitive about this

Vicki Harding noted that the garden is wet, the lawn covered in as much moss as grass. She thinks that with the demolition of the coach house, the Griselinia and the Robinia might get flooded, and therefore harmed. This needs to be looked at.

Design, height and size of new buildings

The drawings on the website do not give adequately clear information about the shape of the new design, especially the angle of the new roof, nor what the materials will look like (eg the 'mesh') which are both vital for us to know. We would at least expect more and clearer information, with drawings legible to non-architects.

However it is clear that the new planned building would RADICALLY change the character of the garden of 33 Hampstead Hill Gardens. The ultra contemporary design might conceivably blend with Foster's 1969 glass box extension but it is not in keeping with the back gardens of Victorian built Hampstead Hill Gardens. Norman Foster cleverly

combined new with old when he built the glass extension jutting out on one side only..

Loss of Light

It looks like our garden would suffer a loss of light from the box-like form of the new design, different from the sloping angles of the current roof. Our garden has recently been re-vamped at the behest of the recent new owner of Flat1 to let in as much light as possible because there is a limited amount anyway. This would be a definite loss of amenity, especially in the summer, when all residents of the house (10 currently) use the garden at various times.

Loss of Privacy

The plans seem to indicate there will be a significant loss of privacy to our garden. It seems (from the unclear information on the plans) that there will be staircases behind glass windows behind some kind of screen where there is currently a solid brick wall. But more serious loss of privacy seems likely for the residents living on the back garden side of the House, as their flats will be overlooked. (Flats 1, 2 4, 6 and 7)

Excavating a basement and possible danger danger of collapse

In the winter of 1996, after a period of very heavy rain, the old Victorian brick wall between the back gardens of 33 and 31 Hampstead Hill gardens collapsed and had to be replaced at great cost – the levels drop considerably between the 2 gardens. We mention this as there might well be danger of similar problems with heavy building work to excavate a basement.

Traffic Management.

The building is down a narrow alley off Pond Street. We cannot see how all the building work associated with demolishing and rebuilding a house, and furthermore, excavating a deep basement could possibly NOT cause serious traffic congestion from large lorries etc stopping and unloading in Pond Street.

Pond Street is a narrow road, which takes a huge amount of traffic, including buses, and ambulances in a hurry to get to A and E at the Royal Free.. There are no parking spaces and only one loading bay (too far away from 13A to be to be usable.)

It seems irresponsible to put forward a planning proposal without previous consideration of the traffic management in congested Hampstead.

Proposals for a compromise

What we would REALLY would like is for the Victorian coach house, an attractive building, to be renovated, and the Victorian brick wall and the tiled roof retained. The wall in particular, provides an important visual backdrop for the Griselinia tree, which has flourished with the wall's protection.

However, if this is not possible, the thing we feel most strongly about is that the back wall of the proposed building would NEVER be seen by the inhabitants of the new house. But it would be seen by all the houses behind and around.

So we would like a back wall more sympathetic to its Victorian surroundings and less aggressively intrusive. Possibly re-using the old Victorian bricks, arranged in attractive counterchange patterns. A solution could be found that would retain the character of our garden and make no difference whatsoever to the inhabitants of 13A Pond Street in their modern house.

Yours sincerely,

Eleanor Engle

Director of 33 Hampstead Hill Gardens Ltd, on behalf of all the residents of the House