

Objection to planning application 2019/5835/P - 4B Hampstead Hill Gardens

I am writing to object to the latest version of the planning proposal submitted for 4B Hampstead Hill Gardens. This is the third revision to the plan, but the major points of objection have not been addressed, hence my third objection letter.

I am the son of the owner of 4A, the house connected to 4B. I grew up in Hampstead and my family and I spend several weeks each year with my mother in her house, so I am very familiar with the building, its garden, and the surrounding area. I fully endorse the objections of my mother, Janna Williams, and those of the planning consultant Peter Kyte, the basement engineer Dr Phil Smith, the structural engineer Steven Brunswick, and the architect Bill Risebero, all written on behalf of and in consultation with my mother. Their professional opinion is that the proposal not only contravenes multiple UK, London, Camden, and Hampstead planning statutes and policies, but also risks causing very serious damage to 4A, and thus should be rejected.

I personally would stress the following objections:

Additional height leading to loss of light, overshadowing, and privacy issues:

The minor revisions to the proposal have not dealt with this key issue of contention: the proposed structure is simply too high with respect to the adjoining house, 4A. (Attempts to fudge the issue by calling the additional level a “roof with rooms” does not solve the problem!) The applicant’s own diagrams could not illustrate the problem more clearly:



“Proposed Street Elevation” from proposal’s “Design and Access statement”, p.35.

Anyone coming around the curve of the road would be met with this extraordinary sight. The appearance of the proposed redevelopment of 4B gives the impression that a completely separate house, of a different height and design to 4A, has been picked up from its original separate location and randomly tacked on to the side of 4A. It is extremely hard to see how anyone could begin to consider this as an acceptable proposal in any setting, let alone in a historic Conservation area, surrounded by a group of Grade II listed buildings. To approve this design would make a travesty of Camden’s commitment to “excellence in design” and directly violate the Camden Planning Guidance (CPG) document’s requirement that “Good design should respond appropriately to the existing context by: **carefully responding to the scale, massing and height of adjoining buildings, ...**” (2.11, p.10)

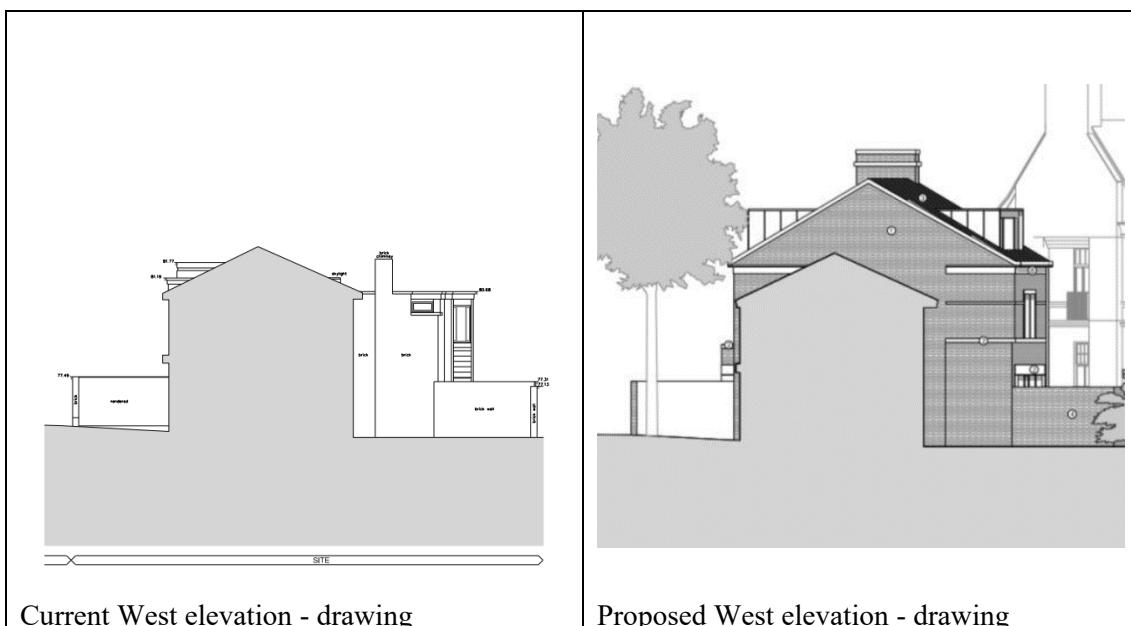
The current front view of the adjoining buildings is below:



Current street view: 4A is the red brick house centre and right, with the sloping roof, 4B is the small metal-clad structure to the left. (Image source: Google street view, accessed Feb 10, 2020)

This image clearly shows that 4B is lower in height than 4A, and is subordinate in size and visually to 4A. Any acceptable redevelopment of 4B must result in a structure not exceeding the height of 4A, with complementary building lines and design features. Such a redesign could no doubt greatly improve the current appearance of 4B, and would be likely to receive a more sympathetic response from neighbours and heritage groups.

