

**Application No:**      **Consultees Name:**      **Received:**      **Comment:**      **Response:**

2020/0927/P      21/04/2020 15:34:38      OBJ

On 3rd April 2020, we moved into Willoughby Road having been made aware several days earlier of the planning application in respect of the construction of a basement at 31 Willoughby Road. You will recognise that the given the history of significant problems arising from the construction of other basements in properties in the vicinity this planning application for 31 Willoughby Road causes us considerable concern and we unequivocally oppose the planning application.

In the short time, since we became aware of the application it has not been possible for us to undertake a detailed assessment of all of the negative consequences attaching to the application but it is clear on any basis that the proposal raises fundamental questions of principle as regards the circumstances under which such basements should be permitted and there is a real and significant risk of damage to adjacent properties such as our own. We note that unlike the previous application the applicant has produced a report from several experts including Eldred Geotechnics. We would say that these reports do not address the questions of fundamental principle which should in any case of doubt lead the council to reject such applications. Rather it appears to address relatively secondary matters in enormous detail but fails to address effectively, or in some cases at all, the most important issues and in particular those arising from Camden Policy (A5).

It is to be recalled that Policy A5 provides, inter-alia, that "the Council will only permit basement development while it is DEMONSTRATED to its satisfaction that the proposal would not harm (i) neighbouring properties; (ii) structural ground water conditions of the area.....". The applicant is therefore under strict evidential requirement to demonstrate a positive case, rather than to provide a series of assertions which is all the current reports submitted do.

More particularly the applicant has failed to address in a meaningful way a series of obvious questions which are fundamental to a development such as this and which have arisen in previous similar applications in the area notably :

- The instability of the soil profile. As the Council knows 31 Willoughby Road and adjacent properties are on the edge of an area that is a mix of Bagshot Sand and Claygate and London Clay. These are potentially unstable and if disturbed can cause movement. Significant excavation as in this case can and invariably do cause movement.
- In addition this instability is aggravated by the topography and slope of the area which again is not meaningfully addressed in the applicant's submissions.
- The Council will be aware that there are many tributaries of the subterranean River Fleet that run beneath this area and that basement developments which can and have caused diversion and surfacing in the case of developments elsewhere in the vicinity. For example we understand that as a result of the previous basement development at 21 Willoughby Road, such instability and damage has been suffered at numbers 19, 23 and 25 Willoughby Road.

It follows that the cumulative impact of this proposed development creates a very real and substantial likelihood of damage to neighbouring properties including flooding and subsidence. None of this is adequately addressed or addressed at all in the applicant's submissions. This is all apart from the excessive noise, disruption and personal impact that these works will have on neighbours and neighbouring properties.. We would note within this context for the avoidance of doubt that our house is of course adjacent to No 31 yet there is no reference in the reports specifically to how these works may impact upon adjacent properties such as ours and so far as we are aware absolutely no attempt has been made by the owners to reach out to us on this planning application to discuss the impact on our property. Camden have a very real responsibility and legal duty of care under current legislation for ensuring the protection and safety of registered heritage assets including the 9 Grade II listed cottages forming 'Willow Cottages'.

Against this background, we reserve all our rights in respect of the application and would urge the Council to

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				reject it unconditionally. Not only does this application grossly infringe planning policies and practice but it creates a real and substantial risk to neighbouring properties in relation to which we have a legitimate expectation to seek protection from the Council.
2020/0927/P		20/04/2020 09:25:38	COMMNT	<p>This is to register my objection to the proposed works at 31 Willoughby Road.</p> <p>In my view, any major works will be a present and future risk to Willow Cottage's. As in my previous objection, this row of cottages, graded and protected, have no foundations and I feel strongly that this application for major works should not be permitted</p>