

20 New End Square, London NW3 1LN [REDACTED]

Regeneration and Planning  
Development Management  
London Borough of Camden  
Town Hall  
Judd Street  
London WC1H 9JE

29 November 2019

Your refs 2016/0849/P and 2019/5513/P

Dear Sir

**Flask Walk Garages 26 New End Square, London NW3 1LS**

We live at 20 New End Square which is opposite this site and have noted the submission of details pursuant to conditions 3,4 5 7 and part 13, which has appeared on the Council's email alert.

Because site access is so difficult, a critical issue about this development is of course the Construction Management Plan, which is required by s106 covenant, and has to have been submitted and approved prior to the start of work on site. We understand that we will be notified when this document is submitted, and are keen to see it.

It is also not helpful that the permitted drawings are no longer accessible through the Council's website under reference 2016/0849/P, and it seems very important that they be replaced. Could this be done please.

Otherwise we have the following comments

**Condition 3 Appointment of Engineer.** We have no comments on this other than to say that it is not clear who will carry out the practical foundation design for the development, whether this has been done and who will take responsibility for it. It may be that the answer is in the ACE Professional services Agreement, but this is not readily available.

The fact that there is no foundation design makes the whole submission very difficult to understand at the moment because there is so much information missing and we do not think it can be approved at this stage for this reason.

**Condition 4 Tree Protection Works.** The critical tree is the early mature oak tree which is situated on the Council's land adjacent to the block of flats at no 26 New End Square. It is an excellent tree and a source of great pleasure to local people. Apart from our concerns about

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underground development and the stability of our house, its future is our principal anxiety. The arboricultural report says (para 5.5.2) '*...it is in good condition, of long-term potential and of considerable public amenity value (refer to photograph 1 below)*' and we have attached the photograph from this report.



Photograph 1 showing tree 1 Common Oak. (from Arboricultural Report. Arboricultural Solutions October 2019)

The report also says. (para 8.4.1) '*All tree protection measures **must** be in place before any works commence or materials or machinery is brought onto site. Ground protection **must** not be moved or altered without prior consultation with the arboriculturalist or Local Authority Tree Officer*'. The emphasis is the author's.

Paragraph 8.4.1 then refers to Appendix C and Plan TPP\_26NEWENDSQ\_1REV A, which are not present in the documents on the Council's website. The Plan shows the special protection areas for the tree roots and is a critical document without which the report is meaningless. It is not clear if the Appendices and this plan have been submitted, but this condition should not be discharged until this is done, and the Council's approval should refer to them. All the Appendices which appear to have been omitted should of course be included.

**Condition 5. Foundation design in relation to Trees.** This is a very important condition which requires the submission of the following in terms '*Details of the design of building foundations and the layout, with dimensions and levels, of service trenches and other excavations on site in so far as these items may affect trees on or adjoining the site....*'

The submission relies on the Arboricultural Statement which does not address these issues. It certainly does not include the '*...design of building foundations and layout, with dimensions and levels, of service trenches and other excavations....*' as required. It is possible of course that this is all referred to in the missing appendices.

This condition cannot be discharged until this information is available.

**Condition 7 Sustainable Urban Drainage.** The report by Herrington Consultants very generic and does not provide the required detail of a sustainable urban drainage system referred to in the condition. What it does say is that there will need to be a storage attenuation tank measuring 3.5x2x0.5m underground on the site to provide discharge at 2l/sec into the public sewer. This is suggested to be potentially on the east side of the site which is helpful because it is away from the tree roots, but it may make it difficult to achieve the piling layout which is approved. This detail, and the precise location of the equipment involved need to be ascertained before the details required by the planning condition can be approved.

**Condition 13 Archaeology.** The approach here is standard and we have no comments.

Now that permission is granted we would like this development to go ahead, but we cannot see how these documents can be approved without more certainty on foundation design as is called for in the conditions. We hope that the omissions in the Arboricultural Report can be supplied very soon.

We are copying this letter to the applicants as it may help speed matters up. We are very concerned about this application, and it would be very useful to have the name of the person dealing with it so that we have someone specific to liaise with. We look forward to hearing from you in this respect.

Yours sincerely

A solid black rectangular box used to redact the signature of Ian and Madeleine Trehearne.

**Ian and Madeleine Trehearne**