**Bowderbeck, 4A Hampstead Hill Gardens, London NW3 2PL**

6th July 2020

Dear Ms English

**LBC Planning: 2019/5835/P**

I have a number of objections to this application, and a direct interest, as my house, 4A HHG and 4B are attached to each other. This is the third attempt by the applicant to gain approval, the proposal under discussion being a revision of that put forward in 2019. (An application in June 2019 (2019/2964/P) was withdrawn.) The recent revisions in the current application do include some changes, but these make no significant difference. The main objections remain, the massing, the disregard for heritage issues both as regards the size, the number of floors, and the design, the reduction in amenity for my property and the creation of a large basement, which is likely to cause serious damage to my house.

An objection to the current revision of this application written on my behalf by a planning consultant, Peter Kyte of ‘Enabling’ was acknowledged by you on 1st July. This excellent report sets out in clear and well-illustrated detail strong grounds for objection. Since that report was written, the Heritage report by Fuller Long has been made available and this presents powerful arguments for rejection of the application. In addition, I have commissioned a report from a structural engineer to examine the BIA and the two audits from Campbell Reith. This report is attached (and is sent separately to you). I have also been in touch with a geotechnical firm. The findings of these professionals give me cause for considerable concern. The Heritage and the structural engineering report, along with the many issues identified by ‘Enabling’ have convinced me that the present application should be refused.

As you know, 4A Hampstead Hill Gardens, my home since 2002, is particularly affected by the application. 4A was built in 1957 in the garden of No.4 and 4B was built as a semi-detached building round the existing garage of 4A, in 1968, with the same roof line and of a size suitable to the small site. There is indeed an argument for rebuilding or refurbishing No 4B sympathetically , but as the ‘Enabling’ report states, ‘The best option for this site would be to redevelop or refurbish the building using the existing massing as a starting point. Anything more than this is in danger of being overdevelopment’ (p.3). However, that is exactly what is proposed in this third variation, a large, dominating building, still on four levels (basement and three above ground), of a design which would strike a discordant note in this attractive street, as the Fuller Long report, to which I will allude later, makes abundantly clear.

**Heritage**

With reference to Heritage issues, the revised Objection by Fuller Long (FL) refers to relevant sections from the National Planning Policy Framework of 2019, the Hampstead Conservation Area Statement and the Hampstead Neighbourhood Plan (2018) and the London Plan 2011 in exhaustive critique of the proposal, identifying the many ways in which the development would fail to meet the standards set out in these policies with regard to sustainable development and would detract from the character which makes this part of the street such an attractive part of the conservation area.

To supply some context as regards the setting of 4B and 4A, the house built in 1957, 4A, was kept deliberately low and modest, and the site was bounded by four hornbeam trees, to maintain a discreet, green space amongst the grand, now listed houses. The present two storey buildings, 4A and 4B, with a frontage of bushes and the remaining hornbeam in 4A continue to create a visual pause in the road. The proposed structure would change the whole effect by attaching a large chunky building to 4A; it would tower over this quiet, two storey building and the present relationship between the houses be lost. This is well-evidenced in the ‘Enabling’ report pp 3-7. 4B would be visually an uneasy neighbour to both 4A and No. 6. This disproportion is noted in FL 4, in particular 4.2,4.3, 4.4,4.5 and 4.8, and Figs 5,6. The Fuller Long report considers that the new building would detract from the setting of the nearby listed buildings and criticises the height, scale and bulk and design (4.19). It states that the ‘increase in visual prominence on the site would invert the subordinate and ancillary relationship between Nos 4A and 4b and would fail to respect the historic evolution of the site and the rightful prominence of the original Victorian buildings. inevitably create a different relationship with the nearby listed buildings.

A permanent and blighting consequence of the massing and the addition of a third floor would be the boxing in and overshadowing of my patio garden. This open space is a very welcome part of my house, with the windows of the whole main living area of the ground floor looking out onto the garden which is furnished with tables and chairs, surrounded by plants. A third storey would permanently dominate and overshadow this area. FL 4.13 points out that ‘views towards the flank wall of No 6 would change dramatically, with significantly more bulk and massing visible from this space’.

 As regards design, FL 4.8 describes the front elevation as having ‘an inappropriate sense of grandeur’ and states, ‘the proposed scheme is not considered to sufficiently reflect and respond to local character and distinctiveness and would undermine the historic pattern of pattern of development and urban grain along Hampstead Hill Gardens, failing to better reveal the significance of this part of the Hampstead Conservation Area.’ The report concludes (p27) that ‘the applications fails to comply with the statutory duties at s.66(1) and s.72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to preserve or enhance the character or appearance of the conservation area. The application is also contrary to policies D1 (Design) and D2 (Heritage) of the Camden Local Plan 2017’.

**Basement**

Taking into account the scale of the proposed operation, the total demolition of the existing house, excavation of a large portion of the site for a basement and a rebuild which would squeeze a disproportionately large building into a small site, I considered it vital to get professional advice as to the possible dangers to my house both during the proposed works and in the long term. As mentioned above, I commissioned a report from a structural engineer, Steven Brunswick, and took advice from a geotechnical surveyor, Dr Phil Smith of Geotechnical Consulting Group (see attachments).

