
From: [REDACTED]
Sent: 30 September 2020 21:59
To: English, Rachel
Cc: 'David Castle'; Janine Griffis [REDACTED]; Councillor; 'Oliver Froment'; 'TJ Berman'; 'alex'
Subject: 2019/5835/P 4B Hampstead Hill Gardens, London NW3 2PL

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Rachel English SPO LB Camden

30th September 2020

Dear Rachel

2019/5835/P 4B Hampstead Hill Gardens, NW3 2PL

As you know I asked Mr Brunswick, the structural engineer who wrote a report on the BIA for the above application, to look over the review by Campbell Reith (CR). I have also discussed the review with Todd Berman, chair of the HHG RA and other neighbours and they support the content of this letter. Although we very much appreciate your commissioning a review in the light of the serious criticisms made on structural and geotechnical grounds, it is disappointing that the update remains unsatisfactory, non-compliant, procedurally incorrect and skirts around the point that the predicted damage to my property (4A HHG) is expected by Mr Brunswick to be so severe that the matter needs to be addressed before determination.

In the CR review, which is far from comprehensive, at least seven matters which CR recognise as requiring action are listed. Other issues are dismissed, with no conclusive evidence, or not addressed. However, CR are satisfied that all problems can be sorted out by a Party Wall agreement and assert that 'the BIA complies with Camden's Planning Guidance on Basements and the Local Plan'. They claim the BIA demonstrates 'the basement may be constructed without causing damage worse than Burland Category 1 to the neighbouring properties and/or harm to the water environment'. The CR report however fails to demonstrate this. CR write (para 4) 'The GCG letter states that the site investigation does not comply with British Standards or the recommendations in Arup's 'Camden geological, hydrogeological and hydrological study. My professional advisers have pointed that so many assumptions that could be tested have not been and in each case the most optimistic prediction has been made. This and the fact that in some cases the tests are mandatory (and still have not been carried out) for example bore holes sufficiently near, recent and to a sufficient depth render the audit incorrect both procedurally and importantly in its conclusions.

Besides the assumptions there are also omissions; referring again to the HNP, see para 5.12c: 'the assessment must show the location of the predicted impact and also demonstrate that the methodology and supporting engineering calculations stand up to scrutiny' but such a conclusive demonstration is missing.

With regard to CR's claim that there will be no damage 'worse than Burland Category 1', Mr Brunswick has informed me that given the many adverse factors that may cause movement both horizontal and vertical combined with vibration' he would 'expect cracks in the order of 15mm wide, so between Moderate (3) and Severe (4) category'. This considerable difference of opinion needs to be addressed. The HNP policy BAI (2) states 'construction will not be allowed to proceed where there is evidence that damage to neighbouring properties would exceed Burland Scale 1'. The issues are far from trivial and need to be dealt with before determination and the BIA adjusted accordingly, that is, not passed on

from the Camden Planning Office to party wall lawyers. A good party wall agreement is vital, but not adequate for a case of this complexity, and affords no redress beyond a certain period of time.

A couple of further points of importance, Mr Brunswick has pointed out, in response to the CR review, 'the comments about a half brick wall being an adequate retaining wall are I believe wrong as in the best of conditions a half brick wall will only support 30mm of soil and we don't know what the condition of the wall will be when it is cut back. Yes, lots of temporary works can be employed and that may control the movement, but the works will get in the way and will probably be adjusted so many times to get access that it will be ineffective'.

Mr Brunswick notes that (CR para 9) with regard to the trench sheets to support the garden ..within the garden of No.6 HHG that 'the applicant should clarify the system proposed ..' etc' but considers there should be more detailed method statements for all the works to explain how the development is going to be undertaken, bearing in mind the restriction of the site which will get narrower as the wall will need to move into the site'.

In conclusion, Mr Brunswick states that he has not changed his view 'that damage will occur during the demolition and underpinning phases due to movement of the temporary works, impact damage and poor workmanship, however carefully controlled, if the current scheme is adopted'. In his report 2nd July (casefile 8th July) he refers to the possibility of 'significant damage to the remainder of the party wall and potential collapse of the roof and floors supported by the party wall'. Given that were this BIA to be approved I would be facing a project which expert advice considers is quite likely to seriously damage my property it seems only reasonable that Camden should require that the applicant makes revisions which will ensure the BIA is a lot more rigorous and well-evidenced before determination.

I am of course very concerned about the structural and ground movement issues in relation to the creation of a basement on this site but I also wish to stress that I have an unshakeable objection to this third iteration of the application. Improving the housing stock, keeping homes up to date, these are householders' rights, but the developments should enhance and preserve not only the buildings but the area and this application does not. I have written to the Planning office on a number of occasions and you are in touch with my planning consultant, Peter Kyte. It was good news when you wrote to Peter on 28th July to say you were 'likely to recommend refusal on design grounds' and on the same day to Todd Berman and Alex Shinder that you would be 'recommending refusal'.

The inappropriate design has been a paramount concern, unanimously as you are aware along the western part of the road houses 1-15 and of many local residents and residents' associations. These have submitted objections during the public consultation, at each iteration and perhaps with particular concern at this latest one. The Fuller Long report on the application makes absolutely clear how out of place a building of the projected dimensions (almost double the volume of the present 4B) and massing and style must be both in relation to the harmoniously designed listed buildings around and in relation to 4A, a low two storey house with its own character, now very much part of this attractive road. A strong further objection with regard to replacing a flat roofed two storey building with a three storey property would be the effect on the amenity of my living space. As I wrote in my response of 7th July, 'this space is a 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, and 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'. Having summarised my concerns my letter concludes 'this is an unsympathetic overdevelopment in the Conservation Area. I respectfully submit that this third iteration should be refused. I would like to attend the meeting of the Planning Committee.

Thank you for your ongoing careful consideration of all the issues created by this application.

Regards

Janna (Williams)