Of course, the problem with the proposed additional level is not limited to the front view. The side and rear views are also dramatically affected. The diagrams and images below illustrate this problem:



(Image source: Heritage Statement by Fuller Long, p.23)

The proposed development towers over the top and to the rear of the adjoining 4A, once again directly contravening the CPG's requirement that a development must "carefully respond to the scale, massing and height of adjoining buildings". The picture and CGI of the original and proposed structures also make this clear:



The existing building



Proposed structure (Images from “Design and Access statement”, p.42)

It should be noted that the existing rear mass of 4B already overshadows the garden and windows of 4A, i.e.:



Picture taken from the garden of 4A showing the rear mass of 4B

The proposed structure, so much larger and higher than the current one, would block essential light to almost all of 4A’s main windows which, it should be noted, are mainly on the south and east elevations and already suffer from limited light due to in part to 4B’s existing rear mass. In particular, the kitchen/dining area, where much time is spent, would be completely overshadowed, and light taken from the east-elevation windows, which directly face the west elevation of 4B. The garden, too, will be oppressively overshadowed by the overbearing additional level. The small patch of sky above the current rear mass of 4B, which we now enjoy seeing from the windows and garden, and which provides light, would disappear,

blocked out by the new structure. Similar negative impact, along with privacy intrusion in several cases, would result for the surrounding houses and gardens (as noted in other objection letters). The design thus also contravenes Camden's Local Plan policies A1, as it causes harm to amenity.

Dozens of neighbours and other interested parties, the Residents' Association for the road, the Hampstead Neighbourhood Forum, the Hampstead Committee for Responsible Development, the Heath & Hampstead Society, the local Councillor Stephen Stark, have all identified the additional height and massing being proposed in this application as a main point of objection. If the public consultation carries any weight in the planning approval process, then any proposal for additional height and mass above the height of 4A should surely be rejected outright.

Conservation area, character and appearance, preservation and enhancement:

The proposed design plan is not only completely incongruous with the adjoining house, 4A, as has been demonstrated above, but also with the streetscape at this key point in the road, 4A being the house closest to the group of Grade II listed buildings. 4A is a modest, set-back, simple red-brick, low two-storey building that is visually unassuming, and makes no attempt to compete with the magnificent Grade II listed buildings that surround it. The proposed redevelopment of 4B would create an unavoidable eyesore that would greatly detract from this historic Conservation area and townscape. This is clearly illustrated in the images below:



Current view west, turning the curve in the road to the group of Grade II listed buildings – 4B hardly visible on the left. (Image source: Google Street view, accessed July 9th, 2020)



CGI of view of proposed 4B redevelopment showing the huge increase in size, and the resulting disfigurement of the original attractive streetscape. (Image source: Design and Access statement, p.40)

This problem could have been avoided if the CPG requirement already quoted, i.e. to “carefully respond to the scale, massing and height of adjoining buildings, ... ” had been followed.

Furthermore, in the context of the streetscape, the jarring and overbearing design for 4B fails to comply with multiple design policies in the Camden Local Plan 2017, the London Plan, and the National Planning Policy Framework, the Planning (Listed Buildings and Conservation Areas) Act 1990, The Hampstead Conservation Area Statement, and The Hampstead Neighbourhood Plan, as detailed in the Fuller Long heritage report and the objection from the town planner Peter Kyte.

Of course, approval of the proposal would also set a dangerous precedent for re-development of garages, and additional storeys on other one- or two-level houses in the street and area, leading to degradation of the area's historic and attractive townscape.

The damage to the appearance and heritage of the area threatened by this proposal has been emphasized as a key objection in every objection letter and every report from local heritage bodies and cannot be ignored. The height increase and massing above and to the rear of 4A, and the incongruous design should be rejected.