One concern was the ground movement caused by the clay, which makes the area recognised by insurance companies as being of high risk. What might be the effect of a basement taking up much of the site, running along my house and garden party wall when attached to this house with its relatively shallow foundations? Dr Smith has highlighted

(Appendix 1) a number of issues for example the need for a deeper borehole, evidence that there is a ‘viable construction methodology, and stating that ‘the BIA should be done to satisfy Policy A5 that the scheme ‘would not cause harm to neighbouring properties’. He advised that the matters raised require action before any determination is considered by the Planning Department and, in conversation, suggested I contact a structural engineer.

The report commissioned from the structural engineer, Mr Steven Brunswick (attached here and also submitted separately) sets out in detail what he identifies as problems which are not satisfactorily covered by the BIA and the audits and concludes, ‘the combination of part demolition of the party wall, impact damage, ground movement during underpinning and subsequently during basement excavation combined with wind loading is likely to result in significant damage to the remainder of the party wall and potential collapse of the roof and floors supported by the party wall, and so this scheme should not be allowed to progress’. 4A being my home, this shocked me.

In this connection, I note that the Hampstead Neighbourhood Plan 2018-20133 5.12 c requires that’ the predicted Burland Scale at the time of the construction phase is no more than Burland Scale 1 throughout the building and each neighbouring building that has any part within the zone of influence (a distance of twice the depth of the basement from the point of the excavation). The assessment must show the location of the predicted impact and also demonstrate that the methodology and supporting engineering calculations stand up to scrutiny’.

The first BIA audit (May’20), commissioned by you had identified the need for more information and assessments, noting that the BIA as presented did not ‘meet the requirements of Camden Planning Guidance, Basement. A week later a ‘Additional BIA information’ was lodged and followed by a revised ‘Final’ audit (11 June). The June audit asserted, in 5.5 that a ‘GMA has been presented and any damage occurring at neighbouring properties will be within Category 1 of the Burland Scale’.

I asked the structural engineer his opinion about this matter and he replied, ‘some analysis has been done to try and establish what might be the extent and magnitude of movement that will occur during the redevelopment of the 4B. However, the analysis is primarily made on the basis of a geotechnical model reflecting a 3m deep hole in London clay and the effects on the surrounding ground during the excavation and rebuild with generalised input into the soil conditions. The movement as a result of the underpinning has been assumed (in the BIA) to be less than 5mm as a global assumption, with nothing based on the realities of what is proposed with allowances for deflection of supporting beams, delays in programme and general workmanship, all of which will increase the actual movement’ (my underlining). He also lists the age of the property and the proposed materials as factors.

The report states that cracks of around 15mm, that is, between Burland Scale 3 and 4, would be expected. This being so, the applicant would not be complying with Policy BA1 of the HNP, paragraph 5.12. The report adds that depending on the location, smaller cracks could ‘trigger a failure’. You will see that these matters are fully addressed in the report, which, as stated above, concludes that ‘the scheme should not be allowed to progress’. These are not problems to be wrangled over by lawyers but addressed at this stage. I am sure you will agree that plans should only be passed if they stand up to close professional scrutiny and be shown to conform to best practice.

**Flooding**

A further question relates to the possibility of flooding. 4B and 4A are on a noticeable slope, that is, between Rosslyn Hill and South End Green, 4B being lower than 4A. The applicant ticked the box in the BIA claiming that the slope is less than 7 degrees. This is included on p36 of 239 of the BIA and is based on the map of the whole of Camden showing that in general the area is subject to a gradient of less than 7 degrees. "OS Mapping and Camden Geological, Hydrogeological and Hydrological Study – Figure 16". This is confirmed in section 4.18 of the BIA audit as being acceptable. However, a walk through 4A shows that the drop from the front party wall of 4 to the garden of 4a overa distance of 1070 cm is 156cm a gradient of 8.3 degrees. There may be a steeper gradients elsewhere where it has not been possible to measure.

Surface water flooding should be taken into consideration. We are experiencing more extreme weather; flooding is more frequent and widespread. The [URS report on Flood Risk Assessment prepared for Camden in July 2014](http://hampsteadforum.org.uk/evidence/Basement%20evidence/Hydrology%20evidence/London%20Borough%20of%20Camden%20Strategic%20Flood%20Risk%20Assessment.pdf) can be consulted in this respect, see figure 6.1, paragraphs 6.4.3, 6.4.4, 6.4.5, 6.4.7, 6.4.9 pages 51 (60), 52 (61) in the URS report. It should be noted that the street is downward sloping and that a 4 metre differential would be created.

Campbell Reith’s June ‘20 audit states, ‘Groundwater monitoring was not undertaken as part of the site investigation. The BIA considers any potential groundwater ingress during construction to be controlled by isolated sump and pump systems. The London Clay is designated unproductive strata. Considering the ground investigation findings, it is accepted that there will be no impact to the wider hydrogeological environment.’ However, residents have reported flooding in this area and the Landmark survey records that there is a risk. Might a basement covering an area which is now partly garden, cause some damming? Very heavy rain over a long period water could then back up against the party wall and flood my sitting room.

To sum up, there are major objections to this proposal, on many counts: the massing, the third floor, the failure to find accord with the admired character of the street, the deprivation of my amenity, the building of a basement, in this area, with a plan that puts my house at risk. This is an unsympathetic overdevelopment in the conservation area. I respectfully submit that this third iteration should be refused, as it stands. I would like to attend the meeting of the Planning Committee.

Regards

Janna Williams