Basement proposal and danger of catastrophic failure of the party wall leading to collapse of the roof and floors of 4A:

The Camden Local Plan Policy A5 states that “The Council will only permit basement development where it is demonstrated to its satisfaction that the proposal would not cause harm to: a. neighbouring properties; b. the structural, ground, or water conditions of the area; ...” However, the report by the structural engineer, Steven R. Brunswick, along with a follow-up email from him (attached below), make it clear that this requirement has not been met, and the proposed work entails significant risk of very serious damage to 4A including possible **structural failure of the party wall** leading to **“potential collapse of the roof and floors supported by the party wall.”** He notes various serious issues: A “major flaw” in the demolition plans for the party wall, which may put 4A at risk during construction and damage the retained portion of the wall. The basement construction plan gives “no thought” to the possibility that work on the short bored piles will put the party wall at risk. While the construction plan optimistically hopes to maintain movement of less than 5mm, he “would expect cracks to be in the order of 15mm wide so between the Moderate and Severe category,” (contravening Policy BA1 of the HNP, paragraph 5.12.) and that “smaller cracks, depending on their location can trigger a failure of what is being supported” and, it is worth repeating, he concludes that **“there is a high risk of potential failure of the party wall” that would lead to the collapse of the roof and floors of 4A supported by that wall.**

Apart from these unacceptable risks during the proposed construction, Mr Brunswick further points out that the “linking of the new basement foundation to the remaining part of 4A Hampstead Hill Gardens” would result in a “fundamental change in foundation support at one end of the building ... likely to cause damage in the long term.” This risk would no doubt be exacerbated by the subsidence the area is prone to. And, given the risk of flooding in the area (as indicated in the Landmark flood check), one must consider whether the underground barrier that would be formed by the huge basement would act to dam water, thus also increasing the flood risk to 4A.

In addition to the structural engineer's report, comments by Dr Phil Smith of the Geotechnical Group also raise several problems with the BIA report and the construction methodology statement, indicating insufficient site-specific investigation and planning.

The fact that 4A is built on land which slopes down towards 4B, and that the slope appears to be somewhat greater than the 7 degrees claimed, should also be considered as this can only heighten the risk of collapse of the party wall during demolition and excavation of 4B.

Thus, not only could the proposed basement construction result in the complete collapse of the adjoining wall, roof and floors of 4A, but the basement itself is liable to cause long term damage to 4A. So, on the basis of Camden's Local Plan Policy A5 and on party wall grounds, the basement proposal should be rejected outright.

The proposed demolition, excavation and construction, to be carried out for a period of over a year and, with delays, possibly much longer, creates much too great a risk to 4A to be approved. The applicant should be advised to propose a design that maintains the existing massing, without the addition of a basement.

Call for outright rejection and an end to minor changes:

I find it perplexing that the two revised proposals have differed so little in substance to the original submission. The revisions are cosmetic and do nothing to address the major objections made by so many neighbours and heritage groups, i.e., the excessive height and poor design, and concerns about the basement. I appreciate the Council's attempt to provide the applicant and DP9 with advice and comments to revise the proposal, but their responses have been limited to minor changes to what is a fundamentally inappropriate development. No useful purpose is served by the tweaking of a design which is so completely incongruous with the adjoining house, 4A, and the surrounding conservation area, and one that has, now for the third time, been so roundly rejected by the local community, including neighbours and heritage groups. Given such unified and justified opposition, as well as the great risk of damage to 4A that has been identified, I feel strongly that this proposal should be rejected, and it made clear to the applicant that any redevelopment should not exceed the height of 4A, must take 4A as its design reference, and that a basement carries too great a risk to 4A to be approved in any form.

Appendix: Follow-up email from the structural engineer, Steven Brunswick

Dear Mrs Williams,

You have asked what I would estimate the crack size to be on the Burland scale. While I can see why you would like to have this as a comparator it is difficult to be definitive because of the multiple work being undertaken on the party wall with your property all of which will cause movement both horizontal and vertical combined with vibration. These activities in the construction phase include:-

- Demolition of the existing property
- Cutting back of the party wall to remove the wall on the side of 4b back to the party wall line.
- Excavation of the basement
- Propping of the excavation
- Underpinning of the party wall
- Cutting back of the existing foundation where it protrudes into 4b
- Construction of the new reinforced concrete structure
- Temporary works propping movements under load due to deflection of walings and shortening of props.

As these are all interlinked activities with different construction methods/alternatives and timescales it is very difficult to say what the severity level might be. I have already said that there is a high risk of potential failure of the party wall but as a minimum, based on the age of the property and materials used in its construction I would expect cracks to be in the order of 15mm wide so between the Moderate and Severe category. For a collapse scenario it may well be that smaller cracks, depending on their location can trigger a failure of what is being supported, so you cannot strictly rely on the size of the crack to determine the extent of damage as the location is critical when looking at overall wall and building stability.

Regards,

Steven Brunswick
